



CONFIRMED

MINUTES

ORDINARY COUNCIL MEETING

Held

15th of December 2021

At

Shire of Dardanup
ADMINISTRATION CENTRE EATON
1 Council Drive - EATON

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VISION STATEMENT

“Provide effective leadership in encouraging balanced growth and development of the Shire while recognizing the diverse needs of our communities.”

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COUNCIL ROLE

Advocacy	When Council advocates on its own behalf or on behalf of its community to another level of government / body /agency.
Executive/Strategic	The substantial direction setting and oversight role of the Council 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	<p>When Council determines an application/matter that directly affects a person's rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.</p> <p>Examples of Quasi-Judicial authority include town planning applications, building licences, applications for other permits/licences (e.g.: under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</p>

DISCLAIMER

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

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

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

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	<p>Project risk has two main components:</p> <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 15TH OF DECEMBER 2021, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 5.00PM.

1 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

The Presiding Member, Cr. M T Bennett 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.

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

2.1 Attendance

Cr. Michael Bennett	-	Elected Member
Cr. Tyrrell Gardiner	-	Elected Member
Cr. Peter Robinson	-	Elected Member
Cr. Patricia Perks	-	Elected Member
Cr. Luke Davies	-	Elected Member [5.02pm]
Cr. Janice Dow	-	Elected Member
Cr. Stacey Gillespie	-	Elected Member
Cr. Mark Hutchinson	-	Elected Member
Cr. Ellen Lilly	-	Elected Member
Mr André Schönfeldt	-	Chief Executive Officer
Mr Phil Anastasakis	-	Deputy Chief Executive Officer
Ms Susan Oosthuizen	-	Director Sustainable Development
Mr Theo Naudé	-	Director Infrastructure
Ms Cathy Lee	-	Manager Governance & HR
Mrs Natalie Hopkins	-	Manager Financial Services
Mr Murray Connell	-	Manager Development Services
Ms Lucy Owen-Conway	-	Manager Place & Community Engagement
Mrs Donna Bailye	-	PA Deputy Chief Executive Officer
Mr Murray Halden	-	Senior Ranger
Mrs Erin Hutchins	-	Coordinator – Emergency & Ranger Services
Mrs Melissa Howard	-	Emergency Officer

2.2 Apologies

None.

2.3 Leave of Absence

None.

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

4 PUBLIC QUESTION TIME

4.1 Heather Elliott-Smith, 41 Wellington Mill Road, Ferguson 6236 Regarding Item 12.2.4 Title: Draft Local Planning Scheme No. 9 (Page 23 of agenda)

Mrs Heather Elliott-Smith read aloud the following:

DEAG wish to thank the Officers for the work they have put in in regard to this item and taking time explaining their reasoning for Lot 2 being rezoned to SU1. We are still very concerned but have been convinced by the Officers that this is the best outcome. We urge the Council to accept the revised draft scheme recommended by the Council with one extra clause suggested below.

No mention has been made of the anomaly at the site, where radioactive mineral sands ores are being deposited at a Class II/III landfill facility.

3.4 Other relevant regulation and policies

Section 3.4 of State Rural Planning Policy 2.5 identifies other regulations and policies overlap with the planning system, and some proposals may require approvals outside the planning system. 3.4 d) of the Act states; Where a new or existing industry involves off site risks, including cumulative risks, planning decision makers should seek technical advice from the Department of Mines, Industry Regulation and Safety regarding the risk and acceptability of potential off-site impacts.

Where Radioactive material is involved it is also vital that the relevant regulatory bodies are involved. These are the Radiological Council of WA, ARPANZA and Chief Mining Engineer – a title which, I understand has now become obsolete and is now part of the DMIRS.

The provisions of the Codes below apply to the mining and processing of ores for the production of uranium and thorium concentrates and the separation of heavy minerals from mineral sands and for the waste generated in these industries.

To ensure that best practice measures are implemented in order to avoid any adverse impacts on the environment and protect the environment and surrounding amenity I request Council to include an additional heading under Conditions:

We urge council to support the modifications recommended by the Officers and include the following additional clause for Special Zones 1 in the Scheme Area.

Waste Classes

In considering any application the local government will have due regard to:

- (a) Radiation Safety Act 1975*
- (b) Radiation Safety (General) Regulations 1983*
- (c) Landfill Waste Classification and Waste Definitions 1996 (as Amended 2018)*
- (d) Code of Practice and Safety Guide for radiation Protection and Radioactive Waste management in Mining Mineral Processing (2005) published by Australian Radiation Protection and nuclear Safety Association (ARPANZA)*

(e) *Mining Act 1978*

(f) *Code of Practice for the near surface disposal of radioactive waste in Australia (1992)*

Discussion:

Cr M T Bennet – Thanked Mrs Elliott-Smith for her presentation.

5 APPLICATIONS FOR LEAVE OF ABSENCE

None.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

6.1 Presentation of Junior Ranger Bravery Award to Jacob Raymer

A Junior Ranger Bravery Award was presented to Jacob Raymer who was involved in a dog attack this year and suffered injuries that required hospital treatment. Jacob was very brave.

Officer Comment:

The WA Rangers Association will from time to time present a “Bravery Award” to children who have experienced the extreme trauma of a dog attack.

The child will be made an official “Junior Ranger” of the Association.

The purpose of this program, is to help children who have been attacked and injured by dogs, to get through the trauma and to assist in promoting a quick and full recovery.

The Junior Ranger Bravery Award consists of:

- Stokes Laurel Badge, engraved across the bar, Bravery Award and child’s name
- Framed Bravery Award Certificate
- Rangers embroidered cap
- Ranger badge

The award is to be presented by the President of the WARA South West Zone on behalf of the WA Rangers Association.

The WA Rangers Association developed the Junior Ranger Bravery Award after hearing about a young boy that was attacked by a dog. The boy suffered some horrific injuries and whilst he was in hospital, the only time he responded to anyone was when he was told how brave he was. For these awards to maintain their significance, they mustn’t be given out for minor attacks.

Anyone can nominate a child for this award, our preference would be for the nomination to come from the Investigating Officer of the relevant local authority. The child’s parents/guardians must give their consent for the award to be presented.

Discussion:

Senior Ranger, Mr Murray Halden provided Council with a brief overview of the events that occurred on the night of the incident. Following this Jacob Raymer was presented with his Bravery Certificate and medal.

Jacob's mother, Mrs Sharni Nietrzeba thanked Council and the Rangers saying she was incredibly grateful for the support provided by the Rangers on the night of the attack and for also helping to deal with their dogs after the event

Note: Mrs Erin Hutchins, Mr Murray Halden and Ms Melissa Howard left the meeting at 5.14pm. Mrs Cathy Lee left the room at 5.14pm and returned at 5.16pm.

6.2 Mr Wally Cook – Bunbury and Districts Dog Club – Item 12.2.7 – Sea Container – Glen Huon Oval (Reserve 50882) Council Drive, Eaton.

Mr Wally Cook read aloud the following:

This is the fourth time this has been before Council. First time was the 24th February where a motion was put forward to defer the item for further public consultation with the College and Eaton Advisory Committee.

The next was 29th September where a motion was put forward and after a great deal of discussion was passed by Council.

The third occasion was on the 27th October where a motion was put forward and after much discussion was passed and a development application was required.

