



CONFIRMED

MINUTES

FOR THE

ORDINARY COUNCIL MEETING

Held

13th of December 2023

At

ADMINISTRATION CENTRE EATON
1 Council Drive - EATON

This document is available in alternative formats such as:
~ Large Print
~ Electronic Format [emailed]
Upon request.

VISION STATEMENT

“The Shire of Dardanup is a healthy, self-sufficient and sustainable community, that is connected and inclusive, and where our culture and innovation are celebrated.”

TABLE OF CONTENTS

1	DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS.....	1
2	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED	2
2.1	<i>Attendance.....</i>	2
2.2	<i>Apologies.....</i>	2
2.3	<i>Leave of Absence.....</i>	2
2.4	<i>Previous Meetings.....</i>	3
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	3
4	PUBLIC QUESTION TIME.....	4
4.1	<i>Terri and William Keech Item: Tourism Development: Brewery, Restaurant and Chalets – Short Stay Accommodation – Lot 101 (59) Richards Road, Ferguson.....</i>	4
5	APPLICATIONS FOR LEAVE OF ABSENCE	6
6	PETITIONS/DEPUTATIONS/PRESENTATIONS	6
6.1	<i>Dylan Wray from Element Item: Tourism Development: Brewery, Restaurant and Chalets – Short Stay Accommodation – Lot 101 (59) Richards Road, Ferguson.....</i>	6
7	CONFIRMATION OF MINUTES OF PREVIOUS MEETING.....	11
7.1	<i>Ordinary Council Meeting Held on the 22nd of November 2023</i>	11
8	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	11
9	ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED.....	12
9.1	<i>Title: The Shire of Dardanup New Library, Administration and Community Building – Update on Commercial Space.....</i>	12
10	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN.....	12
11	DECLARATION OF INTEREST	13
12	REPORTS OF OFFICERS AND COMMITTEES	13
12.1	EXECUTIVE REPORTS.....	13
12.2	SUSTAINABLE DEVELOPMENT DIRECTORATE REPORTS	14
12.2.2	<i>Title: Tourism Development: Brewery, Restaurant and Chalets – Short Stay Accommodation – Lot 101 (59) Richards Road, Ferguson.....</i>	14
12.2.1	<i>Title: Personal Development Grants – Request to Increase 2023/2024 Allocation</i>	46
12.2.2	<i>Title: Tourism Development: Brewery, Restaurant and Chalets – Short Stay Accommodation – Lot 101 (59) Richards Road, Ferguson.....</i>	49
12.3	INFRASTRUCTURE DIRECTORATE REPORTS	50
12.4	CORPORATE & GOVERNANCE DIRECTORATE REPORTS.....	50
12.4.1	<i>Title: 2022/23 Annual Report.....</i>	50
12.4.2	<i>Title: Adoption of Parking Amendment Local Law 2023.....</i>	57
12.4.3	<i>Title: Annual Review of Delegations 2023.....</i>	61
12.4.4	<i>Title: Lot 220 Charterhouse Street, Eaton – Proposed Disposal</i>	69
12.4.5	<i>Title: Light Vehicle Fleet Review - 2023</i>	76
12.4.6	<i>Title: Appointment of Delegate to South West Development Commission</i>	88
12.4.7	<i>Title: Monthly Statement of Financial Activity for the Period Ended on the 30th November 2023</i>	91
12.4.8	<i>Title: Schedule of Paid Accounts as at the 30th of November 2023</i>	95
12.5	COMMITTEES.....	127
12.5.1	<i>Title: Audit & Risk Committee Meeting – 20th November 2023.....</i>	127
12.5.2	<i>Title: Audit & Risk Committee Meeting – 6th December 2023</i>	129
13	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	131
14	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING.....	131
15	PUBLIC QUESTION TIME.....	131

16	MATTERS BEHIND CLOSED DOORS	132
16.1	<i>Title: The Shire of Dardanup New Library, Administration and Community Building – Update on Commercial Space</i>	<i>133</i>
17	CLOSURE OF MEETING	134

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 e.g. 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	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. Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g.: under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.

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."

RISK ASSESSMENT

Inherent Risk	The level of risk in place in order to achieve the objectives of the Council and before actions are taken to alter the risk's impact or likelihood.
Residual Risk	The remaining level of risk following the development and implementation of Council's response.
Strategic Context	These risks are associated with achieving Council's long term objectives.
Operational Context	These risks are associated with the day-to-day activities of the Council.
Project Context	Project risk has two main components: <ul style="list-style-type: none"> • Direct refers to the risks that may arise as a result of project, which may prevent the Council from meeting its objectives. • Indirect refers to the risks which threaten the delivery of project outcomes.

SHIRE OF DARDANUP

MINUTES OF THE SHIRE OF DARDANUP ORDINARY COUNCIL MEETING HELD ON WEDNESDAY, THE 13TH OF DECEMBER 2023, AT ADMINISTRATION CENTRE EATON, 1 COUNCIL DRIVE, EATON, COMMENCING AT 5.00PM.

1 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

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

Acknowledgement of Country

The Shire of Dardanup wishes to acknowledge that this meeting is being held on the traditional lands of the Noongar people. In doing this, we recognise and respect their continuing culture and the contribution they make to the life of this region and pay our respects to their elders, past, present and emerging. The Shire of Dardanup also respects and celebrates all cultures of all our residents and visitors to our Shire.

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, you will be directed to an appropriate Assembly Area where we will meet (and complete a roll call).

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.

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

Cr. Tyrrell Gardiner	-	Shire President
Cr. Ellen Lilly	-	Deputy Shire President
Cr. Jack Manoni	-	Elected Member
Cr. Taneta Bell	-	Elected Member
Cr. Annette Webster	-	Elected Member
Cr. Tony Jenour	-	Elected Member [Via Teams]
Cr. Mark Hutchinson	-	Elected Member
Cr. Luke Davies	-	Elected Member
Cr. Stacey Gillespie	-	Elected Member
Mr André Schönfeldt	-	Chief Executive Officer
Mr Phil Anastasakis	-	Deputy Chief Executive Officer
Ms Susan Oosthuizen	-	Director Special Projects
Mr Ashwin Nair	-	Director Sustainable Development
Mr Theo Naudé	-	Director Infrastructure
Ms Cathy Lee	-	Manager Human Resources
Mrs Donna Bailye	-	Manager Governance
Mrs Brooke Sudbury	-	Executive Support Officer
Ms Tahniah Creedon	-	Communications Officer

2.2 Apologies

None.

2.3 Leave of Absence

None.

2.4 Previous Meetings

DATE	TYPE	Cr. T BELL	Cr. L W DAVIES	Cr. T G GARDINER	Cr. S L GILLESPIE	Cr. A C JENOUR	Cr. E P LILLY	Cr. M R HUTCHINSON	Cr. J D MANONI	Cr. A L WEBSTER
OCTOBER 2023										
25/10/23	SCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
NOVEMBER 2023										
15/11/23	AF	✓	NA	✓	LoA	✓R	✓R	✓	✓	✓
22/11/23	OCM	✓	✓	✓	LoA	✓	✓	✓	✓	✓
29/11/23	CF	Ap	NA	✓	LoA	Ap	✓	✓	✓	✓
DECEMBER 2023										
06/12/23	WS – WHS	✓	NA	✓	✓	✓	✓	✓	✓	✓
06/12/23	AF	✓	NA	✓	✓	✓	✓	✓	✓	✓
13/12/23	OCM	✓	✓	✓	✓	✓R	✓	✓	✓	✓

TYPE LEGEND	
AF	Agenda Forum
CF	Concept Forum
OCM	Ordinary Council Meeting
SCM	Special Council Meeting
WS	Workshop

ATTENDANCE LEGEND	
✓	Attendance
✓R	Remote Attendance
Ap	Apology
LoA	Leave of Absence
NA	Non Attendance

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

4 PUBLIC QUESTION TIME**4.1 Terri and William Keech Item: Tourism Development: Brewery, Restaurant and Chalets – Short Stay Accommodation – Lot 101 (59) Richards Road, Ferguson**

Mrs Terri Keech read aloud the following question:

This question relates to noise concerns regarding Chalets proposed to be built close to our residence. We have submitted our opposition to the proposed locations of Chalets 8 and 9 as being unreasonably close to our existing full-time, permanent residence, however Council staff have determined that the proposed locations of the Chalets meet planning requirements. We have also requested that a Noise Management Plan be submitted and implemented for the Chalets, but this has not occurred. We are concerned about the possibility of excessive noise from the Chalets, particularly at night, because our bedrooms face the Chalets. With no Noise Management Plan in place, what recourse is available to us to deal with these excessive noise occurrences, should they eventuate, and how can we be confident that noise problems will be mitigated? We would respectfully request that our concerns regarding this matter be noted.

Response:

Mr Ashwin Nair, Director Sustainable Development thanked Mrs Keech for her question. Mr Nair advised the Environmental (Noise) Regulations 1997 sets the assigned levels within the various localities that should not be exceeded. Where noise is considered to exceed the assigned levels, this is a breach and will be investigated by the Shire where a complaint is received. Ultimately it will be the operator's responsibility to make sure noise management measures are in place at all times to protect the amenity of the locality. Notwithstanding this, if Council choose to include a Noise Management condition specific to the chalets this is also considered as a valid planning condition.

Mrs Terri Keech read aloud the following question:

This question concerns Bushfire and Evacuation Safety. We have raised serious concerns over the safety of Richards Road as a single evacuation route in the event of a bushfire emergency in the vicinity of the proposed development. We acknowledge and appreciate that the Applicants have undertaken bushfire risk surveys and prepared a Bushfire Management Plan and a Bushfire Emergency Evacuation Plan. We also appreciate that the Applicants have applied the Bushfire Management Plan and Bushfire Emergency Evacuation Plan to the entire site of the proposed development. However, upon reading DFES's review of the development applications dated 24 November 2023, we note that DFES remain unsatisfied that the proposed actions to mitigate bushfire risk and improve evacuation safety are adequate or achieve compliance in certain areas. At no point in the assessment process (that we could find) have existing residents and their right to safe evacuation from Richards Road been considered or taken into account. The proposed development will, if approved to proceed, fundamentally alter the safety and speed with which existing residents are able to evacuate the area via our only exit route.

Worth noting is that existing residents will likely also need to evacuate livestock during a bushfire emergency, given that we are located in a farming area. We would respectfully remind Council that, were it not for the scale of the development and the numbers of visitors attempting to flee the venue in an emergency situation, the safe evacuation of existing residents would remain unhindered by large volumes of traffic. Is the Council satisfied that DFES's recommendations and requirements for the proposed development have been adequately met, and will become conditions of the approval of the proposed development in perpetuity given the Council's duty of care to existing residents, and the reality that the development will directly affect the expedient access of existing residents to our only safe evacuation route during a bushfire emergency? We would respectfully request that our concerns regarding this matter be noted.

Note: Mr André Schönfeldt, Chief Executive Officer, advised Mrs Keech that staff can't speak on behalf of Council only as a staff member.

Response:

Mr Ashwin Nair, Director Sustainable Development advised several matters initially raised by the Department of Fire Emergency Services have been addressed by the applicant within their updated Bushfire Management Plan submitted for the development. The Department of Fire Emergency Services preference through their submission is for a development to provide for public road access in two different directions to at least two different suitable destinations. They acknowledge however, that the Guidelines for Planning in Bushfire Fire Prone Areas accept open air refuge as an acceptable solution which has been proposed by the applicant. However, have concerns that it is only dedicated to being used for the occupants of the chalets and that it should only typically cater for 100 people maximum. This has been proposed by the applicant as only the chalets trigger the bushfire planning requirements as they fall within a designated Bushfire Prone Area set by the Department Fire Emergency Services. Therefore, they are only required to cater for those occupants. Notwithstanding this, it is likely that in the event of a bushfire, the open-air refuge area can cater for the maximum capacity of patrons on the site being 150 people. The acceptance of the Bushfire Management Plan is ultimately at the discretion of Council.

In terms of evacuating along Richards Road for patrons and existing landowners, Richards Road once upgraded as proposed will meet the 6.0 metre road width requirement within the Guidelines for Planning in Bushfire Fire Prone Areas. This allows for two-way movement including the passing of emergency vehicles. The road is a Local Access Road which is working under capacity in terms of traffic volumes and as a result considered to be able to manoeuvre vehicles away from a fire in a reasonable timeframe.

Response:

Cr T G Gardiner thanked Mrs Keech for her questions and Director Sustainable Development, Mr Ashwin Nair for his responses.

5 APPLICATIONS FOR LEAVE OF ABSENCE

None.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS**6.1 Dylan Wray from Element Item: Tourism Development: Brewery, Restaurant and Chalets – Short Stay Accommodation – Lot 101 (59) Richards Road, Ferguson**

Mr Dylan Wray from Element read aloud the following: -

Good evening. My name is Dylan Wray and I represent the landowners in respect to the proposed brewery, restaurant and chalets at Lot 101 (59) Richards Road, Ferguson. Thank you for the opportunity to provide this deputation.

This application before you represents several years in the making from initial feasibility and early discussions with the Shire, through to the completion of extensive site investigations and assessments to inform the proposed development.

Ultimately, it was the preparation of the Shire's draft Local Planning Scheme No. 9 that acted as the catalyst for progressing this development application given it identified the subject site within the Ferguson Valley Tourist Area Special Control Area and included the 'Brewery' land use as a discretionary use. This is also a key reason we elected for the application to be determined by the Shire as opposed to the Regional Development Assessment Panel.

We are fully appreciative of the Shire's vision to grow the tourism industry within the Ferguson Valley area which is a truly unique landscaping and should be promoted through the support of such development.

As you can appreciate, development within a rural area is not easy given the need to balance a number of competing pressures. Fundamentally however, it requires a landowner who is willing to make a significant investment and is committed to building sustainable relationships with the Shire and the community to ensure the long-term success. In this instance, we have two brothers who grew up less than 30 minutes from Ferguson Valley who are ready to make that investment and commitment.

This is a shovel ready project with the landowners already purchasing equipment for the brewery. They understand the risk however have full confidence in the Shire to support a project that ultimately aligns with the vision of growing the tourism industry in Ferguson.

We have worked extensively with the Shire's planning and engineering teams to resolve all issues and concerns raised which is reflected by the officer's recommendation to approve the development. All technical assessments have been prepared against industry standards and best practice and have undergone the necessary examination by referral authorities to inform the officers report. We have made every effort to demonstrate to the Council that the proposed development appropriately addresses all planning related matters and can therefore be approved tonight.

Development Summary

I won't go into detail on the development itself as it is self-explanatory. However, it is important to note that the proposed restaurant / brewery seeks to utilise existing buildings, one of which was previously used for a French restaurant. The bulk and scale of the restaurant / brewery is therefore considered to be appropriate in the context of a rural area given the development is an adaptive re-use of existing buildings which is considered an important sustainability initiative.

Additionally, all buildings have been located to take full advantage of the natural landscape with valley views. The location and outlook from the proposed development epitomises Ferguson Valley. We believe

this is an important point of difference when compared to Wild Bull Brewery and Bush Shack Brewery which lack views of the valley.

The development will be separated from the existing farming operations to enable the bulk of the property to remain available for the grazing of cattle. The intent will be to provide visitors and guests the full farm experience by offering activities such as animal feeding and interactions.

We also wish to reiterate that the 150-person capacity provides flexibility for the venue to host occasional events (weddings). It would be a roaring success if the venue receives these number of customers however it is very unlikely. Speaking to nearby breweries within the area, they rarely exceed 120 persons at any one time during peak season and average around 50 persons per day during weekdays and non-peak periods.

Land Uses

We strongly believe the proposed land uses directly align with the current and future local planning framework for the area.

The Shire of Dardanup 2050 Vision document identified that 90% of the community support the continued growth of the tourism industry within the Shire, specifically the Ferguson Valley region. As I've mentioned previously, this has now been reflected in the draft Local Planning Scheme No. 9 through the introduction of Special Control Area 2 – Ferguson Valley Tourism Area which aims to promote tourism land uses within the Ferguson Valley region.

In addition, tourism land uses will become discretionary land uses within the 'Rural' zone under Local Planning Scheme No. 9 which will hopefully streamline the approvals of certain land uses to promote and support the growth of the tourism industry.

The proposed development directly aligns with the Shire's vision to grow tourism in the Ferguson Valley area. If the Shire is serious about growing this industry, it is going to require the full support of development such as this. It is not every day you have a landowner who is willing to take the risk and make the investment to see this vision become a reality.

Traffic, Access and Parking

Various technical matters have been considered during the preparation of the development application and throughout the assessment processes. I will quickly touch on these matters and how we have appropriately addressed them.

In respect to traffic and access, it is common for a tourism development in a rural area to be accessed from a rural road. If the Shire aims to grow the tourism industry within the Ferguson Valley area, there needs to be an acceptance that access will need to be provided from a rural road. Notwithstanding this, we understand and acknowledge that a safe road network still needs to be maintained for existing and future road users. The landowner has therefore provided a commitment to undertaking the necessary improvements to Richards Road, in accordance with the Road Safety Audit. This will come at significant cost to the landowner which again demonstrates their commitment to make this development a success.

We are therefore of the opinion that concerns raised around traffic, access and general road safety can be appropriately addressed as part of the proposed development, as required under Condition 2 (f) of the officer's report. In addition, compliant car parking, circulation, loading and pick up areas will be provided on site to meet the parking and access requirements of the proposed development. An overflow parking area has also been provided in the event additional car parking is required.

Noise

In respect to noise, the Environmental Noise Assessment provided with the development application demonstrate that the proposed development complies with the Noise Regulations, following implementation of specific construction and management requirements.

The Environmental Noise Assessment has undergone a thorough review by the Department of Water and Environmental Regulation Environmental Noise Branch who have advised that the assessment is considered acceptable and follows a sound approach.

The landowner will implement the requirements of the Environmental Noise Assessment as part of the detailed design stage of the development. A noise management plan will also be prepared, as required under Condition 2 (i) of the officer's report.

Wastewater

In respect to wastewater, extensive site investigations and groundwater monitoring has been completed for the proposed development to demonstrate that all wastewater can be appropriately managed, treated and irrigated on site. The proposed development will use ATU systems to ensure there is no impact on groundwater or nearby water bodies.

All wastewater treatment systems will be subject to separate approval through the Department of Health under separate legislation.

Bushfire

In respect to bushfire, only two (2) chalets are proposed in the bushfire prone area however the Bushfire Management Plan and Emergency Evacuation Plan includes recommendations for the entire development and existing buildings to holistically deal with the bushfire risk.

We could relocate the two (2) chalets to avoid the need for a bushfire management plan altogether however we believe this is an important requirement for this development given the region is known to be a bushfire risk due to dense areas of steep vegetation.

We have also included an open-air refuge area to be provided at the front of the restaurant / brewery as a contingency where evacuation is not possible or is unsafe in a bushfire emergency. This has been provided given Richards Road is a no-through road which is unable to achieve a moderate bushfire hazard level.

Amenity, Visual Impact and Privacy

We acknowledge that concerns have been raised around amenity and privacy impacts however we strongly believe that any impacts will be negligible based on the following:

- *The proposed restaurant / brewery utilises existing farm buildings and will therefore limit visual impact on the local area given the bulk and scale of the buildings will remain the same.*
- *The small, single storey chalets will also have limited visual impact, with the topography and proposed landscaping ensuring they are integrated into the natural landscape and screened from view.*
- *All buildings are oriented away from existing development on neighbouring properties.*
- *The existing vegetation along Richards Road and on the subject site, combined with the proposed landscaping, will further reduce visual impact while also negating any potential visual privacy concerns.*
- *The noise, traffic and environmental assessments demonstrate that all technical matters can be appropriately addressed.*

Given the above, the development application demonstrates that the proposed development will not have any adverse impacts in the way of noise, safety, privacy, environmental or visual impacts on nearby properties or the general locality.

Liquor Licence

Should the development be approved, a liquor licence will be required under the Liquor Control Act. Based on advice from our liquor licencing consultant, the development approval needs to include reference to the type of licence being sought for the venue.

The proposed restaurant / brewery will require a tavern licence to enable customers to be served beverages without a meal which is an essential operational requirement. This is consistent with surrounding venues with the Bush Shack Brewery and Wild Bull Brewery both having a tavern liquor licence.

We therefore request an additional condition or advice note to reflect this essential operational requirement to enable a tavern licence to be obtained.

Condition Modifications

We have undertaken a detailed review of the draft conditions since their release in the Agenda on Friday. While we are satisfied with the majority of the conditions, we would like to suggest a number of modifications. In my experience, it is better to get these conditions right now for both the landowner and the Shire to avoid the need for subsequent amendments to the development approval.

Please note, with the exception of the bushfire condition, these modifications do not fundamentally impact the ability to progress the development. We acknowledge you may not be in a position to modify these conditions which is more than fine. The priority for the landowner is to secure approval for the development to enable them to progress with the detailed design stage.

We respectfully request the following conditions be modified as follows:

- *Condition 2(d)(i) – Parking Plan*

The current plans show 42 standard bays and 1 accessible car bay which equate to 43 in total. This is a surplus of 5 car bays to what is required under the current planning scheme. We do not have any issues with providing the additional bays for motorcycle / scooter parking however, this would essentially result in a re-designing the entire carpark to accommodate this requirement. Our suggestion is that the condition should be worded in a way to enable 2 of the surplus car bays to be utilised for motorcycle / scooter parking. We therefore request that the condition be modified to require 41 car parking bays in total including one (1) universal bay, in addition to four (4) motorcycle / scooter parking bays.

- *Condition 2(i) – Noise Management Plan*

We have no issues with providing a noise management plan however, it would be more appropriate for this to be provided prior to occupancy, rather than building permit. This would enable additional acoustic modelling to be undertaken once the development has been constructed which will better inform the noise management plan.

- *Condition 2(n)(i) – Bushfire Hazard Level*

This is the primary condition that we need modified given it can't practically be satisfied. The condition requires an agreement and maintenance plan for the road reserve vegetation to ensure it is maintained to a moderate bushfire hazard level as per the Guidelines.

However, the Guidelines actually exclude road reserve vegetation when determining the bushfire hazard level for a road. Therefore, management of the road reserve vegetation will have no effect on the bushfire hazard level. The only way to achieve a moderate bushfire hazard level between the intersection of Ferguson Road and Richards Road to the eastern most access to the site would be to manage private land fronting Richards Road. This would not be practically possible and therefore should be removed.

It should also be noted that the Guidelines provide a hierarchy of preferred compliance options for tourism development. Where the road is not subject to a moderate bushfire hazard level, the next preferred option is providing an onsite refuge which we have provided. Therefore, there is no need for a moderate bushfire hazard level to be achieved.

In addition, the Shire recently granted development approval for five (5) chalets on the adjacent Lot 102 which were all bushfire prone. As far as we are aware, there was no requirement for Richards Road to be managed to ensure it has a moderate bushfire hazard. In our case, the proposed development only includes two (2) chalets that are bushfire prone, and the site is located closer to the intersection for Richards Road / Ferguson Road. The condition should therefore be modified to ensure consistency with previous decisions.

- *Condition 2(s) – Production*

This request probably comes as a surprise, and it has been thrown in the mix at the last minute so we acknowledge you may not be in a position to support this modification. The landowner has recently purchased the brewing equipment for the proposed development which further demonstrates that they are fully committed to this project. Based on the equipment acquired, they can now produce different types of spirits at greater quantities than originally anticipated. As such, we would like to request that this condition is modified to replace the term ‘gin’ to ‘spirits’ which will enable flexibility in the local products that can be produced on site.

We would also like to seek an increase in the production limit to 10,000 litres of spirits annually, which is still considered a minor amount in comparison to other distilleries in the State. The reason for this request is due to the spirit production process utilising wastewater from the beer production process. Essentially, if a batch of beer goes bad, it can be reused for spirit production. Based on the equipment purchased, there is now greater opportunity to utilise more of the wastewater which would otherwise be treated and irrigated on site.

Liquor Licencing – Additional Condition or Advice Note

As identified previously, the development approval needs to make reference to the liquor licence required under the Liquor Control Act. We therefore request a condition or advice note that makes reference to a ‘Tavern’ licence which is a critical requirement for this type of development.

We really appreciate your time tonight and look forward to a favourable decision in respect to this application. Your planning and engineering staff have been a pleasure to work with throughout the assessment process and it is encouraging to see such a progressive local government embrace a development such as this.

Mr Keech thanked Council for the extensive time spent on this development in both the Planning and Engineering department, with special thanks to Gabby for her above and beyond assistance she has provided. Mr Keech advised that the landowners are happy to continue to work with the Shire and surrounding landowners.

Discussion:

Cr. E P Lilly asked the following questions:

Cr. E P Lilly requested clarification on the litres of production that is being applied for, with concern for the volume made and concern for the excess to be sold off increasing traffic. Cr. E P Lilly also questioned the intent of gaining a tavern licence, with that allowing sale of take away alcohol.

Mr Wray responded:

The volume stated is below threshold for liquor licence, with the site only brewing during set approved periods of which they will also be utilising holding tanks for storage. They will also be kegging beer and hoping to supply wineries and potentially pubs if there is an interest. They simply don’t want to limit supply, Mr Wray did advise that 87,000L is considered a low volume under the Environmental Protection Act. With the brewery not looking to produce that volume if there is not a demand for sales.

Mr Wray advised that they have not applied for a liquor license, as they need planning approval prior to application. Due to the different types of licences, it is preferable for them to gain a tavern licence as a restaurant licence only allows alcohol sales with a meal.

Cr. A C Jenour asked the following question:

Does the 87,000L include batches of “bad beer”?

Mr Wray responded:

The intent is that “bad beer” would be reused in the production of gin or whiskey, of which they have been receiving advise from the head brewer at Gage Roads on the process and water savings this provides.

Cr. M R Hutchinson asked the following question:

As Council have been advised, the venue would be closed if Department of Fire and Emergency Services (DFES) declared a catastrophic fire warning, in regards to other potential fire hazards who would be responsible for making the closure call?

Mr Wray responded:

All decisions would be made upon consultation with DFES. The onsite decisions, at this stage would be the Restaurant Manager, who would be fully trained in all procedures.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Ordinary Council Meeting Held on the 22nd of November 2023

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

292-23 MOVED - Cr. M R Hutchinson SECONDED – Cr. S Gillespie

THAT the Minutes of the Ordinary Meeting of Council held on the 22nd of November 2023, be confirmed as true and correct subject to no corrections.

CARRIED
9/0

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Discussion:

Cr T G Gardiner thanked Councillors for the various graduation attendances over this season and wished everyone in attendance a Merry Christmas.

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

9.1 Title: The Shire of Dardanup New Library, Administration and Community Building – Update on Commercial Space

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 T G Gardiner advised that the meeting would go behind closed doors toward the end of the meeting to discuss S.5.23 section (2)(a) a matter affecting an employee or employees and section 2(e)(ii) information that has a commercial value to a person.*

10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

None.

11 DECLARATION OF INTEREST

“Members should fill in Disclosure of Interest forms for items in which they have a financial, proximity or impartiality interest and forward these to the Presiding Member before the meeting commences.”

Key Management Personnel (which includes Elected Members, CEO and Directors) are reminded of their requirement to disclose biannually transactions between Council and related parties in accordance with Council Policy CnG CP039.

Note: Chairperson to ask Councillors and Staff if there are any Declarations of Interest to be declared.

- *Chief Executive Officer, Mr André Schönfeldt declared a Financial Interest in Item 12.4.5 – Light Vehicle Fleet Review – 2023 as the matter relates to Mr Schönfeldt’s vehicle as part of his employment contract.*
- *Deputy Chief Executive Officer, Mr Phil Anastasakis declared a Financial Interest in Item 12.4.5 – Light Vehicle Fleet Review – 2023 as the matter relates to Mr Anastasakis’s vehicle as part of his employment contract.*
- *Cr. L Davies – declared a Financial Interest in item 16.1 - The Shire of Dardanup New Library, Administration and Community Building – Update on Commercial Space as Cr. L W Davies is employed by Coles which is a tenant of Citygate.*

12 REPORTS OF OFFICERS AND COMMITTEES

None

12.1 EXECUTIVE REPORTS

None.

12.2 SUSTAINABLE DEVELOPMENT DIRECTORATE REPORTS

PROCESS

Shire President, Cr. T G Gardiner advised the meeting [5.39pm] that due to the public being in attendance, the first item of business to be dealt with would be Item “12.2.2 - Title: Tourism Development: Brewery, Restaurant and Chalets – Short Stay Accommodation – Lot 101 (59) Richards Road, Ferguson” which could be found on Page 18 of the agenda.

12.2.2 *Title: Tourism Development: Brewery, Restaurant and Chalets – Short Stay Accommodation – Lot 101 (59) Richards Road, Ferguson*

Reporting Department	<i>Sustainable Development Directorate</i>
Responsible Officer	<i>Ashwin Nair - Director Development Services</i>
Reporting Officer	<i>Suzanne Occhipinti – Senior Strategic Planning Officer</i>
Applicant	<i>Element WA</i>
Legislation	<i>Planning and Development Act 2005</i>
Council Role	<i>Quasi-Judicial.</i>
Voting Requirement	<i>Simple Majority.</i>
Attachments	<i>Appendix ORD: 12.2.2A – DA application report Appendix ORD: 12.2.2B – Copy of Submissions Appendix ORD: 12.2.2C – Schedule of Submissions Appendix ORD: 12.2.2D – Copy of Further Submissions Appendix ORD: 12.2.2E – Risk Assessment Tool Appendix ORD: 12.2.2F – Clause 67 Technical Assessment</i>

Overview

The purpose of this report is for Council to consider an application for development approval for a tourism development comprising a Brewery, Restaurant (with a maximum capacity of 150 patrons) and five Chalets on the subject land within the Ferguson Valley area.

As the proposed ‘Brewery’ is a Use Not Listed in the Shire of Dardanup Local Planning Scheme No. 3 (LPS3), and as several objections have been raised, the application is required to be presented to Council for determination.

Officers are recommending that the application be approved subject to conditions.

OFFICER RECOMMENDED RESOLUTION

THAT Council:

1. Determines that the use of Lot 101 (59) Richards Road, Ferguson for a ‘Brewery’ is consistent with the objectives of the ‘General Farming’ zone pursuant to Clause 2.4.2 of the Shire of Dardanup Local Planning Scheme No.3.

2. Approves the Use and Development of a Brewery, Restaurant and five Chalet - Short Stay Accommodation units on Lot 101 (59) Richards Road, Ferguson subject to the following conditions:
- a) All development must be carried out in accordance with the approved plans listed below, unless amended with the written consent of the Shire. In the event of an inconsistency between the approved plans and a requirement of the conditions of development approval, the requirement of the condition prevail;
- 23001/A0001 - Cover Sheet;
 - 23001/A0002 - General Notes;
 - 23001/A0003 - Schedule Finishes;
 - 23001/A1001 - Overall Site Plan;
 - 23001/A1002 - Brewery Site Plan;
 - 23001/A1100 - Existing Brewery Plan;
 - 23001/A1101 - Brewery GA Plan;
 - 23001/A1102 – Existing Barrel Room Plan;
 - 23001/A1103 - Barrel Room GA Plan;
 - 23001/A1201 - 1 Bedroom Chalet GA Plan;
 - 23001/A1202 - 1 Bedroom Chalet Elevations;
 - 23001/A1203 - 1 Bedroom Chalet Elevations;
 - 23001/A1207 - 2x2 Bedroom Chalet GA Plan;
 - 23001/A1208 - 2x2 Bedroom Chalet Elevations;
 - 23001/A1209 - 2x2 Bedroom Chalet Elevations;
 - 23001/A3001 - Brewery Elevations;
 - 23001/A3002 – Brewery Elevations;
 - 23001/A3003 - Barrel Room Elevations; and
 - Plan P22-042 Dated 01072023 – Landscaping Plan
- b) Prior to lodgement of a Building Permit, a Stormwater Management Plan prepared by a suitably qualified engineer must be submitted to and approved by the Shire of Dardanup and must include (as a minimum) stormwater disposal plans, details and calculations, showing how stormwater will be contained and disposed of on-site, to the satisfaction of the Shire. Once approved must be implemented prior to the occupation of the development and maintained to the satisfaction of the Shire.
- c) All stormwater from the proposed buildings and hardstand areas must be contained on-site at all times, as indicated on the approved plan and in accordance with the Shire's specifications in Council Policy Infr CP060 'Stormwater Discharge from Buildings' to the satisfaction of the Shire of Dardanup.
- d) Prior to the lodgement of a Building Permit, the landowner must submit to and have approved by the Shire of Dardanup, a detailed and dimensioned parking plan, which complies with the most current versions of Australian Standards AS2890 and AS1428, and shows:
- (i) 43 parking bays in total including one (1) universal access bay, in addition to four motorcycle/scooter parking bays;

- (ii) Aisle widths, circulation areas, driveway/s and points of ingress and egress; and
 - (iii) How the car parking area, traffic aisles and driveways will be sealed.
- e) Prior to the use commencing all car parking, driveways and circulation areas shown on the approved plans must be constructed and drained, and thereafter maintained for the life of the development to the satisfaction of the Shire of Dardanup.
- f) Prior to the lodgement of a Building Permit, engineering drawings are to be submitted to and approved by, and satisfactory arrangements being made with, the Shire for the full cost of upgrading Richards Road from Ferguson Road to 50m east of the main access to the site to a 5.5m wide seal with 0.5m shoulders with signage. Once approved the works being undertaken prior to the occupation of the development.
- g) Prior to the lodgement of a Building Permit, an updated Traffic Impact Assessment be undertaken which demonstrates that chartered buses can manoeuvre through the Ferguson Road/Richards Road intersection. The assessment must include recommendations to be implemented in the instance lane compliance is not achieved to the satisfaction of the Shire of Dardanup. Any works required as part of the recommendations are required to be approved by the Shire and implemented prior to the use commencing.
- g) Prior to the lodgement of a Building Permit, a Road Safety Management Plan be submitted to the satisfaction of the Shire of Dardanup to address recommendations 2.4, 2.6, 2.7, 2.10 and 2.13 of the Corrective Action Report – Ferguson Road and Richards Road Intersection, Ferguson Road safety Inspection Reference 300305110-RS101. Once approved the plan must be implemented prior to the occupation of the development.
- h) Prior to the use commencing, the existing crossover as marked on the approved plans must be reconstructed with a minimum width of 5.5m and to all other specifications of Council Policy Infr CP050 'Crossovers – Approvals, Standards and Subsidies', unless otherwise advised by the Shire in writing, to the satisfaction of the Shire of Dardanup.
- i) Prior to the lodgement of a Building Permit, an updated Acoustic Assessment to be submitted to include modelling of noise associated with mechanical plant of both the Restaurant and Brewery, once these have been selected. The assessment must include recommendations to further reduce noise from mechanical plant of the Brewery and Restaurant.
- i) Prior to the lodgement of a Building Permit, a Noise Management Plan that has been prepared by a suitably qualified acoustic consultant must be submitted to and approved by the Shire of Dardanup that:
 - (i) Incorporates all the recommendations within the submitted Acoustic Assessment prepared by Lloyd George Acoustics;

- (ii) Recommendations associated with the modelling of mechanical plant for both the Brewery and Restaurant; and
- (iii) Includes a complaints management register and details how engagement will occur with nearby residents to advise of events and also a contact in the instance a complaint is received.