I personally would have thought this would have been requested earlier in the process as all relevant information was available.

This was duly completed and submitted.

In the hope that this can be finalised tonight I will focus on the options

Option A – to refuse the application.

This option is obviously not in the best interest of the club and so not supported in any way.

Option B – Council approves the application.

This would be subject to the items listed in the agenda. Under Item 4, maintaining the painted surface will be very difficult if there is iron staining (iron staining would make it less visible as it would blend in).

Item 6 is also considered unnecessary as if the wind was strong enough to move the container there would be a lot more to be worried about than the container shifting and the area is less likely to flood than the foreshore where this condition was removed from the rowing club container.

Thank you for your time.

Discussion:

Cr. M T Bennett – Thanked Mr Cook for his presentation

6.3 Mr Errol Sheedy – (32 Castieau Street, Burekup) – Item 12.2.1 “Reconsideration of Burekup Recreational Vehicle Stop-over Site”.

Mr Errol Sheedy read aloud the following proposal to Council:

That Council defer action on Burekup Caravan Stop until the meeting on 25th January 2022. Council develop a proposal that lines up with other Shires and the Department of CALM throughout Australia

Reasons being:

1. *A proposal be put to Council to alter the arrangement for obtaining a site and a policing policy to adhere to Councils original ruling.*
2. *A pine log barrier to outline 5 individual sites only that caravans can park in.*
3. *Bookings are not made at the Burekup Store (Store is not always open).*
4. *A sign 2400 x 1200 be erected at the road entrance outlining the do's and don'ts of the stopover ie. As per the 1200 x 800 sign which was supposed to be the above size.*
5. *Caravans be charged \$10 a night to stay.*
6. *A small cubicle be placed next to the sign. This would contain envelopes for occupants to register and pay their monies. A locked deposit box will be for putting envelopes with monies in.*
7. *Envelopes containing money will be collected daily by a committee member on a roster basis.*
8. *A count of vans etc will be made and any unruly behaviour be phoned through to the ranger who could drop in on his way to or from work (Ranger Steve lives in Roelands to the best of my knowledge).*
9. *Tow rubbish bins (including a recycling bin) be placed next to the cubicle. The rubbish will be collected every Monday as per my conversation with the rubbish truck drivers.*
10. *A team of 2 Councillors and 3 Community Members be established to put to the Council on the 25th January 2002. I would suggest Councillors Hutchinson and Davies and Belinda from the Shire.*

I have done a rough preliminary budget

Say on average 2 caravan's stay per night (now it is something like 4-5 in summer and up to 2 a night in winter).

*Nightly 2 x \$20 = \$40 Weekly \$40 x 7 = \$280
Up to Yearly \$280 x 52 = \$14,580.*

<i>Price of Sign</i>	<i>\$1,000.00</i>
<i>Price of Cubicle & Stationary</i>	<i>\$800.00</i>
<i>Price of pine logs</i>	<i>\$1,500.00</i>
<i>Price of rubbish pick up</i>	<i>\$500.00</i>

11. Envelopes containing money be picked up every Friday by the ranger from Committee members and deposited into the Shire of Dardanup Account to upgrade facilities where needed. It would take approximately 14 weeks to cover capital costs.

There is also a need to introduce a fine system

Note: Cr Perks asked the following questions of Mr Errol Sheedy.

Question 1. *In regards to the funding upgrades for the area, what would you be looking at?*

Response: In the first 4 months the money would be used to pay for the capital works. After this it would be used for things that need doing.

Question 2. *Do you feel that there will be an expectation for more facilities from the result of the \$10 fee being charged?*

Response: My wife and I have stayed in a lot of free camping sites and \$10 is free for people who are self-contained.

Question 3. *What will resolve some of the issues on the complaints we get. I am trying to understand where the issues are. Is it the collection of the money, or the people staying, or abusive behaviour by some campers staying there and how often is that occurring. What do you see will resolve that.*

Response: By charging the \$10 fee this will help to keep the tents out of there. No Committee member will approach a person if they are not doing the right thing. They will call a Ranger to deal with the issue. Most people are perfectly behaved and with people moving around WA, we need to cut a bit of slack, especially now and be inviting to the area.

Note: Cr P Robinson asked the following questions of Mr Errol Sheedy.

Question 1 *Will the money collection be undertaken by the by Committee? Are you proposing that the Committee will be made up of 2 Councillors and 3 Committee Members? Will this be a special RV Committee to manager the site for the Community?*

Response: Yes and the Committee will pick up the money every afternoon.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Ordinary Council Meeting Held on the 24th of November 2021

Note: Officers have identified errors on pages 103,120 and 135 of the 24th of November 2021 Ordinary Council Meeting Minutes:

- Item 12.4.5 – Setting of Advisory Group and Committee Meeting Dates 2022

Page 103 – Officers recommend that an amendment be made to Part 4 of Council Resolution 376-21 as the date reads incorrectly.

To amend Resolution 376-21 Part 4 from Wednesday, 25th of January 2022 to Tuesday, 25th of January 2022:

Sets the Annual Electors meeting date for ~~Wednesday~~ Tuesday, 25th of January 2022, commencing at 7.00pm at the Shire of Dardanup - Administration Centre Eaton.

- Item 12.4.6 – Code of Conduct Complaints Management Process & Policy

Page 120 – Officers recommend that an amendment be made to Part 3 of Council Resolution 379-21 as Officers have identified an error.

To amend Resolution 379-21 Part 3 by removing the words “(by rank/length of service)” as they were included in the resolution in error:

Appoints the following five Councillors as members and four deputy members ~~(by rank/length of service)~~ of the Behaviour Complaints Committee –...

- Item 12.4.7 – Annual Review of Delegations 2021

Page 135 – Officers recommend that an amendment be made to Part 4 of Council Resolution 382-21 as Officers have identified an error.

To amend Resolution 382-21 Part 4 by correcting the Appendices mentioned from 12.4.7B to 12.4.7C:

In accordance with Section 5.46(2) of the Local Government Act 1995, records confirms that it has 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 the Delegation Register 2021 [Appendix ORD: ~~12.4.7B~~ 12.4.7C = Under Separate Cover Document - Full Delegations Register 2021].

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

395-21 MOVED - Cr P S Robinson SECONDED - Cr T G Gardiner

THAT the Minutes of the Ordinary Meeting of Council held on the 24th of November 2021, be confirmed as true and correct subject to the following corrections:

- **Page 103, Part 4 of Resolution 376-21 be amended from Wednesday, 25th of January 2022 to Tuesday, 25th of January 2022:**

Sets the Annual Electors meeting date for Tuesday, 25th of January 2022, commencing at 7.00pm at the Shire of Dardanup - Administration Centre Eaton.

- **Page 120, Part 3 of Resolution 379-21 be amended by removing the words “(by rank/length of service)”:**

Appoints the following five Councillors as members and four deputy members of the Behaviour Complaints Committee –...

- **Page 135, Part 4 of Resolution 382-21 be amended by changing the appendices number referenced from 12.4.7B to 12.4.7C:**

In accordance with Section 5.46(2) of the Local Government Act 1995, records confirms that it has 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 the Delegation Register 2021 [Appendix ORD: 12.4.7C = Under Separate Cover Document - Full Delegations Register 2021].

CARRIED
9/0

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.1 Title: Shire President Monthly Report

Reporting Department: Elected Members

Reporting Councillor: Cr. Michael T Bennett – Shire President

The following meetings were held since my last report to Council:

Event:	29/11/2021 Australind Senior High School
Report:	School Leavers Presentation Ceremony.

Event:	02/12/2021 Dylan Panizza - Eaton Boomers Lease
Report:	Discussing way forward for Eaton Boomers Football Club.

Event:	06/12/2021 Regional Road Group Elected Members Meeting
Report:	Meets three times a year to discuss road program and funding.

Event:	09/12/2021 Kane Mack, Eaton Community College
Report:	Discussed potential opportunity of cooperation between the Shire, Bethanie Esprit and Bethanie Fields, ECC and Grow Cook Eat Create.

Event:	09/12/2021 Citizenship Ceremony
Report:	9 Conferees received Citizenship.

Event:	14/12/2021 Eaton Community College
Report:	End of year Awards and Presentation Ceremony.

Event:	14/12/2021 Dardanup Primary School
Report:	End of year concert and graduation night.

RECEIVED

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

- 9.1 Title: Additional Income and Expenditure: Dardanup Civic Precinct
- 9.2 Title: New Shire of Dardanup Administration and Library Building
- 9.3 Title: Request for Quote RFQ F0245622 Wells Reserve Change Rooms and Cricket Nets
- 9.4 Title: RFT F0257593 – Pratt Road Carpark Redevelopment

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

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

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

Note: Shire President, Cr. M T Bennett advised that the meeting will go behind closed doors toward the end of the meeting to discuss S.5.23 section (2)(e)(iii) information about the business, professional, commercial or financial affairs of 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.

Discussion:

Chairperson, Cr. M T Bennett advised that he had received the following Declarations of Interest prior to the Ordinary Council Meeting:

- *Cr. L W Davies declared a Financial Interest in Item '16.2 – New Shire of Dardanup Administration and Library Building' as he is employed by Coles Eaton which is part of the Eaton Fair Precinct.*
- *Cr S Gillespie declared a Proximity Interest in Item '16.4 – 'Pratt Road Carpark Redevelopment as her house is opposite the Pratt Road carpark and Bowling Club..*

Cr. M T Bennett asked Council and Staff If there were any further Declarations of Interest to be declared.

There were no further Declarations of Interest declared.

12 REPORTS OF OFFICERS AND COMMITTEES**12.1 EXECUTIVE REPORTS**

None.

12.2 SUSTAINABLE DEVELOPMENT DIRECTORATE REPORTS

12.2.1 Title: Reconsideration of Burekup Recreational Vehicle Stop-over Site

Reporting Department:	Sustainable Development Directorate
Reporting Officer:	Mr Murray Connell - Manager Development Services
Legislation:	Local Government Act 1995
Attachments:	Appendix ORD: 12.2.1A – Community Concerns Appendix ORD: 12.2.1B – Risk Assessment

PROCESS

In accordance with the Local Government Act 1995 and Section 10 of the Local Government Administration Regulations 1996 (Act s. 5.25(1)(e)). The decision to consider revoking or changing a resolution was supported (in writing prior to the meeting) by at least 3 elected members.

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

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

PROCESS

Overview

The purpose of this report is for Council to reconsider its previous approval of the Burekup Recreational Vehicle Stop-over Site ('RV site').

Background

Council at its meeting held on the 28th of January 2015 (16-15) resolved to initially designate 2 recreational vehicle stop-over sites in the town-sites of Burekup and Dardanup. More recently, Council at its meeting held on the 16th of December 2020 (342-20) resolved to support the location of the Burekup site as follows:

“THAT Council:

- 1. Supports the location of the Recreational Vehicle Stop-Over on Reserve 46902 (Gardiner Reserve) south east of the cricket nets for up to five vehicles at any one time and for a duration no longer than 72 hours.*
- 2. Does not support locating a black waste dump point in Burekup.*
- 3. Requests that the Chief Executive Officer arranges for the installation of signage at the Recreational Vehicle Stop-Over site to demarcate the extent of the site and the conditions of its use, in consultation with the President of the Burekup Districts Country Club as well as the President of the Cricket Club and to put a permitting system in place.*
- 4. Requests the Chief Executive Officer to prepare a policy on caravan parks and camping grounds.”*

The RV site was signposted, bays delineated and a permit system implemented with the assistance of the Burekup General Store in February 2021. Since that time there have been 165 vehicles that have officially booked the RV sites, however anecdotally there have been many more vehicles that use the site without a permit.

It was reported to Council in the minutes from the 16th of December 2020 meeting that monitoring of the RV site would be very limited and would only be attended occasionally to check on its use but would not undertake daily routine inspections due to current resourcing limitations.

It has become evident that the current level of service that the Shire can provide is not meeting the expectations of some of the community and concerns have recently been raised regarding the lack of monitoring and enforcement on a regular 7 day a week basis. Please refer to [Appendix ORD: 12.2.1A] for a copy of the community concerns.

Legal Implications

The *Caravan Parks and Camping Grounds Regulations 1997* allows the Shire to give its permission to individuals to camp on land that is under the care, control and management of the Shire.

Under the Shire's *Local Government Property Local Law 2007*, a person is liable for a penalty of \$125 if they fail to obtain a permit to camp outside a facility or fail to comply with the conditions of the permit.

In accordance with Section 5.25(1)(e) of the *Local Government Act 1996* and Regulation 10 of the *Local Government (Administration) Regulation 1996*, Council may support the revoking or change of decisions made by Council or Committees.

Section 10 of the *Local Government Administration Regulations 1996* (Act s. 5.25(1)(e)) state:

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

(1) If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —

(a) in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or

(b) in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee,

inclusive of the mover.

(1a) Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.

(2) If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made —

(a) in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or

(b) in any other case, by an absolute majority.

(3) This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.

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

In accordance with Shire of Dardanup Standing Orders Local Law 2014, S4.12(2) "A notice of motion under subclause (1) is to be signed by the member and given to the CEO at least 4 clear working days before the meeting at which the motion is to be moved".

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

Strategic Community Plan

Strategy 2.3.1 - Delivery of a high level of Development & Regulatory Services that considers the environmental, social and land use planning requirements which meets the diverse community needs. (Service Priority: Flagship)

Strategy 4.2.1 - Develop the local tourism sector to become a choice destination for tourists, visitors and our own residents. (Service Priority: Very High)

Environment - None.

Precedents

Council has previously resolved to approve the Burekup RV site at its meetings held on the 28th of January 2015 (16-15) and the 16th of December 2020 (342-20).

In addition an e-Petition was presented to Council at its meeting held on the 31st of March 2021. Council received the petition (45-21) which contained 79 signatures requesting the Shire to close the camping site at Gardiner Reserve in Burekup.

Council at its meeting held on the 29th of September 2021 (279-21) resolved to adopt a new policy 'SDev CP506 – Burekup and Dardanup Recreational Vehicle Stop-Over Sites'.

Budget Implications

As detailed in the 'Background' section of this report, it was reported to Council that that monitoring of the RV site would be very limited and Rangers could not undertake daily routine inspections under the current resourcing limitations (2 full-time and 1 part-time Ranger positions).