Once approved by the Shire, where associated with construction requirements, integrated into plans submitted for a building permit. The plan must be maintained for the entirety of the development.

- k) Prior to the lodgement of a Building Permit a Nutrient Irrigation Management Plan must be submitted to the Shire of Dardanup for approval in conjunction with the Department of Water Environment Regulation demonstrating how the wastewaters from the Brewery and Distillery processes are to be treated prior to being irrigated.
- l) Prior to the lodgement of a Building Permit, a Waste Management Plan must be submitted to the Shire of Dardanup, demonstrating the volume/number of bins of bins required for the waste generated for all development onsite, maintenance of the designated area and the waste removal services.
- m) Prior to occupation of the development, landscaping and reticulation of the development site and adjoining road verges shall be installed in accordance with the approved Landscaping Plan and maintained thereafter, to the satisfaction of the Shire of Dardanup.
- n) Prior to the lodgement of a Building Permit, an updated Bushfire Management Plan is to be submitted to the Shire of Dardanup which includes the following:
 - i) An agreement and maintenance plan for the road reserve vegetation between the intersection of Ferguson Road and Richardson Road to the eastern most access to the site. The vegetation must be maintained to a 'Moderate' Bushfire Hazard Level as per the Guidelines for Planning in Bushfire Prone Areas.
 - ii) Onsite shelter, must have sufficient separation distance from bushfire prone vegetation to avoid exposure to radiant heat flux exceeding 2kw/m² (with an assumed flame temperature of 1200k)

Once approved the landowners' responsibilities within the updated Bushfire Management Plan are required to be implemented prior to the operation of the development and thereafter maintained for the duration of this approval.

- o) Hours of operation for the restaurant and Brewery are to occur as follows:
 - Wednesday – Sunday inclusive: Between 11am and 6pm; and
 - Special events including weddings, birthdays and private or public events may operate between 11am- 11:30pm

- p) Deliveries to and from the site (including waste collection) are only permitted to take place in daylight hours.
- q) The loading and unloading of goods from vehicles must only be carried out within the lot boundaries and must not disrupt the circulation and parking of vehicles on the land.
- r) The brewery/restaurant is restricted to a maximum of 150 patrons unless otherwise approved by the Shire of Dardanup.
- s) This approval limits the total production capacity of the brewery/distillery to no more than 87,000 litres of beer and 1,200 litres of gin per annum.
- t) No vegetation other than vegetation located within the approved building's footprint is permitted to be felled, removed or damaged without the written approval of the Shire of Dardanup.
- u) The chalets are only permitted to be used by any one person for a maximum 3 months in any 12 month period and a log book must be kept to record the duration of visitation.

Change to Officer Recommendation

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

- *Reduction in required parking bays, due to addition of dedicated bays for each chalet*
- *Amendment in wording from Building Permit to occupancy in condition k*
- *Removal of Condition N i)" An agreement and maintenance plan for the road reserve vegetation between the intersection of Ferguson Road and Richardson Road to the eastern most access to the site. The vegetation must be maintained to a 'Moderate' Bushfire Hazard Level as per the Guidelines for Planning in Bushfire Prone Areas." due to duplication within resolution.*
- *Amendment of wording in Condition t) from Gin to Spirits*
- *Addition of Condition point w) to update condition relating to noise management.*
- *Councillor resolution added to allow all planning development applications that may vary the development or increase patronage to return to Council.*
- *Conditions have been updated and renumbered accordingly.*

OFFICER ALTERNATIVE RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

293-23 MOVED - Cr T G Gardiner SECONDED – Cr. S L Gillespie

THAT Council:

1. **Determines that the use of Lot 101 (59) Richards Road, Ferguson for a 'Brewery' is consistent with the objectives of the 'General Farming' zone pursuant to Clause 2.4.2 of the Shire of Dardanup Local Planning Scheme No.3.**
2. **Approves the Use and Development of a Brewery, Restaurant and five Chalet - Short Stay Accommodation units on Lot 101 (59) Richards Road, Ferguson subject to the following conditions:**

- a) All development must be carried out in accordance with the approved plans listed below, unless amended with the written consent of the Shire. In the event of an inconsistency between the approved plans and a requirement of the conditions of development approval, the requirement of the condition prevail;
- 23001/A0001 - Cover Sheet;
 - 23001/A0002 - General Notes;
 - 23001/A0003 - Schedule Finishes;
 - 23001/A1001 - Overall Site Plan;
 - 23001/A1002 - Brewery Site Plan;
 - 23001/A1100 - Existing Brewery Plan;
 - 23001/A1101 - Brewery GA Plan;
 - 23001/A1102 – Existing Barrel Room Plan;
 - 23001/A1103 - Barrel Room GA Plan;
 - 23001/A1201 - 1 Bedroom Chalet GA Plan;
 - 23001/A1202 - 1 Bedroom Chalet Elevations;
 - 23001/A1203 - 1 Bedroom Chalet Elevations;
 - 23001/A1207 - 2x2 Bedroom Chalet GA Plan;
 - 23001/A1208 - 2x2 Bedroom Chalet Elevations;
 - 23001/A1209 - 2x2 Bedroom Chalet Elevations;
 - 23001/A3001 - Brewery Elevations;
 - 23001/A3002 – Brewery Elevations;
 - 23001/A3003 - Barrel Room Elevations; and
 - Plan P22-042 Dated 01072023 – Landscaping Plan
- b) Prior to lodgement of a Building Permit, a Stormwater Management Plan prepared by a suitably qualified engineer must be submitted to and approved by the Shire of Dardanup and must include (as a minimum) stormwater disposal plans, details and calculations, showing how stormwater will be contained and disposed of on-site, to the satisfaction of the Shire. Once approved must be implemented prior to the occupation of the development and maintained to the satisfaction of the Shire.
- c) All stormwater from the proposed buildings and hardstand areas must be contained on-site at all times, as indicated on the approved plan and in accordance with the Shire’s specifications in Council Policy Infr CP060 ‘Stormwater Discharge from Buildings’ to the satisfaction of the Shire of Dardanup.
- d) Prior to the lodgement of a Building Permit, the landowner must submit to and have approved by the Shire of Dardanup, a detailed and dimensioned parking plan, which complies with the most current versions of Australian Standards AS2890 and AS1428, and shows:
- i) a minimum of 41 parking bays in total including one (1) universal access bay, in addition to four motorcycle/scooter parking bays for the restaurant and brewery.
 - ii) a dedicated minimum 2 parking bays per chalet;
 - iii) Aisle widths, circulation areas, driveway/s and points of ingress and egress; and

- iv) How the car parking area, traffic aisles and driveways for all development will be sealed.**
- e) Prior to the use commencing all car parking, driveways and circulation areas shown on the approved plans must be constructed and drained, and thereafter maintained for the life of the development to the satisfaction of the Shire of Dardanup.**
- f) Prior to the lodgement of a Building Permit, engineering drawings are to be submitted to and approved by, and satisfactory arrangements being made with, the Shire for the full cost of upgrading Richards Road from Ferguson Road to 50m east of the main access to the site to a 5.5m wide seal with 0.5m shoulders with signage. Once approved the works being undertaken prior to the occupation of the development.**
- g) Prior to the lodgement of a Building Permit, an updated Traffic Impact Assessment be undertaken which demonstrates that chartered buses can manoeuvre through the Ferguson Road/Richards Road intersection. The assessment must include recommendations to be implemented in the instance lane compliance is not achieved to the satisfaction of the Shire of Dardanup. Any works required as part of the recommendations are required to be approved by the Shire and implemented prior to the use commencing.**
- h) Prior to the lodgement of a Building Permit, a Road Safety Management Plan be submitted to the satisfaction of the Shire of Dardanup to address recommendations 2.4, 2.6, 2.7, 2.10 and 2.13 of the Corrective Action Report – Ferguson Road and Richards Road Intersection, Ferguson Road safety Inspection Reference 300305110-RS101. Once approved the plan must be implemented prior to the occupation of the development.**
- i) Prior to the use commencing, the existing crossover as marked on the approved plans must be reconstructed with a minimum width of 5.5m and to all other specifications of Council Policy Infr CP050 ‘Crossovers – Approvals, Standards and Subsidies’, unless otherwise advised by the Shire in writing, to the satisfaction of the Shire of Dardanup.**
- j) Prior to the lodgement of a Building Permit, an updated Acoustic Assessment to be submitted to include modelling of noise associated with mechanical plant of both the Restaurant and Brewery, once these have been selected. The assessment must include recommendations to further reduce noise from mechanical plant of the Brewery and Restaurant.**
- k) Prior to occupancy a Noise Management Plan that has been prepared by a suitably qualified acoustic consultant must be submitted to and approved by the Shire of Dardanup that:**

 - i) Incorporates all the recommendations within the submitted Acoustic Assessment prepared by Lloyd George Acoustics;**
 - ii) Recommendations associated with the modelling of mechanical plant for both the Brewery and Restaurant; and modelling of noise activities from the chalets.**

- iii) Includes a complaints management register and details how engagement will occur with nearby residents to advise of events and also a contact in the instance a complaint is received.

Once approved by the Shire, where associated with construction requirements, integrated into plans submitted for a building permit. The plan must be maintained for the entirety of the development.

- l) Prior to the lodgement of a Building Permit a Nutrient Irrigation Management Plan must be submitted to the Shire of Dardanup for approval in conjunction with the Department of Water Environment Regulation demonstrating how the wastewaters from the Brewery and Distillery processes are to be treated prior to being irrigated.
- m) Prior to the lodgement of a Building Permit, a Waste Management Plan must be submitted to the Shire of Dardanup, demonstrating the volume/number of bins of bins required for the waste generated for all development onsite, maintenance of the designated area and the waste removal services.
- n) Prior to occupation of the development, landscaping and reticulation of the development site and adjoining road verges shall be installed in accordance with the approved Landscaping Plan and maintained thereafter, to the satisfaction of the Shire of Dardanup.
- o) Prior to the lodgement of a Building Permit, an updated Bushfire Management Plan is to be submitted to the Shire of Dardanup which includes the following:
 - i) Onsite shelter, must have sufficient separation distance from bushfire prone vegetation to avoid exposure to radiant heat flux exceeding 2kw/m² (with an assumed flame temperature of 1200k)

Once approved the landowners' responsibilities within the updated Bushfire Management Plan are required to be implemented prior to the operation of the development and thereafter maintained for the duration of this approval.

- p) Hours of operation for the restaurant and Brewery are to occur as follows:
 - Wednesday – Sunday inclusive: Between 11am and 6pm; and
 - Special events including weddings, birthdays and private or public events may operate between 11am- 11:30pm.
- q) Deliveries to and from the site (including waste collection) are only permitted to take place in daylight hours.
- r) The loading and unloading of goods from vehicles must only be carried out within the lot boundaries and must not disrupt the circulation and parking of vehicles on the land.

- s) **The brewery/restaurant is restricted to a maximum of 150 patrons unless otherwise approved by the Shire of Dardanup.**
- t) **This approval limits the total production capacity of the brewery/distillery to no more than 87,000 litres of beer and 1,200 litres of spirits per annum.**
- u) **No vegetation other than vegetation located within the approved building's footprint is permitted to be felled, removed or damaged without the written approval of the Shire of Dardanup.**
- v) **The chalets are only permitted to be used by any one person for a maximum 3 months in any 12 month period and a log book must be kept to record the duration of visitation.**
- w) **Prior to the lodgement of a Building Permit an Operational Management Plan must be submitted for the chalets which details how amenity impacts such as noise from occupants will be managed in the event a complaint is received from the community. The plan must include specific rules in relation to limiting noise during certain times and a complaints register which also shows how complaints have been addressed.**

CARRIED
9/0

AND

COUNCIL RESOLUTION

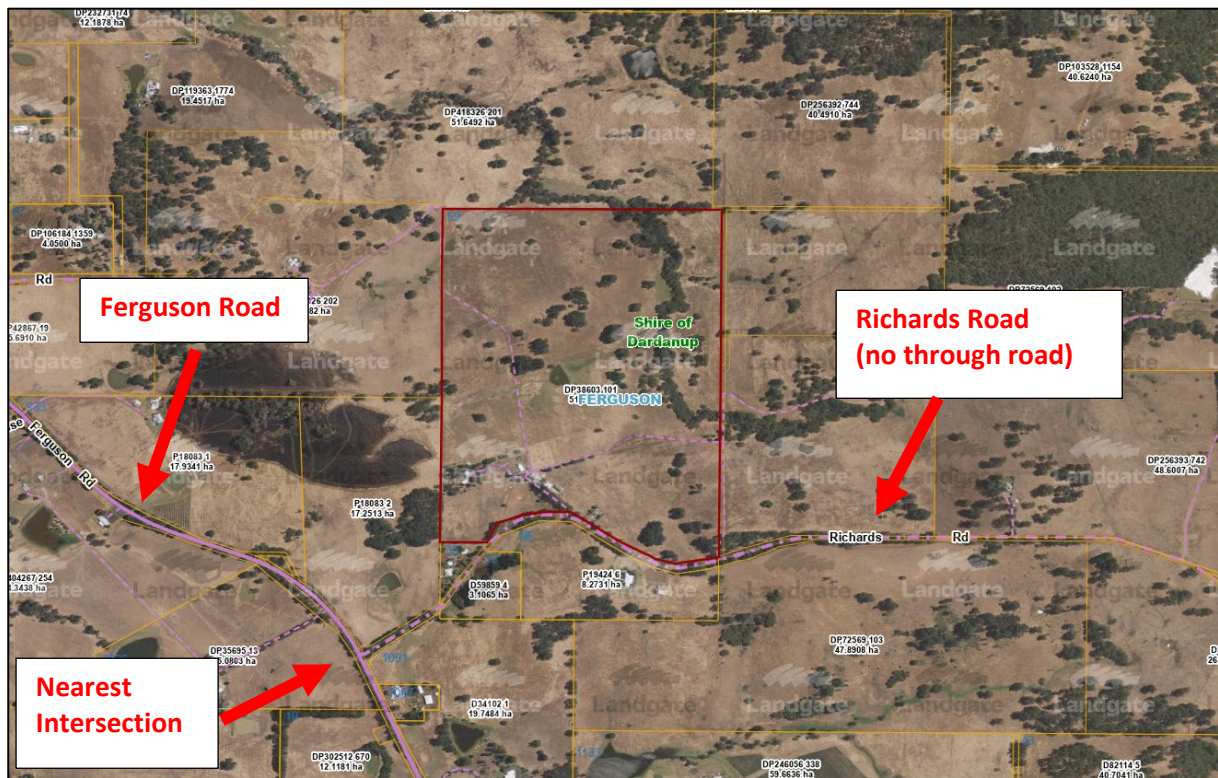
294-23 MOVED - Cr. M Hutchinson SECONDED – Cr. T Bell

THAT Council requests the Chief Executive Officer to present to Council for decision and determination any development applications that may vary this development approval and/or increase the patronage of the approved development.

CARRIED
9/0

Background

Location Plan



Proposal

The application is for a tourism development to be incorporated into the existing farm which includes:

- Converting one existing farm shed into a brewery and restaurant with brewing equipment, kitchen, cool room, bar, dining/lounge (135m²), two external decking areas (157m² and 53m²), toilets and relocating existing stormwater tank.
- Converting one existing farm shed into a barrel room building with barrel storage, storage and kitchenette, external decking area (77m²), toilets and new stormwater tank.
- Parking area for 43 car bays (including 1 universal access bay), drop off/pickup area and an adjoining area for overflow parking.
- Construction of 5 short-term self-contained accommodation chalets, comprising 3 x one-bedroom chalets and 2 x two-bedroom chalets, and new access ways.
- Loading/unloading and service areas for bins;
- Firefighting water supply tank and appliance turnaround area.
- Landscaping around the developments.
- Approximately 10 staff will be employed onsite at any one time during peak periods (likely to be three full-time staff with the balance being casual/part-time staff).
- Production of 87,000 litres of beer and 1,200 litres of gin per annum, the majority of which will be consumed on site but there may be potential for some off-site supply also.

The Brewery and Restaurant are proposed to be open Wednesday to Sunday from 11am to 6pm. The venue may be open after hours on Fridays and Saturdays until 11:30pm for special events.

Officers advise that the applicant has stated that the existing hay shed does not form part of this application and will continue to be used for the storage of haybales associated with the farming activities on the site. Access to the hay shed will be limited to staff only, with signage and chain / rope barrier installed during opening hours (11am – 6pm).

The full application may be viewed in the planning report which has been attached [Appendix ORD: 12.2.2A]

The outline of the proposal is as follows:

Region Scheme	Rural
Local Planning Scheme No.3 (LPS3)	General farming
Structure Plan/Precinct Plan	Nil
Use Class and Permissibility in LPS3	<p>There are several land uses proposed including:</p> <p>Brewery - no land use listed within LPS3. The <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> Model Provisions defines 'Brewery' as premises the subject of a producer's licence authorising the production of beer, cider or spirits granted under the <i>Liquor Control Act 1988</i>.</p> <p>Chalet – short stay accommodation means a development designed for single occupancy (for up to a maximum 3-month stay in any 12-month period) and which comprises detached accommodation units, which may be full self-contained or not, and which are generally of single storey or split-level construction and a character not dissimilar to farm dwellings or cabins.</p> <p>Restaurant means premises where the predominant use is the sale of and consumption of food and drinks on the premises and where seating is provided for patrons, and includes a restaurant licensed under the <i>Liquor Licensing Act 1988</i>.</p>
Lot Size	51.08 hectares
Existing Land Use	Farming
State Heritage Register	No
Local Heritage	No
Bushfire Prone Area	<p>Yes. Portions of the subject site are designated as bushfire prone requiring assessment in accordance with WA Planning Commission State Planning Policy 3.7 – Planning in Bushfire Prone Areas (SPP3.7).</p> <p>The majority of the development is outside of the bushfire prone areas with only 2 chalets proposed within the areas identified as bushfire prone. Irrespective, the proponents have provided a Bushfire Management Plan and Bushfire Emergency Evacuation Plans for the entire development.</p>

Legal Implications

The application is required to be determined in accordance with the *Planning and Development Act 2005* and associated Regulations. The applicant has a right to review Council’s decision through the State Administrative Tribunal in accordance with Part 14 of the Act.

Council Plan

- 5.2 - Manage environmental health concerns, including noise and mosquitos.
- 8.1 - Support responsible planning and development.
- 10.3 - Improve road safety, connectivity and traffic flow.
- 12.1 - Grow visitor numbers by improving tourism infrastructure, experiences and marketing.

Environment - None.

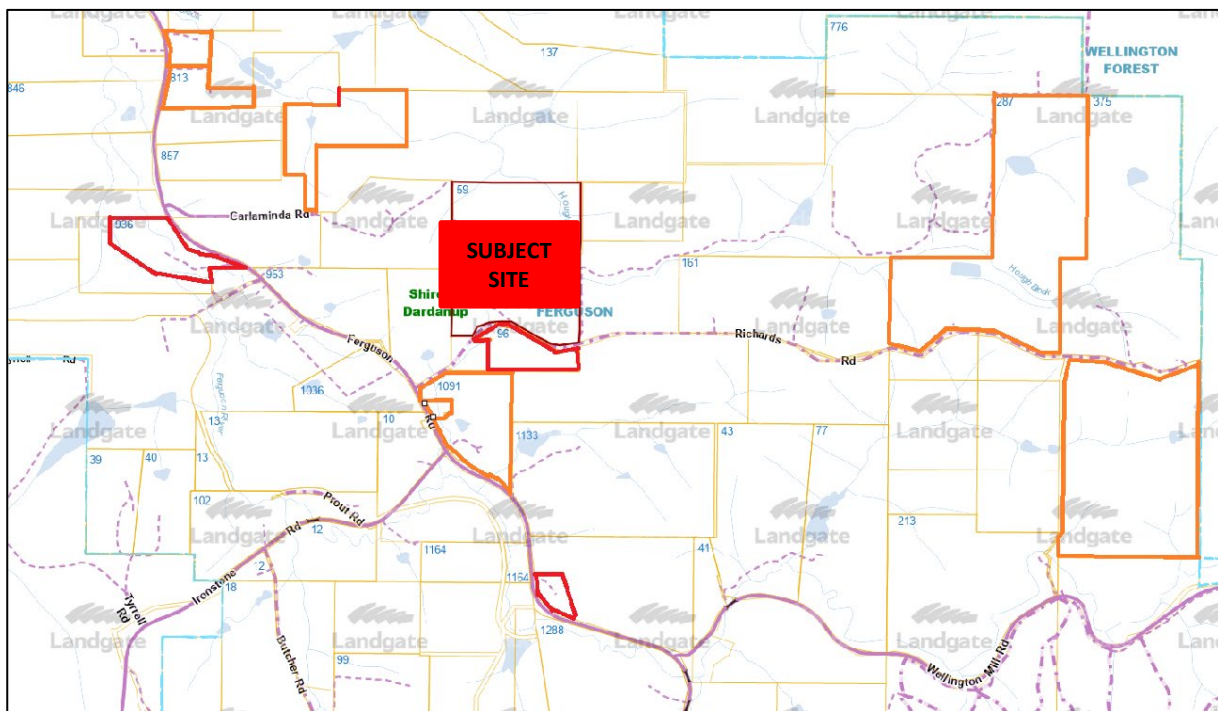
Precedents - None.

Consultation

The application was advertised in accordance with cl. 66 of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for a period of 28 days from 27 July 2023 to 24 August 2023. Advertising was undertaken by postal notice to adjoining/nearby landowners and all landowners along Richards Road, and by email to relevant government departments/agencies. A copy of all submissions is included in [Appendix ORD: 12.2.2B].

Public Consultation

Ten submissions were received from nearby landowners. The following image shows the subject site in red and the location from where submissions originated, with the colours to show; red – objection; orange – concerned/conditional support for the proposal.



A number of common themes were raised in the public submissions and are summarised below:

- Ferguson Road/Richards Road intersection is considered to be inadequate and dangerous with compromised visibility of traffic approaching the intersection at speed from the North;
- Richards Road is too narrow;

- Noise impacts from cars, music will disrupt the area;
- The chalets are Houses too close to Richards and Ferguson Road;
- The suitability and scale of the proposed development for the rural farming locality; and
- Bushfire Emergency Evacuation Plan and access by bushfire appliances access in an emergency.

Consultation with Government/Service Agencies

The following agencies were consulted:

- *Department of Primary Industries and Regional Development (DPIRD)*
- *Department of Water and Environmental Regulation (DWER)*
- *Department of Health (DoH)*
- *Department of Fire and Emergency Services (DFES)*

Officers have provided responses to the comments made in submissions, in the Schedule of Submissions [Appendix ORD: 12.2.2C].

Additional Consultation

Following the 28-day consultation period, the applicant proposed to reduce the maximum patron numbers to 150 (originally 300 patrons), and provided the following documentation:

- Road Safety Audit;
- Traffic Impact Assessment;
- Site and Soil Evaluations;
- Comments on Submissions received and Summary Letter; and
- Updated Development Plans

Due to the significant change in maximum patronage numbers and additional information received, a letter was sent to the submitters as shown below, for officers to understand whether concerns had been addressed.

**RE: ADDITIONAL INFORMATION - APPLICATION FOR DEVELOPMENT APPROVAL
RESTAURANT, BREWERY AND 5 SHORT STAY ACCOMMODATION CHALETs
LOT 101 (59) RICHARDS ROAD, FERGUSON**

The Shire is writing to you as you provided a submission to the above application which was publicly advertised from 19 July 2023 to 24 August 2023. Submissions received during the public consultation period raised concerns about the following matters:

- Traffic (Ferguson/Richards Road Intersection, standard of Richards Road)
- Noise (from Restaurant/Brewery Activities)
- Amenity (locations of Chalets along Richards Road)

Following the closure of the submission period Council sought a response on these matters from the applicant, who has now provided the following additional information:

- limit reduced to 150 patrons (from 300 proposed initially)
- Updated Plans
- Road Safety Audit
- Traffic Impact Assessment

The additional information is attached. Please indicate **by 4:00pm, 13 November 2023** whether the additional information attached addresses the concerns raised in your submission. Please note that the Shire will not be able to consider any new matters.

Three submissions were received in response to the further consultation. Each of these reiterated the concerns raised previously (i.e. no objections were withdrawn), and are contained in [Appendix ORD: 12.2.2D].

Budget Implications

The cost of road construction upgrades will need to be borne in full by the proponent.

Budget – Whole of Life Cost - None.

Council Policy Compliance

Exec CP011 – Tourism Policy
SDev CP084 – Local Planning Policy – Advertising Signage
SDev CP505 – Public Consultation – Planning Matters.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to [Appendix ORD: 12.2.2E] for full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Tourism Development: Brewery, Restaurant and Chalets – Short Stay Accommodation – Lot 101 (59) Richards Road, Ferguson
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Financial Should Council refuse the application, and the proponent seek a review of that decision, there is likely to be financial impact through the State Administrative Tribunal process

Officer Comment

Clause 67 of the Deemed Provisions lists matters to be considered in the determination development application. A full assessment was carried out against the current planning framework in accordance with clause 67 of the Deemed Provisions which can be viewed within the technical assessment attachment [Appendix ORD: 12.2.2F]. For the purposes of this report, discussion is confined to the objections resulting in the proposal being presented to Council, and where Council is required to exercise discretion.

Shire of Dardanup Local Planning Scheme No. 3 (LPS3)

The subject land is zoned 'General Farming' under LPS3, and the objectives of this zone are:

- *To provide for a wide variety of productive farming activities, ranging from broadacre grazing to horticulture, which are compatible with the capability of the land and retain the rural character and amenity of the locality.*
- *To protect areas of significant agricultural value, particularly those in irrigation districts, from conflicting land uses.*
- *To facilitate low-key tourist development where it is incidental to the use of the land for farming purposes and where land use conflict can be minimised.*

Officers consider that the development meets the objective of the zone as the development does not impact upon the remainder of the rural land on site to be used for a range of bona fide rural and or agricultural pursuits. Furthermore, the proposed development provides for tourist development which is considered of a scale and intensity sympathetic to rural amenity.

Land Use

Under the 'General Farming' zone under LPS3, the development would be classified as follows:

'Chalet - Short Stay Accommodation':

'Means a development designed for single occupancy (for up to a maximum 3 month stay in any 12 month period) and which comprises detached accommodation units, which may be full self-contained or not, and which are generally of single storey or split level construction and a character not dissimilar to farm dwellings or cabins'

'Restaurant-Café':

'Means premises where the predominant use is the sale of an consumption of food and drinks on the premises and where seating is provided for patrons and includes a restaurant licensed under the Liquor Licensing Act 1988'

These uses in the 'General Farming' zone are discretionary land uses (D). In terms of the 'Brewery' component of the proposal, this is not specifically listed as a land use, and cannot reasonably be determined as falling within any other land use category. Where a development does not fall within a land use, Clause 2.4 of LPS3 states a local government may:

- a) Determine that the use is consistent with the objectives of the particular zone and is therefore permitted;
- b) Determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 7.2.2 in considering an application for planning approval; or
- c) Determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

In this regard, Officers consider the proposal to be consistent with the objectives of the 'General Farming' zone as it does not impact the remainder of the site and the broader locality using their land for rural/agricultural purposes. Importantly it provides for a tourist development of a scale considered to

be sympathetic to the rural locality. As such, are satisfied that the 'Brewery' component of the development can be considered as a 'Use Not listed'.

Landscape Protection Area

The subject lot is also within the defined Landscape Protection Area (cl.5.2) under LPS3, and Council approval is required for the development to proceed. In considering the application, cl.5.2.3 of LPS3 requires Council have regard to the following:

- a) *The areas included within Landscape Protection Areas are considered to be areas of significant landscape beauty.*
- b) *Buildings and associated services should be regarded as being secondary to the natural features of the area and should not usually be permitted in visually exposed areas.*
- c) *Buildings should be set back at least one hundred metres from public roads except where the natural vegetation is such that buildings sited closer to a road will be screened by natural vegetation or dense planting of native vegetation.*
- d) *Farm outbuildings should where possible be clustered with the farm house and other outbuildings.*

The proposal does not meet c) of the above provisions, however it should be noted that the above cl.5.2.3 states that '*...Council shall have regard to the following provisions...*' which means that Council should take the above provisions into consideration but are not bound by the Landscape Protection Area provisions.

The brewery and restaurant proposals are within existing farm sheds to be extended so the current setback (70m-80m) to Richards Road is not to be changed.

Chalets 8 and 9 are new buildings and proposed to be setback just over 20m from Richards Road, which is similar to the setback to the existing nearby farm cottage. The proponents have provided a Landscaping Plan to provide screen planting with native species between the chalets and Richards Road see image below.



Street view of Richards Road showing existing farm cottage (to the left) and sites of Chalets 8 and 9

Chalets 10, 11 and 12 are new buildings with proposed setbacks ranging from 80m to over 200m from Richards Road. Again, the proponents have provided a Landscaping Plan to provide visual screening with native species around the chalets to reduce their visual impact. These chalets are over 60m from the side boundary which exceeds the 20m minimum setback required.

It is noted Council has previously approved developments within the Landscape Protection Area that do not comply to the 100m setback. The intent of cl.5.2.3c) of the LPS3 is to protect the vista of the roads within the Landscape Protection Area and it is considered that the proposal meets the intent of the clause.

Shire of Dardanup Local Planning Scheme No. 9 (LPS9)

The draft LPS9 includes the subject land within the 'Rural' zone and 'Brewery', 'Holiday Accommodation' and 'Restaurant/Café' will all be "D" uses. The land is also included within the 'Ferguson Valley Tourism Special Control Area 2' under draft LPS9 with the objective to encourage tourist-based uses.

State Planning Framework:

State Planning Policies (SPP)

Officers consider the proposal to be consistent with the intent of all relevant SPPs including SPP2.5 - Rural Planning, SPP2.9 - Water Resources, SPP3.7 - Planning for Bushfire Prone Areas, and SPP7.0 - Design of the Built Environment.

With regard the bushfire requirements, SPP3.7 – 'Planning for Bushfire Prone Areas' only applies to development within areas that are designated 'Bushfire Prone Areas'. The image below shows these areas in pink on the subject land, and the only parts of the proposed development located within the bushfire prone area are the two westernmost chalets (shown circled red below). Therefore, it is only these two structures that the policy applies to.



A Bushfire Management Plan was submitted in accordance with SPP3.7 – 'Planning for Bushfire Prone Areas'. The BMP was assessed against 'Element 5 of the 'Guidelines for Planning in Bushfire Prone Areas' (the Guidelines) which focuses on tourism land uses such as short term accommodation. An assessment of the relevant criteria within Element 5 of the Guidelines is as follows:

Siting and Design

The chalets have been sited within an area which achieves a Bushfire Attack Level (BAL) of BAL-19 which complies with the Guidelines. An Asset Protection Zone (APZ) has also been proposed to be maintained to a minimum width of 20m to ensure the radiant heat exposure does not exceed 29kw/m² (BAL 29). Although not within a designated 'Bushfire Prone Area', an 20m APZ will also be maintained around the brewery and restaurant.

Vehicular Access for Short Term Accommodation Outside of a Residential Built Out Area

The chalets will be provided with public road access to Richards Road in a single direction. Richards Road connects to Ferguson Road approximately 400m west of the subject site. Officers note that the Guidelines require that public road access to be provided in two different directions to at least two different suitable destinations. The proposal does comply with this as there are 2 access/egress points proposed, however, Officers note that the eastern access/egress point leads to a gravel track towards the State Forest which is mostly suitable for 4x4 vehicles. This is not considered as a suitable location as this deems Richardson Road as a 'no through road'.

In terms of access to a no through road, the Guidelines also accept access to a no through road where it is no more than 500m in length. Officers note that the distance from the Ferguson /Richards Road intersection to the subject site is approximately 400m in length. As such, to ensure the road can be accessed in the event of the fire, the vegetation over this portion of the road reserve will have to be managed by the operator in perpetuity. This does not entail the clearing of vegetation, however, mostly maintaining the fuel load and density of the vegetation to a 'Moderate' Bushfire Hazard level to the satisfaction of the Shire.