Should Council wish to have a higher level of service which will be increased monitoring and greater enforcement of the RV sit, there will be a significant budget implication as outlined below:

Option 1 – Respond to out-of-hours complaints

Under this option it would entail the Ranger 'on-call' receiving notification from the out-of-hours Insight call centre and then undertake a patrol. The current Award provisions requires call outs to be paid at a minimum of 3 hours per call out. Each call out could therefore cost:

- Friday pm or Saturday am \$198 per call-out
- Saturday pm or Sunday \$264 per call-out
- Public holiday \$330 per call-out

With this option the number of call-outs is unpredictable and would fluctuate throughout the year.

Option 2 – Undertake regular weekend and public holiday patrols

Under this option the Ranger 'on-call' would undertake regular patrols of the RV site twice a day every weekend (morning and late afternoon). Essentially Rangers will no longer be 'on-call' but will be "on-duty" and overtime rates will be applicable. Based on the relevant rates each patrol will be considered as a 3 hour period therefore 6 hours per day. This would approximately cost:

- Normal weekend \$792
- Public holiday weekend \$1,452

This option provides more regularity and the approximate dollar cost for a year would be in the order of \$42,000 per annum.

However, with the current Ranger staffing at 2.8 FTE's, it would place a considerable burden on employees essentially requiring each Ranger to work overtime every third weekend. Under this option, to make it workable from a staffing requirement consideration may need to be given to increasing the ranger staff numbers, this is outlined in Option 3.

Option 3 – Increase to Ranger resources

To provide a level of service to allow for Rangers to do inspections of the RV sites in Burekup and Dardanup, i.e. 2 times per day every weekend (morning and late afternoon) the Ranger staff would need to be increased by an additional 1 FTE (thereby increasing the current staffing level to 3.8 FTE's). This will then allow the Rangers to be rostered on to fulfil their other normal duties (such as parking, animal control and bushfire inspections) and for rangers to work one weekend a month to undertake the RV patrols. This would be a more attractive proposal for current and potential future staff than the options discussed above.

Costs associated with this option include the staff plus an additional vehicle which is approximately:

- 1 additional FTE \$75,000 plus \$20,000 overheads (per annum)
- Cost of vehicle \$45,000
- Ongoing vehicle running cost \$10,000 (per annum)

Budget – Whole of Life Cost

Ongoing costs are provided above for each of the 3 options.

Council Policy Compliance

The Shire's Policy 'SDev CP506 – Burekup and Dardanup Recreational Vehicle Stop-Over Sites' regulates the conditions of use of the two RV sites at Burekup and Dardanup. With regard to the enforcement clause 4.7 states:

- 4.7 *The Shire will endeavour to undertake twice-weekly patrols, however this cannot be guaranteed and sites may not be routinely inspected/monitored. Attendance will be dictated by resource availability and other priority matters.*

Should Council alter the current arrangements then the policy will need to be updated accordingly.

Risk Assessment

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

TIER 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Reconsideration of Burekup Recreational Vehicle Stop-over Site
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Increase budget to allow for additional staffing and regular patrols or close the RV site.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Financial Greater enforcement of the RV site will result in significant budget implications.
	Service Interruption Staff will have to deal with complaints from the public that diverts resources away from other duties.
	Legal and Compliance Limited resourcing to enforce the conditions of use of the RV site.
	Reputational Shire would continue to only attend the RV site occasionally not meeting the expectations of some of the community.

Officer Comment

It has become evident that the current level of service that the Shire can provide is not meeting the expectations of some of the community who are advocating for either a regular 7 day a week monitoring or for the RV site to be closed.

Given the current resource limitations (both financial and staff), officers are recommending the closure of the RV site permanently.

Keeping the status quo would not resolve any of the current issues and increasingly result in staff having to deal with complaints from the public that is diverting resources away from other critical duties such as firebreak inspections.

Summary

Officers have provided Council with 3 Options to consider address the community concerns at Burekup and to address appropriate service levels for other RV sites and the normal Ranger duties:

Option 1: To close the Burekup site;

Option 2: Increase the hours of current staff and overtime payments; and

Option 3: Increase the staff numbers for a higher level of service.

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

ADDITIONAL INFORMATION – ITEM 12.2.1

Note: Prior to the commencement of the meeting the following information was distributed to Councillors:

Email received 15 December 2021 from Mr Errol Sheedy:

PROPOSAL TO THE SHIRE OF DARDANUP

That council defer action on Burekup Caravan Stop until the meeting on 25th January, 2022.

Council develop a proposal that lines up with other shires and Dept of CALM throughout Australia.

Reason being:

1. *A proposal be put to council to alter the arrangement for obtaining a site and a policing policy to adhere to councils original ruling.*
2. *A pine log barrier to outline 5 individual sites only that caravans can park in.*
3. *Bookings are not made at the Burekup Store (Store is not always open)*
4. *A sign 2400 x 1200 be erected at the road entrance outlining the do's and don't's of the stopover, ie as per the 1200 x 800 sign which was supposed to be the above size.*
5. *Caravans be charged \$10 a night to stay.*
6. *A small cubicle be placed next to the sign. This would contain envelopes for occupants to register and pay their monies. A locked deposit box will be for putting envelopes with monies in.*
7. *Envelopes containing money will be collected daily by a committee member on a roster basis.*
8. *A count of vans etc will be made and any unruly behavior be phoned through to the ranger who could drop in on his way to or from work. (Ranger, Steve lives in Roelands to the best of my knowledge).*
9. *Two rubbish bins (include a recycling bin) be placed next to the cubicle. The rubbish will be collected every Monday as per my conversation with the rubbish truck drivers.*
10. *A team of 2 councillors and 3 community members be established to put to the council on 25th January, 2022. I would suggest councillors Hutchinson and Davies and Belinda from the Shire.*

I have done a rough preliminary budget

Say on average 2 caravans stay per night (now it is something like 4-5 in summer and up to 2 a night in winter)

Nightly 2 x \$20 = \$40 Weekly \$40 x 7 = \$280

Up to Yearly \$280 x 52 = \$14,580

Price of Sign	\$1,000.00
Price of Cubicle and stationary	800.00
Price of pine logs	1,500.00
Price of rubbish pick up	500.00
TOTAL	\$3,800.00

11. *Envelopes containing money be picked up every Friday by the ranger from committee member and deposited into the Shire of Dardanup Account to upgrade facilities where needed. It would take approximately 14 weeks to cover capital costs.*

Thankyou for your consideration.

Errol Sheedy - Member of Burekup Advisory Committee

RECEIVED

Email received 15 December 2021:

From: Debbie Staub

Sent: Tuesday, 14 December 2021 12:02 PM

To: Michael Bennett André Schönfeldt <

Subject: Burekup Recreational Camping Ground

Dear Michael and Andre,

My name is Debbie Staub and I live at 8 Gibson Terrace, Burekup.

I decided to join the Burekup Advisory Committee in the hope of making a difference in our lovely community. I was part of the committee that made the decision to have the recreational camping ground, unfortunately not being confident enough to put across my views and also not fully understanding the consequences of that decision.

As a member of the advisory committee, I put together a petition earlier this year on behalf of the community asking for the camping ground to be shut down. I also wrote to Murray Connell to ask the council that at the very least, the grounds could be closed to campers until proper signage was installed and a sign in register was created. I received an email back from Murray two and a half months later, after the signage had been completed. Meanwhile, we had random campers taking advantage of the sight and up to fourteen at one time, some of whom were only in a four-wheel drive or van, and were certainly not self-contained.

I was frustrated because upon a deeper inspection of the WA camping laws, I found that these procedures were not being adhered to.

If a three-night stay is permitted, under the Caravan Parks and Camping Grounds Act 1997, the reserve would be considered a 'transit park.' Under this act, a 'transit park' is 'a facility where an occupier cannot stay more than three consecutive nights.' If a three-night stay is permitted, the Shire would need to designate 'a responsible person' as per the requirements of Section 13 of the Caravan Parks and Camping Ground Act 1995. Section 13 requires that 'a responsible person' (i) resides in or near the facility; (ii) is responsible for the supervision of the facility; (iii) is accessible at all times in case of an emergency; and (iv) maintains a register of occupiers. By law this is a requirement for any stays longer than one night.

My questions are; as follows:

Who is the designated person and are they available from 4pm on Saturday until 8am Monday morning for the campers to register and sign in officially?

Is there a designated person available to the Burekup community to voice their concerns and ensure that the rules are adhered to at all times.

The question 'why didn't you complain more' could be asked of me, however, I have emails from community members who raised concerns and felt that their views weren't being taken seriously or even listened to. Community members have also voiced their concerns to the ranger on a pretty consistent basis and were told that they needed to email or call the local shire and he wasn't able to monitor this.

The truth is after every interaction many community members walked away feeling dismissed and powerless. Some community members have either been shut down by council backlash or subdued in emails. Some people even called 'small minded and bigoted' by council members who told them that having fears for the safety of their children wasn't a real concern. They have been told 'anyone could be a paedophile' and that 'the majority of campers would be elderly couples', so they had nothing to fear.

There have been other recreational camping grounds that have set precedent by shutting it down on the feedback of the community. It is beyond me why the council are not listening to the people. You were chosen to represent us and surely you have duty of care to all the people and not just those who had the time to be on the advisory board, as well as a code of conduct to abide by. Disheartened, by the feedback and backlash of the council, I didn't bother to complain or email after the petition was pretty much dismissed, as I could see the community were powerless to make change.

I live across from the camping grounds, along Gibson Terrace and to be honest, when campers have overflowed and are parked just across the road, it has felt like a huge invasion of privacy. I have felt like I am on Goggle box TV for strangers who sit across the road in their camping chairs watching us as we go for morning walks, leave home for the day and have family barbeques for dinner. Most fine nights my husband and our neighbours along the cul-de-sac sit outside to watch the sun set on the day. We watch the sun go down and they watch us watch the sun go down.

As a school teacher with over 26 years' experience I can't comprehend how we have even been able to vote on it without the laws being implemented. How have strangers been invited to park and camp on the edge of the local school oval, when in every other setting outside of this one, police would be contacted immediately?

My 12-year-old, in her own words, feels weird walking past people sitting in camper chairs under the trees when she walks to and from the school bus. My 21-year-old feels unsettled staying home alone because there's been people sitting across the road, parked outside of the allocated boundaries, in chairs directly facing our home drinking beer and eating dinner.

I thought it was supposed to be shut down for events, yet we let people sit and watch the children do sports practice or families play games of cricket, football or soccer on the oval. Even one of the campers spoke to a local lady saying it was such a lovely, but a strange place to place such a site.

I'm asking that the following law be adhered to, or I propose that legally, it should be closed down.

Section 13 requires that 'a responsible person' (i) resides in or near the facility; (ii) is responsible for the supervision of the facility; (iii) is accessible at all times in case of an emergency; and (iv) maintains a register.

I know I have plenty of photos that I can send you or the emails I have received from other community members and the correspondence with local councillors, but it's all been done and nothing has changed.

Please contact me if you have any questions or queries in relation to this email. I would be happy to provide whatever information I can personally give you in regards to this matter.

*Kind Regards,
Debbie Staub*

RECEIVED

Email received 15 December 2021:

*From: Caitlin Crispin
Sent: Saturday, 11 December 2021 7:43 PM
To: Records <records@dardanup.wa.gov.au>
Subject: Upcoming Council meeting - Agenda Item 12.2.1*

Good Evening,

I am writing in regard to agenda item 12.2.1 Reconsideration of Burekup RV Parking at the upcoming 15 December council meeting. I apologise for the lateness of my submission.

I am the owner of 46 Gardiner Street, Burekup, my property directly faces and overlooks the RV parking location. I whole heartedly support the RV parking area and would love to see it continue.

Since its use became more frequent around mid-2020, we have met so many friendly people, from young singles, to families to retired "grey nomads" and have not had any issues at all with the site. There has been no problems with noise, waste or behaviour from any users of the site. There was only one occasion last year where there was an excessive number of RV's parked up, which was dealt with quickly by the ranger on duty. Since signage was implemented, I think there has been a handful of times where one or two extra vans (in excess of the 5 limit) have parked up, however in every case they have moved on first thing the following day.

I am saddened to hear there has been continued community negativity towards the site as those visitors we have spoken to have all stayed local and been spending money with local businesses, which I can only see as a positive.

Unfortunately I am unable to attend the meeting however I hope this can be submitted as a support for option 2 or 3 being more strongly considered. I think the community expectation of weekend ranger availability for issues such as dogs, not just the RV patrols, is also a reason to consider to increase in FTE.

Regards,

Caitlin Crispin

RECEIVED

Email received 13 December 2021:

From: amiles@.....

Sent: Monday, 13 December 2021 1:47 PM

To: Records <records@dardanup.wa.gov.au>

Subject: ATTENTION CEO

Hello CEO,

Just this morning I have had information passed on to me stating that if I don't attend the December council meeting then the Camp Grounds located at the Burekup Dog Oval will not be removed as members of the Advisory are all for the camp grounds. Now I, as well as other neighbours and locals have done all the right things. We have emailed and put our complaints in writing. We have sent through photo evidence of the miss use of this camp grounds by attendees. We have pointed out that this camp grounds is not being run properly and was not set up properly in the first place and the fact that this camp grounds is beings ill run and quite frankly we are sick of it. As well as rung the Ranger on countless amounts of times to complain. Which we are sick and tired of doing so!

Why are we now being told that none of this will make a difference and that if we aren't at the meeting then the camp grounds will stay regardless of the endless proof that has been provided that this camp grounds is in fact not working in the best interest of local residence and rules of the camp grounds are being ignored by the campers and needs to be shut down or patrolled daily.

I am quite frankly sick and tired of being ignored. I am sick and tired of this poorly run camp ground. A lot of people simply can not make it to a meeting at 5pm on a Wednesday. We work and we have kids. So why is this yet another excuse to ignore our justified complaints and sweep them under the carpet and continue this ill run under policed camp ground simply because the Council Committee have the opinion that they want it to stay? I think the only opinions that matter when it comes to this camp ground is from the people directly effected by it and that is the people like myself living directly across the road to this every day.

Again, if this camp ground can not be police every day. Then please shut it down! Our written complaints, our phone calls and photo evidence should stand and be presented at these meetings regardless of whether locals are able to attend or not. The Advisory should be speaking on behalf of us -The residence and not what their opinions are.