The Guidelines also allow for onsite shelter where a site does not allow for access to a public road in two different directions as follows:

A5.8.2e Where A5.8.2a, A5.8.2b and A5.8.2c (if required), cannot be achieved, and the proposed development has a capacity of up to a maximum of 100 guests and staff at any one time, an on-site shelter is to be provided in accordance with A5.7e, A5.7f and A5.7g Siting and Design.

In this regard the applicant has proposed an open area within the brewery restaurant area to act as an evacuation area before a bushfire arrives. The Guidelines prescribe that:

'Where an open space area is to function as an onsite shelter, there is to be sufficient separation distance from the bushfire prone vegetation to avoid exposure to a radiant heat flux exceeding 2kw/m² (with an assumed flame temperature of 1200k)'

Officers note that the proposal can achieve this as the open area falls outside of the 'Bushfire Prone Area' designation and the applicant has also proposed to maintain an APZ around the brewery and restaurant as well.

Officers note that DFES has raised comments in relation to the submitted BMP. This can be viewed in the summary of submissions with the Officer response.

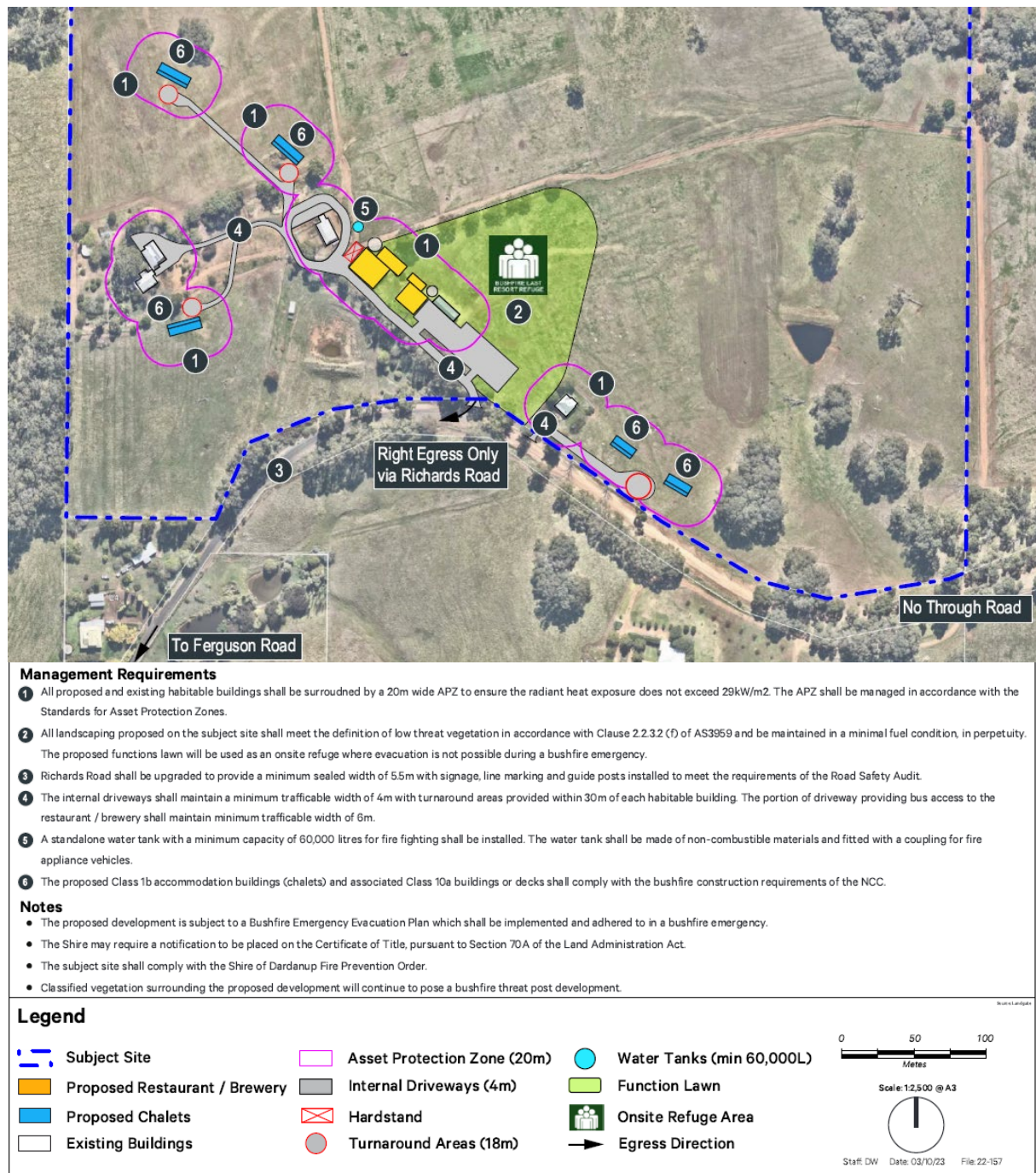
Provision of Water

The Guidelines require a 10,000L per habitable building for the purposes of firefighting. The proposal based on 6 habitable structures requires 60,000 litres of water for fire fighting purposes. The application has proposed the required amount and will be required to be ready for use prior to the occupation of the development.

The applicant has further submitted an Emergency Evacuation Plan to support the proposal which is also supported by Officers. The EEP references that the chalets and the broader site will be shut down when

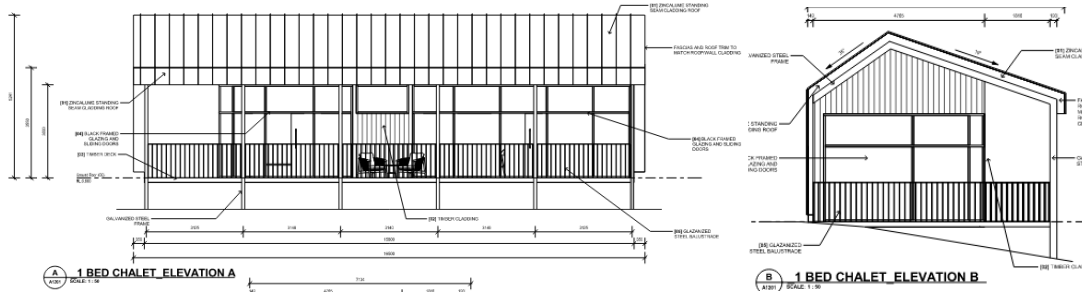
the Fire danger Rating is ‘Catastrophic’. Below is a map of the proposed management measures depicting the proposed APZs, refuge area and internal road layout for Council’s review.

Officers note that DFES in their submission of the updated BMP.

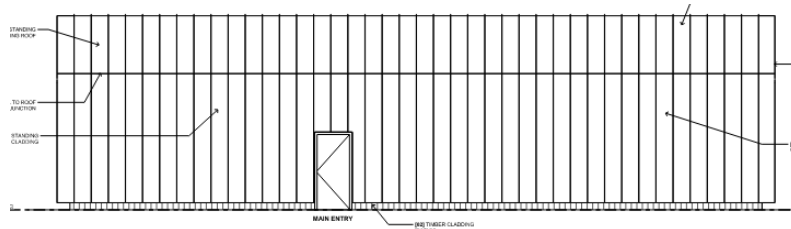


Local Planning Strategy

Part 3.3 – Rural Land, in the Local Planning Strategy seeks to protect land from ad-hoc fragmentation and non-agricultural land uses. Nevertheless, Part 4.7 – Tourism, acknowledges the desire for agri-tourism, noting that “the focus of tourism activity in the Shire is the Ferguson Valley which contains a number of visitor attractions and accommodation options. Part of the appeal of this locality is the rural setting as much of the land is used for farming purposes. Many tourism activities are conducted alongside traditional farming areas, at times in relatively close proximity. As such, a balance is required that facilitates the growth of tourism, whilst ensuring that existing farming practices are not compromised as a result”. The strategy makes recommendations to accommodate and control tourism in the Ferguson Valley in the new Local Planning Scheme (LPS9), which is not yet approved. Part 4.5 –

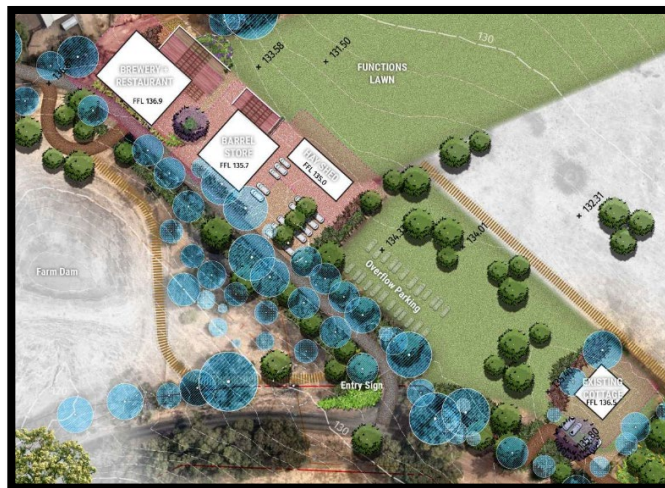


View of chalets 8, 9, 10, 11 from north and east, and chalet 12 from south and west



View of chalets 8, 9, 10, 11 from south and west, and chalet 12 from north

The proposed car parking area, although partly within the 20m setback area, is screened from the view of the road by existing trees. It provides 43 car parking bays to the east of the barrel room as well as a drop of area, and an overflow parking grassed area. The parking area is proposed to be landscaped as shown below, which will be subject to a condition of approval if supported.



Landscape Plan

Officers consider the design of the proposed development to be complementary to, and in keeping with, the local rural landscape character. The bulk and scale of the building is generally consistent with existing buildings on the site and in the broader area.

Existing vegetation along Richards Rd, within the subject lot, and within surrounding lots provides some screening of the development site. Although the buildings exceed the setback requirements in the LPS3, landscaping is considered necessary to further soften the visual impact of the development and protect the rural landscape values of the area. Dwellings on nearby lots in each direction are shown below in relation to the development site.



Nearby Dwellings

Nearby dwellings shown above will have filtered views of the development through existing and proposed vegetation, as is typical in rural localities. Landscaping will also screen service areas within the lot.

Noise

During the consultation period, neighbouring residents raised objections and concerns in relation to noise impacts of the proposal on the rural amenity of the area. In this regard, Clause 67 of the Deemed Provisions, namely clause (n), requires the Local Government to consider the amenity impacts of a development. Noise generated from the proposal has the potential to impact upon the amenity of the area.

To address noise, the applicant submitted an Acoustic Assessment in accordance with the Environmental Protection (Noise) Regulations 1997 (Noise Regulations). The assessment modelled noise emissions from several noise emitting scenarios of the development as follows:

- Daytime Operations with Background Music Only (L_{A10}) - Includes all L_{A10} noise sources of *Table 3-2* except the DJ/Small band;
- Night-time Operations with DJ/Small Band Outdoors (L_{A10}) - Includes all L_{A10} noise sources of *Table 3-2* including the DJ/Small band playing in the northwest side of the Brewery Deck;
- DJ/Small Band Playing Indoors during the Night-time (L_{A10}) - Includes the DJ/Small band playing in the southeast corner of the Brewery Building;
- Car Door Closing (L_{Amax}) – Considered in isolation to other noise sources.

The assessment has also been modelled on the basis that the building has been constructed with the following noise attenuation features which will be required to be included within a Noise Management Plan (NMP)

- Bi-folding doors to achieve R_w 30, comprising minimum 6.38mm thick laminated glass;
- Roof and walls to achieve an R_w 40, likely achievable using 13mm sound-rated plasterboard internally with 75mm thick 14 kg/m³ fibrous cavity insulation and *Colorbond* or timber cladding; and
- Acoustically absorptive material used on the ceiling.

The Noise Regulations set out the maximum allowable noise level that may be emitted, measured from the point of the receiver of that noise. In this case, computer modelling was used to predict noise

emissions under each scenario at all sensitive receptors as shown below and demonstrated within the acoustic assessment.



Location of Sensitive Receptors

In terms of Scenario 1, the assessment has been modelled on a worst-case scenario, assuming all patrons are on the outdoor deck with background noise playing from the outdoor speakers. The assessment concluded that noise emissions received at all nearby sensitive receptors comply with the Noise Regulations as follows:

Receiver	Patrons	Mechanical Plant	Background Music	Predicted Noise Level	Assigned Level	Assessment
33 Richards Rd	20	22	14	25	40	Complies
96 Richards Rd	27	25	18	29	40	Complies
Lot 102 Chalet 1	23	16	15	24	40	Complies
Lot 102 Chalet 2	24	20	16	26	40	Complies

Scenario 1

In terms of Scenario 2 the assessment modelled on a worst-case scenario where all patrons are on the outdoor deck with a DJ/small band playing on the north-west side of the brewery. As seen below, noise received at the sensitive receptors exceed the permissible thresholds:

Receiver	Patrons	Mechanical Plant	DJ/Band*	Predicted Noise Level*	Assigned Level	Assessment
33 Richards Rd	20	22	36	37	35	+2 dB
96 Richards Rd	27	25	52	52	35	+17 dB
Lot 102 Chalet 1	23	16	52	52	35	+17 dB
Lot 102 Chalet 2	24	20	53	53	35	+18 dB

Scenario 2

As such, during the night time hours, background music will only be limited to background speaker noise (Scenario 1) and a single acoustic performer to avoid exceedances. This will be enshrined in a Noise Management Plan which is discussed later.

In terms of Scenario 3, the assessment modelled noise from a DJ/band located inside the brewery on the southeast corner with the bi-folding doors open and closed with all other doors closed. The assessment identified that compliance was achieved with the assigned levels whilst the doors were shut as follows:

Receiver	Brewery Deck Bi-folding Doors Open - Predicted Noise Level from DJ/Band Inside*	Brewery Deck Bi-folding Doors Closed - Predicted Noise Level from DJ/Band Inside	Assigned Level
33 Richards Rd	36	25	35
96 Richards Rd	39	26	35
Lot 102 Chalet 1	42	17	35
Lot 102 Chalet 2	45	20	35

*Adjustment of +10 dB included

Scenario 3

In terms of Scenario 4, this considers noise from car doors which is typically impulsive in nature. The assessment concluded that compliance will be achieved with the assigned levels at the nearest sensitive receptors as follows:

Table 4-4: Scenario 4 Predicted Levels and Assessment, dB L_{Amax}

Receiver	Predicted Noise Level*	Night-time Assigned Level	Assessment
33 Richards Rd	33	55	<i>Complies</i>
96 Richards Rd	38	55	<i>Complies</i>
Lot 102 Chalet 1	25	55	<i>Complies</i>
Lot 102 Chalet 2	30	55	<i>Complies</i>

* Includes + 10 dB adjustment for impulsiveness.

Based on the above, the acoustic assessment has recommended several measures to ensure noise emitted from the development is managed to meet the Noise Regulations at all times. The most significant are as follows, however, all of the recommendations will be required to be captured within a Noise Management Plan and adhered to at all times which forms a condition of the approval:

- Walls and Ceiling/Roof shall achieve minimum R_w 40 performance. For the purpose of the assessment, 13mm sound-rated plasterboard internally with 75mm thick 14 kg/m³ fibrous cavity insulation and *Colorbond* or timber cladding is the construction;
- There is no limit to patrons on the deck areas at any time;
- Low level background music is permissible outside the building at any time;
- A single acoustic artist is permissible on the outside area up until 10.00pm, assuming a sound level of no more than 85 dB(A) at 1-metre, noting this is relatively low;
- Where a DJ/Small Band is to play, these must be located inside the Brewery Building, with doors closed;
- All glazing, including bi-folding doors to achieve minimum R_w 30 performance. To be confirmed by glazier, however likely achievable with 6.38mm thick laminated glass and acoustic seals fitted;
- Noise levels of DJ/Small band were at 110 dB(A) sound power level, approximately 93 dB(A) sound pressure level inside the room, at a central location;

Officers note that the Acoustic Assessment does not include an assessment against mechanical plant which is also the main likely source of noise associated with the proposed brewery. As such, once the mechanical plant has been selected at detailed design, an updated Acoustic Assessment is required to be submitted to demonstrate that noise emitted from the mechanical plant of the brewery and restaurant meet the assigned levels of the Noise Regulations.

Council should also note that DWERs submission which can be seen in the appendix states that it supports the recommendations of the submitted Acoustic Assessment for the development. As such, provides a high degree of certainty to Officers that the development subject to a Noise Management Plan will be managed adequately to avoid amenity impacts to the locality.

Landscape Management Plan

The proposed development recognises the importance of retaining the strong rural character of the subject site. Minimal clearing is proposed in order to retain as much of the natural landscape as possible. Additional vegetation has been proposed to offset any visual amenity impacts on the natural environment where any clearing is unavoidable to facilitate the development or to comply with bushfire requirements. The proposed landscaping palette is complementary to the rural character of the area with emphasis on native vegetation, botanicals and aromatic bush food plants which can be utilised in the restaurant and in the brewing process. The proposed Landscaping Plan can be seen below:



Landscaping Plan

Environment

The brewing and distilling process creates wastewater that needs to be managed. The wastewater if proposed to be used for irrigation purposes on pasture, has to go through a dilution process to reduce the concentration of nitrogen, phosphorous amongst other nutrients prior to being used. In some instances, based on the amount of wastewater produced, may have to go through a secondary process.

The application has only indicated that they may choose to pursue the irrigation of wastewater process, however, the finer details of this has not been finalised. Officers note that acknowledging that the land parcel is quite significant in size and that the site is not constrained by environmental features, Officers have a high degree of certainty that the site can be used to irrigate treated wastewaters without any adverse environmental impacts from occurring. As such, Officers are recommending a condition for a Nutrient Irrigation Management Plan (NIMP) to be submitted demonstrating how wastewaters from the brewery and distilling process are to be treated prior to being used for irrigation purposes. The NIMP will be approved by the Shire in conjunction with the DWER.

The applicant may choose to store the wastewaters prior to being removed by a licensed contractor. If this is the preferred choice of treating wastewaters prior to irrigation, the details of this process will be required to be captured in a Waste Management Plan.

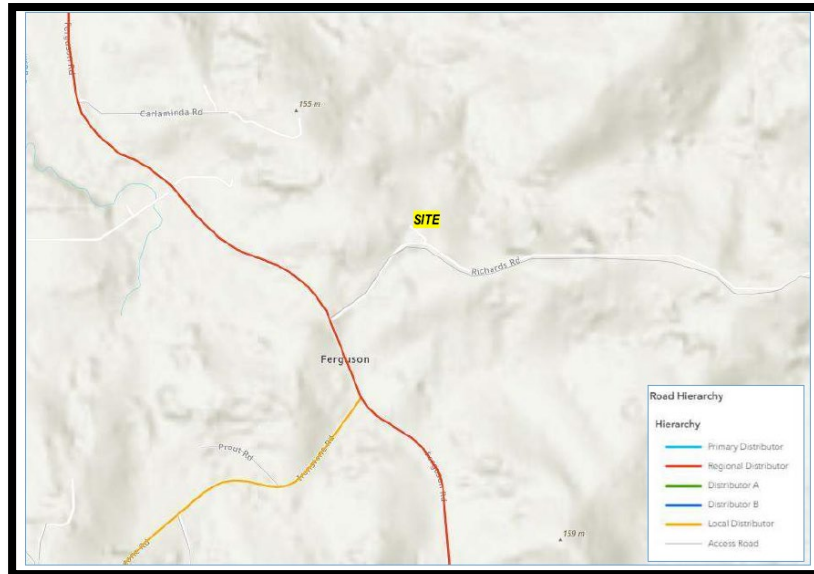
Traffic

The category of the vehicles associated with the proposed development will predominantly comprise of small passenger vehicles by visiting patrons, however, also includes service vehicles and busses. Vehicles are proposed to access the site by an existing crossover located centrally along the Richards Road frontage. The access is at the point where the sealed road ends. Further east along Richards Road continues as an unsealed road.

During the consultation period, concerns were raised to increase traffic movements on the road network resulting in safety issues. A Traffic Impact Assessment (TIA) was provided with the application which can be viewed within the application report. The TIA assessed traffic generated by the proposed

development and its potential impact on the performance and road safety of Ferguson Road and Richardson Road.

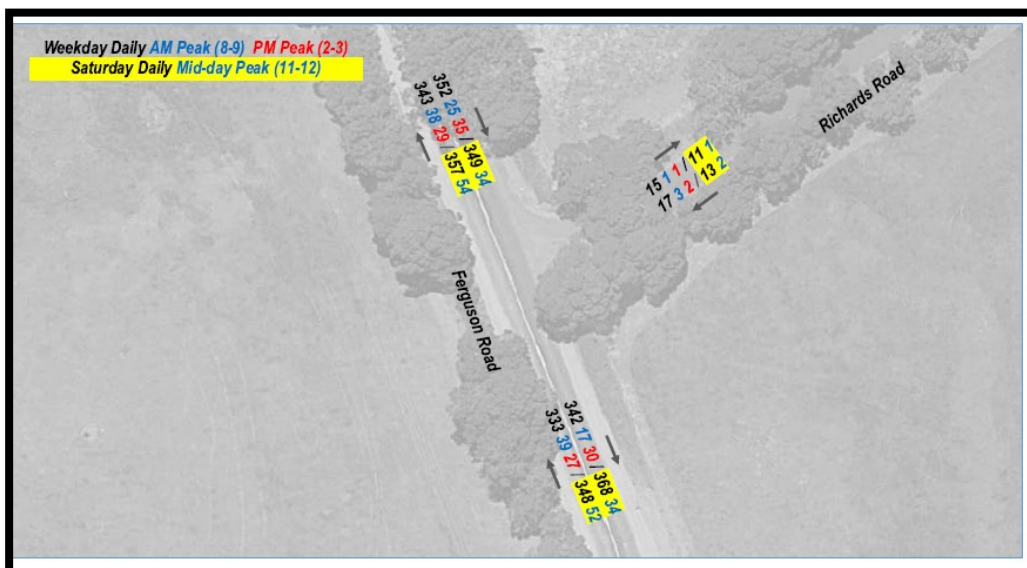
The site is bound by Richards Road and Ferguson Road. Ferguson Road is a Regional Distributor Road and Richards is an Access Road in accordance with Main Roads Western Australia (MRWA) road hierarchy as can be seen below.



MRWA Road Hierarchy

In terms of existing vehicle movements along Richards Road and Ferguson Road, the TIA includes traffic counts undertaken in April 2023 which identifies the total and peak hour vehicle trips of the road network. Peak hours for the road network identified in the assessment comprise of morning (8am-9am), mid-morning (11am-12pm) and afternoon (2pm-3pm).

The TIA identifies on weekdays that currently Ferguson Road north and south bound and the Richards Road/ Ferguson Road intersection carries a total of approximately 352 vehicles per day south bound approaching the intersection and 333 north bound approaching the intersection. The TIA assumes that the AM peak period vehicle movements along Ferguson Road vary between 17-25 in the morning and 30-35 movements in the afternoon period. In terms of the Saturday total movements the TIA identifies a total of 368 and a mid-morning peak between 34-54 movements north and south bound as detailed below:



Peak Period Movements

In terms of the development, it is proposed to generate the greatest number of movements during the weekend peak periods, between 12-2:30pm. The TIA also assumes that vehicles to enter the site are a combination of light vehicles, chartered vehicles and busses. Based on this, the average vehicle occupancy is assumed to be 2.5 persons per vehicle on a maximum capacity of persons of the development being 150. The volume of traffic movements generated during the weekend peak and weekday are as follows:

Saturday and Sunday (Peak Period 12-2:30pm)

- 200 visitors over peak period;
- 200 visitors arriving in private vehicles/2.5 persons per vehicle = 80 trips;
- Peak period = 80 trips x 2 = 160 vehicles per day;

Weekend Non-Peak

- 75 visitors total over non-peak period;
- 75 visitors arriving by private vehicles/2.5 persons per vehicle = 30 trips;
- 10 staff members arriving by private vehicles = 10 trips;
- Non-peak period = 40 trips x 2 = 80 vehicle trips per day;

The TIA assumes that weekdays are expected to generate far less volumes of traffic with an average of 20 visitors per day, up to around 50 customers on Friday lunch (12pm-3pm)

Weekday Peak

- 50 visitors over peak period;
- 50 visitors arriving by private vehicle/2.5 visitors per vehicle = 20 trips;
- Peak period = 20 trips x 2 = 40 vehicles per day.

Weekday Non-Peak

- 20 visitors over non-peak period;
- 20 visitors arriving by private vehicle/2.5 visitors per vehicle = 8 trips;
- 4 staff members arriving by private vehicles = 4 trips;
- Non peak period = 12 trips x 2 = 24 vehicles per day.

The vehicles trips generated by the chalets and private events proposes also form part of the TIA and are as follows:

Chalets

The chalets will mainly be used on the weekends with guests generally staying 2 nights:

- Arrival and departure on separate days – 1 vehicle per day;
- Maximum 1 trip per day during stay – 2 vehicles per day;
- Two night stay = 5 chalets x 3 vehicle trips per day = 15.

Private Events

The brewery and restaurant will be closed on the days the venue is booked for a private event. It is expected that vehicles will be a combination of light vehicles, chartered vehicles and buses, with the majority of visitors to attend via prearranged buses as follows:

- 80% of visitors expected to use private vehicles for events with 2.5 persons per vehicles;
- 20% of visitors expected to use busses for events with 10 persons per bus

- 100% of staff are expected to use private vehicles with 1 person per vehicle

Based on the above and with a maximum capacity of 150 persons at any one time, the following traffic generations are summarised below:

- 120 visitors (80%) arriving by private vehicle – 2.5 persons per vehicle = 48 trips
- 30 visitors (20%) arriving by bus – 10 persons per bus = 3 trips
- 10 staff members arriving by private vehicles = 10 trips
- Peak period = 61 trips x 2 = 122 vehicles per day

Based on the above assumption, the traffic generated by the development has been modelled as being 48 coming to site in a southbound direction and 5 in a northbound direction on Ferguson Road. The TIA also shows 38 leaving the site manoeuvring through the intersection in a north direction and 4 in a south direction as follows:



The directional distribution of entering and existing traffic has been derived from the Institute of Transportation Engineers (ITE) Trip Generation. As such, identifies that 90% of the peak period traffic of the development will be generated from the north and 10% from the south hence the more concentrated movement of vehicles on the northern approach to the intersection.

In terms of the movements generated by the development and the capacity of the road network, Officers are satisfied that Ferguson Road has the capacity to deal with the additional traffic, however, have concerns over the increased vehicle movements along Richards Road. The road width to the access/egress point to the site varies between 5.0m and 5.2 metres. This means there are sections of Richards Road whereby there is a greater of risk of vehicles colliding and having to move off the road to allow a passing vehicle. This ultimately provides an unsafe environment as two-way movement is restricted. The risk is further exacerbated with service vehicles and busses proposed to use the road.

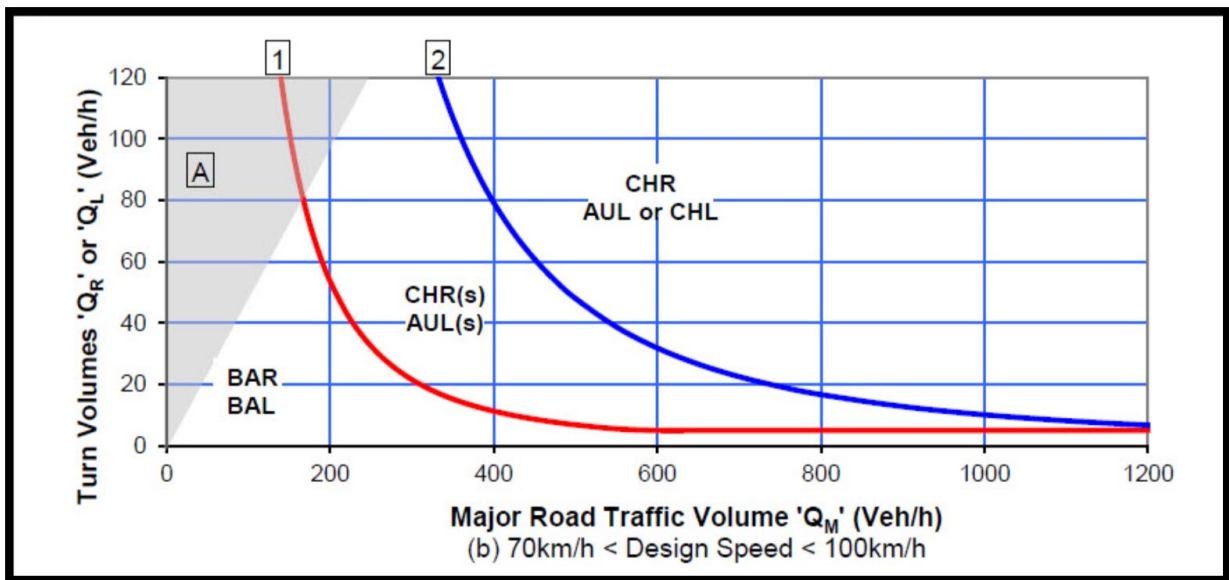
The Austroads Guide to Road Design indicates that the minimum road width for Richards Road should be 6.2m. The Shire's Road Asset Management Plan however, has adopted a reduced width for Local Roads which carry a volume of between 250-500 vehicles per day to have a minimum seal width of 5.5m with a 0.5m shoulder.

The greater width will allow for the safe movement of vehicles along Richards Road in both directions. A condition has been imposed to ensure that Richards Road is upgraded to have a 5.5m minimum road seal with a 0.5m shoulder from the Ferguson Road intersection to 50m beyond the existing access/egress

driveway to the site. The additional 50m length is due to chalets to the east which will access the site via another driveway.

The TIA also included a SIDRA analysis of the traffic movements generated by the development and its impacts upon the performance of the intersection and broader road network. The analysis is based upon current traffic volumes, the volume of traffic generated by the development and 10-year projected traffic volumes on the road network. The results of the SIDRA analysis concluded that the intersection has the capacity to manage the additional traffic during the peak times as well as the broader network. Ultimately there is unlikely to be queuing at the intersection or the creation of an unsafe environment on the road network to warrant any upgrades to the intersection.

Officers advise that a significant amount of the submissions received during consultation raised concerns relating to the intersection despite the SIDRA analysis and the need to upgrade the intersection which includes turning pockets. In this regard Officers advise that intersection upgrades are typically based on assessing the total of left and right turning vehicles and continuing through traffic. The volumes are then assessed against the following table located within the Austroads Guide to Traffic Management Part 6 which then depicts the level of upgrade required if any.



In terms of the development, the proposed 43 vehicles turning into the site and 83 continuing southbound does not meet the threshold of a left turning pocket. Furthermore, the total vehicles turning into the site and continuing northbound is insignificant to warrant a right turning pocket. As such, in line with the SIDRA analysis the intersection can deal with the increased movements in a safe manner.

Officers note to Council that clarification on the figures represented in Tables 11 & 12 of the TIA has been sought from the applicant and will provide this to Council once received at a later date. Officers do not consider that this impacts upon the overall conclusion of the TIA due to the low traffic movements generated by the development over the 2.5 hour period.

Further to the intersection, Officers have been made aware that the Ferguson Road/Richards Road intersection as a result of a crest to the north does not meet the minimum Main Roads Western Australia Supplement to Austroads Guidelines design requirements relating to Safe Intersection Sight Distance (SISD). SISD provides sufficient distance for a driver of a vehicle on the major road to observe a vehicle on a minor road approach moving into a collision situation (e.g. in the worst case scenario, stalling across traffic lanes) and to decelerate to a stop before reaching the collision point.

The TIA indicates that based on a design speed of 90km per hour a SISD of 207m is required. The measured distance from the crest to the intersection was 190m which left a 17m deficit. However, the

Shire's traffic count data showed the 85th percentile of the actual speed was closer to 80km per hour. As a result of the evidence the 85th percentile of traffic speed recorded, the SISD can be based on the the actual speed where the sight distance of 181m is required and is met in both directions. Council should note that the 85th percentile requirement is included in the Main Roads Western Australia Guide to Road Design Part 4a.

The TIA also provides for turning templates of service/waste vehicles through the Ferguson Road/Richards Road intersection. The templates demonstrate compliance in that the vehicles can turn in and out of the intersection without impacting upon oncoming traffic and importantly are generally lane compliant. This is however, based on 10m vehicles, the TIA does not demonstrate if chartered buses for events which are 12.5m in length can go through the intersection in a lane compliant manner. To address this, an updated TIA is required to be prepared, providing a turning template of the buses moving through the intersection. Any recommendations from the updated TIA will have to be implemented prior to the development commencing.

To further ensure the road network can safely manage the additional vehicles generated by the development, the applicants undertook a Road Safety Audit. The inspection was conducted in accordance with the requirements in the MRWA Policy and Guidelines for Road Safety Audit. The audit recommends several measures to improve the safety of the road network which will be conditioned accordingly. The most significant measures are as follows:

- Install advance intersection warning signs with street name sign on both approaches of Ferguson Road;
- Widen Richards Rd to 5.5m where required;
- Implement low speed zone (40-50km/h) on Richards Road;
- Install guide posts consistently along Ferguson Road and Richards Road; and
- Provide a give-way sign and the necessary pavement line markings on the approach leg of Richards Road.

Based on the proposed improvements and upgrades to Richards Road, Officers are satisfied that the development can be undertaken in a manner which will not result in adverse safety impacts on the road network and on its users.

Parking

The minimum car parking requirement applicable for the development under the Shire of Dardanup LPS3 is based on the following Restaurant land use:

- 1 space for every 4 seats;
- 1 space for every 4 persons the building is designed to accommodate; or
- 1 space for every 4m² seating area, whichever is the greater

Based on 150 persons capacity, a total of 43 bays has been proposed and an overflow area. Therefore, the proposed parking complies with TPS 3.

In terms of parking requirements under draft LPS9 the parking is compliant as follows:

DRAFT LPS9 PARKING STANDARD	NUMBER OF BAYS REQUIRED	PROPOSAL
Brewery Car parking at 1 bay per 20m ² (24 bays) or 1 per 4 persons (38 bays) open to the public and used for	38 bays	The proposal shows 43 car parking bays including 1 universal access bay to be constructed with an additional overflow parking area available.

DRAFT LPS9 PARKING STANDARD	NUMBER OF BAYS REQUIRED	PROPOSAL
dining and/or drinking, whichever is the greater.		
Chalets Car parking at 1 bay per single bedroom chalet and 2 bays per 2-bedroom chalet	8 bays	Provided.

Officers are satisfied with the parking arrangements.

Conclusion

The proposal to develop a Brewery (Use Not Listed), Restaurant and Chalet – Short Stay Accommodation in conjunction with existing farming activities is considered generally consistent with the existing LPS 3 requirements. Whilst officers acknowledge the submissions received, it is considered that these do not warrant a refusal of the application, which can be suitably managed through appropriate conditions to mitigate any adverse impacts. The conditions recommended to be applied to the approval address the concerns and issues raised in the submissions.

END REPORT

PROCESS

Note: Shire President, Cr. T G Gardiner returned to the Order of Business [5.52pm] and advised Council that the next item for consideration would be Item 12.2.1.

12.2.1 Title: Personal Development Grants – Request to Increase 2023/2024 Allocation

Reporting Department	<i>Sustainable Development Directorate</i>
Responsible Officer	<i>Ms Cassandra Budge - Manager Community Development</i>
Reporting Officer	<i>Ms Melanie Ring - Place & Community Team Leader</i>
Legislation	<i>Local Government Act 1995</i>
Council Role	<i>Executive/Strategic.</i>
Voting Requirement	<i>Simple Majority.</i>
Attachments	<i>12.2.1A – Risk Assessment 12.2.1B – Policy SDEV CP038 Educational Donations & Personal Development Grants</i>

Overview

It is requested that Council approve the transfer of funds from undersubscribed Club Development to Personal Development Grants account to allow consideration of several grant applications received by the Shire to assist our Local Legends represent their club.

The Council allocation for Personal Development Grants for the current financial year has been fully expended as there has been an increase in applications received by the Shire to date.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

295-23 MOVED - Cr T G Gardiner SECONDED – Cr. E P Lilly

THAT Council approves the transfer of \$3,000 from Club Development (J11925) to Personal Development Grants (GL0817010) to allow further Personal Development applications to be approved for the remainder of 2023/24.

CARRIED
9/0

Background

The Shire offers Personal Development Grants to assist our 'Local Legends' to achieve their goals by representing their clubs as individuals and as a team. They learn valuable skills and lessons (both personal and professional) whilst representing WA and in turn invest these skills into the clubs and teammates.

Over the past 2 financial years however, the allocated funding to provide applicants of Personal Development Grants financial assistance has been fully expended. The current budget of \$4,000 has been allocated within 5 months of the current financial year. There are no funds left with seven (7) months remaining in the current financial year and the PACE officer currently has four (4) further applications that have been received and are awaiting assessment. The increase in applications is a reflection of the travel restrictions no longer being in place post pandemic and the introduction of the Local Legends posts on social media that recognise the Personal Development grant recipients. The Local Legends recognition has resulted in the wider community being made aware that the Shire offers financial assistance for personal development opportunities. One of the Local Legends posts received 139 likes, 22 comments and 3 shares. The posts have been a major contributor in relation to informing the community of the funding available and acknowledging our very own local legends.

Below is an overview of the past 3 financial years and comments in relation to applications received:

Financial Year	Number of applications funded	Comments
2023-2024 <i>Allocated funding</i> \$4,000.00	10	<ul style="list-style-type: none"> • Funding was allocated within 5 months of current financial year. • 2 applications have been received and awaiting assessment. • It is estimated that at least another 6-8 applications will be received this financial year requesting assistance.
2022-2023 <i>Allocated funding</i> \$4,000.00	11	<ul style="list-style-type: none"> • Funding was fully allocated between end of September 2022 – May 2023 = 8 months. • 1 application received after budget expended. Application was approved and funding was paid for from GL0817010 – Sundry Donations. Sundry Donations is not a fund that is suitable for 2023/24 funding. • Council decreased the funding substantially (by 60%) due to budget cuts.
2021-2022 <i>Allocated funding</i> \$10,000.00	5	<ul style="list-style-type: none"> • Applications stopped due to the pandemic and the ceasing of interstate and intrastate travel.

To address the shortfall of funds in the account, Officers are requesting to transfer the Club Development (J119252) budget allocation of \$3,000 to Personal Development Grants to allow consideration of financial assistance for a further seven (7) recipients.

Legal Implications - None.

Council Plan

2.2 - Increase participation in sport, recreation and leisure activities.

3.1 - Grow participation in arts, culture and community events.

4.1 - Assist young people to reach their potential.

Environment - None.

Precedents - None.

Budget Implications

There are no budget implications should the funds be transferred from Club Development to Personal Development Grants. The funds in Club Development are solely Council funded monies.

Should the request not be approved, a request to Council for surplus funds may be requested.

Budget – Whole of Life Cost - None.

Council Policy Compliance

All applications for Personal Development Grant funding are required to comply with *SDev CP038 Educational Donations & Personal Development Grants Policy* and have been assessed against the relevant criteria. Please refer to (Appendix ORD: 12.2.1B) for full assessment document.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.2.1A) for full assessment document.

TIER 1 – No discernible Inherent Risk has been identified (no Risk Theme or Consequence).	
Risk Event	Personal Development Grants – Request to Increase 2023/2024 Allocation
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Reputational Council's reputation could be impacted dependant on their decision on whether or not to allow additional funds to be made available through the Personal Development Grant application process.

Officer Comment

In terms of the existing Club Development Grant account, previously, the Shire has been successful in receiving funding through the Department of Local Government, Sports & Cultural Industries (DLGSC) Every Club grant opportunity to provide supports to clubs within the Shire (focus on club development). A range of workshops and training was offered; however participation was very low even with no cost to the clubs. The topics that were offered to the clubs were topics of interest to them however attendance was minimal which also led to the cancellation of two workshops. Given the lack of engagement and participation from the clubs and groups, Every Club funding was not applied for last year when it became available through DLGSC.

Navigating club development without financial funding can be challenging, but it's not impossible. Club development has been achieved by providing various alternative methods of support to the clubs and groups such as:

- Sharing external grant opportunities (including researching grants that are specifically designed to support community sports clubs/groups or development initiatives),
- Offering support in providing feedback for grant applications (reviewing application etc),
- Providing letters of support where required,
- Keeping clubs and groups up to date on the Shire's grant funding opportunities,
- Providing assistance with event applications (specifically for groups and organisations rather than sporting groups);
- Assistance in promotional material such as assistance to design poster, invitations to civic events etc.

It has been evident that one-on-one support provided to clubs and groups is much more valuable and appreciated by them compared to the attendance at the offered workshops and trainings. Therefore, the transfer of available funds of \$3,000 from Club Development (J11925) to Personal Development Grants (GL0817010) is not considered to impact upon the clubs being supported and their operational requirements. The transfer will ultimately allow further Personal Development applications to be considered for the remainder of 2023/24.

END REPORT

PROCESS

Note: *This item was dealt with earlier in the meeting [refer page 13 of these minutes] due to the public being in attendance.*

12.2.2 Title: Tourism Development: Brewery, Restaurant and Chalets – Short Stay Accommodation – Lot 101 (59) Richards Road, Ferguson

Reporting Department	<i>Sustainable Development Directorate</i>
Responsible Officer	<i>Ashwin Nair - Director Development Services</i>
Reporting Officer	<i>Suzanne Occhipinti – Senior Strategic Planning Officer</i>
Applicant	<i>Element WA</i>
Legislation	<i>Planning and Development Act 2005</i>
Council Role	<i>Quasi-Judicial.</i>
Voting Requirement	<i>Simple Majority.</i>
Attachments	<i>Appendix ORD: 12.2.2A – DA application report</i> <i>Appendix ORD: 12.2.2B – Copy of Submissions</i> <i>Appendix ORD: 12.2.2C – Schedule of Submissions</i> <i>Appendix ORD: 12.2.2D – Copy of Further Submissions</i> <i>Appendix ORD: 12.2.2E – Risk Assessment Tool</i> <i>Appendix ORD: 12.2.2F – Clause 67 Technical Assessment</i>

Note: *Refer to Page 14 of the Agenda for this item.*

12.3 INFRASTRUCTURE DIRECTORATE REPORTS

None.

12.4 CORPORATE & GOVERNANCE DIRECTORATE REPORTS

12.4.1 Title: 2022/23 Annual Report

Reporting Department:	<i>Corporate & Governance Directorate</i>
Responsible Officer	<i>Mr Phil Anastasakis - Deputy CEO</i>
Reporting Officer:	<i>Mr Phil Anastasakis - Deputy CEO Mrs Natalie Hopkins - Manager Financial Services</i>
Legislation:	<i>Local Government Act 1995</i>
Council Role	<i>Executive/Strategic.</i>
Voting Requirement	<i>Simple Majority</i>
Attachments:	<i>Appendix ORD: 12.4.1A – Under E Separate Cover Document – 22/23 Annual Report Appendix ORD: 12.4.1B – Risk Assessment Tool</i>

Overview

This report presents the 2022/23 Annual Report to Council, inclusive of the Annual Financial Statements, for consideration and adoption.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

296-23 MOVED - Cr T G Gardiner SECONDED – Cr. J D Manoni

THAT Council receives and adopts the Shire of Dardanup 2022/23 Annual Report incorporating the audited Annual Financial Statements for the financial year ended on the 30th of June 2023 [Appendix ORD: 12.4.1A – Under E Separate Cover].

CARRIED
9/0

Background

Section 5.53 of the *Local Government Act 1995* requires a Local Government to prepare an Annual Report for each financial year. The 2022/23 Annual Report is provided under a separate cover.

The Annual Report is to contain;

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

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

As a result of recent local government reforms, changes have been made to the *Local Government (Financial Management) Regulations 1996* and the *Local Government (Audit) Regulations 1996*. From the 2021/22 financial year, financial ratios are no longer required to be reported, or audited, in the Annual Financial Report. However, a voluntary disclosure of these ratios is provided in the Annual Report.

FINANCIAL RATIOS	2023	2022	2021	2019
	ACTUAL	ACTUAL	ACTUAL	ACTUAL
Current ratio	1.297	1.328	1.512	1.270
Asset consumption ratio	0.755	0.928	0.653	0.642
Asset renewal funding ratio	0.867	1.271	1.601	1.100
Asset sustainability ratio	1.287	2.001	1.312	0.901
Debt service cover ratio	8.231	3.892	4.368	14.774
Operating surplus ratio	-0.032	-0.182	-0.181	0.012
Own source revenue coverage ratio	0.865	0.742	0.754	0.848

Overall Council is in good financial health and this is reflected in its financial ratios illustrated above. It is important to note that 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.

The financial ratios reported for 2022/23 are as follows:

- Current Ratio

$$\frac{(\text{Current Assets MINUS Restricted Assets})}{(\text{Current Liabilities MINUS Liabilities Associated with Restricted Assets})}$$

30th June 2023 = 1.297 or 129.7%. The Department Standard = "Achieving Standard".

This is a modified commercial ratio designed to focus on the liquidity position of a local government that has arisen from past year's transactions. A ratio less than 1 (or 100%) means that a local government does not have sufficient assets that can be quickly converted into cash to meet its immediate cash commitments. The standard is not met if the ratio is lower than 1 (or less than 100%).

- Asset Sustainability Ratio (ASR)

$$\frac{\text{Capital renewal and replacement expenditure}}{\text{Depreciation expense}}$$

30th June 2023 = 1.287 or 128.7%. The Department Standard = "Standard Improving".

This ratio indicates whether a local government is replacing or renewing existing non-financial assets at the same rate that its overall asset stock is wearing out (depreciating). Achieving Standard is met if the ratio data can be calculated and ratio is 90% (0.90). Standard Improving is met if the ratio is between 90% and 110% (or 0.90 and 1.10).

- Debt Service Cover Ratio

$$\frac{\text{Annual operating surplus before interest and depreciation}}{\text{Principal and interest}}$$

30th June 2023 = 8.231. The Department Standard = "Advance Standard".

This ratio is the measurement of a local government's ability to repay its debt including lease payments. The higher the ratio is, the easier it is for a local government to obtain a loan. Achieving Standard is met if the ratio is greater than or equal to 2. Advanced Standard is met at a higher level if this ratio is greater than 5.

- Operating Surplus Ratio

$$\frac{\text{Operating Revenue MINUS Operating Expense}}{\text{Own Source Operating Revenue}}$$

30th June 2023 = -0.032. The Department Standard = "Standard Not Met".

This ratio is a measure of a local government's ability to cover its operational costs and have revenues available for capital funding or other purposes. Achieving this Standard is met if the operating surplus ratio is between 0% and 15% (0 and 0.15). "Operating Revenue" means the revenue that is operating revenue for the purposes of the AAS, excluding grants and contributions for the development or acquisition of assets.

This ratio demonstrates the ability to service its day to day operational costs, including asset depreciation from its revenue base. The inclusion of depreciation expense (a non-cash expense) as part of this calculation provides a challenge to meet this ratio into the future. As the Council's asset base increases, the ratio has an expectation to meet annual depreciation expenditure from revenue.

- Own Source Revenue Coverage Ratio

$$\frac{\text{Own Source Operating Revenue}}{\text{Operating Expense}}$$

30th June 2023 = 0.865. The Department Standard = "Achieving Standard".

This ratio is the measurement of a local government's ability to cover its costs through its own revenue efforts. Different standards have been established to recognise the varying revenue raising capacities across the sector, where some rural and remote local governments have limited rate bases and revenue raising capacity, whereas others such as major metropolitan and regional local governments have significant rate bases and other own source revenues. Achieving Standard is met if the ratio is between 40% and 90% (or 0.4 and 0.9).

- Asset Consumption Ratio (ACR)

$$\frac{\text{Depreciated Replacement Cost of Depreciable Assets}}{\text{Current Replacement Cost of Depreciable Assets}}$$

30th June 2023 = 0.755 (75.5%). The Department Standard = "Standard Improving".

This ratio measures the extent to which depreciable assets have been consumed, by comparing their written down value to their replacement cost. This ratio essentially measures the depreciated state of Council's asset base. 100% would mean all brand new assets, 0% would mean all the assets have reached the end of their life. Achieving Standard is met if the ratio data can be identified and ratio is 50% or greater (0.50 or >). Standard Improving is met if the ratio is between 60% and 75% (0.60 and 0.75).

- Asset Renewal Funding Ratio

$$\frac{\text{Net Present Value of Planned Capital Renewals over 10 years}}{\text{Net Present Value of Required Capital Expenditure over 10 years}}$$

30th June 2023 = 0.867 (86.7%). The Department Standard = "Achieving Standard".

This ratio is a measure of the ability of a local government to fund its identified asset renewal / replacement requirements over a period of 10 years. The ratio is calculated from information included in the local government's Long Term Financial Plan and Asset Management Plan; not the Annual Financial Report. Achieving Standard is met if the ratio is between 75% and 95% (or 0.75 and 0.95). Standard Improving is met if the ratio is between 95% and 105% (or 0.95 and 1.05), and The Asset Sustainability Ratio falls within the range 90% to 110%, and Asset Consumption Ratio falls within the range 50% to 75%.

The adoption of the Annual Report by Council allows for the holding of the Annual Electors Meeting which is proposed for Wednesday 31st of January 2024, commencing at 6.00pm in the Eaton Council Chambers, following the completion of the monthly Council meeting.

Legal Implications

Local Government Act 1995

5.53. *Annual reports*

- (1) *The local government is to prepare an annual report for each financial year.*
- (2) *The annual report is to contain —*
 - (a) *a report from the mayor or president; and*
 - (b) *a report from the CEO; and*
 - [(c), (d) deleted]*
 - (e) *an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year; and*
 - (f) *the financial report for the financial year; and*
 - (g) *such information as may be prescribed in relation to the payments made to employees; and*
 - (h) *the auditor's report prepared under section 7.9(1) or 7.12AD(1) for the financial year; and*

- (ha) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993; and
- (hb) details of entries made under section 5.121 during the financial year in the register of complaints, including —
 - (i) the number of complaints recorded in the register of complaints; and
 - (ii) how the recorded complaints were dealt with; and
 - (iii) any other details that the regulations may require; and
 - (i) such other information as may be prescribed.

[Section 5.53 amended: No. 44 of 1999 s. 28(3); No. 49 of 2004 s. 42(4) and (5); No. 1 of 2007 s. 6; No. 5 of 2017 s. 7(1).]

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.

Council Plan

13.1 - Adopt Best practice governance.

14.2 - Ensure equitable, inclusive and transparent engagement and decision-making.

Environment - None.

Precedents

Historically the annual electors meeting has been held following the Ordinary Meeting of Council in January.

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

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to [Appendix ORD: 12.4.1B] for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	2022/23 Annual Report
Inherent Risk Rating (prior to treatment or control)	Low (1-4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<p>Legal and Compliance Risk of Council breaching the Local Government Act 1995 and that the 2022/23 Annual Report is not received by Council.</p> <p>Reputational Loss of reputation through non-compliance or mismanagement of funds.</p>

Officer Comment

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

The draft Independent Audit Report was provided to the Audit and Risk Committee at its meeting on the 20th of November 2023, where the Committee reviewed the recommendations to Council. Council’s Auditors have issued an unqualified Audit Report, with no issues or adverse trends raised. The Audit Report is also shown on page 47 of the Annual Financial Report that forms part of the Annual Report [Appendix ORD: 12.4.1A – Under E Separate Cover].

Council is in sound financial health which is reflected in the financial ratios that are reported in the Annual Report. In previous years, these ratios were required to be prepared and reported in the Annual Financial Statements, but recent legislative changes have removed this requirement. It is important to note that financial ratios are not intended to be the only factor to consider in assessing Council’s overall

performance. Other factors include Council's financial position, asset and cash reserve base, debt level, the range of services offered, the efficiency of services delivered and overall community satisfaction.

Council's actual carried forward surplus as at 30th of June 2023 was \$278,067. This can be compared against the budgeted carried forward surplus in the 2023/24 budget of \$332,558. The unfavourable variance of \$54,491 was reported to Council as part of the Monthly Financial Statements in November 2023.

There were a number of activities required during the financial year to accommodate changes in reporting requirements under the *Local Government (Financial Management) Regulations 1996* and *Australian Accounting Standards Board (AASB)*. While there were no significant changes to the Australian Accounting Standards, in May 2023 the Department released Model Financial Statements and guidance materials/templates that included tiered and reduced financial reporting for local governments.

The model financial statements took into effect the first round of local government reform which included:

- Presentation of the Financial Statements by Nature or Type – removal of reporting by Program
- Reduction in the size and complexity of the Annual Financial Statements
- Reduction in the number of Disclosures
- Removal of previous audited disclosures i.e.: financial ratios

The changes bring forward the State Government's reform agenda for local governments in Western Australia with Tranche 1 now completed, and Tranche 2 underway.

I would like to take the opportunity to thank the Corporate & Governance Directorate staff for their efforts and high service standard during the year under review and the annual audit process. I also wish to acknowledge and thank the Manager Financial Services, Mrs Natalie Hopkins for the production of Annual Financial Statements with assistance from the finance team.

Council is requested to consider and accept the Annual Report for the 2022/23 financial year.

END REPORT

12.4.2 Title: Adoption of Parking Amendment Local Law 2023

Reporting Department	Corporate & Governance Directorate
Responsible Officer	Mr Phil Anastasakis - Deputy CEO
Reporting Officer	Mrs Donna Bailye – Manager Governance
Legislation	Local Government Act 1995
Council Role	Legislative.
Voting Requirement	Absolute Majority.
Attachments	Appendix ORD: 12.4.2A – Risk Assessment Tool Appendix ORD: 12.4.2B – Submission from DLGSC Appendix ORD: 12.4.2C – Final Parking Amendment Local Law 2023

Overview

Proposed adoption of *Shire of Dardanup Parking Amendment Local Law 2023* with minor amendments, for gazettal.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

297-23 MOVED - Cr. S Gillespie SECONDED – Cr T G Gardiner

THAT Council:

1. **Receives the submission received from the Department of Local Government, Sport and Cultural Industries in respect of the *Shire of Dardanup Parking Amendment Local Law 2023*.**
2. **Notes that there were no public submissions received in respect of the *Shire of Dardanup Parking Amendment Local Law 2023*.**
3. **By Absolute Majority decision, adopts the *Shire of Dardanup Parking Amendment Local Law 2023* [Appendix ORD: 12.4.2C] inclusive of the following minor amendments:**
 - **Clause 2 amended by changing the word “come” to read “comes”; and**
 - **Clause 5 amended by changing:**
Delete ‘2023’ and replace with ‘2022’
To read :
Delete “2023” and insert “2022”
4. **Publishes a copy of the adopted local law in the Government Gazette.**
5. **Gives a copy of the adopted gazette ready Local Law to the Minister for Local Government.**
6. **After the local law has been published in the Gazette, gives local public notice as per section 1.7 of the *Local Government Act 1995* advising:**
 - **The title of the local law;**

- Summarizing the purpose and effect of the local law;
 - Specifying the day on which the local law comes into operation; and
 - Advising the location of copies of where the local law may be inspected or obtained.
7. Supplies copies of the Local Law, Explanatory Memorandum, Statutory Procedures Checklist and other supporting material in accordance with Ministerial Directions, to the WA Parliament’s Joint Standing Committee on Delegated Legislation within 10 working days of the gazettal publication date of the local law.

CARRIED
9/0

By Absolute Majority

Background

At its meeting of 27th of September 2023, the Shire of Dardanup resolved (Res: 231-23) as follows:

THAT Council:

1. *In accordance with Section 3.12 of the Local Government Act 1995 approves the advertising of the proposed ‘Shire of Dardanup Parking Amendment Local Law 2023’ [Appendix ORD: 12.4.2C] in order to seek community comment.*
2. *Provides a copy of the proposed Local Law and public notice to the Minister for Local Government.*
3. *After the close of the public consultation period, requests the Chief Executive Officer to submit a report on any submissions received on the proposed Local Law to enable Council to consider the submissions made and to determine whether to make the Local Law in accordance with section 3.12(4).*

Legal Implications

Section 3.12 of the *Local Government Act 1995* (the Act) details the procedure to be followed when adopting or amending a local law.

- 3.12(4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*

- (5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
- (6) *After the local law has been published in the Gazette the local government is to give local public notice —*
 - (a) *stating the title of the local law; and*
 - (b) *summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*

- (c) *advising that the local law is published on the local government’s official website and that copies of the local law may be inspected at or obtained from the local government’s office.*
- (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*
- (8) *In this section —*
making *in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.*

Council Plan

13.1 - Adopt best practice governance.

14.2 - Ensure equitable, inclusive and transparent engagement and decision- making.

Environment - None.

Precedents

On the 23rd of November 2022 Council resolved [303-22] by Absolute Majority decision to adopt the Shire of Dardanup *Parking Local Law 2023* inclusive of minor amendments and Gazetted the Local Law. The Local Law was published in the *WA Government Gazette* No. 171 in the 30th of November 2022 edition.

Budget Implications

Costs associated with the review will be advertising and gazettal of the reviewed local law. There is provision within the budget for advertising and no additional costs will be applied to the budget.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to [Appendix ORD: 12.4.2A] for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Adoption of Parking Amendment Local Law 2023
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Legal and Compliance Council has a statutory obligation to make laws which are clear and effective. Reputational Council would be seen in a negative light if we failed in our legislative requirements.

Officer Comment

The Minister for Local Government was provided with a copy of the local law for comment on the 12th of October 2023. Advertising inviting submissions concluded on the 24th of November 2023.

The Act provides that after the last day for submissions the Council is to consider any submissions received and cause a report of the review to be prepared and considered by the Council.

The Department of Local Government, Sport and Cultural Industries [Appendix ORD: 12.4.2B] made the below comments on the Local Law.

DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES COMMENTS	OFFICER RECOMMENDATION
<p>1. Minor edits The following minor edits are suggested:</p> <ul style="list-style-type: none"> Clause 2: change the word “come” to “comes” 	<p>Clause 2 amended by changing the word “come” to read “comes”.</p>
<ul style="list-style-type: none"> Clause 5: Reword to “In clause 1.1 delete “2023” and insert “2022”. 	<p>Clause 5 reworded from:</p> <p style="padding-left: 40px;">Delete ‘2023’ and replace with ‘2022’</p> <p>To read</p> <p style="padding-left: 40px;">Delete “2023” and insert “2022”</p>

The above amendments to the clauses in question are shown as marked [Appendix ORD: 12.4.2C].

Section 3.13 of the *Local Government Act 1995* provides that the Local Government cannot make a local law that would be significantly different from what it first proposed. In this instance, the suggested changes are to clarify the clauses and do not change the legal effect of the clauses.

Officers consider that amendments listed above are of a minor nature and do not significantly change the original proposed local law. Therefore, it is proposed that the amendments suggested by the Department of Local Government, Sport and Cultural Industries be made and that the local law be adopted.

A copy of the proposed ‘*Shire of Dardanup Parking Amendment Local Law 2023*’ inclusive of the amendments for adoption and gazettal is attached [Appendix ORD: 12.4.2C].

END REPORT

12.4.3 Title: Annual Review of Delegations 2023

Reporting Department	Corporate & Governance Directorate
Responsible Officer	Mr Phil Anastasakis - Deputy CEO
Reporting Officer	Mrs Donna Bailye – Manager Governance
Legislation	Local Government Act 1995
Council Role	Legislative.
Voting Requirement	Absolute Majority.
Attachments	Appendix ORD: 12.4.3A – Risk Assessment Tool Appendix ORD: 12.4.3B – Amended Delegations Booklet Appendix ORD: 12.4.3C – Under E Separate Cover

Overview

An annual review of Delegations has been undertaken with the December 2023 Delegations Register provided for Council consideration and endorsement.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

298-23 MOVED - Cr. S Gillespie SECONDED – Cr. M R Hutchinson

THAT Council:

- Notes that the following Delegations have been amended from the previously adopted December 2022 Delegations Manual:

#	DELEGATION
1.1.2	Bushfire Advisory Committee
1.2.16	To purchase goods and services to a specific value
1.2.17	Legal Opinion
1.2.19	Execution of Documents & Application of Common Seal
1.2.20	Local Laws
1.2.28	Panels of Pre-Qualified Supplies for Goods and Services
1.2.31	Payments from the Municipal or Trust Fund
1.2.32	Defer, Grant Discounts, Waive or Write Off Debts
1.2.33	Powers to Invest and Manage Investments
1.2.35	Authorise Electronic Funds Transfer up to \$300,000
1.2.36	Disposal of Surplus Goods & Equipment (Minor Assets)
1.2.45	Authority to Appoint External Complaints Officer

with minor amendments made to Sub-delegates due to changes in staffing and staff titles.

2. **Adopts the 2023 Delegations, in accordance with Section 5.46(2) of the Local Government Act 1995, having completed its annual review of delegations and duties to the Chief Executive Officer as empowered by the Local Government Act 1995, Regulations, the Shire of Dardanup Town Planning Scheme No. 3, and other relevant statutes as provided for in [e-Appendix ORD: 12.4.3C - Under E Separate Cover].**

CARRIED

9/0

Absolute Majority

Background

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

Legal Implications

- *Local Government Act 1995*

Section 3.24 and 3.25 - The powers given to the local government by this Subdivision can only be exercised on behalf of the local government by a person expressly authorized by it to exercise those powers. (This section relates to requiring the owner or occupier of land to do what is specified in the notice in relation to the land).

Section 5.16 - Under and subject to section 5.17, a local government may delegate* to a committee any of its powers and duties other than this power of delegation.* Absolute majority required. A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Section 5.42 –

5.42. Delegation of some powers and duties to CEO

- (1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*
- (a) *this Act other than those referred to in section 5.43; or*
 - (b) *the Planning and Development Act 2005 section 214(2), (3) or (5).*

** Absolute majority required.*

- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

[Section 5.42 amended: No. 1 of 1998 s. 13; No. 28 of 2010 s. 70.]

Section 5.43 –

5.43. Limits on delegations to CEO²⁸

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) *any power or duty that requires a decision of an absolute majority of the Council:*

- (b) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) *appointing an auditor;*
- (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) *any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) *the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) *any power or duty that requires the approval of the Minister or the Governor;*
- (i) *such other powers or duties as may be prescribed.*

[Section 5.43 amended: No. 49 of 2004 s. 16(3) and 47; No. 17 of 2009 s. 23; No. 16 of 2019 s. 23.]

Section 5.44 –

5.44. CEO may delegate powers and duties to other employees

- (1) *A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
- (3) *This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —*
 - (a) *the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and*
 - (b) *the exercise of that power or the discharge of that duty by the CEO's delegate,**are subject to any conditions imposed by the local government on its delegation to the CEO.*
- (4) *Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.*
- (5) *In subsections (3) and (4) —*

conditions *includes qualifications, limitations or exceptions.*

[Section 5.44 amended: No. 1 of 1998 s. 14(1).]

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

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

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

Section 7.1B - Despite section 5.16, the only powers and duties that a local government may delegate* to its audit committee are any of its powers and duties under this Part other than this power of delegation.* Absolute majority required. A delegation to an audit committee is not subject to section 5.17.

Section 9.10 - Appointment of authorised persons - The local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions.

The local government is to issue the authorised person with a certificate stating the person is so authorised.

- *Bush Fires Act 1954*

Section 59 (3) - A local government may, by written instrument of delegation, delegate authority generally, or in any class of case, or in any particular case, to its bush fire control officer, or other officer, to consider allegations of offences alleged to have been committed against this Act in the district of the local government and, if the delegate thinks fit, to institute and carry on proceedings in the name of the local government against any person alleged to have committed any of those offences in the district, and may pay out of its funds any costs and expenses incurred in or about the proceedings.

Section 48 (1) - A local government may, in writing, delegate to its Chief Executive Officer the performance of any of its functions under this Act.

- *Graffiti Vandalism Act 2016*

Section 16 - The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Part.

Section 17 - A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under another provision of this Part other than this power of delegation.

- *Food Act 2008*

Section 118 - A local government is authorised to empower an officer to undertake duties as defined by the Act.

- *Health (Miscellaneous Provisions) Act 1911 & Public Health Act 2016.*

Section 26 - Every local government is hereby authorised and directed to carry out within its district the provisions of this Act and the regulations, local laws, and orders made thereunder: Provided that a local government may appoint and authorise any person to be its deputy, and in that capacity to exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government shall see fit from time to time to prescribe, but so that such appointment shall not affect the exercise or discharge by the local government itself of any power or function.

- *Cat Act 2011*

Section 44 - The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Act.

Section 45 - A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under another provision of this Act.

- *Dog Act 1976*

Section 10 AA - The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Act.

- *Litter Act 1979 Appointment of Authorised Officers*

All local government employees can be authorized officers providing they have been provided a Certificate of Appointment by the Authority, per Schedule 2 of the Litter Regulations 1981.

- *Town Planning*

The Planning and Development (Local Planning Scheme) Regulations 2015 and the Shire of Dardanup Town Planning Scheme No. 3 provides Council the power to delegate power to the Chief Executive Officer.

- *Building Act 2011*

Section 127 of the Building Act 2011 enables local governments to delegate any of its powers or duties as a permit authority under the Act. Such a delegation can only be made to an employee of the local government as per the Local Government Act 1995 section 5.36 [Chief Executive Officer].

- *Principal Environmental Health Officer*

The Environmental Health Officer [EHO or PEHO] should be delegated the powers (in the list) for the performance of his/her day-to-day duties. There may, from time to time, be an urgent or emergency situation pertaining to public health in which prompt action by an EHO is required.

There are a number of items on the list which would not pertain to any emergency but such a part of the normal day-to-day functions of an EHO and well within the capabilities and competencies of an EHO.

There are a handful of significant emergency powers which are not included in the list. They pertain to events and matters which only a Chief Executive Officer should preside over.

Council Plan

13.1 - Adopt best practice governance.

Environment - None.

Precedents

Council consider delegations annually in accordance with the *Local Government Act 1995*. The last review was undertaken on the 23rd of November 2022, when Council resolved (Res: 300-22) to adopt the reviewed delegations.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to [Appendix ORD: 12.4.3A] for full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Annual Review of Delegations 2023
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	<p>Legal and Compliance Local Government Act 1995 compliance requirement to review delegations annually.</p> <p>Reputational Notification from Dept. Local Government Non Compliance.</p>

Officer Comment

Each delegation has been reviewed by members of staff as well as Executive and signed off by the Chief Executive Officer before being submitted to Council for endorsement. Section 5.42 of the Local Government Act empowers Council to delegate authority to the Chief Executive Officer. Where appropriate, the Chief Executive Officer may on-delegate authority to other officers for operational reasons. Such delegations will be made to the relevant officers that have the relevant qualifications and experience in relation to the delegated powers.

Amendments are outlined in the below table and highlighted in [Appendix ORD: 12.4.3B] – Amended Delegations Only Booklet.