Kindly

Amanda Miles

RECEIVED

Additional Information – Item 12.2.1

Note: Prior to the commencement of the meeting Cr. J P Dow provided the following alternative recommended resolution to be considered alongside Officer Recommended Resolutions 'B', 'C' and 'D' for Item 12.2.1 Reconsideration of Burekup Recreational Vehicle Stop-Over Site.

ALTERNATIVE RECOMMENDED RESOLUTION 'E'

THAT:

1. Council amend Policy CP506-Burekup and Dardanup Recreational Vehicle Stop-Over Sites to authorise Rangers to issue penalty infringement notices of \$250 for non-compliance
2. Additional signage be erected at both sites to highlight the infringement warnings, 72 hour maximum stay, only fully self-contained RVs, 5 or 2 designated bays only.
3. An Item to be put on the Agenda for the next Burekup Advisory Group for discussion and future usage.
4. Rangers be provided with a fact sheet to hand out to non-complying campers with alternative camping sites.

OFFICER RECOMMENDED RESOLUTION 'A' & COUNCIL RESOLUTION

THAT Council revokes Resolution (342-20) from the Ordinary Council meeting dated 16th December 2020.

By Absolute Majority

AND

OFFICER RECOMMENDED RESOLUTION 'B' & COUNCIL RESOLUTION

THAT Council requests the Chief Executive Officer to:

1. Undertake all necessary actions to immediately close the Burekup Recreational Vehicle Stop-Over Site; and
2. Review the Shire's 'SDev CP506 – Burekup and Dardanup Recreational Vehicle Stop-Over Sites' policy accordingly.

By Absolute Majority

OR

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION 'C'

THAT Council:

1. Supports an increase to Ranger services from 2.8 FTE to 3.8 FTE, makes provision for an additional Ranger vehicle within the 21-22 Annual Budget and updates the Workforce Plan and Long Term Financial Plan accordingly; and
2. Requests the Chief Executive Officer to ensure regular controls over the weekend are undertaken for both the Burekup and Dardanup RV Stop-over Sites; and
3. Updates Councils Policy SDev CP506 to reflect Part 2 of this Resolution.

OR

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION 'D'

THAT Council:

1. Supports an increase to Ranger services employee costs to provide an additional \$22,500 in the 21-22 Annual Budget and \$45,000 per-annum thereafter in the Long Term Financial Plan to provide for overtime payments to Ranger Services; and
2. Requests the Chief Executive Officer to ensure regular controls over the weekend are undertaken for both the Burekup and Dardanup RV Stop-over Sites; and
3. Updates Councils Policy SDev CP506 to reflect Part 2 of this Resolution.

Discussion

Council discussed the alternate Elected Member resolution at length including the penalty amounts allowable under the Shire's local law.

ALTERNATIVE RECOMMENDED RESOLUTION 'E'

-MOTION MOVED - Cr. J P Dow SECONDED - Cr. M R Hutchinson
NOT PUT

THAT:

1. Council amend Policy CP506-Burekup and Dardanup Recreational Vehicle Stop-Over Sites to authorise Rangers to issue penalty infringement notices of \$125 for non-compliance
2. Additional signage be erected at both sites to highlight the infringement warnings, 72 hour maximum stay, only fully self-contained RVs, 5 or 2 designated bays only.
3. An Item to be put on the Agenda for the next Burekup Advisory Group for discussion and future usage.
4. Rangers be provided with a fact sheet to hand out to non-complying campers with alternative camping sites.

Discussion

Following further discussion, Cr P Robinson proposed a procedural motion to defer the item to allow further consultation and bring the matter back to Council at the 23 February 2022 Ordinary Council Meeting.

As this was a Procedural Motion, there was no further debate and the Shire President put the motion to Defer.

Change to Officer Recommendation

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

- Matter to be deferred to allow for further consultation.

PROCEDURAL MOTION & COUNCIL RESOLUTION

396-21 MOVED - Cr P S Robinson SECONDED - Cr E P Lilly

THAT Council defer this item and bring the matter back to the 23 February 2022 Ordinary Council Meeting.

CARRIED
8/1

FOR THE MOTION	AGAINST THE MOTION
Cr. M T Bennett Cr. L Davies Cr. J P Dow Cr. P S Robinson Cr. M R Hutchinson Cr. S L Gillespie Cr. E P Lilly Cr. T G Gardiner	Cr. P R Perks

PROCESS

As there were several members of the public in the room interested in Item 12.2.3, Shire President Cr. M T Bennett brought forward Item 12.2.3 to be dealt with.

12.2.3 Title: Unnamed Road Closure and Amalgamation – Lot 404 Harris Road Paradise [Page 22 of Agenda].

PROCESS

12.2.3 Title: Unnamed Road Closure and Amalgamation – Lot 404 Harris Road, Paradise

<i>Reporting Department:</i>	<i>Sustainable Development Directorate</i>
<i>Reporting Officer:</i>	<i>Mr Murray Connell - Manager Development Services</i>
<i>Legislation:</i>	<i>Land Administration Act 1997</i>
<i>Applicant:</i>	<i>Michael, Peta and Margaret Gelmi</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.2.3A – Road Closure Plan</i> <i>Appendix ORD: 12.2.3B – Risk Assessment</i>

Overview

The purpose of this report is to seek Council approval to request the Minister for Lands to approve the closure of a portion of an unnamed road and subsequent amalgamation with the adjoining Lot 404 Harris Road, Paradise.

Background

The Shire has received a request from the owner of Lot 404 Harris Road, Paradise to close the adjacent unnamed road and subsequently amalgamate it with their land. The unnamed road is not constructed and the applicant has used the land since the 1950's as part of their overall farming operations.

The unnamed road runs north-south off Harris Road and provided legal road frontage to Lot 402. The southern portion of the unnamed road will become part of the Bunbury Outer Ring Road which will now traverse the land. The northern portion of the unnamed road is proposed to be closed as it is now redundant and provides no access purpose.

Please refer to [Appendix ORD: 12.2.3A] for a plan of the proposed road closure.

Location Plan



Consultation

The proposed closure and disposal was publicly advertised in accordance with the provisions of the *Land Administration Act 1997*. The advertising period was for a period of 37 days (concluding on Friday, the 3rd of December 2021) and involved the following:

1. A notice was published in the South West Times on the 28th of October 2021;
2. The closure was publicly displayed at the Eaton and Dardanup Administration buildings;
3. The closure was publicly advertised on the Shire's website; and
4. The closure was referred to the following:
 - The adjoining landowners
 - Alinta Energy
 - Aqwest
 - ATCO Gas Australia
 - Department of Mines, Industry Regulation and Safety
 - Department of Planning, Lands and Heritage
 - Department of Primary Industries and Regional Development
 - Harvey Water
 - Telstra
 - Water Corporation
 - Western Power

In response to the advertising a total of 5 submissions were received all with no objections.

Legal Implications

Section 58 of the *Land Administration Act 1997* provides for the closure of public roads as follows:

58. Closing roads

- (1) When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.

Section 87 of the Land Administration Act 1997 provides for the sale and amalgamation of Crown land with adjoining land as follows:

87. Sale etc. of Crown land for amalgamation with adjoining land

- (3) If –
- (a) a parcel of land comprised in a road that is closed, whether under this Act or the repealed Act, is Crown land;
- the Minister may, with the consent of the landholder and the taker and on payment to the Minister of any price, or of any initial instalment of rent, as the case requires, agreed with the landholder, by order –
- (e) amalgamate the land so conveyed or leased with the adjoining land.