Minor amendments have also been made to a number of the Sub-delegates due to changes in staffing and staff titles.

EXPLANATION TO AMENDED DELEGATIONS [APPENDIX ORD: 12.4.3B] –			
NO.	NAME	CHANGE/AMENDMENT/DELETION/ADDITION	REASON FOR ACTION
1.1.2	Bushfire Advisory Committee	Conditions amended and Delegates updated to include Chief Executive Officer	Conditions removed and updated to reflect the authorisation of the Chief Executive Officer to approve temporary Firebreak Exemption and authorisation of the Bushfire Advisory Committee to approve 1, 2 or 3 year Fire Break Exemption in accordance with the Shire of Dardanup Fire Prevention Order.
1.2.16	To purchase goods and services to a specified value.	Value of Chief Executive Officer delegation to be increased from \$250,000 to \$500,000.	It is recommended that the authority to purchase goods and services be increased up to the value of \$500,000. The increase will enable larger payments to be made to State Authorities such as the Australian Tax Office, WA Government Department, agencies or utility providers (ie: larger grouped electricity contracts).
1.2.17	Legal Opinion	Conditions placed on Sub-delegates.	Delegated officers are to ensure that the nominated General Ledger/Job Number is identified, and sufficient funds are available before signing.
1.2.19	Execution of Documents & Application of Common Seal	Further Condition applied.	Use of the Common Seal is to be in accordance with Policy Exec CP201 – Execution of Document and Application of Common Seal.
1.2.20	Local Laws	Update to Local Law Titles	Local Laws updates as endorsed by Council.
1.2.28	Panels of Pre-Qualified Suppliers for Goods and Services	Update to Sub-delegate Conditions	Total of contract amount to be amended to \$250,000 to align with the sub delegates purchasing authority.
1.2.31	Payments from the Municipal or Trust Fund	Policy Reference Added.	CnG CP023 – Use of Corporate Credit Card reference added.
1.2.32	Defer, Grant Discounts, Waive or Write Off Debts	Update to Sub-delegates / Conditions	Value amended for Sub-delegates.
1.2.33	Powers to Invest and Manage Investments	Update to Sub-delegate / Conditions	Authorisation details provided for Investment Policy.

EXPLANATION TO AMENDED DELEGATIONS [APPENDIX ORD: 12.4.3B] –			
NO.	NAME	CHANGE/AMENDMENT/DELETION/ADDITION	REASON FOR ACTION
1.2.35	Authorise Electronic Funds Transfer up to \$300,000	Update to Function to remove payment limit to reflect Policy and Delegations.	Removal of dollar value limit to Electronic Funds Transfer and a condition added that Electronic Funds transfers are in accordance with Council Policy, Procedures and Delegations.
1.2.36	Disposal of Surplus Goods & Equipment (Minor Assets)	Policy Reference Added.	AP042 – Surplus Shire Equipment.
1.2.45	Authority to Appoint External Complaints Officer	Policy Reference Added	Exec CP202 – Code of Conduct Complaints Management Process

Attached [Appendix ORD: 12.4.3C - Under E Separate Cover] is the full document “December 2023 Delegations Register” that includes all the amendments referred to in the Officer Report.

END REPORT

Note: Manager Human Resources, Ms Cathy Lee left the meeting [5.55pm].

12.4.4 Title: Lot 220 Charterhouse Street, Eaton – Proposed Disposal

Reporting Department	Corporate & Governance Directorate
Responsible Officer	Mr Phil Anastasakis - Deputy CEO
Reporting Officer	Mrs Donna Bailye - Manager Governance
Reporting Officer	Mrs Aly Smith – Building Property Management Officer
Legislation	Local Government Act 1995
Council Role	Executive/Strategic.
Voting Requirement	Simple Majority.
Attachments	12.4.4 – Risk Assessment Tool

Overview

This reports is to advise Council of the outcome of the open Tender Process for the Sale of Lot 220 Charterhouse Street, Eaton and seeks Councils' direction on the future use of the land.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

299-23 MOVED - Cr. E P Lilly SECONDED – Cr. S Gillespie

THAT Council:

- 1. Acknowledge that no submissions were received following the Request for Tender for the Sale of Lot 220 Charterhouse Street, Eaton.**
- 2. Request the Chief Executive Officer does not pursue the disposal of Lot 220 Charterhouse Street, Eaton at this point in time.**

CARRIED
9/0

Background

Lot 220 Charterhouse Street, Eaton, (assessment number A10893 Certificate of Title Volume 2769 Folio 620) is owned by the Shire of Dardanup as a freehold property. The land has a total area of 1.395ha parcel of land and is currently zoned Residential R15. This zoning is currently being reviewed under the Local Planning Scheme amendment with a proposed zoning of R40. The rezoning is currently being advertised and anticipated to be finalised in the first half of 2024.

The site is adjoined directly to the north, east and south by Recreation Reserves, held by the Shire of Dardanup with the Old Coast Road running along the west of the property and is shown below.



Council has previously investigated a development option for Lot 220 Charterhouse Street, Eaton. At its Ordinary Council Meeting (OCM) of 2nd July 2014 Council resolved [219/14]:

That Council:

1. *Receive the market appraisals for Lot 220 Charterhouse Street, Eaton.*
2. *Request that Chief Executive Officer to investigate options for affordable housing at Lot 220 Charterhouse Street Eaton through various suppliers.*

Following this resolution Officers' approached various affordable housing providers, including the Department of Housing to assess the interest in the development of the Lot. An Expression of Interest was undertaken and advertised in accordance with Section 3.58 of the Local Government Act. One formal expression of interest was received from Alliance Housing (WA).

The matter was taken back to Council in December 2014, where Council resolved:

THAT:

1. *The Chief Executive Officer and the Shire President be authorised to negotiate with Alliance Housing (WA) and other parties on behalf of the Shire of Dardanup with the objective of presenting a formal Memorandum of Understanding for the development of Lot 220 Charterhouse Street for affordable housing to the Council for adoption prior to any funds being committed to the proposal.*
2. *Upon acceptance of the Memorandum of Understanding, Council consider the sale of the land to Alliance Housing (WA) for the purpose of developing the land for affordable housing.*

The Shire entered into a MOU with Alliance Housing (WA) and discussion on the possible development of the Lot was undertaken. Following negotiations, Alliance Housing (WA) withdrew from the negotiations, citing costs associated with the risks to the project a contributing factor to their withdrawal.

In July 2023 an unsolicited confidential offer to purchase Lot 220 Charterhouse Street, Eaton was received, at which point, Council resolved at the OCM held on the 23rd of August 2023 the following [205-23];

THAT Council:

1. *Acknowledge receipt of the offer from the “Applicant” as identified in correspondence dated 3rd of July 2023. (Confidential Attachment “A” provided Under Separate Cover Tardis Link: [R1428903](#))*
2. *Request the Chief Executive Officer advise the “Applicant” that their offer has not been accepted.*
3. *Authorise the Chief Executive Officer to initiate the Sale of Lot 220 Charterhouse Street, Eaton through an open Tender Process in accordance with Section 3.58(2)(b) of the Local Government Act.*

Legal Implications

Disposal of Council property falls under Section 3.58 of the Local Government Act 1995

3.58. Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(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.

The compliance requirements throughout the tender process have been in accordance with:

- Local Government (Functions and General) Regulations 1996; and
- CnG CP034 Procurement Policy.

Council Plan

13.2 - Manage the Shire's resources responsibly.

14.2 - Ensure equitable, inclusive and transparent engagement and decision- making.

Environment None.

Precedents

Council has previously been involved with the sale of land and land development. Council previously sold land in Mitchell Way, Dardanup to Access Housing for the purpose of Community Housing.

Budget Implications

Council has not allocated any expenditure towards the disposal of Lot 220 Charterhouse Street, Eaton in the 2023/24 budget, nor has it included sale income in the 2023/24 budget or future years.

If Council were to pursue disposal, the net proceeds could be allocated to the Building Maintenance Reserve or Sale of Land Reserve, which would assist with future building maintenance and land development costs.

Budget – Whole of Life Cost

Lot 220 Charterhouse Street, Eaton is currently a Council asset that is maintained through Council's annual budget – J11248. While a dedicated Job number has only been created in 23/24, the estimated average cost to maintain the Reserve is \$13,179 per annum. The sale of this asset would remove the cost of this asset maintenance.

Council Policy Compliance None.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.4.4) for full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.							
Risk Event	Lot 220 Charterhouse Street, Eaton – Proposed Disposal						
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)						
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.						
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.						
Risk Category Assessed Against	<table border="0"> <tr> <td>Financial</td> <td>The proceeds of a disposal would have a positive impact on Council’s cash Reserves.</td> </tr> <tr> <td>Legal and Compliance</td> <td>The disposal process needs to be undertaken in accordance with the Local Government Act and Regulations.</td> </tr> <tr> <td>Reputational</td> <td>Council would be viewed in a negative light if a breach of the Local Government Act and Regulations were to occur.</td> </tr> </table>	Financial	The proceeds of a disposal would have a positive impact on Council’s cash Reserves.	Legal and Compliance	The disposal process needs to be undertaken in accordance with the Local Government Act and Regulations.	Reputational	Council would be viewed in a negative light if a breach of the Local Government Act and Regulations were to occur.
Financial	The proceeds of a disposal would have a positive impact on Council’s cash Reserves.						
Legal and Compliance	The disposal process needs to be undertaken in accordance with the Local Government Act and Regulations.						
Reputational	Council would be viewed in a negative light if a breach of the Local Government Act and Regulations were to occur.						

Officer Comment

In accordance with Council Resolution (205-23) a Request for Tender was open via Tenderlink for a six week period from 28th of September 2023 and advertised in the South Western Times and online on realestate.com.au.

During the period the tender was open, two enquiries seeking further details were received and a link to the Tenderlink portal was provided to both. At closing of the Tender, on 9th of November 2023, no submissions were received.

As no submissions were received, Council are now requested to determine the future use of Lot 220 Charterhouse Street, Eaton. Officers are recommending *Option 1 – No Sale* as the preferred option. Council is provided with options, which are linked to draft resolutions, and are explored in more detail below.

Option 1 – No Sale – Officer Recommended Resolution A

To pursue option 1, the following would occur:

- Acknowledge that no submissions were received during the Request for Tender process.
- Retain Land Ownership: The site would continue to be managed and maintained by Council. Ongoing costs for retaining the site are in the order of approximately \$13,179 per annum.

Officers report that a potential upside to not disposing of the land immediately is that it would afford the time required for the rezoning from R15 to R40 to be gazetted (projected to happen in 2023/24). This forthcoming rezoning holds the potential to augment the market valuation of the land, thereby affording future gains in the event that a disposal be contemplated at a future time.

As per previous Council reports, Council may still wish to pursue the option of Developing the site. Should this option be acceptable to Council the alternative resolution is provided.

Option 2 – Possible Development – Alternative Resolution B

To pursue option 2, the following would occur:

- Acknowledge that no submissions were received during the Request for Tender process.
- Project Planning: A Project Manager and project team would need to be appointed, either through external consultants or existing Council staff members. A detailed Project Plan would need to be developed.
- Consultancy Fee and Cost Estimates: Planning, engineering, surveying, and landscape architect consultants would be invited to provide cost estimates for consultancy services related to a subdivision design and application. The estimates will guide decision-making in selecting appropriate consultants for the project.
- Appointment of Consultants: It would be proposed to appoint a team of consultants to progress a local structure plan for the site. The consultants would conduct assessments, consultations with approval agencies, and develop the required plans. The assessments and consultations would include at least the following:
 - Site Survey
 - Earthworks Design
 - Utility Infrastructure Strategy
 - Acid Sulphate Soils Assessment
 - Vegetation Assessment
 - Traffic Impact Assessment
 - Bushfire Management Plan
 - Cultural Heritage Survey
 - Geotechnical Assessment
 - Stormwater Management Plan / Urban Water Management Plan
- Local Structure Plan Preparation: The appointed consultants would be responsible for preparing a local structure plan for the site, contingent upon the rezoning of the area to R40. This plan will allow for the development of two-storey apartments, group dwellings, and green title lots. This process would ensure compliance with regulations and standards.
- Western Australian Planning Commission Approval: Upon completion of the structure plan, it would be submitted for approval to the Western Australian Planning Commission (WAPC). Approval from WAPC is a crucial milestone to move the project forward.
- Reconsideration of Sale Option: Following the WAPC approval, the Council has the option to reconsider selling the site through a tender process (Option 2). This decision would be based on the outcomes of the proposed development plan and the prevailing market conditions.
- Contractor Engagement for Works: Alternatively, the Council may opt to call for tenders to engage contractors to undertake the required works, as stipulated by the WAPC approved plan. These works would be designed to fulfil all conditions set by the plan.
- Constraints and Resource Considerations: It is important to note that the site faces significant constraints that limit development possibilities. Known constraints are listed as follows:
 - Groundwater levels at 0.2 during certain tides or seasons, coupled with its location within a 1:100 year floodplain, indicate the potential for elevated groundwater and surface pooling. Costly mitigation strategies such as substantial site filling and subsoil drainage will be required to address this issue effectively.
 - The presence of a high Acid Sulphate Soils (ASS) risk necessitates careful evaluation during development planning and an ASS Management Plan may be required during construction.

- The site's proximity to a high bushfire risk zone emanating from an adjoining reserve underscores the need for comprehensive fire safety measures.
- The property has mapped 'remnant native vegetation', which will be protected under the *Environmental Protection Act 1986* and *Native Vegetation Regulations 2004*.
- Site vegetation is mapped western ringtail feeding/foraging/nesting habitat and within a Black Cockatoo roosting buffer. The site is within 5 different Threatened Ecological Community occurrences and/or buffers. These are 'Banksia Woodlands of the Swan Coastal Plain ecological community - Priority 3 - Endangered' listed under the *Biodiversity Conservation Act 2016* and federally protected under the EBPC Act.
- An *Aboriginal Cultural Heritage Assessment* would be required.
- The site being adjacent to wetlands necessitates a careful approach to development, considering both environmental preservation and responsible land use practices.

Indicative costs obtained from a town planning consultant for the preparation of a subdivision design and application and a local development plan for the site will be in the order of \$54,000 (ex GST) this includes to the finalisation of documents to a point of lodgement with the Western Australian Planning Commission. These costs are only for the planning documents and excludes any internal and/or external project management fees required to coordinate the process which could be an additional cost of between \$50,000 to \$80,000. Given these constraints and the higher risks associated with this project, Officers recommend that the Shire lacks the capacity and resources to independently undertake this development project at this time.

Should Council wish to take up Option 2 Officers have provided the following recommended resolution.

ALTERNATE RECOMMENDED RESOLUTION "B".

THAT Council:

1. Acknowledge that no submissions were received during the open Request for Tender.
2. Request the Chief Executive Officer investigate the potential development of Lot 220 Charterhouse Street for residential purposes by the Shire of Dardanup and prospective developers, and bring a report back to Council when finalised.
3. Allocates \$100, 000 from the Land Council Land Development Reserve to fund the development potential.

END REPORT

12.4.5 Title: Light Vehicle Fleet Review - 2023

Reporting Department	Corporate & Governance Directorate
Responsible Officer:	Mr Phil Anastasakis - Deputy CEO
Reporting Officer	Mr Phil Anastasakis - Deputy CEO
Legislation	Local Government Act 1995
Attachments	<p>Appendix 12.4.5A – Fleet Advisory Light Vehicle Fleet Review 2023 – Consulting Report</p> <p>Appendix 12.4.5B – Fleet Advisory Light Vehicle Fleet Review 2023 – Strategic & Tactical Solutions Report</p> <p>Appendix 12.4.5C – Fleet Advisory Light Vehicle Fleet Review 2023 – Light Vehicle Fleet Management Plan</p> <p>Appendix ORD: 12.4.5D - Exec CP203 – Light Vehicle Fleet</p> <p>Appendix ORD: 12.4.5E - AP009 – Light Vehicle Fleet</p> <p>Appendix ORD: 12.4.5F - Light Motor Vehicle Usage Policy & Guidelines –Council Supplied Vehicle</p> <p>Appendix ORD: 12.4.5G – Risk Assessment</p> <p>Confidential Attachment [Tardis Link OCM-R1486458]</p>

DECLARATION OF INTEREST

Chief Executive Officer, Mr André Schönfeldt and Deputy Chief Executive Officer, Mr Phil Anastasakis declared a Financial Interest in this item Mr André Schönfeldt left the room [5.57pm]

Please refer to Part 11 'Declaration of Interest' for full details.

Overview

This report presents to Council the outcomes of the Shire of Dardanup Light Vehicle Fleet Review (2023) undertaken by Fleet Advisory, combined with recommendations from Management on the future management of Council's light motor vehicle fleet.

The report assesses Council's response to the 2021 Light Vehicle Fleet Review, the implementation of relevant consolidated and updated policies and procedures, and the existing light motor vehicle fleet.

The 2023 report recommends a number of changes to how Council manages its current and future fleet. The review seeks to not only minimise the whole of life cost of the vehicles selected, but to also obtain the maximum benefit from the type of vehicle provided to Council staff to perform their duties. The report also examines the feasibility of introducing Hybrid and electric vehicles into Council's fleet.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

300-23 MOVED - Cr T G Gardiner SECONDED – Cr. J D Manoni

THAT Council:

1. **Receives the Fleet Advisory reports as follows:**
 - a) **Light Vehicle Fleet Review 2023 – Consulting Report [Appendix ORD: 12.4.5A],**
 - b) **Light Vehicle Fleet Review 2023 – Strategic Solutions Report [Appendix ORD: 12.4.5B], and**
 - c) **Light Vehicle Fleet Review 2023 – Light Vehicle Fleet Management Plan – 3rd November 2023 [Appendix ORD: 12.4.5C].**
2. **Endorses the Light Vehicle Fleet Review 2023 – Light Vehicle Fleet Management Plan – 3rd November 2023 [Appendix ORD: 12.4.5C].**
3. **Supports the updating of existing Policies, *Exec CP008, CP203, AP009 and the Light Vehicle Usage Policy & Guidelines*, encompassing the main topics identified in the Fleet Advisory Review Reports – November 2023.**

CARRIED
9/0

Background

Following an initial review of the 23 Compliance & Executive vehicles and 10 light Engineering and Works vehicles in 2017, Fleet Advisory were appointed in July 2021 as an external consultancy to review the Shire of Dardanup light vehicle fleet and policies, with the objective being to:

- Reduce the Shire of Dardanup Fringe Benefit Tax (FBT) obligations;
- Align the motor vehicle benefit with the seniority of staffing;
- Consider alternatives to the provision of a Council motor vehicle i.e.: Novated leases, motor vehicle allowance, etc.;
- Reduce motor vehicle operational and capital replacement costs;
- Review the motor vehicle needs in terms of the requirements of the job;
- Reduce the number of motor vehicles owned and operated by the Shire;
- Recommend optimal motor vehicle and fleet replacement cycles i.e.: 3 years / 80,000km;
- Recommend 3 x Executive and Compliance vehicle styles (i.e.: 4 cyl sedan) and makes/models (i.e.: Toyota Prado GXL);
- Recommend 3 x Engineering & Works vehicle styles (i.e.: diesel dual cab ute) and types/models (i.e.: Mitsubishi Triton);
- Consider the introduction of electric vehicles into Council's fleet.

They provided their findings to Council through a workshop on the 9th of February 2022, which was subsequently presented to Council for endorsement at the 23rd of February 2022 Ordinary Council Meeting. Council resolved the following (Res: 39-22).

THAT Council:

1. *Receives the Fleet Advisory Fleet Review – Consulting Report [Appendix ORD: 12.4.5A] and the Fleet Review – Strategic Solutions Report [Appendix ORD: 12.4.5B];*
2. *Supports the merging of existing Policies, Exec CP122, AP007, AP009, AP020 and AP043 into a proposed new Motor Vehicle Policy, encompassing the main topics identified in the Fleet Advisory Review Reports – July 2021, with the new Policy to be considered at the June 2022 Ordinary Council Meeting;*
3. *Review of the existing Policy Exec CP008 encompassing the main topics identified in the Fleet Advisory Review Reports – July 2021, with the new Policy to be considered at the May 2022 Ordinary Council Meeting;*
4. *Supports the development of a Fleet Management Plan based on the adopted new Motor Vehicle Policy, incorporating a ‘safety first’ culture where the fleet is 100% 5-star ANCAP rated, and transitional steps towards Battery Electric Vehicles;*
5. *Supports the engagement of an external Fleet Management agency to develop the Fleet Management Plan, and review every two years the Plan and proposed new Motor Vehicle Policy to ensure that the Vehicle Types remains ‘Fit for Purpose’ and have the most advantageous whole of life cost, including minimising Fringe Benefit Tax and consideration of suitable Battery Electric Vehicles.*
6. *Supports an exception to Council’s moratorium on the replacement of vehicles and replaces the following two vehicles as soon as practicable in 2021/22:*
 - a) DA9406 2014 Mitsubishi Triton GLX
 - b) DA648 2014 Ford Ranger

and authorises the additional capital expenditure in the 2021/2022 Annual Budget to undertake the vehicle replacements, with additional funding sourced from the Plant & Engineering equipment and Compliance & Executive Vehicles Reserve.

A report was presented to the 25th of May 2022 Council meeting where Council adopted the updated Exec CP008 – Private Use of Council’s Motor Vehicle by the CEO, followed by a further report on the 27th of July 2022 which resulted in a consolidation of a number of old policies into a new Motor Vehicle Policy; Exec CP203 – Light Vehicle Fleet Policy, based on the main topics identified in the Fleet Advisory Review Reports – July 2021.

In accordance with the February 2022 resolution of Council, Fleet Advisory were engaged again in September 2023 to develop a Fleet Management Plan for the Shire of Dardanup, and to review the new Motor Vehicle Policies. The review focussed on:

- Developing a Fleet Management Plan that ensures approved Vehicle Types remains ‘Fit for Purpose’ and have the most advantageous whole of life cost, including minimising Fringe Benefit Tax and consideration of suitable Battery Electric Vehicles.
- Reviewing the newly adopted Policies (Exec CP093 – Light Vehicle Fleet; AP009 – Light Vehicle Fleet – All Employees; Exec CP008 – Private Use of Council’s Motor Vehicle by the CEO) and Procedures to assess their effectiveness and to recommend any improvements.
- Updating the approved Vehicle Types and changeover periods.

Council currently has 19 Compliance & Executive vehicles and 10 light Engineering and Works vehicles, with 3 staff currently provided a motor vehicle allowance.

Legal Implications

As an employer the Shire of Dardanup has taxation obligations in terms of Fringe Benefits Tax (FBT), any salary sacrifice arrangements, and PAYE tax. The Council also has contractual obligations with employees in regards to the provision of certain benefits such as the provision of a motor vehicle and the level of private use.

Benefits flowing to employees cannot be unilaterally changed without consultation and compensation if a change is made. An employee cannot be seen as being worse off due to the change in employment remuneration. Change can occur and be implemented gradually as new staff are employed, or through negotiation and agreement with the current employees impacted.

Local Government Act 1995 – S5.39, 6.2, 6.5

Local Government (Financial Management) Regulation 1996 – Reg 22.

Council Plan

13.1 - Adopt best practice governance.

13.2 - Manage the Shire's resources responsibly.

6.1 - Increase awareness and adoption of sustainable practices.

6.3 - Work towards net zero carbon emissions.

Environment

Any move towards Hybrid or electric vehicles in the future has the potential to reduce carbon emissions over time.

Precedents

A Light Vehicle Fleet Review and Motor Vehicle Policy review was conducted in 2017 and 2021, with changes implemented as a result. An updated 2023 review of the Motor Vehicle Policies and Fleet Review has now occurred.

Budget Implications

The proposed changes to the Policy are designed to minimise the costs to the annual budget and the ten year Long Term Financial Plan. The 2023/24 Budget includes the following expenditure estimates for the 29 Light Fleet vehicles:

- 2023/24 Annual Budgeted Operating expenses (includes fuel, tyres, repairs, servicing, licenses, insurance and depreciation) = \$263,356. The Actual 2022/23 expenditure for these selected vehicles was \$273,358.
- Fringe Benefits Tax applied to the 29 motor vehicles for 22/23 = \$117,090.
- 2023/24 Annual Budgeted Capital expenditure = Net \$253,520 (capital purchases \$443,512 less trade-ins \$189,992).

Where the employee has enjoyed a benefit previously, changes to their remuneration requires negotiation that is mutually agreeable.

Strict compliance with the Light Vehicle Fleet Policy and the maximum private use allowed for the Principal / Senior Officers will reduce the operating costs to Council. Under the Policy, private travel in excess of the maximum kilometres (7,500) will require a payment from the Officer toward the running costs to the end of the applicable financial year. The cap is renewed as at the 1st of July each year. The excess use cost to employees is currently set at 72 cents per kilometre. That is, if an employee exceeds the private use cap of 7,500km, every kilometre after that will cost them 72 cents per kilometre until the 31 March (end of the FBT year), then the kilometres restart at zero. Excess cost as applicable are paid via fortnightly payroll deductions. Any private use fuel paid for by the officer after the 7,500 km threshold has been reached will be deducted from the excess 7,500km liability. The Procurement Officer monitors log books on a regular basis.

Budget – Whole of Life Cost

The changes proposed in this agenda item and through the proposed policy changes are aimed at reducing the whole of life costs to the overall budget and LTFP. The Fleet Advisory reports have also included an assessment of the whole of life financial impacts of various vehicle types and models. (refer to Confidential Attachment [Tardis Link [OCM-R1486458](#)]).

Based on the Fleet Advisory review 2023, it is recommended that these light vehicle changeover triggers remain unchanged at:

- Passenger Vehicles (Compliance & Executive) 4 years or 100,000 km, whichever comes first
- Light Commercial Vehicles (Utilities) 5 years or 125,000 km, whichever comes first

In addition, future replacement vehicles will include options for hybrid vehicles to enable any savings on fuel and servicing to be factored into the whole-of-life cost comparison, as new electric vehicles are improved and pricing becomes more competitive.

The long term fleet management and changeover costs are managed through Council’s 10 year Long Term Financial Plan and Compliance & Executive Vehicle Asset Management Plan, which are reviewed and updated annually.

Council Policy Compliance

Council currently has the following Council Policies relating to Motor Vehicles:

1. **Exec CP008 – Private Use of Council’s Motor Vehicle by the CEO.** This Policy has been in place for many years and applies to the CEO.
2. **Exec CP203 – Light Vehicle Fleet** [Appendix ORD: 12.4.5D]. This Policy came in after the last Motor Vehicle Review.

The following Administrative Policy currently exists:

1. **AP009 – Light Vehicle Fleet** [Appendix ORD: 12.4.5E]. This Policy came in after the last Motor Vehicle Review.
2. **Light Motor Vehicle Usage Policy & Guidelines –Council Supplied Vehicle** [Appendix ORD: 12.4.5F]

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the Officer recommendation. Please refer to [Appendix ORD: 12.4.5G] for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Light Vehicle Fleet Review - 2023
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Financial Potential risk of the financial whole-of-life cost of fleet management exceeding expectations.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
	Legal and Compliance	Risk of Council breaching the Local Government Act 1995 – Breach of Procurement Policy.
	Reputational	Loss of reputation through non-compliance or mismanagement of funds.
	Environment	Move towards electric vehicles improving greenhouse gas emissions.

Officer Comment

- *Fleet Advisory: Light Vehicle Fleet Review 2023 – Consulting Report:*

The “Fleet Advisory: Light Vehicle Fleet Review 2023 – Consulting Report” – (refer to Appendix 12.4.5A) details their observations and relevant commentary relating to the ‘current state’ of fleet operations, highlighting any specific areas of concern. The report notes a number of positive outcomes that have been achieved since Council adopted the majority of the recommendations from the 2021 review.

These include:

- 100% of the fleet have a 5 star ANCAP Safety Rating
- Introduction and take up of Salary Packaging and Car Allowance arrangements
- Reduction in Council supplied vehicles
- Decrease in Fringe Benefits Tax (FBT) liability
- Policy amendments to extend vehicle retention periods
- Revision of specific vehicle selections in policy, based on the analysis conducted
- Implementation of revised and updated policies, relevant to both Council supplied and Grey Fleet vehicles

This report states that “we consider that Council’s efforts have resulted in the fleet demonstrating sound cost management, compliance, and risk management practices”, with a number of recommendations outlined in the Strategic & Tactical Solutions Report.

- *Fleet Advisory: Light Vehicle Fleet Review 2023 – Strategic & Tactical Solutions Report:*

The “Fleet Advisory: Light Vehicle Fleet Review 2023 – Strategic & Tactical Solutions Report” – (refer to Appendix 12.4.5B) notes that while the Consulting Report provides a comprehensive assessment of the ‘current state’, this report outlines considerations and recommendations for implementing a ‘future state’.

The following recommendations are contained within the report:

1. Revision of the vehicle selection types;
2. Introduce forward Vehicle Procurement Planning to initiate vehicle replacement at least 12 months in advance.
3. Review and consider the Fleet Management Plan.
4. Review the Light Vehicle Fleet Policy to amend the requirement for a ANCAP 5 star rating at the time of purchase.
5. Consider alternative Vehicle Disposal Processes ie: Autorola.

- *Fleet Advisory: Light Vehicle Fleet Review 2023 – Light Vehicle Fleet Management Plan:*

The “Fleet Advisory: Light Vehicle Fleet Review 2023 – Light Vehicle Fleet Management Plan” – (refer to Appendix 12.4.5C) details the arrangements to be adhered to for the effective managed of Council’s Light Fleet.

The following table summarises the existing Policies and Conditions relating to light vehicle provision, replacement and management, with the proposed changes recommended in the Fleet Advisory Review and Council’s management.

	EXISTING CONDITION OR POLICY	PROPOSED CONDITION OR POLICY AS PER FLEET ADVISORY REVIEW	RECOMMENDED CONDITION OR POLICY
1	Vehicle Turnover – Passenger Vehicles 4 years or 100,000km	No change.	As per Review – no change.
2	Vehicle Turnover – Light Commercial Vehicles 5 years or 125,000km	No change.	As per Review – no change.
3	Vehicle Type: Principal Officers allocated a Passenger vehicle. FBT Base limit = \$36,000, Life Cycle Ownership Cost limit = \$58,000: - Nissan X-Trail ST 2WD Petrol - Toyota Rav4 GX 2.0L 2WD Petrol - Toyota Rav4 GX Hybrid 2.5L 2WD	Vehicle Type: Principal Officers allocated a Passenger vehicle. FBT Base limit = \$40,835, Life Cycle Ownership Cost limit = \$65,719: - Toyota Rav4 GX 2WD Hybrid Wagon	As per Review – no change. Recommendation is based on Council implementing a standardised approach that delivers a compelling environmental statement by only utilising a low emission hybrid vehicle (in contrast to the current selection policy which also includes two alternative Petrol vehicles).
4	Vehicle Type: Principal Officers, Senior Officers or Officers who are allocated a Light Commercial Vehicle (Utility [U] or Cab Chassis [CS]). Selection of 2WD or 4WD based on assessment of need to perform the role: - Single Cab 2WD CS – Isuzu D-Max SX High Ride 3.0L Diesel - Single Cab 2WD CS – Mitsubishi Triton GLX 2.4L Diesel - Single Cab 4WD CS – Isuzu D-Max SX High Ride 3.0L Diesel - Single Cab 4WD CS – Mitsubishi Triton GLX 2.4L Diesel - Dual Cab 2WD U – Toyota Hilux Workmate Hi-Rider 2.4L Diesel - Dual Cab 2WD U – Isuzu D-Max SX High Ride 3.0L Diesel - Dual Cab 2WD CS – Isuzu D-Max SX High Ride 3.0L Diesel - Dual Cab 4WD U – Isuzu D-Max SX High Ride 3.0L Diesel - Dual Cab 4WD CS – Isuzu D-Max SX High Ride 3.0L Diesel	Vehicle Type: Principal Officers, Senior Officers or Officers who are allocated a Light Commercial Vehicle (Utility [U] or Cab Chassis [CS]). Selection of 2WD or 4WD based on assessment of need to perform the role: - Single Cab 2WD CS: – Isuzu D-Max SX High Ride 3.0L Diesel – Mitsubishi Triton GLX 2.4L Diesel – Ford Ranger XL 2.0L Diesel - Single Cab 4WD CS: – Isuzu D-Max SX High Ride 3.0L Diesel – Mitsubishi Triton GLX 2.4L Diesel – Ford Ranger XL 2.0L Diesel - Dual Cab 2WD U: – Ford Ranger XL 2.0L Diesel – Isuzu D-Max SX High Ride 3.0L Diesel – Mitsubishi Triton GLX 2.4L Diesel - Dual Cab 2WD CS: – Ford Ranger XL 2.0L Diesel	As per Review.

EXISTING CONDITION OR POLICY	PROPOSED CONDITION OR POLICY AS PER FLEET ADVISORY REVIEW	RECOMMENDED CONDITION OR POLICY
<ul style="list-style-type: none"> - Single Cab 4WD U – Mitsubishi Triton GLX 2.4L Diesel 	<ul style="list-style-type: none"> – Isuzu D-Max SX High Ride 3.0L Diesel – Mitsubishi Triton GLX 2.4L Diesel - Dual Cab 4WD U: <ul style="list-style-type: none"> – Ford Ranger XL 2.0L Diesel – Isuzu D-Max SX High Ride 3.0L Diesel – Mitsubishi Triton GLX 2.4L Diesel - Dual Cab 4WD CS: <ul style="list-style-type: none"> – Ford Ranger XL 2.0L Diesel – Isuzu D-Max SX High Ride 3.0L Diesel – Mitsubishi Triton GLX 2.4L Diesel 	
<p>5 <u>Vehicle Type:</u> Managers where AP009 applies. FBT Base limit = \$45,000, Life Cycle Ownership Cost limit = \$72,000:</p> <ul style="list-style-type: none"> - Subaru Outback 2.5i AWD Petrol - Hyundai Santa Fe 7S AWD Diesel 	<p><u>Vehicle Type:</u> Managers where AP009 applies. FBT Base limit = \$45,018, Life Cycle Ownership Cost limit = \$70,019:</p> <ul style="list-style-type: none"> - Subaru Outback 2.5i AWD Petrol - Toyota Rav4 GXL Hybrid 2.5L 2WD - Hyundai Santa Fe 7S AWD Diesel 	<p>As per Review.</p>
<p>6 <u>Vehicle Type:</u> CEO based on Employment Contract and CP008. FBT Base limit = \$71,000, Life Cycle Ownership Cost limit = \$103,000:</p> <ul style="list-style-type: none"> - Toyota Prado VX 4WD Diesel - Toyota Kluger Grande Hybrid <p><u>Vehicle Type:</u> Directors based on Employment Contracts and AP009. FBT Base limit = \$61,000, Life Cycle Ownership Cost limit = \$91,000:</p> <ul style="list-style-type: none"> - Volkswagen Tiguan Allspace AWD Diesel - Toyota Kluger GXL Hybrid - Toyota Prado GXL 4WD Diesel 	<p><u>Vehicle Type:</u> CEO based on Employment Contract and CP008:</p> <ul style="list-style-type: none"> - Toyota Prado VX 4WD Diesel - Toyota Kluger Grande Hybrid AWD <p><u>Vehicle Type:</u> Directors based on Employment Contracts and AP009. FBT Base limit = \$64,310:</p> <ul style="list-style-type: none"> - Volkswagen Tiguan 147TDi Elegance AWD Diesel - Toyota Kluger GXL Hybrid AWD - Toyota Prado GXL 4WD Diesel 	<p>As per Review.</p> <p>Under a Novated lease, the employee could select their own motor vehicle of choice.</p>
<p>7 <u>Vehicle Provision Options:</u> Where an ‘Employee Benefit’ is attached to the position and it is a Passenger Vehicle (ie: Principal Officers, Managers, Directors, CEO under CP008,</p>	<p><u>Vehicle Provision Options:</u> Where an ‘Employee Benefit’ is attached to the position and it is not a Shared Use Vehicle (ie: Principal Planning Officer,</p>	<p>As per Review – no change.</p>

EXISTING CONDITION OR POLICY	PROPOSED CONDITION OR POLICY AS PER FLEET ADVISORY REVIEW	RECOMMENDED CONDITION OR POLICY
<p>CP122, AP009), offer a choice to both new and existing employees of:</p> <p>Option 1 – Purchase of asset by Council based on permissible Vehicle Type; or</p> <p>Option 2 - Novated lease for ‘Benefit’ vehicles; or</p> <p>Option 3 – Payment of a Car Allowance in lieu of a Council supplied vehicle.</p> <p>Consider new employees under this category making a contribution under Option 1.</p> <p>Where an employee is provided a vehicle that is ‘Fit for Purpose’ and based on the needs of the role (i.e.: utility or cab chassis):</p> <p>Option 1 – Purchase of asset by Council based on permissible Vehicle Type.</p> <p>Employee contributions made under CP122.</p> <p>Ensure that the use of any ‘grey fleet’ vehicles are limited in their age and have acceptable ANCAP and Co2 emission ratings. Eliminate the use of grey fleet vehicles in the future by offering shared vehicles and salary packaging, unless for COVID response.</p>	<p>Directors, CEO), offer a choice to both new and existing employees of :</p> <p>Option 1 – Purchase of asset by Council based on permissible Vehicle Type; or</p> <p>Option 2 - Novated lease for ‘Benefit’ vehicles (Value based on assessed Motor Vehicle value); or</p> <p>Option 3 – Payment of a Car Allowance in lieu of a Council supplied vehicle (Allowance based on assessed Motor Vehicle value).</p> <p>Where an employee is provided a vehicle that is a ‘Shared use Vehicle’ or ‘Fit for Purpose’ and based on the needs of the role (ie: utility or cab chassis):</p> <p>Option 1 – Purchase of asset by Council based on permissible Vehicle Type.</p> <p>Ensure that the use of any ‘grey fleet’ vehicles are limited in their age and have acceptable ANCAP and Co2 emission ratings. Eliminate the use of grey fleet vehicles in the future by offering shared vehicles and salary packaging, unless for COVID response.</p>	<p>Note: clarification required in the Policy relating to the implementation of ‘Option 2 - Novated lease for ‘Benefit’ vehicles (Value based on assessed Motor Vehicle value)’.</p> <p>If this option is selected then Council pays the value as a Car Allowance, and the employee enters into a Novated Lease where they pay pre and post tax contributions through their fortnightly pay.</p>

- *Hybrid and Battery Electric Vehicles*

The review notes that Council is implementing strategies to reduce its carbon emissions. Accordingly, wherever possible Council will prioritise the purchase of lower carbon emission and fuel consumption vehicles, where 'fit for purpose' requirements and cost-effectiveness can be suitably demonstrated.

The review identifies and recommends a number of Hybrid vehicles that would be suitable to introduce into Council's fleet. The gradual acquisition of these Hybrid vehicles can be undertaken in a cost effective manner and will enable Council to assess the full operating and life cycle cost, while also determining their suitability for Council's operations.

Fleet Advisory conducted interviews with several Councils to survey their light fleet policies and procedures. The survey concluded that in relation to Low & Zero Emission Vehicles, most Councils interviewed were preferring low emission vehicles (mainly Hybrids) for use by employees, wherever practical. The implementation of zero emission vehicles (Battery Electric Vehicles) is currently less consistent but gaining momentum.

Associated reports note that there is currently a very limited range of Battery Electric Vehicles (BEV) available in the Australian market, and none comparable with vehicles currently utilised by the Council. The whole of life costs of Battery Electric Vehicles are also costly compared to existing vehicles, but this is expected to change in the coming years. For this reason the viability of BEV's is assessed as part of the two yearly review of the Fleet Management Plan.

- *ANCAP Ratings*

The ANCAP is the Australasian New Car Assessment Program - a car safety performance assessment programme based in Australia and founded in 1992. ANCAP specialises in the crash testing of automobiles sold in Australia and the publishing of these results for the benefit of consumers. ANCAP star ratings indicate the level of safety a vehicle provides for occupants and pedestrians in the event of a crash, as well as its ability — through technology — to avoid or minimise the effects of a crash. These independent safety ratings are used to compare the relative safety between vehicles of similar mass.

Effective from December 2022, ANCAP implemented a policy that results in rating validity periods being applied to vehicles rated by ANCAP that pre-date their alignment with Euro NCAP standards, that took effect from 2018. At that time, all newly published ratings (with a date stamp of 2018 and beyond) became subject to a 6 year period of rating validity – aligned with the typical average lifecycle of a vehicle model.

Safety ratings for vehicles rated by ANCAP prior to 2018 were published under different protocols/policies and were not subject to a period of rating validity. The only mechanism for those ratings to expire was the introduction of a new model. The presence of older ratings had the potential to create confusion among consumers, and inappropriate comparisons between vehicles designed and rated against under vastly different protocols.

To bring existing older ANCAP safety ratings in line with current protocols and policies, the ANCAP Application of Star Ratings Protocol has been amended. From December 2022, vehicles that hold a current ANCAP safety rating with a date stamp of 2017 or earlier, will begin to expire.

- *Consideration of Alternative Vehicle Disposal Processes*

The review identified that in conjunction with the long lead times for vehicle supply, it has been difficult working with car dealers to achieve an optimal sale price of used Council vehicles.

Autorola

The review recommends that Council consider contacting on-line car auctioneers “Autorola” regarding their ‘upstream vehicle remarketing solution’.

This arrangement has a number of benefits, including:

- Its cost-effectiveness and achieves competitive results
- Faster turnaround times - vehicles can be sold before being grounded
- Eliminates any requirement to take a vehicle to a Dealer and/or arrange transportation following the sale
- It is environmentally friendly – eliminating unnecessary transport to auction sites, dealers etc.
- Sales proceeds will be received before the vehicle leaves Council’s possession
- The inclusion of an equitable process for staff vehicle purchases, should Council staff members have an interest in buying a Council owner vehicle.

Staff Member Purchase

The review identified Council staff member purchase as another alternative vehicle disposal method. Should a staff member express interest in purchasing a vehicle that is due to be sold by Council, it is important to ensure that an equitable price is established and transparent.

Firstly Council could arrange for purchase valuations with two local dealers (where able), with the staff member to agree to pay the amount equivalent to the highest valuation received for the sale to proceed.

Alternatively, Council could arrange with Autorola for the vehicle to be inspected. Once Autorola provide a copy of the Inspection Report and the estimated Sale Price in writing, the vehicle may be offered to the staff member for the same amount.

Summary

The adoption of proposed recommendations and Light Vehicle Fleet policy changes is anticipated to have a positive financial impact on future budgets once fully implemented.

There have been initial savings due to the changes implemented from the 2017 and 2021 Fleet Review, with additional gradual savings anticipated as current staff leave their current positions and replacement staff are appointed with reduced private use benefits. In addition, the type of vehicles purchased will also be changed to best reduce operating costs and whole of life costs in line with the assessment undertaken as part of the Fleet Advisory review.

It is recommended that, through the proposed Light Vehicle Fleet Policy amendments and as existing employees leaving various positions, the conditions and options outlined in this report can be gradually implemented, enabling an optimisation of the light vehicle fleet and a minimisation of operating and capital costs.

END REPORT

Note: Chief Executive Officer, Mr André Schönfeldt returned to the room [5.59pm].

12.4.6 Title: Appointment of Delegate to South West Development Commission

Reporting Department	Corporate & Governance Directorate
Responsible Officer	Mr Phil Anastasakis - Deputy CEO
Reporting Officer	Mrs Donna Bailye - Manager Governance
Legislation	Local Government Act 1995
Council Role	Executive/Strategic.
Voting Requirement	Simple Majority.
Attachments	12.4.6A – Risk Assessment Tool 12.4.6B – SW Development Commission Strategic Plan

Overview

This report to Council provides for the appointment and endorsement of a delegate to the South West Development Commission for the period December 2023 to October 2025.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

301-23 MOVED - Cr. S Gillespie SECONDED – Cr. J D Manoni

THAT Council endorse Cr. T G Gardiner as a Council representative to the South West Development Commission, with the term expiring on the day prior to the 2025 October Local Government Elections.

CARRIED
9/0

Background

Council endorses representatives for external groups following each ordinary Council election or as required. At the 22nd of November 2023 Ordinary Council meeting Council endorsed representatives to various Community and Regional Committees. Council agreed at the meeting to defer the nomination to the South West Development Commission to the December 2023 meeting, to allow for further information to be presented to Council before nominations were made.

Legal Implications

The following Local Government Act requirements apply to the business before Council in relation to committees.

5.8. Establishment of committees

A local government may establish committees of 3 or more persons to assist the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees. * Absolute majority required.*

5.9. Types of committees

(1) In this section —

“other person” means a person who is not a Council member or an employee.

(2) A committee is to comprise —

(a) Council members only;

- (b) Council members and employees;
- (c) Council members, employees and other persons;
- (d) Council members and other persons;
- (e) employees and other persons; or
- (f) other persons only.

5.10. Appointment of committee members

- (1) A committee is to have as its members —
 - (a) persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
 - (b) persons who are appointed to be members of the committee under subsection (4) or (5).
 - * Absolute majority required.
- (2) At any given time each Council member is entitled to be a member of at least one committee referred to in section 5.9(2) (a) or (b) and if a Council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that Council member in the persons appointed under subsection (1) (a) to at least one of those committees as the local government decides.
- (3) Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the local government.
- (4) If at a meeting of the Council a local government is to make an appointment to a committee that has or could have a Council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the Council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
 - (a) to be a member of the committee; or
 - (b) that a representative of the CEO be a member of the committee,

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

5.11. Tenure of committee membership

- (1) Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —
 - (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be;
 - (b) the person resigns from membership of the committee;
 - (c) the committee is disbanded; or
 - (d) the next ordinary elections day, Which ever happens first.

Council Plan

13.1 - Adopt best practice governance.

14.1 - Increase community awareness, knowledge and understanding of Shire activities and key messages.

14.2 - Ensure equitable, inclusive, and transparent engagement and decision- making.

Environment - None.

Precedents -

Council endorses representatives for external groups following each ordinary Council election or as required.

Budget Implications None.

Budget – Whole of Life Cost - None.

Council Policy Compliance None.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.4.6A) for full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Appointment of Delegate to South West Development Commission
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable

Officer Comment

The South West Development Commission is part of the Western Australian Government, with their board reporting to the Minister for Regional Development. The Board members are selected from community and Local Government nominations, as well as Ministerial appointments.

As provided for in The South West Development Commission Strategic Plan (Appendix ORD: 12.4.6B) the objectives of the Commission are:

- a) *Maximise job creation and improve career opportunities;*
- b) *Develop and broaden the economic base of the region;*
- c) *Identify infrastructure services to promote economic and social development;*
- d) *Provide information and advice to promote business development;*
- e) *Seek to ensure that the general standard of government services and access to those services in the region are comparable to that which applies in the metropolitan area; and*
- f) *Generally, take steps to encourage, promote, facilitate and monitor the economic development of the region.*

The Officer is recommending that Council appoint a representative to the South West Development Commission, noting that the appointment will expire on the day prior to the next ordinary Local Government elections in 2025.

END REPORT

12.4.7 Title: Monthly Statement of Financial Activity for the Period Ended on the 30th November 2023

Reporting Department:	Corporate & Governance Directorate
Responsible Officer	Mrs Natalie Hopkins - Manager Financial Services
Reporting Officer	Mr Ray Pryce - Accountant
Legislation	Local Government Act 1995
Council Role	Executive/Strategic.
Voting Requirement	Simple Majority.
Attachments	12.4.7A – Risk Assessment Tool 12.4.7B – Monthly Financial Report 30 th November 2023

Overview

This report presents the monthly Financial Statements for the period from the 1st of July 2023 to the 30th of November 2023 for Council endorsement.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

302-23 MOVED - Cr. S Gillespie SECONDED – Cr. L W Davies

THAT Council receives the Monthly Statement of Financial Activity [Appendix ORD: 12.4.7B] for the period ended on the 30th of November 2023.

CARRIED
9/0

Background

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

Legal Implications

Local Government Act 1995 – Section 6.4

6.4. Financial Report

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

Local Government (Financial Management) Regulations 1996 r. 34

Part 4 — Financial Reports — s. 6.4

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

(1A) In this regulation—

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

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

- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

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

Council Plan

13.1 - Adopt best practice governance.

Environment - None.

Precedents

Each month Council receives the Monthly Financial Statements in accordance with Council Policy and Local Government (Financial Management) Regulations 1996.

Budget Implications

The financial activity statement compares budget estimates to actual expenditure and revenue to the end of the month to which the statement relates. Material variances and explanations of these are included in the notes that form part of the report. Although the statement has no direct budget implications, any identified permanent budget variances are adopted separately by the Council as part of specific project approval or periodic budget review reporting.

Budget – Whole of Life Cost - None.

Council Policy Compliance

- CnG CP036 Investment Policy
- CnG CP306 – Accounting Policy for Capital Works.
- CnG AP008 Significant Accounting Policies

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.4.7A) for full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Monthly Statement of Financial Activity for the Period Ended 30th November 2023
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Legal and Compliance Non-compliance with the legislative requirements that results in a qualified audit.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
	Reputational	Non-compliance that results in a qualified audit can lead stakeholders to question the Council’s ability to manage finances effectively.
	Financial	Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position.

Officer Comment

The Monthly Financial Report for the period ended on the 30th of November 2023 is contained in [Appendix ORD: 12.4.7B] and consists of:

- Statement of Financial Activity by Nature and Type – including Net Current Assets (liquidity)
- Statement of Comprehensive Income by Program
- Notes to the Statement of Financial Activity:
 - * Note 1 Statement of Objectives
 - * Note 2 Explanation of Material Variances
 - * Note 3 Trust Funds
 - * Note 4 Reserve Funds
 - * Note 5 Municipal Liabilities
 - * Note 6 Statement of Investments
 - * Note 7 Accounts Receivable (Rates and Sundry Debtors)
 - * Note 8 Salaries and Wages
 - * Note 9 Rating Information
 - * Note 10 Borrowings
 - * Note 11 Budget Amendments

The Statement of Financial Activity shows operating revenue and expenditure by nature and type, as well as expenditure and revenue from financing and investing activities - comparing actual results for the period with the annual adopted budget and the year-to-date revised budget. The previous year annual results and current year forecasts are also included for comparative information.

The statement includes the end-of-year surplus brought forward from 2022/23. When the 2023/24 Budget was adopted in June 2023, this surplus was estimated this at \$332,558. After completion of audited accounts, the actual surplus is reduced to \$278,068.

As at the time of preparation of this monthly report, officers forecast the surplus at the 30th of June 2024 will be \$828,189. This is an improved position from the \$179,737 surplus estimated in the 2023/24 Budget. This is based on known variances in actual performance in the year to date and estimates for the remainder of the year based on current trends in revenue and expenses. The most significant contributors to this improved forecast position include:

- \$314,000 net additional interest income from cash investments due to higher than anticipated interest rates
- \$413,000 reduction in employee costs due to vacancies, organisational restructure and reduction in accrued leave.

Note 2 – Contains explanations for items with a material variance. Actual values for the year-to-date are compared to the year-to-date budget to present a percentage variance as well as the variance amount.

The minimum level adopted by Council to be used in the Statement of Financial Activity in 2023/24 for reporting material variances is 10% or \$50,000, whichever is greater.

The most significant reported material budget variances relate to the timing of delivery of capital works program, with most roads, bridges and parks projects yet to have any significant payments recorded.

Additional explanatory comments are included as part of each note within the monthly financial report to assist in understanding the reasons for positive and adverse trends and balances.

END REPORT

12.4.8 Title: Schedule of Paid Accounts as at the 30th of November 2023

Reporting Department	<i>Corporate & Governance Directorate</i>
Responsible Officer	<i>Mrs Natalie Hopkins - Manager Financial Services</i>
Reporting Officer	<i>Ms Karen Davies – Accounts Payable</i>
Council Role	<i>Local Government (Financial Management) Regulations 1996</i>
Voting Requirement	<i>Executive/Strategic.</i>
Attachments	<i>Appendix ORD: 12.4.8 – Risk Assessment</i>

Overview

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

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

303-23 MOVED - Cr. L W Davies SECONDED – Cr. M R Hutchinson

THAT Council receives the Schedule of Paid Accounts report from 01/11/2023 to 30/11/2023 as follows:

SHIRE of DARDANUP
30-11-2023 Schedule of Paid Accounts

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
ELECTRONIC FUNDS TRANSFER					
EFT53766	02/11/2023	Alexander Vernon Heber Thornton	Rates Refund for Assessment A9526 20 Friesian Way Eaton WA 6232	MUNI	77.70
EFT53767	02/11/2023	Andrew White	Reimburse Monthly Internet Invoice: 22/09/2023-21/10/2023 - J/C Brook BFB - ESL Recurrent Exp	MUNI	139.00
EFT53768	02/11/2023	Ausmic Pest Control	Termite Inspection and Treatment - Dardanup Oval	MUNI	382.00
EFT53769	02/11/2023	Australian Institute of Management - Western Australia	Having Difficult Conversations Aim WA Course - Bunbury 9/11/23 - Michael Harnett	MUNI	606.00
EFT53770	02/11/2023	Australian Tax Office	PAYG - Payrun: 27/10/2023	MUNI	92,214.00
EFT53771	02/11/2023	Australind Landscaping Supplies	Hire Mini Excavator for Dardanup Oval 24/10/2023	MUNI	320.00
EFT53772	02/11/2023	Bluesteel Enterprises Pty Ltd	Protection Fire Equipment for all Bush Fire Brigades	MUNI	7,116.30
EFT53773	02/11/2023	BOC Ltd	ERC - R400C Oxygen Medical C Size: 28/09/2023 to 28/10/2023	MUNI	13.83
EFT53774	02/11/2023	Boyles Plumbing And Gas	Source, Supply and Install New Toilet Cistern in Ducting At Eaton Foreshore Toilet	MUNI	1,322.99
EFT53775	02/11/2023	Brett Hodgson	ERC Umpire Payment - 01/11/2023	MUNI	162.00
EFT53776	02/11/2023	Brownes Foods Operations Pty Ltd	ERC - Cafe Goods - Packaged Drinks	MUNI	445.29
EFT53777	02/11/2023	Bunbury Machinery	2 Stainless Steel Concrete Floats for MG Krete Use	MUNI	98.00
EFT53778	02/11/2023	Bunbury Mower Service	2 Air Filters for Honda Generators	MUNI	64.00
EFT53779	02/11/2023	Bunnings Group Limited	16Mm Spanner, Spade and Broom Handles, Drop Sheets	MUNI	90.49
EFT53780	02/11/2023	Bunbury Flower Place	Shire President Farewell	MUNI	100.00
EFT53781	02/11/2023	Cameron Baker	ERC Umpire Payment - 01/11/2023	MUNI	108.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT53782	02/11/2023	Carbone Brothers Pty Ltd	200 Ton of Gravel to Dowdells Line	MUNI	8,309.89
EFT53783	02/11/2023	Christine Anne Commons	Rates Refund for Assessment A4062 11 Mitchell Way Dardanup WA 6236	MUNI	799.00
EFT53784	02/11/2023	Christine Worsfold	ERC Umpire Payment - 31/10/2023	MUNI	81.00
EFT53785	02/11/2023	City of Bunbury	Dog/Cat Pound - Impound & Sustenance Fees October 2023	MUNI	441.00
EFT53786	02/11/2023	Cleanaway Solid Waste Pty Ltd	Kerbside General Refuse Landfill Disposal: 19/10/2023 - 25/10/2023	MUNI	2,645.95
EFT53787	02/11/2023	Country Landscaping Pty Ltd	Flow Test of Pump - Eaton Oval	MUNI	943.91
EFT53788	02/11/2023	Country Water Solutions	Reticulation Maintenance - Dardanup Oval	MUNI	474.77
EFT53789	02/11/2023	Dapco Tyre And Auto Centre	Tyre Replacement - Trailer DA1504	MUNI	110.00
EFT53790	02/11/2023	Donna Bastow	ERC Umpire Payment - 01/11/2023	MUNI	162.00
EFT53791	02/11/2023	Dorothy Gertrude Lane	Rates Refund for Assessment A1720 15 Charterhouse St Eaton WA 6232	MUNI	799.00
EFT53792	02/11/2023	Drive Safe Australia WA	2 Day Driver Training Course for 7 Bushfire Brigades	MUNI	5,135.00
EFT53793	02/11/2023	Economic Development Australia	Study Assistance for Suzanne Occhipinti - Economic Professional Accreditation Stream	MUNI	2,722.50
EFT53794	02/11/2023	Elizabeth Anne Jordan	Refund Key Bond - Receipt 151322	MUNI	40.00
EFT53795	02/11/2023	Ellen Patricia Lilly	Meeting Allowance	MUNI	1,283.17
EFT53796	02/11/2023	Elliotts Irrigation Pty Ltd	Iron Filter Services - Millbridge Lakes - October 2023	MUNI	640.20
EFT53797	02/11/2023	Eve Yoga	4 x Yoga Classes October 2023 - ERC	MUNI	240.00
EFT53798	02/11/2023	Felton Industries	Park Setting King Jumbo 4 Sided - Wood Look Aluminium in Blackbutt	MUNI	9,564.50
EFT53799	02/11/2023	Fire Protection Association Australia	FPA Australia BAL Refresher - Suzanne Occhipinti	MUNI	500.00
EFT53800	02/11/2023	Gabriella Hayward	Uniform Reimbursement - G Hayward	MUNI	155.30
EFT53801	02/11/2023	Garage Doors South West	Servicing of Roller Door to Joshua Crooked Brook Fire Shed	MUNI	330.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT53802	02/11/2023	Grace Records Management	Records Management External - Storage, Destruction and Consumables 24/08/2023 to 18/09/2023	MUNI	834.12
EFT53803	02/11/2023	Guardian First Aid And Fire	Philips HS1 Defibrillator Battery & Pads	MUNI	483.50
EFT53804	02/11/2023	Hanson Construction Materials Pty Ltd	12 Ton of 2mm Graded Aggregate	MUNI	183.78
EFT53805	02/11/2023	Isabella Francis	ERC Umpire Payment - 31/10/2023	MUNI	81.00
EFT53806	02/11/2023	Jennifer Lee Doherty	Rates Refund for Assessment A4445 447 Wellington Mill Road Wellington Mill 6236	MUNI	799.00
EFT53807	02/11/2023	Jennifer Susanne Gale	Rates Refund for Assessment A9497 54 Illawarra Drive Eaton WA 6232	MUNI	626.75
EFT53808	02/11/2023	John Thompson	ERC Umpire Payment - 01/11/2023	MUNI	108.00
EFT53809	02/11/2023	Katherine Kaurin	Uniform Reimbursement - K Kaurin	MUNI	171.19
EFT53810	02/11/2023	Katie Marie Clayton	ERC Umpire Payment - 31/10/2023	MUNI	216.00
EFT53811	02/11/2023	Linda Maria Skrollys	Rates Refund for Assessment A4295 37 Twomey Rd Crooked Brook WA 6236	MUNI	124.50
EFT53812	02/11/2023	Littlies Equipment Hire	Toddler Zone Soft Play Equipment Hire - Tronox Spring Out Festival - Remaining Balance	MUNI	300.00
EFT53813	02/11/2023	Luke Andrew Ramsay	ERC Umpire Payment - 01/11/2023	MUNI	108.00
EFT53814	02/11/2023	Luke Wilkinson	ERC Umpire Payment - 01/11/2023	MUNI	162.00
EFT53815	02/11/2023	Luke William Davies	Meeting Allowance	MUNI	1,283.17
EFT53816	02/11/2023	Malatesta Road Paving And Hotmix	200Lt of Emulsion	MUNI	320.00
EFT53817	02/11/2023	Margery Ann Stevens	ERC Umpire Payment - 31/10/2023	MUNI	88.00
EFT53818	02/11/2023	Mark Richard Hutchinson	Meeting Allowance	MUNI	1,283.17
EFT53819	02/11/2023	Michael Theodore Bennett	Meeting Allowance	MUNI	4,270.09
EFT53820	02/11/2023	Natalie Hopkins	Uniform Reimbursement - N Hopkins	MUNI	169.94

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT53821	02/11/2023	Officeworks Superstores Pty Ltd	J Burrows Insert Lever Arch A4 Binder 70Mm White - Brooke	MUNI	56.91
EFT53822	02/11/2023	PE Civil	MAF 7238 7239 - Mechanical Works and Fire Access Way Surfacing - Henty Fire Access Road	MUNI	45,298.00
EFT53823	02/11/2023	Patricia Rose Perks	Meeting Allowance	MUNI	1,283.17
EFT53824	02/11/2023	Pearl Plumbing	Blockage to Storm Water Drain At Burekup Bush Fire Brigade - Causing Visible Water Leak	MUNI	1,075.00
EFT53825	02/11/2023	Perfect Landscapes	P&G Mtce - Dardanup Oval - Renovation Spring Application	MUNI	12,889.07
EFT53826	02/11/2023	Peter Robinson	Meeting Allowance	MUNI	1,283.17
EFT53827	02/11/2023	PFD Food Services Pty Ltd	ERC - Cafe Goods - Hot Food	MUNI	1,207.85
EFT53828	02/11/2023	Regen Strategic	Professional Communications and Advisory Services - Workshop Report and Advocacy Strategy	MUNI	4,950.00
EFT53829	02/11/2023	Roof Safety Solutions Pty Ltd	6 Month Inspection of Roof System - Eaton Recreation Centre	MUNI	2,222.00
EFT53830	02/11/2023	Safestart Test & Tag	Test and Tagging FY 23/24	MUNI	1,841.40
EFT53831	02/11/2023	Sanctuary Golf Resort Bunbury	Shire Presidents Farewell - Community Sundowner - Friday 20 October 2023 - Venue Hire and Equipment, Catering (150Pax)	MUNI	8,630.80
EFT53832	02/11/2023	Schweppes Australia Pty Ltd	ERC - Cafe Goods - Packaged Drinks	MUNI	777.47
EFT53833	02/11/2023	Scope Rentals Pty Ltd	Year Two of Managed Print Contract 01/07/2023 - 30/06/2024	MUNI	2,675.20
EFT53834	02/11/2023	Seek Limited	Recruitment Advertising Seek Branded Ad Pack for October 2023 to June 2024	MUNI	8,250.00
EFT53835	02/11/2023	Services Australia - Child Support Agency	Employee Payroll Deduction PPE	MUNI	502.62
EFT53836	02/11/2023	SJ Traffic Management	3 x Crew for Lennard Road Monday 16/10/23 and Tuesday 17/10/23	MUNI	6,410.80
EFT53837	02/11/2023	South West Fire	Supply Pac Locks for Standpipe 1X Valve Bar/Key and 9Kg DCP Fire Extinguisher	MUNI	399.50
EFT53838	02/11/2023	South West Tree Safe	Roadside Vegetation Pruning - Recreation Rd and Phillips Rd Intersection 27/10/2023	MUNI	3,850.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT53839	02/11/2023	Southern Lock And Security	Supply of Replacement Locking System for Station Door At Wellington Mills Fire Brigade	MUNI	628.85
EFT53840	02/11/2023	Stacey Gillespie	Meeting Allowance	MUNI	1,283.17
EFT53841	02/11/2023	Steann Pty Ltd	Green Waste (October)	MUNI	18,900.88
EFT53842	02/11/2023	Synergy	Electricity Account for West Dardanup BFB: 29/08/2023 to 26/10/2023	MUNI	65.35
EFT53843	02/11/2023	Taylor Burrell Barnett	Assessment of Parkridge Structure Plan Amendment	MUNI	6,094.00
EFT53844	02/11/2023	Telstra	Telephone Account for Wellington Mills BFB & Nighthawk Internet Account for Wellington Mills BFB	MUNI	35.66
EFT53845	02/11/2023	Total Eden Pty Ltd	Toro Coil Latching 9 Volt - Glen Huon Oval	MUNI	192.53
EFT53846	02/11/2023	Tutt Bryant Hire	Hire of Bocat, Slasher; Trailer from 12/9/23 Wednesday to 10/10/23 Wednesday	MUNI	2,027.04
EFT53847	02/11/2023	Tyrrell Gardiner	Meeting Allowance	MUNI	1,883.92
EFT53848	02/11/2023	Upper Ferguson Bushfire Brigade	Prescribed Burn - Warburton Road	MUNI	1,000.00
EFT53849	02/11/2023	WA Distributors Pty Ltd	ERC - Cafe Goods - Confectionary	MUNI	239.75
EFT53850	02/11/2023	William Alfred Thomson	Refund Building Permit Uncertified Due to Cancellation - Paid 11/10/2023	MUNI	171.65
EFT53851	02/11/2023	Winc Australia Pty Ltd	Marbig Enviro Standard Archive Box Pack 5	MUNI	342.98
EFT53852	09/11/2023	Andrew White	Reimburse Monthly Internet Invoice: 22/10/2023 to 21/11/2023	MUNI	139.00
EFT53853	09/11/2023	Angela Napoli	Dog Registration 2500254 - Sterilisation Refund	MUNI	51.67
EFT53854	09/11/2023	Annette Webster	Refund Election Nomination Deposit Fee	MUNI	100.00
EFT53855	09/11/2023	Australind Landscaping Supplies	Lawn Top-dress Mix for Glen Huon Oval	MUNI	103.50
EFT53856	09/11/2023	B & B Street Sweeping Pty Ltd	Please Sweep Kerb Line and Parking Bays Russell Rd	MUNI	594.00
EFT53857	09/11/2023	BCE Surveying Pty Limited	Surveying Road Works During Capital Project - Clarke Street	MUNI	3,514.50