Strategic Community Plan

Strategy 5.1.1 - Provide an efficient road network for the efficient movement of people and goods by road. (Service Priority: Very High)

Environment - None.

Precedents

There have been a number of road closures approved by Council.

Budget Implications

The applicant has agreed to pay all costs associated with the closure and amalgamation process. There are no budget implications as the sale of the road is between the Crown and the applicant.

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: 12.2.3B] for full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Unnamed Road Closure and Amalgamation – Lot 404 Harris Road, Paradise
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 Section 58 of the <i>Land Administration Act 1997</i> requires a local government to make a resolution to request the Minister for Lands to close a road.

Officer Comment

The unnamed road is not constructed and has been used since the 1950's as part of the overall farming operations and is redundant providing no access purpose. It is the opinion of the officer that the closure and disposal with the adjoining Lot 404 will make effective use of the land which would otherwise remain as redundant road reserve. It is therefore recommended that Council support the request for the road reserve to be amalgamated with Lot 404 Harris Road.

Council Role - Legislative.

Voting Requirements - Simple Majority.

Change to Officer Recommendation No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

397-21 MOVED - Cr M T Bennett SECONDED - Cr P R Perks

THAT Council requests the Minister for Lands to approve the closure and amalgamation of a portion of the unnamed road reserve that abuts Lot 404 Harris Road, Paradise as shown on Drawing No. 2021-SKT-027-01 [Appendix ORD: 12.2.3A].

CARRIED
9/0

PROCESS

As there were several members of the public in the room interested in Item 12.2.4, Shire President Cr. M T Bennett brought forward Item 12.2.4 .

12.2.4 Title: Draft Local Planning Scheme No. 9 [Page 26 of Agenda].

PROCESS

12.2.4 Title: Draft Local Planning Scheme No. 9

<i>Reporting Department:</i>	<i>Sustainable Development Directorate</i>
<i>Reporting Officer:</i>	<i>Mr Murray Connell - Manager Development Services</i>
<i>Legislation:</i>	<i>Planning and Development Act 2005</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.2.4A – Draft Local Planning Scheme No. 9</i> <i>Appendix ORD: 12.2.4B – Risk Assessment</i> <i>Appendix ORD: 12.2.4C – Revised Draft Local Planning Scheme No. 9</i>

Overview

The purpose of this report is to seek Council endorsement of the modifications to draft Local Planning Scheme No. 9 that have been proposed as a result of preliminary comments and assessment from officers of the Environmental Protection Authority (EPA) and the Department of Planning, Lands and Heritage (DPLH).

Background

Council at its meeting held on the 29th of July 2020 resolved (210-20):

“THAT Council:

- 1. Pursuant to Part 4 Divisions 2 Regulation 21 (1) of the Planning and Development (Local Schemes) Regulations 2015, resolve to proceed to advertise the draft Shire of Dardanup Local Planning Scheme No. 9 without modification as contained within (Appendix ORD: 12.9A).*
- 2. Pursuant to Part 4 Divisions 2 Regulation 21 (1) of the Planning and Development (Local Schemes) Regulations 2015, submit two copies of the draft Shire of Dardanup Local Planning Scheme No. 9 to the Western Australian Planning Commission.*
- 3. Pursuant to Part 5 Division 3 Section 81 of the Planning and Development Act 2005, refer the draft Shire of Dardanup Local Planning Scheme No.9 [Appendix ORD: 12.9A] to the Environmental Protection Authority by giving:*
 - a) Written notice of that resolution; and*
 - b) Such written information about the local planning scheme as is sufficient to enable the Environmental Protection Authority to comply with Section 48A of the Environmental Protection Act 1986 in relation to the local planning scheme.*
- 4. Authorise the Chief Executive Officer and Director Sustainable Development to make grammatical and/or minor changes to maps as may be required.”*

On the 30th of July 2020 the draft Local Planning Scheme No. 9 (LPS9) was formally referred to the Department of Planning, Lands and Heritage (DPLH) and the Environmental Protection Authority (EPA). Please refer to [Appendix ORD: 12.2.4A] for a copy of the scheme text that was referred.

On the 11th of December 2020 the EPA advised that it was '*concerned that some proposed zoning changes have the potential to impact environmental values and the proposed scheme provisions are not sufficient to identify these values, and protect and manage potential significant impacts*'. Since that advice officers from the Shire, DPLH and the EPA have been working towards a resolution for the matters raised.

Additionally, amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on the 18th of December 2020. The Regulations are a major part of Western Australia's planning reform agenda, affecting arrangements for local planning strategies, schemes and amendments. In addition to a Model Scheme Text, the Regulations introduce a set of deemed provisions that form part of every local planning scheme in the State. Modifications have been made so that the draft LPS9 conforms to the new Regulations.

Legal Implications

Part 4 of the *Planning and Development (Local Planning Schemes) Regulations 2015* provides for the preparation of a local planning scheme.

Section 81 of the *Planning and Development Act 2005* requires a local government to refer a local planning scheme to the EPA for assessment.

Strategic Community Plan

Strategy 2.3.1 - Delivery of a high level of Development & Regulatory Services that considers the environmental, social and land use planning requirements which meets the diverse community needs. (Service Priority: Flagship)

Environment

Officers have been working with staff from the EPA to resolve a number of environmental concerns that were initially raised and have reached a consensus (at officer level) that the proposed modifications to the draft LPS9 satisfactorily demonstrates how potential impacts to environmental values will be managed.

Precedents

Council at its meeting held on the 21st of September 2016 resolved to prepare a new local planning scheme. Council at its meeting held on the 29th of July 2020 further resolved to adopt a draft Local Planning Scheme No. 9.

Budget Implications

If the modifications are not undertaken and then the EPA formally determines that an environmental assessment for the Waste Precinct SCA is required then there will be significant costs to complete the environmental review process. Depending on the scale of the review, the additional studies (i.e. ground water monitoring, flora & fauna assessments, etc.) required could be in excess of \$1,000,000.

Budget – Whole of Life Cost - None.

Council Policy Compliance

Once the draft LPS9 is given consent to advertise it will be publicly advertised in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and Council's Policy '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: 12.2.4B] for full assessment document.

TIER 3 – 'High' or 'Extreme' Inherent Risk.		
Risk Event	Draft Local Planning Scheme No. 9	
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)	
Risk Action Plan (treatment or controls proposed)	Modifying the scheme in accordance with the EPA recommendations therefore avoiding a formal environmental assessment.	
Residual Risk Rating (after treatment or controls)	Low (1 - 4)	
Risk Category Assessed Against	Financial	EPA requires formal environmental assessment and that assessment requires significant costs.
	Service Interruption	Delaying the scheme review process impacting on contemporary land use planning delivery.
	Legal and Compliance	Not reviewing the scheme in accordance with the Regulations.

Officer Comment

As a result of amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* and in response to the issues raised by the EPA, the following modifications are proposed to the draft LPS9. Please refer to [Appendix ORD: 12.2.4C] for a copy of the revised draft scheme that incorporates text modifications and associated mapping changes.

- Minor rewording of clauses and reformatting to conform to the Regulations

The revised draft scheme has been reformatted and a number of clauses and schedules were renumbered accordingly. There have been minor edits to wording and terminology to ensure consistency with the Regulations.