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT53858	09/11/2023	Blackwoods	Alemlureel Hose Reel Fuel Hose and Gun	MUNI	2,619.75
EFT53859	09/11/2023	Brett Hodgson	ERC Umpire Payment 08/11/2023	MUNI	189.00
EFT53860	09/11/2023	Bunbury Harvey Regional Council	Kerbside Fogo Processing: October 2023	MUNI	18,508.12
EFT53861	09/11/2023	Bunnings Group Limited	7 Lengths of EKO Decking and Fasteners for Seat Repairs At Glen Huon Oval	MUNI	855.40
EFT53862	09/11/2023	Cameron Baker	ERC Umpire Payment 08/11/2023	MUNI	152.00
EFT53863	09/11/2023	Carbone Brothers Pty Ltd	Moving of Bollards and Pipes Ex Carbone Yard to Shire Depot	MUNI	511.50
EFT53864	09/11/2023	Christine Worsfold	ERC Umpire Payment 07/11/2023	MUNI	108.00
EFT53865	09/11/2023	Civil Projects Southwest	Digger Hire for Grave Install, Drainage Repair	MUNI	4,235.00
EFT53866	09/11/2023	Cleanaway Solid Waste Pty Ltd	Transport of 30M3 General Refuse Skip Bins to Tip: October 2023	MUNI	7,944.13
EFT53867	09/11/2023	Coastal Rowing WA Inc	Community Event Grant Funding, Round 1 2023-2024 Community Kayak Workshop	MUNI	1,000.00
EFT53868	09/11/2023	Craven Foods & Bidfood Bunbury	ERC - Cafe Goods - Confectionary	MUNI	235.57
EFT53869	09/11/2023	CS Legal	2023/2024 Debt Recovery - Legal Fees	MUNI	1,680.00
EFT53870	09/11/2023	David Wells Builder	Remove Asbestos Roofing and Replace With Colourbond - CWA Hall	MUNI	41,650.40
EFT53871	09/11/2023	David Wilfred Jewell	Uniform Reimbursement - Pants and 3 Shirts	MUNI	286.85
EFT53872	09/11/2023	Diesel Force	Service Cat Grader DA698	MUNI	2,928.27
EFT53873	09/11/2023	DJ Emma	Party Package Event DJ MC x 3Hrs - Spring Out 2023	MUNI	1,595.00
EFT53874	09/11/2023	Dodgy Bros Dodgeball - JP & MK Kinsella	2023 Tronox Spring Out Festive Includes Arena, Balls, Cordless Sound System & Music, 2 x Dodgy Bros Referees. Casual 'Jump in Jump Out' Style Format	MUNI	2,475.00
EFT53875	09/11/2023	Donna Bastow	ERC Umpire Payment 08/11/2023	MUNI	162.00
EFT53876	09/11/2023	Ductworks Australia Bunbury & Busselton Air	Investigate and Reset Temporary Sensor in Pace Team and Planning Area	MUNI	170.00
EFT53877	09/11/2023	Eaton Environmental Services	Termite Treatment - 81 Duncan Loop Eaton	MUNI	220.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT53878	09/11/2023	Eaton Family Centre	Community Event Grant Funding, Round 1 2023-2024 Resolution # 213-23	MUNI	715.00
EFT53879	09/11/2023	Eve Yoga	Yoga Classes - ERC 18/10/2023 and 25/10/2023	MUNI	120.00
EFT53880	09/11/2023	Ferguson Bushfire Brigade	Reimburse Monthly Internet Invoice: 22/09/2023 to 21/10/2023 and 22/10/2023 to 21/11/2023	MUNI	278.00
EFT53881	09/11/2023	Fit2Work	Monthly Invoice for Police Checks - October 2023	MUNI	121.77
EFT53882	09/11/2023	Fortus Group	Grader Blade, Heat-Treated - Caterpillar DA698	MUNI	1,824.02
EFT53883	09/11/2023	Frank Charles Andrew	Rates Refund for Assessment A2152 4 Peppermint Way Eaton WA 6232	MUNI	799.00
EFT53884	09/11/2023	Fulton Hogan Industries WA	4 Ton of Premix Cold Mix - Pile Road	MUNI	807.40
EFT53885	09/11/2023	Fleet Commercial Gymnasiums Pty Ltd	Matrix Aura 5-Stack Multi-Station Fitness Equipment Including Delivery and Installation at ERC	MUNI	19,690.00
EFT53886	09/11/2023	Go Electrical Contracting	ERC - Replacement Globes and Battery Check for Scrubber	MUNI	275.00
EFT53887	09/11/2023	Hanson Construction Materials Pty Ltd	8 Ton of 7mm Graded Aggregate - Recreation Road	MUNI	354.04
EFT53888	09/11/2023	Hersey's Safety Pty Ltd	Goods and Materials for Depot Stores - Tape Brushcutter Cord Ear Muffs Gloves WD Lube	MUNI	2,047.76
EFT53889	09/11/2023	Hynes Contracting	Hire Tip Truck and Bobcat - Warburton Rd Post Burn Tree Removal and Fence Repair	MUNI	4,500.00
EFT53890	09/11/2023	Illion Australian Pty Ltd (Tenderlink)	Tenderlink Public Notice - \$190.00 Per Notice	MUNI	209.00
EFT53891	09/11/2023	Integrity Management Solutions Pty Ltd	Attain Annual Software Licence - 09/11/2023 to 08/11/2024	MUNI	6,050.00
EFT53892	09/11/2023	James Thomson Goodlet	Rates Refund for Assessment A1631 15 Hurst St Eaton WA 6232	MUNI	799.00
EFT53893	09/11/2023	Janet Elizabeth Haisma	Dog Registration L002638 - Refund Due to Sterilisation	MUNI	75.00
EFT53894	09/11/2023	JB Hi-Fi Ltd	Dell Laptop and Samsung SSD - Dardanup Central Brigade	MUNI	1,009.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT53895	09/11/2023	John Sullivan	Refund Hall Bond Rec# 151880	MUNI	290.00
EFT53896	09/11/2023	John Thompson	ERC Umpire Payment 08/11/2023	MUNI	81.00
EFT53897	09/11/2023	Judith Smith	Refund Key Bond Rec #151860	MUNI	40.00
EFT53898	09/11/2023	Katie Marie Clayton	ERC Umpire Payment 07/11/2023	MUNI	81.00
EFT53899	09/11/2023	Kenny Pomare	ERC Umpire Payment 08/11/2023	MUNI	135.00
EFT53900	09/11/2023	Kent Lyon Architect	Superintendent Services for Shire of Dardanup New Library, Administration and Community Building - Director & Architect	MUNI	10,477.50
EFT53901	09/11/2023	Les Mills Asia Pacific	ERC - Group Fitness Program Monthly Subscription November 2023	MUNI	1,474.78
EFT53902	09/11/2023	M & J Essential Solutions Pty Ltd	EAP Consultations 2023-2024	MUNI	450.00
EFT53903	09/11/2023	MB Traffic Planning & Management	Fixed Contingency - Traffic Management Plan Council Drive, Eaton.	MUNI	632.50
EFT53904	09/11/2023	Michelle Joy Oversby	Refund Cage Bond Rec #150819	MUNI	150.00
EFT53905	09/11/2023	MJ Goods	Surface Wet Wipes - ERC	MUNI	599.40
EFT53906	09/11/2023	Nutrien AG Solutions	Spreadwett 600 20L - Martin Pelusey Road	MUNI	563.20
EFT53907	09/11/2023	Paul Chisholm	Refund Hall Hire Bond Rec #151931	MUNI	540.00
EFT53908	09/11/2023	Perfect Landscapes	P&G Mtce - Verge Maintenance - Eaton Drive Median - Mowing - Week Commencing 23/10/223	MUNI	4,672.14
EFT53909	09/11/2023	PFI Supplies	Toilet Supplies for Council Sites	MUNI	239.30
EFT53910	09/11/2023	Pragma Lawyers	Review ICT Contract for The Engagement of Open Office to Implement The Shire's New ERP System.	MUNI	10,717.74
EFT53911	09/11/2023	Prime Supplies	4 Packs of Ultra Grime Wipes	MUNI	127.60
EFT53912	09/11/2023	Promote You	120 x Dark Green Drawstring Backpacks With Sod Library Services Logo Printed On One Side.	MUNI	620.40
EFT53913	09/11/2023	Safestart Test & Tag	Test and Tagging FY 23/24	MUNI	356.40

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT53914	09/11/2023	Schweppes Australia Pty Ltd	ERC - Cafe Goods - Packaged Drinks	MUNI	1,252.66
EFT53915	09/11/2023	Scope Rentals Pty Ltd	Year Two of Managed Print Contract October 2023	MUNI	1,521.88
EFT53916	09/11/2023	Securepay Pty Ltd	Bank Fees - 2023-2024 Securepay Web & IVR Merchant October 2023	MUNI	10.78
EFT53917	09/11/2023	Seek Limited	Seek Recruitment Advertising - 3 Advertisement Sustainable Development Restructure	MUNI	1,102.75
EFT53918	09/11/2023	Shadewest	Seasonal Removal - Storage - Insurance - Reinstall of Shade Sails - Sindhi Park	MUNI	15,323.00
EFT53919	09/11/2023	Signs Plus	Name Badges for Shire Staff x 8	MUNI	136.00
EFT53920	09/11/2023	SJ Traffic Management	3 x Crew for Traffic Control Friday 27/10/23 - Recreation Rd and Philip Rd	MUNI	1,557.60
EFT53921	09/11/2023	South West Tree Safe	Remove Large Limb Hanging Low Over The Road - Sindhi Close	MUNI	1,650.00
EFT53922	09/11/2023	Synergy	Glen Huon Oval (Bore) Electricity Consumption	MUNI	1,840.53
EFT53923	09/11/2023	Te Wairimu Elinor Pomare	ERC Umpire Payment 08/11/2023	MUNI	135.00
EFT53924	09/11/2023	Team Global Express - Toll	Bushfire Brigades and Pathwest Postage Costs	MUNI	311.80
EFT53925	09/11/2023	Telair Pty Ltd	ECL - NBN Enterprise Ethernet Service - November 2023	MUNI	658.90
EFT53926	09/11/2023	Telstra	Telephone Use - West Dardanup BFB	MUNI	38.56
EFT53927	09/11/2023	Teresa Marie Partridge	Severance Voucher	MUNI	200.00
EFT53928	09/11/2023	The Trustee For AM2 & FM2 Trust	Monthly Subscription for Myosh Classic Plus: November 2023	MUNI	621.50
EFT53929	09/11/2023	Therese Price	ERC Umpire Payment 07/11/2023	MUNI	108.00
EFT53930	09/11/2023	Tiana Fraser	ERC Umpire Payment 07/11/2023	MUNI	88.00
EFT53931	09/11/2023	Total Eden Pty Ltd	Reticulation Maintenance & Repairs - Lavender Way	MUNI	1,199.64
EFT53932	09/11/2023	Tutt Bryant Hire	Hire of Bobcat/Slasher/Trailer from Wednesday 11/10/23 to Tuesday 31/10/23 - Martin Pelusey Rd	MUNI	4,631.29

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT53933	09/11/2023	Winc Australia Pty Ltd	Stationery Room	MUNI	627.84
EFT53934	09/11/2023	Woolworths Group Limited - Online Order Only	ERC - Cafe Goods - Other	MUNI	1,768.77
EFT53935	09/11/2023	Woolworths Group Limited - Openpay Portal	General items for Eaton Admin Centre; Water for BFB; Supplies for Youth Advisory Group Meeting; Employee Recognition of Service Vouchers x 3	MUNI	1,055.41
EFT53936	09/11/2023	Work Clobber	Protective Clothing - Outside Staff	MUNI	585.00
EFT53937	09/11/2023	Workwise Australia	Glen Huon Boulevard Signalised Intersection - Concept Design 15%	MUNI	16,044.60
EFT53938	09/11/2023	Zachary Cloutman - Cloutz Event Hire	Spring Out Festival Entertainment	MUNI	2,866.56
EFT53939	09/11/2023	Zoho Corporation Pty Ltd	ManageEngine Service Desk Plus Cloud Enterprise Edition Subscription Fee for Additional 1 Technician (Total Of 11 Techs) Prorated Until 24/10/2024	MUNI	821.70
EFT53940	16/11/2023	Alexander Fairbairn	Refund Upfront Membership for ERC #17822	MUNI	543.06
EFT53941	16/11/2023	All Aussie Truck And Bobcat Services	Truck & Bobcat Hire for General Maintenance - Banksia Road Site: 02/10/2023 - 27/10/2023	MUNI	1,980.00
EFT53942	16/11/2023	AMD Audit And Assurance Pty Ltd	Final Audit of Financial Report for DPIRD Grant of \$250,000	MUNI	3,300.00
EFT53943	16/11/2023	Anthony Charles Jenour	Refund Election Nomination Deposit	MUNI	100.00
EFT53944	16/11/2023	Aqua Chill	Rental of Aquachill Water Cooler - 2023-2024 - Dardanup Office	MUNI	686.40
EFT53945	16/11/2023	Australian Tax Office	PAYG - Payrun 10/11/2023	MUNI	87,043.00
EFT53946	16/11/2023	Bluesteel Enterprises Pty Ltd	Oliver Wildland Fire Boots - Size 9 (Tiarlie Wareham)	MUNI	533.47
EFT53947	16/11/2023	Boyles Plumbing And Gas	Replace Hoses On Washing Machine, 2 x Sink Mixers in Servery and Replace Toilet Cistern in Disabled Toilet and Flexi Hose - ERC	MUNI	1,068.25
EFT53948	16/11/2023	Brownes Foods Operations Pty Ltd	ERC - Cafe Goods - Packaged Drinks	MUNI	165.72
EFT53949	16/11/2023	Bunbury Towing	Towing Costs to Deliver DA005 to Lane Group Mandurah for Repairs	MUNI	530.00
EFT53950	16/11/2023	Cable Force	Fixed Contingency - Service Locating at New Administration Building	MUNI	1,650.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT53951	16/11/2023	Cameron Baker	ERC Umpire Payment 15/11/2023	MUNI	118.00
EFT53952	16/11/2023	Chloe Scott	ERC Umpire Payment 15/11/2023	MUNI	54.00
EFT53953	16/11/2023	Christine Worsfold	ERC Umpire Payment 14/11/2023	MUNI	108.00
EFT53954	16/11/2023	Ciphertel Pty Ltd T/A GateWay Internet Services	Monthly Account for Point to Point Microwave Service Depot and Dardanup - 01/10/2023 - 31/10/2023	MUNI	2,893.00
EFT53955	16/11/2023	Cleverpatch Pty Ltd	ECL - Arts and Craft Supplies	MUNI	177.98
EFT53956	16/11/2023	Construction Training Fund : BCITF	BCITF Remittance - October 2023	MUNI	282.15
EFT53957	16/11/2023	Craven Foods & Bidfood Bunbury	ERC - Cafe Goods - Hot Drinks	MUNI	380.54
EFT53958	16/11/2023	Danielle Kelly	Reimbursement of First Aid Training	MUNI	170.00
EFT53959	16/11/2023	Dapco Tyre And Auto Centre	Tyre Replacement on DA995	MUNI	1,055.00
EFT53960	16/11/2023	Daryl Fishwick	ERC Umpire Payment 15/11/2023	MUNI	81.00
EFT53961	16/11/2023	Department of Mines, Industry, Regulations & Safety (DMIRS) - BSL	BSL Remittance - October 2023	MUNI	7,620.25
EFT53962	16/11/2023	Deputec Pty Ltd	ERC - Roster Scheduling 01/10/2023 - 31/10/2023	MUNI	266.53
EFT53963	16/11/2023	Diesel Force	Service 2021 Caterpillar Loader DA873	MUNI	2,796.74
EFT53964	16/11/2023	Donna Bastow	ERC Umpire Payment 15/11/2023	MUNI	162.00
EFT53965	16/11/2023	Environmental Health Australia NSW	2023-24 Subscription - I'M Alert Online Food Safety Training	MUNI	550.00
EFT53966	16/11/2023	Fleet Network Pty Ltd	Payroll Clearing - Novated Lease Liabilities - Pre Tax Employee Novated Lease - A Gribble	MUNI	506.00
EFT53967	16/11/2023	Geofabrics Australasia Pty Limited	Bidim Green A24G x 3.00M x 200M - Hayward St Bus Bay	MUNI	1,938.20
EFT53968	16/11/2023	Harley Dykstra	Refund for Dap Amendment Fee - Amendment to DAP BORRR Service Centres Signage (Four Pylon Signs)	MUNI	257.00
EFT53969	16/11/2023	Henderson Photographics	Official Photography - Council and Senior Staff Members - 25/10/2023	MUNI	643.50

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT53970	16/11/2023	Isubscribe Pty Ltd	Renewal of Printed Magazine Subscriptions and New Printed Magazine Subscriptions - ECL	MUNI	1,203.50
EFT53971	16/11/2023	Jack David Manoni	Refund Election Nomination Deposit	MUNI	100.00
EFT53972	16/11/2023	Jo Jingles South West	Early Learning Programs Facilitator - October 2023	MUNI	2,519.00
EFT53973	16/11/2023	John Thompson	ERC Umpire Payment 15/11/2023	MUNI	54.00
EFT53974	16/11/2023	Joshua Crooked Brook Bushfire Brigade	Prescribed Burn - Warburton Road	MUNI	2,700.00
EFT53975	16/11/2023	Katie Marie Clayton	ERC Umpire Payment 14/11/2023	MUNI	108.00
EFT53976	16/11/2023	Kenny Pomare	ERC Umpire Payment 15/11/2023	MUNI	108.00
EFT53977	16/11/2023	Kmart	Iphone Lightning to Aux Connector	MUNI	14.00
EFT53978	16/11/2023	Landgate	Title Searches	MUNI	61.00
EFT53979	16/11/2023	Lorraine Joy Armstrong	Rates Refund for Assessment A2951 3 Hereford PI Eaton WA 6232	MUNI	78.19
EFT53980	16/11/2023	Luke Wilkinson	ERC Umpire Payment 15/11/2023	MUNI	135.00
EFT53981	16/11/2023	Maidee Winifred Smith	Refund for Unused Fit Over 50 #1825	MUNI	83.00
EFT53982	16/11/2023	Malatesta Road Paving And Hotmix	200Lt of Emulsion - Recreation Road	MUNI	320.00
EFT53983	16/11/2023	Margery Ann Stevens	ERC Umpire Payment 14/11/2023	MUNI	88.00
EFT53984	16/11/2023	Mark Richard Hutchinson	Refund Election Nomination Deposit	MUNI	100.00
EFT53985	16/11/2023	Melanie May Ring	Staff Uniform Reimbursement	MUNI	30.00
EFT53986	16/11/2023	Michelle Edwards	Staff Uniform Reimbursement	MUNI	49.99
EFT53987	16/11/2023	Natalie Hopkins	Staff Uniform Reimbursement	MUNI	149.80
EFT53988	16/11/2023	Natural Area Consulting Management Services	Chemical Works - Millars Creek Area, Millbridge	MUNI	14,784.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT53989	16/11/2023	Naturaliste Hygiene	Sharps Disposal Service 2023/2024 November 23 - Watson Reserve - Public Toilets	MUNI	176.55
EFT53990	16/11/2023	Officeworks Superstores Pty Ltd	Office Stationery	MUNI	769.01
EFT53991	16/11/2023	Omnicom Media Group Australia Pty Ltd	Advertisement - South Western Times 09/09/2023 and West Australian 02/09/2023	MUNI	1,068.63
EFT53992	16/11/2023	Onsite Rental Group	Lease 26: Principal Repayment on Hire Of Office & Ablution Block 01/07/2023 to 31/03/2024	MUNI	4,728.26
EFT53993	16/11/2023	Our Lady of Lourdes School P & F Association	Community Grant Funding, Round 1 2023-2024	MUNI	5,000.00
EFT53994	16/11/2023	Ozkidzkarts	Spring Out Festival - Amusement Ride Facilitator Fees	MUNI	1,815.00
EFT53995	16/11/2023	PE Civil	Mechanical Clearing of Warburton Rd Verge - Slashing/ Mulching	MUNI	5,500.00
EFT53996	16/11/2023	Perfect Landscapes	Weekly Reserves Mowing Commencing 30/10/2023, Powerfeed Application - Eaton Oval & Glen Huon Oval	MUNI	5,235.89
EFT53997	16/11/2023	PFD Food Services Pty Ltd	ERC - Cafe Goods - Hot Food	MUNI	1,073.60
EFT53998	16/11/2023	Presido Consulting Pty Ltd - Fleet Advisory	Light Vehicle Fleet Review - Biennial Update and Fleet Management Plan	MUNI	11,660.00
EFT53999	16/11/2023	Rawlinsons (W.A.)	Quantity Survey to Assess Perkins Construction Variation Schedule for The New Admin Building Project October 2023	MUNI	7,711.00
EFT54000	16/11/2023	Regional Media Specialists P/L	Advertising Space in Monthly Community News Page - Bunbury Herald Newspaper: October 2023	MUNI	1,001.00
EFT54001	16/11/2023	RJ Pestell Family Trust T/A Subway Treendale	Refreshments - Depot Clean Up Day - 27 July 2023	MUNI	271.25
EFT54002	16/11/2023	Services Australia - Child Support Agency	Employee Payroll Deduction PPE	MUNI	502.62
EFT54003	16/11/2023	SJ Traffic Management	3 x Crew for Thursday 26/10/23 Eaton Dr Lane Closure	MUNI	1,989.90

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT54004	16/11/2023	SMR Psychology	Employee Assistance Consultations	MUNI	203.50
EFT54005	16/11/2023	South West Fire	Servicing of Burekup 1.4R Fire Appliance	MUNI	18,977.95
EFT54006	16/11/2023	South West Septics	Pump Out Toilets At Gnomesville	MUNI	760.00
EFT54007	16/11/2023	South West Tree Safe	Dowdells Line and Ferguson Road - Tree Pruning	MUNI	5,610.00
EFT54008	16/11/2023	Stacey Gillespie	Refund Election Nomination Deposit	MUNI	100.00
EFT54009	16/11/2023	Synergy	Electricity Supply - 40 x Shire Locations	MUNI	71,781.91
EFT54010	16/11/2023	T - Quip	Parts for Repairs & Maintenance - Toro Mower - DA9429	MUNI	566.85
EFT54011	16/11/2023	T J Depiazzi & Sons	Lawn Mix Sand Delivered to Pratt Rd Eaton	MUNI	6,460.14
EFT54012	16/11/2023	Taneta Bell	Refund Election Nomination Deposit	MUNI	100.00
EFT54013	16/11/2023	Te Wairimu Elinor Pomare	ERC Umpire Payment 15/11/2023	MUNI	108.00
EFT54014	16/11/2023	Telstra	Monthly Charges - Dardanup Office Fax - November to December 23	MUNI	34.95
EFT54015	16/11/2023	Therese Price	ERC Umpire Payment 14/11/2023	MUNI	108.00
EFT54016	16/11/2023	Top Jazz Ballet	Refund Key Bond Rec#152170	MUNI	40.00
EFT54017	16/11/2023	Vogue Furniture	ERC - Office Chair for Kylie	MUNI	520.00
EFT54018	16/11/2023	WA Distributors Pty Ltd	ERC - Cafe Goods - Confectionery	MUNI	564.10
EFT54019	16/11/2023	Westrac Pty Ltd	Repairs to Backhoe Loader DA2833 and Mini Excavator DA987	MUNI	2,865.77
EFT54020	16/11/2023	Work Clobber	Protective Clothing	MUNI	311.40
EFT54021	23/11/2023	3EM Engineering Consultants	Stage 1 - Variation Hv Information and Western Power Meeting	MUNI	616.00
EFT54022	23/11/2023	A1 Sign Shop	2 x Camping Signs (With Poles) 1 x Acrod Sign (No Pole) - Eaton Foreshore	MUNI	828.05
EFT54023	23/11/2023	Amity Signs	2 Warning Signs and 2 Reduce Speed Signs	MUNI	389.40
EFT54024	23/11/2023	Ampol Australia Petroleum Pty Ltd	Shire Vehicles Fuel Usage - October 2023	MUNI	20,332.94

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT54025	23/11/2023	Aquila Food Forest	Sustainable Living Workshop: 9/11/2023	MUNI	300.00
EFT54026	23/11/2023	Battery Power Centre	ERC - Battery Replace for Court Scrubber. Installation, Disposal Of old Batteries	MUNI	1,123.32
EFT54027	23/11/2023	Brandit Tech	Access Bands 100 Large Blue, 100 Medium Green, 100 Medium Red	MUNI	1,392.60
EFT54028	23/11/2023	Brecken Corporate Care	Pre Employment Medical - Ranger - 19/10/2023	MUNI	261.80
EFT54029	23/11/2023	Brett Hodgson	ERC Umpiring Payment 22/11/2023	MUNI	162.00
EFT54030	23/11/2023	Brownes Foods Operations Pty Ltd	ERC - Cafe Goods - Packaged Drinks	MUNI	353.43
EFT54031	23/11/2023	Bruce Oliver Clarke	Rates Refund for Assessment A4205 9 Woodbine Ridge Eaton WA 6232	MUNI	799.00
EFT54032	23/11/2023	Buildingpoint Australia Pty Ltd	Sketchup Pro (1 Year License)	MUNI	517.00
EFT54033	23/11/2023	Bunbury Coffee Machines	ERC - Cafe Goods - Hot Drinks	MUNI	496.00
EFT54034	23/11/2023	Bunbury Harvey Regional Council	Green Waste Processing At The Waste Transfer Station:	MUNI	1,254.00
EFT54035	23/11/2023	Bunbury Mower Service	Stihl Batter and Starter Rope - Public Works	MUNI	336.25
EFT54036	23/11/2023	Bunnings Group Limited	Pallet of Rapid Set, Silicon, Spirit Levels, Plastic Tubs, Drill Bits for Depot.	MUNI	993.09
EFT54037	23/11/2023	Cameron Baker	ERC Umpiring Payment 22/11/2023	MUNI	189.00
EFT54038	23/11/2023	Capel Crane Hire	Crane Hire for Pit Installation At 1 Council Drive, Eaton	MUNI	1,289.75
EFT54039	23/11/2023	Caroline Mears	1 Hour Chair Yoga - Eaton Sessions for 2023/24	MUNI	210.00
EFT54040	23/11/2023	Christine Worsfold	ERC Umpiring Payment 21/11/2023	MUNI	108.00
EFT54041	23/11/2023	City of Bunbury	Bunbury Geographe Tourism Partnership - 2023/2024 Financial Contribution	MUNI	22,000.00
EFT54042	23/11/2023	Civil Projects Southwest	Digger Hire 09/11/2023 - Dowdells Line Culvert Extension	MUNI	3,300.00
EFT54043	23/11/2023	Cleanaway Solid Waste Pty Ltd	Kerbside General Refuse Landfill Disposal: 3/11/2023 to 06/11/2023	MUNI	2,746.06
EFT54044	23/11/2023	Connect Call Centre Services	After Hours Sod Call Centre Services - October 2023	MUNI	446.16

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT54045	23/11/2023	Country Landscaping Pty Ltd	Bore Pipe Investigation Potential Clogging - Gary Engel Pump Station	MUNI	1,722.21
EFT54046	23/11/2023	Country Water Solutions	Reticulation Maintenance & Repairs - Millbridge Verges	MUNI	1,677.04
EFT54047	23/11/2023	Courtney Brennan	Refund Election Nomination Deposit	MUNI	100.00
EFT54048	23/11/2023	Craneford Plumbing	Service Hoshizaki Ice Machine - Waterloo Depot	MUNI	753.50
EFT54049	23/11/2023	Craven Foods & Bidfood Bunbury	ERC - Cafe Goods - Hot Food	MUNI	93.32
EFT54050	23/11/2023	Crown Perth	LGPA State Conference Accommodation - CEO Andre Schönfeldt	MUNI	838.00
EFT54051	23/11/2023	Dapco Tyre And Auto Centre	Wheel Bearing Replacement - Trailer DA9429	MUNI	426.34
EFT54052	23/11/2023	Data #3 Limited	Acrobat Pro for Enterprise Govt. Net New Acrobat Pro Customers Only Sub. Renewal 1 User, Level 3, 12 Months	MUNI	32,392.16
EFT54053	23/11/2023	Dell Financial Services Pty Ltd	Principal - Lease #22 - Dell Nutanix (4 Nodes) Hardware Refresh # 009-141985-004	MUNI	4,475.22
EFT54054	23/11/2023	Dianella Electrics	Disconnect 3 x Streetlights Cnr Of Council Drive in Front of New Admin Building	MUNI	198.00
EFT54055	23/11/2023	Eve Yoga	Yoga Classes - ERC - 1/11/2023 to 11/11/2023	MUNI	240.00
EFT54056	23/11/2023	Grace Records Management	Records Management External - Storage, Destruction and Consumables	MUNI	1,022.73
EFT54057	23/11/2023	Graham Denholm Millar	Cross Over Rebate - Assessment No. A12221 - 11 Ketteridge Street, Burekup	MUNI	116.60
EFT54058	23/11/2023	Hanson Construction Materials Pty Ltd	12 Ton 2Mm Graded Aggregate	MUNI	183.77
EFT54059	23/11/2023	Hynes Contracting	Council Drive Realignment Council Building Side of Road Prepare Parking Bays Remove Flush Kerb Remove Lights x 2 Temporary Fencing (Hire, Erection and Removal)	MUNI	55,600.00
EFT54060	23/11/2023	J A K Civil Pty Ltd	Hire of Water Cart and Grader for Dowdell Line Shoulder Works.	MUNI	15,072.75

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT54061	23/11/2023	JCW Electrical Pty Ltd	Millars Creek Walkway - Investigate Light Angle and Set Light to Switch off By 10Pm.	MUNI	567.93
EFT54062	23/11/2023	Jetline Kerbing Contractors	Remove/Prepare and Replace Damaged Path and Kerb Glen Huon Boulevard	MUNI	10,021.00
EFT54063	23/11/2023	John Thompson	ERC Umpiring Payment 22/11/2023	MUNI	54.00
EFT54064	23/11/2023	Jtagz Pty Ltd	Dog Tags - 200 x Blue #240501 - 240700	MUNI	112.20
EFT54065	23/11/2023	Kate Louise Maloney	Crafternoon With Kate - 1/11/2023 Workshop	MUNI	595.50
EFT54066	23/11/2023	Katie Marie Clayton	ERC Umpiring Payment 21/11/2023	MUNI	108.00
EFT54067	23/11/2023	Kenny Pomare	ERC Umpiring Payment 22/11/2023	MUNI	27.00
EFT54068	23/11/2023	Kent Lyon Architect	Council Chambers Layout Options	MUNI	2,750.00
EFT54069	23/11/2023	Kirstie Hahn - Blue Tongue Screenprinting	Auslan T-Shirts and Printing	MUNI	859.00
EFT54070	23/11/2023	Kmart	Summer Reading Challenge Prizes	MUNI	98.00
EFT54071	23/11/2023	Keen's Truck Driver Training	Enrolment for Darcey Webb for HR Unrestricted Road Ranger Course	MUNI	1,795.00
EFT54072	23/11/2023	Lions Club of Eaton	Eaton Lions Club - Donation for Parking and Crossing Assistance At Tronox Spring Out Festival	MUNI	400.00
EFT54073	23/11/2023	Living Springs	Potable water to WTS Office	MUNI	78.00
EFT54074	23/11/2023	Luke Wilkinson	ERC Umpiring Payment 22/11/2023	MUNI	216.00
EFT54075	23/11/2023	M & J Essential Solutions Pty Ltd	EAP Consultations 2023-2024	MUNI	600.00
EFT54076	23/11/2023	Malatesta Road Paving And Hotmix	Council Drive Realignment Works - Supply and lay asphalt	MUNI	10,536.00
EFT54077	23/11/2023	Marece Hetaraka	ERC Umpiring Payment 22/11/2023	MUNI	81.00
EFT54078	23/11/2023	Margery Ann Stevens	ERC Umpiring Payment 21/11/2023	MUNI	88.00
EFT54079	23/11/2023	Mckayhla Pomare	ERC Umpiring Payment 22/11/2023	MUNI	135.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT54080	23/11/2023	MJ Goods	ERC - Cafe Goods - Other	MUNI	46.00
EFT54081	23/11/2023	One Eleven (WA) Pty Ltd - Roofwest	Graffiti Removal - Lofthouse Park	MUNI	695.00
EFT54082	23/11/2023	Opposite Lock 4Wd & Vehicle Accessories	26 Tonne Snatch Strap & Winch Damper	MUNI	501.40
EFT54083	23/11/2023	Perfect Landscapes	P&G Mtce - Glen Huon Oval & Softball Fields - Soil Wetting Application	MUNI	14,687.36
EFT54084	23/11/2023	Perkins WA Pty Ltd	Shire of Dardanup - Design and Construct Contract - New Admin, Library and Community Building	MUNI	1,593,731.28
EFT54085	23/11/2023	PFD Food Services Pty Ltd	ERC - Cafe Goods - Hot Food	MUNI	1,193.10
EFT54086	23/11/2023	Quickcliq	ERC - Quickcliq Labels for Canteen Orders	MUNI	109.00
EFT54087	23/11/2023	Robyn Harris	Refund Cage Bond Rec#151999	MUNI	150.00
EFT54088	23/11/2023	Rockwater Pty Ltd	Eaton Foreshore New Bore - Licence Application and Technical Specifications for Tender.	MUNI	2,846.25
EFT54089	23/11/2023	Rowie Sutton	Rates Refund for Assessment A1123 34 Stanton St Eaton WA 6232	MUNI	799.00
EFT54090	23/11/2023	Sage Consulting Engineers Pty Ltd	Council Drive Design of Street Lights.	MUNI	5,329.50
EFT54091	23/11/2023	Schweppes Australia Pty Ltd	ERC - Cafe Goods - Packaged Drinks	MUNI	1,834.00
EFT54092	23/11/2023	Shane Michael Western	Crossover Rebate - Assessment No. A12094 - 56 Peninsula Lakes Drive, Eaton	MUNI	201.40
EFT54093	23/11/2023	Shire of Harvey	Insurance Premium Recoup 2023-2024 Danjoo Koorliny (Treendale Millbridge) Bridge Joint Maintenance Agreement - \$18,685,000 x 68.77% Portion @ 0.162131% Contribution Rate	MUNI	22,916.64
EFT54094	23/11/2023	SJ Traffic Management	Traffic Management - Glen Huon Boulevard - 6/11/2023	MUNI	4,428.05
EFT54095	23/11/2023	South West Fire	Servicing of West Dardanup 1.4R Fire Appliance	MUNI	9,741.01
EFT54096	23/11/2023	South West Isuzu	Rear Lamp Assembly for DA628.	MUNI	133.82
EFT54097	23/11/2023	South West Networking	Re-Stumping 953 Ferguson Road - Ferguson Hall	MUNI	9,910.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT54098	23/11/2023	South West Rose Society Inc	Refund Hall Bond Rec#151158	MUNI	290.00
EFT54099	23/11/2023	South West Tree Safe	Dowdells Line Dardanup Tree Pruning	MUNI	3,850.00
EFT54100	23/11/2023	Spraymow Services	Broad Leaf Weed Treatment to Turf Areas - Millbridge Estate	MUNI	1,798.50
EFT54101	23/11/2023	Sparkymics Electrical Contracting Pty Ltd	Replacement of Loose Powerpoint - Dardanup West BFB	MUNI	154.00
EFT54102	23/11/2023	T J Depiazzi & Sons	Bushland Mulch Delivered to Shire Depot 35 Martin Pelusey Road Waterloo	MUNI	1,493.56
EFT54103	23/11/2023	Team Global Express - Toll	Brigade Postage 2023/24 - November 2023	MUNI	69.45
EFT54104	23/11/2023	The Print Shop	Siyp Series 23/24 - Flyer Printing At The Print Shop	MUNI	2,193.40
EFT54105	23/11/2023	The Strategic Directions Group Pty Ltd	Business Process Mapping Support	MUNI	5,808.00
EFT54106	23/11/2023	Therese Price	ERC Umpiring Payment 21/11/2023	MUNI	108.00
EFT54107	23/11/2023	Total Eden Pty Ltd	Reticulation Repairs & Maintenance - Eaton Foreshore	MUNI	478.74
EFT54108	23/11/2023	Tradelink	Push Pillar Tap for Burekup Disabled Toilet.	MUNI	469.01
EFT54109	23/11/2023	Tutt Bryant Hire	Bobcat and Trailer Hire from Wednesday 1/11/23 to Wednesday 15/11/23	MUNI	4,046.26
EFT54110	23/11/2023	Trophies West	Brushed Stainless Steel Plaque - Eaton Bowling Club and Eaton Senior Citizens Centre	MUNI	189.42
EFT54111	23/11/2023	Veolia Recycling & Recovery Pty Ltd	Kerbside Fogo Removal	MUNI	88,187.53
EFT54112	23/11/2023	Victor Robert Younger	Rates Refund for Assessment A1692 27 Short St Eaton WA 6232	MUNI	124.50
EFT54113	23/11/2023	WA Distributors Pty Ltd	ERC - Cafe Goods - Other	MUNI	63.45
EFT54114	23/11/2023	WA Isports Inc	Tronox Spring Out Festival - Additional Inclusion Amusements With WA Isports (Formally Snag Golf)	MUNI	500.00
EFT54115	23/11/2023	West Australian Newspapers Ltd	Newspaper Subscription - West Australian & SW Times: 8/11/2023 to 31/01/2024	MUNI	164.34

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT54116	23/11/2023	Woodlands	Premium Compostable Dog Waste Bags	MUNI	1,900.80
EFT54117	30/11/2023	3D Hr Legal Pty Ltd	Corporate and Governance Team Building - 10th November 2023	MUNI	3,707.00
EFT54118	30/11/2023	Altus Traffic Pty Ltd	Traffic Control On Dowdells Line for Friday 17/11/2023	MUNI	1,484.28
EFT54119	30/11/2023	Amanda Burrows	ECL Reimbursement - Poster and Cushions	MUNI	40.00
EFT54120	30/11/2023	Andrew Macleod	Poetry Chapbook Editing and MC of Launch Event	MUNI	500.00
EFT54121	30/11/2023	Anthea Maree Wagenhauser	Refund Key Bond Rec #152328	MUNI	40.00
EFT54122	30/11/2023	Australia Post	Monthly Postage Cost - October 2023	MUNI	5,371.67
EFT54123	30/11/2023	Australian Tax Office	PAYG - Payrun 24/11/2023	MUNI	115,099.00
EFT54124	30/11/2023	B & B Street Sweeping Pty Ltd	Sweeping Kerb Lines, Intersections and Parking Bays On 8 Streets in Eaton and Millbridge 10/10 to 06/11/23	MUNI	5,791.50
EFT54125	30/11/2023	Boyles Plumbing And Gas	Drink Fountain Repairs - Dardanup Oval	MUNI	533.50
EFT54126	30/11/2023	Brett Hodgson	ERC Umpiring Payment 29/11/2023	MUNI	189.00
EFT54127	30/11/2023	Brownes Foods Operations Pty Ltd	ERC - Cafe Goods - Packaged Drinks	MUNI	529.81
EFT54128	30/11/2023	Bullivants Pty Ltd - Sling Rig	Replacement 50 Tonne Recovery Strap	MUNI	730.40
EFT54129	30/11/2023	Bunbury Mower Service	Sundry Parts for Maintenance - Parks and Environment	MUNI	353.50
EFT54130	30/11/2023	Bunnings Group Limited	ERC - 2X 36V Batteries for Blow Vac	MUNI	915.38
EFT54131	30/11/2023	Bush Shack Brewery	Corporate and Governance Team Building - Lunch - Friday, 10th November 2023	MUNI	1,045.50
EFT54132	30/11/2023	Bunbury Electrical Service	Emergency Reticulation Works - Plc Replacement - Gary Engel Park	MUNI	2,992.00
EFT54133	30/11/2023	Cameron Baker	ERC Umpiring Payment 29/11/2023	MUNI	162.00
EFT54134	30/11/2023	Carbone Brothers Pty Ltd	Gravel Road Base - Delivered to Shire Gravel Pit - Dowdells Line	MUNI	8,649.45
EFT54135	30/11/2023	Christine Ann Elston	Rates Refund for Assessment A8226 40 Gavins Gully Ct Dardanup West WA 6236	MUNI	799.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT54136	30/11/2023	Christine Worsfold	ERC Umpiring Payment 28/11/2023	MUNI	108.00
EFT54137	30/11/2023	Civil Projects Southwest	Digger Hire for Mitchell Way Dardanup 24/11/23 , Remove Footpath	MUNI	1,210.00
EFT54138	30/11/2023	Construct Services	Sheeting Cover Make-Safe Following Tarping Fix Failing	MUNI	1,452.00
EFT54139	30/11/2023	Country Landscaping Pty Ltd	Reticulation Repairs and Maintenance - Eaton Drive	MUNI	327.25
EFT54140	30/11/2023	Craven Foods & Bidfood Bunbury	ERC - Cafe Goods - Other	MUNI	256.02
EFT54141	30/11/2023	Cross Security Services	Alarm Monitoring: Line 8863-12 Administration Building	MUNI	1,001.00
EFT54142	30/11/2023	Csstech Group Pty Ltd	Audiocodes 1Yr Support for SBC 27/5/2023 to 26/5/2024	MUNI	1,152.16
EFT54143	30/11/2023	Dardanup Art Spectacular	Annual Shire Funding 2023/24	MUNI	11,500.00
EFT54144	30/11/2023	Data #3 Limited	Meraki MR28 Wi-Fi 6 Indoor Ap	MUNI	12,386.88
EFT54145	30/11/2023	DBK Embroidery	Ranger and Shire Badges	MUNI	60.00
EFT54146	30/11/2023	Diesel Force	Replace Starter Motor DA8457 Hino Truck	MUNI	3,039.17
EFT54147	30/11/2023	Donna Bastow	ERC Umpiring Payment 29/11/2023	MUNI	162.00
EFT54148	30/11/2023	Ductworks Australia Bunbury & Busselton Air	Bi-Annual Maintenance November 2023 - Depot	MUNI	335.50
EFT54149	30/11/2023	DX Print Group Pty Ltd	Business Cards - 250 Each - New Councillors and New Staff	MUNI	891.00
EFT54150	30/11/2023	Eaton Community Pharmacy	ERC - Cafe Goods - Other	MUNI	650.51
EFT54151	30/11/2023	Eaton Environmental Services	ERC - 4 x Locate, Clean & Rebait Rodent Stations	MUNI	143.00
EFT54152	30/11/2023	Eaton Pet Vet	Veterinary Consultation & Supply Fees/Charges	MUNI	105.00
EFT54153	30/11/2023	Eaton Trophies	Stainless Steel Seat Plaque - Alexander Poad - Carramar Park	MUNI	250.00
EFT54154	30/11/2023	Economic Development Australia	Approved Study Assistance for Suzanne Occhipinti - Overview of Best Practice Economic Development	MUNI	605.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT54155	30/11/2023	Fleet Network Pty Ltd	Payroll Clearing - Novated Lease Liabilities - Pre Tax Employee Novated Lease - A Gribble	MUNI	506.00
EFT54156	30/11/2023	GO Electrical Contracting	ERC - East Court Key Lock Repairs to Basketball Backboards	MUNI	115.50
EFT54157	30/11/2023	Hooleys Catering Company	Ordinary Council Meeting Catering - 22/11/2023 - 15 People	MUNI	847.50
EFT54158	30/11/2023	HW & Associates	QS Estimate Dardanup Hall Renovations/Upgrades	MUNI	1,771.00
EFT54159	30/11/2023	James Reilly	Phone Cable Replacement - Reimbursement	MUNI	22.00
EFT54160	30/11/2023	Jannelie Rostoll	Cross Over Rebate - Assessment No. A12107 - 11 Tukidale Street	MUNI	254.40
EFT54161	30/11/2023	John Thompson	ERC Umpiring Payment 29/11/2023	MUNI	81.00
EFT54162	30/11/2023	Landgate	GRV Interim Valuation	MUNI	1,168.49
EFT54163	30/11/2023	Lonsdale Party Hire	ERC - Hire of Fridge for Catering	MUNI	65.00
EFT54164	30/11/2023	Luke John Fleming	Crossover Rebate - A12236 - 12 Guernsey Street, Eaton	MUNI	206.70
EFT54165	30/11/2023	Luke Wilkinson	ERC Umpiring Payment 29/11/2023	MUNI	135.00
EFT54166	30/11/2023	Maia Financial Pty Ltd	Nutanix Software Licensing Lease 2021 (Prod) - 36 Months Lease 25 - EN6N0163571 : 1/1/2024 to 31/3/2024	MUNI	6,912.04
EFT54167	30/11/2023	Malatesta Road Paving And Hotmix	Supply and Lay Asphalt Overlay for Dowdell Line	MUNI	80,977.20
EFT54168	30/11/2023	Mantrac	Excavator and Operator Hire - Tree Line Adjustment	MUNI	3,030.50
EFT54169	30/11/2023	Margery Ann Stevens	ERC Umpiring Payment 28/11/2023	MUNI	88.00
EFT54170	30/11/2023	Maria Kempster	Rates Refund for Assessment A1084 10 Stanton St Eaton WA 6232	MUNI	799.00
EFT54171	30/11/2023	McDonald Fencing	Country Club Playground Damaged Barrier Fence Repairs Due to Vandalism	MUNI	1,061.50
EFT54172	30/11/2023	Mckayhla Pomare	ERC Umpiring Payment 29/11/2023	MUNI	162.00
EFT54173	30/11/2023	MJ Goods	Surface Wet Wipes (4X Rolls Per Box)	MUNI	799.20

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT54174	30/11/2023	Omnicom Media Group Australia Pty Ltd	Public Notice - BORR - Monolith and Pylon Signage - South Western Times 23/11/2023	MUNI	1,141.80
EFT54175	30/11/2023	PFD Food Services Pty Ltd	ERC - Cafe Goods - Hot Food	MUNI	1,419.55
EFT54176	30/11/2023	PFI Supplies	ERC - Cleaning Products	MUNI	1,262.35
EFT54177	30/11/2023	Prime Supplies	Isolator Switch and Lever for VMS Board	MUNI	137.43
EFT54178	30/11/2023	Promote You	Embroidery of Staff Uniforms - Administration	MUNI	17.60
EFT54179	30/11/2023	Prosci Pty Ltd	Prosci Change Management Certification - C Lee	MUNI	6,295.00
EFT54180	30/11/2023	Proven Project Management	External Project Management Services - New SOD Administration Building/Library Project - 1/9/2023 to 30/9/2023	MUNI	7,092.80
EFT54181	30/11/2023	Schweppes Australia Pty Ltd	ERC - Cafe Goods - Packaged Drinks	MUNI	454.01
EFT54182	30/11/2023	Services Australia - Child Support Agency	Employee Payroll Deduction PPE	MUNI	502.62
EFT54183	30/11/2023	SJ Traffic Management	Traffic Management for Dowdells Line Dardanup	MUNI	36,498.56
EFT54184	30/11/2023	South West Fire	Servicing of Ferguson Light Tanker	MUNI	13,385.91
EFT54185	30/11/2023	South West Networking	ERC - Roof Leak Detection	MUNI	660.00
EFT54186	30/11/2023	South West Tree Safe	Friday 24/11/23 Tree Pruning Ferguson Road Near Gnomesville	MUNI	3,850.00
EFT54187	30/11/2023	Sushiru	ERC - Cafe Goods - Other	MUNI	220.00
EFT54188	30/11/2023	Synergy	Electricity Supply - Eaton Recreation Centre: 12/10/2023 to 8/11/2023	MUNI	9,022.58
EFT54189	30/11/2023	Taylor Burrell Barnett	Consultant Fees - Developer Contribution Plan for Dardanup	MUNI	11,597.74
EFT54190	30/11/2023	Team Global Express - Toll	Environmental Health Postage 2023/2024	MUNI	73.15
EFT54191	30/11/2023	Telstra	Telephone and Various Lines for Eaton Admin Centre	MUNI	6,448.63
EFT54192	30/11/2023	Therese Price	ERC Umpiring Payment 28/11/2023	MUNI	108.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
EFT54193	30/11/2023	Tiana Fraser	ERC Umpiring Payment 28/11/2023	MUNI	88.00
EFT54194	30/11/2023	Timber Insight	Level 1 Bridge Maintenance	MUNI	13,012.25
EFT54195	30/11/2023	Total Eden Pty Ltd	Sprinkler Drives - Glen Huon Oval	MUNI	1,026.66
EFT54196	30/11/2023	Tutt Bryant Hire	Multi Tyred Roller 6/11/23 to 20/11/23	MUNI	2,315.49
EFT54197	30/11/2023	Trophies West	22 x Desk Name Plaques - Shire President/Deputy/Councillors and staff	MUNI	550.00
EFT54198	30/11/2023	Vestone Capital Pty Limited	Schedule DAR01072020 - Lease # 20 - Executive Laptops	MUNI	1,505.24
EFT54199	30/11/2023	WA Country Builders Pty Ltd	Refund BA1 - 23240146 Single Dwelling Building Permit	MUNI	1,449.68
EFT54200	30/11/2023	Water Corporation	Water Use and Service Charges for Eaton Administration Building: 1/11/2023 to 31/12/2023	MUNI	10,601.18
EFT54201	30/11/2023	Western Australian Treasury Corporation	Principal - Loan 70 - Wanju DCP and Waterloo Industrial Park	MUNI	40,400.21
EFT54202	30/11/2023	Westrac Pty Ltd	Door Bottom Glass for Mini Digger As Quoted	MUNI	311.94
EFT54203	30/11/2023	Winc Australia Pty Ltd	Stationery Order	MUNI	943.80

CHEQUES**DIRECT DEBIT****BPAY**

DD17618.1	16/11/2023	Alinta	ECL Gas Consumption - 2 Sanford Way, Eaton: 28/07/2023 to 25/10/2023	MUNI	39.30
DD17618.2	16/11/2023	Department of Transport	Department of Transport - Vehicle Owner Details Searches	MUNI	30.80
DD17646.1	30/11/2023	linet Ltd	Monthly Charge for Business Nbn100 Value - FTTN Service Sod_NBN@linet.Net.Au	MUNI	174.94

CREDIT CARD

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
DD17657.1	27/11/2023	CANVA PTY LTD	ERC Subscription 25/10/2023 - 24/10/2024	MUNI	164.99
DD17657.2	27/11/2023	EVENTBRITE	SIYP 23/24 Eventbrite Ticket Increase Fee - December Storytime	MUNI	14.99
DD17657.3	27/11/2023	HUMANITIX LIMITED	5x Ticket to Critical Minerals Industry Luncheon	MUNI	333.15
DD17657.4	27/11/2023	BIG W	ECL - PDP Nintendo Switch Joy-Con Charging Shuttle and Nintendo Switch	MUNI	79.00
DD17657.5	27/11/2023	MAILCHIMP	Monthly subscription and charge for email newsletters November 2023	MUNI	180.08
DD17657.6	27/11/2023	Facebook Ireland Limited	Facebook Advertising for events and Programs - Tronox Spring Out 2023	MUNI	19.57
DD17657.7	27/11/2023	SURVEYMONKEY EUROPE	Annual subscription to online survey platform Survey Monkey - Billed Quarterly - 19/11/2023 - 18/02/2024	MUNI	111.00


DEBIT CARD**INTERNATIONAL****TRUST****PAYROLL**

DD17606.1	10/11/2023	Aware Super Pty Limited	Payroll Deductions	MUNI	36,822.57
DD17606.2	10/11/2023	Hughes Superannuation Fund	Superannuation Contributions	MUNI	68.21
DD17606.3	10/11/2023	MLC Super Fund	Superannuation Contributions	MUNI	1,716.14
DD17606.4	10/11/2023	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	451.01
DD17606.5	10/11/2023	Hostplus	Payroll Deductions	MUNI	1,028.03
DD17606.6	10/11/2023	Brighter Super	Superannuation Contributions	MUNI	277.80

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
DD17606.7	10/11/2023	Hesta Super Fund	Payroll Deductions	MUNI	1,599.76
DD17606.8	10/11/2023	MIML - Macquarie Super Accumulator	Payroll Deductions	MUNI	1,069.04
DD17606.9	10/11/2023	Australian Retirement Trust	Superannuation Contributions	MUNI	212.64
DD17630.1	24/11/2023	Aware Super Pty Limited	Payroll Deductions	MUNI	38,366.87
DD17630.2	24/11/2023	Hughes Superannuation Fund	Superannuation Contributions	MUNI	64.14
DD17630.3	24/11/2023	MLC Super Fund	Superannuation Contributions	MUNI	2,388.02
DD17630.4	24/11/2023	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	571.26
DD17630.5	24/11/2023	Hostplus	Payroll Deductions	MUNI	1,186.27
DD17630.6	24/11/2023	Brighter Super	Superannuation Contributions	MUNI	375.03
DD17630.7	24/11/2023	Hesta Super Fund	Payroll Deductions	MUNI	1,894.67
DD17630.8	24/11/2023	MIML - Macquarie Super Accumulator	Payroll Deductions	MUNI	1,238.73
DD17630.9	24/11/2023	Australian Retirement Trust	Superannuation Contributions	MUNI	245.51
DD17606.10	10/11/2023	Australian Ethical Superannuation	Payroll Deductions	MUNI	337.83
DD17606.11	10/11/2023	Australian Super	Superannuation Contributions	MUNI	269.91
DD17606.12	10/11/2023	Asgard Infinity E Wrap Super	Payroll Deductions	MUNI	899.87
DD17606.13	10/11/2023	Amp Flexible Super - Super Account	Payroll Deductions	MUNI	786.92
DD17606.14	10/11/2023	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	54.56
DD17606.15	10/11/2023	Mercer Super Trust	Superannuation Contributions	MUNI	185.82
DD17606.16	10/11/2023	TWU Superannuation Fund	Superannuation Contributions	MUNI	20.46
DD17606.17	10/11/2023	Kaurin Family Superannuation Fund	Payroll Deductions	MUNI	263.50

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
DD17606.18	10/11/2023	Plum Superannuation Fund	Superannuation Contributions	MUNI	132.97
DD17606.19	10/11/2023	Public Sector Superannuation Accumulation Plan	Payroll Deductions	MUNI	633.99
DD17606.20	10/11/2023	Spirit Super	Superannuation Contributions	MUNI	319.50
DD17606.21	10/11/2023	Rest Superannuation	Superannuation Contributions	MUNI	1,117.02
DD17606.22	10/11/2023	The Bro Code Super Fund	Superannuation Contributions	MUNI	59.52
DD17606.23	10/11/2023	Media Super	Superannuation Contributions	MUNI	633.44
DD17606.24	10/11/2023	Thomson Family Superannuation Fund	Superannuation Contributions	MUNI	1,069.77
DD17606.25	10/11/2023	Australiansuper	Payroll Deductions	MUNI	8,941.49
DD17606.26	10/11/2023	The Templeman Family Superannuation Fund	Superannuation Contributions	MUNI	26.04
DD17606.27	10/11/2023	HUB24 Superannuation Fund	Superannuation Contributions	MUNI	316.70
DD17630.10	24/11/2023	Australian Ethical Superannuation	Payroll Deductions	MUNI	348.79
DD17630.11	24/11/2023	ANZ Smart Choice Super (Onepath Masterfund)	Superannuation Contributions	MUNI	6.82
DD17630.12	24/11/2023	Asgard Infinity E Wrap Super	Payroll Deductions	MUNI	1,029.78
DD17630.13	24/11/2023	Australian Super	Superannuation Contributions	MUNI	264.73
DD17630.14	24/11/2023	Amp Flexible Super - Super Account	Payroll Deductions	MUNI	895.50
DD17630.15	24/11/2023	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	197.79
DD17630.16	24/11/2023	Mercer Super Trust	Superannuation Contributions	MUNI	347.71
DD17630.17	24/11/2023	TWU Superannuation Fund	Superannuation Contributions	MUNI	13.64

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	
DD17630.18	24/11/2023	Kaurin Family Superannuation Fund	Payroll Deductions	MUNI	314.26
DD17630.19	24/11/2023	Plum Superannuation Fund	Superannuation Contributions	MUNI	103.23
DD17630.20	24/11/2023	Public Sector Superannuation Accumulation Plan	Payroll Deductions	MUNI	633.99
DD17630.21	24/11/2023	Spirit Super	Superannuation Contributions	MUNI	319.50
DD17630.22	24/11/2023	Telstra Super Pty Limited	Superannuation Contributions	MUNI	138.90
DD17630.23	24/11/2023	Rest Superannuation	Superannuation Contributions	MUNI	1,388.21
DD17630.24	24/11/2023	The Bro Code Super Fund	Superannuation Contributions	MUNI	59.52
DD17630.25	24/11/2023	Media Super	Superannuation Contributions	MUNI	756.99
DD17630.26	24/11/2023	Australiansuper	Payroll Deductions	MUNI	10,544.64
DD17630.27	24/11/2023	Thomson Family Superannuation Fund	Superannuation Contributions	MUNI	1,142.96
DD17630.28	24/11/2023	The Templeman Family Superannuation Fund	Superannuation Contributions	MUNI	34.72
DD17630.29	24/11/2023	HUB24 Superannuation Fund	Superannuation Contributions	MUNI	427.54
					3,372,129.30

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND
<u>REPORT</u>				
<u>TOTALS</u>				
EFT	3,246,367.25		CERTIFICATE of Chief Executive Officer	
Muni Cheque	0.00		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.	
Trust	0.00			
Payroll	124,614.23			
Credit Card	902.78			
Debit Card	0.00			
Direct Debit	0.00			
International	0.00			
BPAY	245.04			
TOTAL	3,372,129.30		 MR ANDRÉ SCHÖNFELDT Chief Executive Officer	

CARRIED
9/0

Background

Council delegates authority to the Chief Executive Officer annually through Delegation 1.2.16, 1.2.31 and 1.2.35:

- To make payments from Trust and Municipal Funds;
- To purchase goods and services up to the value of \$250,000;
- To authorise Electronic Funds Transfer (EFT) files for Payroll and Accounts Payable payments to the Tax Office and other Government Agencies and Creditors where an Executed Agreement or legal obligation exists up to the value of \$300,000.

Legal Implications

Local Government Act 1995

S6.5. Accounts and records

Local Government (Financial Management) Regulations 1996

R11. Payments, procedures for making etc.

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

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

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

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

S13A. Payments by employees via purchasing cards

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

- (d) sufficient information to identify the payment.
- (2) A list prepared under subregulation (1) must be —
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

Council Plan

- 13.1 - Adopt best practice governance.
- 13.2 - Manage the Shire’s resources responsibly.

Environment - None.

Precedents

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

Budget Implications

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

Budget – Whole of Life Cost - None.

Council Policy Compliance

Payments are checked to ensure compliance with Council’s *Purchasing Policy CngCP034 – Procurement Policy* and processed in accordance with *Policy CngCP035 – Payment of Accounts*.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to [Appendix ORD: 12.4.8] for full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Schedule of Paid Accounts as at the 30 th of November 2023
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Financial Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position. Reputational Non-compliance that results in a qualified audit can lead stakeholders to question the Council’s ability to manage finances effectively

Officer Comment

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

END REPORT

12.5 COMMITTEES

12.5.1 Title: Audit & Risk Committee Meeting – 20th November 2023

Reporting Department:	Corporate & Governance Directorate
Responsible Officer	Mr Phil Anastasakis - Deputy CEO
Reporting Officer	Mrs Rebecca Hobby - Personal Assistant to Deputy CEO
Legislation	Local Government Act 1995
Attachments	Appendix ORD: 12.5.1 – Audit & Risk Committee Meeting Minutes Confidential Item – Under Separate Cover]

MINUTES OF THE SHIRE OF DARDANUP AUDIT & RISK COMMITTEE MEETING HELD ON WEDNESDAY, 20th OF NOVEMBER 2023, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 2.00PM.

Officer Comment

The Minutes of the Audit & Risk Committee Meeting held on the 20th of November 2023 [Appendix ORD: 12.5.1A] are attached.

PROCESS
<p><i>In accordance with Shire of Dardanup Standing Orders Local Law 2014, Part 9, s9.2, ‘Adoption of Recommendations En Bloc’; A member may move a motion to adopt by one resolution, all the recommendations or a group of recommendations from a Committee or several reports, without amendment or qualification after having first identified those recommendations, if any—</i></p> <ul style="list-style-type: none"> <i>(a) which require adoption by an absolute or special majority vote;</i> <i>(b) in which an interest has been disclosed;</i> <i>(c) that has been subject of a petition or deputation;</i> <i>(d) which any member has indicated the wish to debate; and</i> <i>(e) in which any member has indicated the wish to ask a question or to raise a point of clarification,</i> <p><i>and, each of those recommendations referred to in paragraphs (a), (b), (c), (d) and (e) must be considered separately.</i></p> <p><i>Note: Cr. E P Lilly and Cr. M R Hutchinson moved and seconded the committee resolutions of Item 12.5.1 en bloc.</i></p>

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION “A”

304-23 MOVED - Cr. E P Lilly SECONDED – Cr. M R Hutchinson

THAT Council receives the Minutes [Appendix ORD: 12.5.1] of the Audit & Risk Committee Meeting held on the 20th of November 2023.

CARRIED
9/0

12.5.2 Title: Audit & Risk Committee Meeting – 6th December 2023

Reporting Department:	Corporate & Governance Directorate
Responsible Officer	Mr Phil Anastasakis - Deputy CEO
Reporting Officer	Mrs Rebecca Hobby - Personal Assistant to Deputy CEO
Legislation	Local Government Act 1995 Appendix ORD: 12.5.2A – Audit & Risk Committee Meeting Minutes Appendix ORD: 12.5.2B – Annual Financial Statements Appendix ORD: 12.5.2C – Western Australian Auditor General – Schedule of Reports
Attachments	Appendix ORD: 12.5.2D -Report 3 Financial Audit Results Appendix ORD: 12.5.2E – 2024 Annual Audit Work Plan Appendix ORD: 12.5.2F.- 2023 Annual Audit Work Confidential Attachment A [Tardis Link OCM-R1492914] Confidential Attachment B [Tardis Link OCM-R1492916] Confidential Attachment C [Tardis Link OCM-R1492918]

MINUTES OF THE SHIRE OF DARDANUP AUDIT & RISK COMMITTEE MEETING HELD ON WEDNESDAY, 6TH OF DECEMBER 2023, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 3.00PM.

Officer Comment

The Minutes of the Audit & Risk Committee Meeting held on the 6th of December 2023 [Appendix ORD: 12.5.2A] are attached.

PROCESS

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

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

Note: Cr. T G Gardiner and Cr. M R Hutchinson moved and seconded the committee resolutions of Item 12.5.2 en bloc.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

306-23 MOVED - Cr T G Gardiner SECONDED – Cr. M R Hutchinson

THAT Council receives the Minutes [Appendix ORD: 12.5.2A] of the Audit & Risk Committee Meeting held on the 6th of December 2023.

CARRIED
9/0

**AUDIT & RISK COMMITTEE RECOMMENDED RESOLUTION
& COUNCIL RESOLUTION 'A'**

307-23 MOVED - Cr. T G Gardiner SECONDED – Cr. M R Hutchinson

THAT Council receive the Shire of Dardanup 2022/23 audited Annual Financial Statements for the financial year ended 30th of June 2023 [Appendix ORD: 12.5.2B].

CARRIED
9/0

**AUDIT & RISK COMMITTEE RECOMMENDED RESOLUTION
& COUNCIL RESOLUTION 'B'**

308-23 MOVED - Cr. T G Gardiner SECONDED – Cr. M R Hutchinson

THAT Council:

- 1. Receive the December 2023 update report on the 2021 Regulation 17 Audit Findings [Appendix ORD: 12.5.2C].**
- 2. Acknowledge that all findings have been completed or will be completed by the end of December 2023.**
- 3. Acknowledge that the report for the next triennial Regulation 17 Audit review is due to be presented in March 2024.**

CARRIED
9/0

**AUDIT & RISK COMMITTEE RECOMMENDED RESOLUTION
& COUNCIL RESOLUTION 'C'**

309-23 MOVED - Cr. T G Gardiner SECONDED – Cr. M R Hutchinson

THAT Council acknowledge the going concern issue raised against the Bunbury-Harvey Regional Council, as noted in [Report-3_Financial-Audit-Results-Local-Government-2021-22.pdf](#) [Appendix ORD: 12.5.2D], and the potential impact this may have on the Shire of Dardanup's Waste Management Plan for FOGO processing.

CARRIED
9/0

**AUDIT & RISK COMMITTEE RECOMMENDED RESOLUTION
& COUNCIL RESOLUTION 'D'**

310-23 MOVED - Cr. T G Gardiner SECONDED – Cr. M R Hutchinson

THAT Council receive and endorse the 2024 Annual Audit Work Plan [Appendix ORD: 12.5.2E].

CARRIED
9/0

**AUDIT & RISK COMMITTEE RECOMMENDED RESOLUTION
& COUNCIL RESOLUTION 'E'**

311-23 MOVED - Cr. T G Gardiner SECONDED – Cr. M R Hutchinson

THAT Council acknowledges the Audit and Risk Committee's responsibilities have been completed in accordance with the 2023 Annual Audit Work Plan [Appendix ORD: 12.5.2F].

CARRIED
9/0

**AUDIT & RISK COMMITTEE RECOMMENDED RESOLUTION
& COUNCIL RESOLUTION 'F'**

312-23 MOVED - Cr. T G Gardiner SECONDED – Cr. M R Hutchinson

THAT Council acknowledges that the Office of the Auditor General (OAG) has appointed audit firm Moore Australia (WA) to perform the audit of Council's financial statements for the financial years ending 30 June 2024 and 30 June 2025.

CARRIED
9/0

**AUDIT & RISK COMMITTEE RECOMMENDED RESOLUTION
& COUNCIL RESOLUTION 'G'**

313-23 MOVED - Cr. T G Gardiner SECONDED – Cr. M R Hutchinson

THAT Council note the closure of the Cyber Security vulnerabilities identified in the three reports containing the findings and recommendations from the 2022 Cyber Security Audit conducted by Zirilio Pty Ltd [Confidential Audit Committee Attachment's "A", "B" & "C" Under Separate Cover].

CARRIED
9/0

13 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

None.

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

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 - 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

314-23 MOVED - Cr. S Gillespie SECONDED – Cr. M R Hutchinson

THAT in accordance with the Local Government Act 1995, S 5.23, section (2)(a) Council goes Behind Closed Doors [6.07pm] to discuss 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.

CARRIED
9/0

16.1 Title: The Shire of Dardanup New Library, Administration and Community Building – Update on Commercial Space

Reporting Department	Executive
Responsible Officer	Mr André Schönfeldt - Chief Executive Officer
Reporting Officer	Ms Susan Oosthuizen - Director Special Projects
Legislation	Local Government Act 1995
Council Role	Executive/Strategic.
Voting Requirement	Absolute Majority.
Attachments	16.1 – Risk Assessment Tool

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.

DECLARATION OF INTEREST

Cr. L W Davies declared a Financial Interest in this item. Cr. L W Davies left the room [6.08pm]

Please refer to Part 11 'Declaration of Interest' for full details.

PROCESS - REVOCATION OF RESOLUTION

In accordance with Shire of Dardanup Standing Orders Local Law 2014 and S10 of Local Government (Administration) Regulations 1996 a Notice to Revoke part of Resolution Part 1 of Resolution 249-23 of 18th October 2023 Ordinary Council Meeting was signed by three elected members and presented to the Chief Executive Officer, Mr André Schönfeldt, prior to the meeting.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION 'A'

315-23 MOVED - Cr. J D Manoni SECONDED – Cr T G Gardiner

THAT Council revokes Part 1 of Resolution 249-23 made at the 18th of October 2023 Ordinary Council Meeting where Council that reads:

“Approves the Variation Order CV 023 - First Floor Tenancy Fit-out for \$329,709.17 (ex GST) on J14322 for the new Shire of Dardanup Library, Administration and Community Building to be funded from the project budget.”

CARRIED
8/0

By Absolute Majority

AND



CONFIRMATION OF MINUTES

“As the person presiding at the meeting at which these minutes were confirmed on the 31st of January 2024, I certify that these minutes have been confirmed as a true and accurate record of proceedings”.

Signature:

A handwritten signature in black ink, appearing to read "Tyrrell Gardiner", written over a thin horizontal line.

Email: tyrrell.gardiner@dardanup.wa.gov.au