- Removal of Special Control Area 1 and 2 – Wanju and Waterloo expansion areas

The intent for SCA's 1 and 2 was to identify areas for future urban and industrial expansion and structure planning and to require a single District Structure plan to be adopted (which has now been completed).

The Wanju area is now zoned 'Urban Deferred' under the Greater Bunbury Region Scheme and the amendment to zone the Waterloo area to 'Industrial Deferred' is due for finalisation shortly. Progress has also been made on the formulation of a Developer Contributions Plan for both areas which will also involve a scheme amendment to include the land as Urban / Industrial Development that will then in turn require local structure planning.

The SCA's are therefore no longer required, however in the interim there is the option for 'significant developments' to still be approved regardless of zoning via the State Development Assessment Unit.

- Removal of Special Control Area 3 – Dardanup Rural Residential

The intent for SCA 3 was to identify areas for future rural residential structure planning. Those provisions are now no longer required as they will be addressed with proposed wording for the underlying 'Rural Residential' and 'Rural Smallholdings' zones as follows:

The local government may require the preparation of a structure plan, local development plan or local planning policy that addresses the following –

- a) *lot and road layout that will be used to guide subdivision, including recommended minimum lot size;*
- b) *local water management;*
- c) *bushfire risk management;*
- d) *infrastructure and servicing;*
- e) *environmental assessment;*
- f) *building envelopes or building exclusion areas; and*
- g) *areas where stocking is permitted or prohibited.*

- Removal of Special Control Area 4 – Picton Industrial Expansion Area

The intent for SCA 4 was to identify areas for future industrial expansion that require structure planning. Those provisions are now no longer required as they will be addressed with proposed wording for the underlying 'Industrial Development' zone.

- Additional provisions for the 'Urban Development' and 'Industrial Development' zones

The following text has been added to both the Urban and Industrial Development zones:

Any structure plan must address the following –

- a) *Wherever suitable alternatives exist, development is to be located outside of areas which would require the removal of vegetation.*
- b) *Where suitable alternatives do not exist, a flora and fauna study may be required to determine locations where development could occur with the least possible impact. Surveys should be undertaken in accordance with the Environmental Protection Authority's relevant technical guidance documents.*
- c) *Any relevant issues raised in the s16 (e) Advice on areas of conservation significance in the Preston Industrial Park, (EPA Bulletin 1282).*
- d) *Any relevant issues raised in the Greater Bunbury Region Scheme – Minister for the Environment Statement 697.*

- Additional provisions for Special Control Area 2 – Ferguson Valley Tourism Area

The following text has been added to SCA 2:

An application for development approval for tourism related uses shall be accompanied by information that addresses the following –

Any impacts on environmental values which may require surveys to be conducted to determine locations where development could occur with the least possible impact. Surveys should be undertaken in accordance with the Environmental Protection Authority's relevant technical guidance documents.

- 'Waste Precinct' Special Use area

The Shire's Local Planning Strategy identifies a 'Waste Disposal/Processing' area and this land was proposed to be included in a Special Use 1 zone (SU1). The EPA raised concerns over the expansion of the Special Use zone which included land that is currently zoned general farming.

A consensus with the EPA (at officer level) has been reached to reduce the SU1 zone to only encompass existing facilities and operations, and acknowledge the government controlled land as 'Government Services' reserves.

The revised draft scheme therefore proposes that Lot 4576 Panizza Road, Dardanup and Lot 81 Banksia Road, Crooked Brook remain in the 'Rural' zone. The SU1 zone is proposed to now only encompass Lots 4580 Panizza Road and Lot 2 Banksia Road, Crooked Brook with significantly expanded provisions to address land use planning and environmental matters related to:

- Subdivision
- Development
- Local Development Plan
- Social Surroundings
- Visual Impact
- Water Management
- Flora and Vegetation
- Terrestrial Fauna
- Dust
- Noise
- Odour
- Bushfire
- Basic Raw Materials
- Traffic

Should there be any proposals to expand this SU1 area then the EPA has strongly recommended that this be undertaken through a separate scheme amendment so as to not hold up the progression of LPS9.

The revised draft scheme has included recommendations (at an officer level) from the EPA and DPLH and now represents a more contemporary land use planning scheme in accordance with the latest amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015*.

It is critical that the scheme review process continue as a matter of priority and therefore it is recommended that Council endorse the proposed modifications and authorise the Chief Executive Officer to undertake any further changes that may be required in order for the draft scheme to be publicly advertised.

Council Role - Legislative.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

Note: Cr P Perks left the room at 5.55pm.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

398-21 MOVED - Cr P S Robinson SECONDED - Cr E P Lilly

THAT Council:

- 1. Endorses the modifications made to the Shire of Dardanup draft Local Planning Scheme No. 9 as contained in the Revised Draft [Appendix ORD: 12.2.4C].**
- 2. Authorises the Chief Executive Officer to undertake any minor modifications as directed by the Environmental Protection Authority and/or the Department of Planning, Lands and Heritage to enable advertising of the draft Shire of Dardanup Local Planning Scheme No. 9.**

CARRIED

8/0

By Absolute Majority

Note: Cr P Perks returned to the room at 5.58pm

PROCESS

As there were several members of the public in the room interested in Item 12.2.7, Shire President Cr. M T Bennett brought forward Item 12.2.7.

12.2.7 Title: Sea Container – Glen Huon Oval (Reserve 50882) Council Drive [Page 40 of Agenda].

PROCESS

12.2.7 Title: Sea Container – Glen Huon Oval (Reserve 50882) Council Drive, Eaton

<i>Reporting Department:</i>	<i>Sustainable Development Directorate</i>
<i>Reporting Officer:</i>	<i>Mrs Suzanne Occhipinti - Senior Planning Officer</i>
<i>Legislation:</i>	<i>Planning and Development Act 2005</i>
<i>Applicant:</i>	<i>Bunbury and Districts Dog Club</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.2.7A – Application Details</i>
	<i>Appendix ORD: 12.2.7B – Submissions</i>
	<i>Appendix ORD: 12.2.7C – Alternative Options</i>
	<i>Appendix ORD: 12.2.7D – Risk Assessment</i>

Overview

The purpose of this report is for Council to consider an application for development approval for the temporary installation of a sea container to be used for incidental storage of equipment by the Bunbury and Districts Dog Club.

Officers do not have delegation to determine applications for development approval where a relevant planning objection has been received that cannot be addressed or mitigated through conditions, and therefore this report is presented to Council for determination.

Background

Council at its meeting held on the 29th of September 2021 approved the installation of a sea container by the Bunbury and Districts Dog Club at the Glen Huon Oval to facilitate their relocation to the Shire. Officers subsequently assessed the approved site and identified alternative locations which were then presented to Council at its meeting held on the 27th of October 2021, where it was resolved (326-21):

“That Council:

1. *Approves the installation of a 40 foot painted sea container on the Glen Huon Oval by the Bunbury & Districts Dog Club for a 2 year period commencing November 2021, subject to the establishment of a written Agreement to occupy a portion of the Glen Huon Oval Reserve.*
 - a) *Approves the location of the sea container in accordance with the Plan as shown on page 35 of the Agenda.*
 - b) *The sea container must not be used for any purposes other than the storage of Bunbury and Districts Dog Club equipment without the further written consent of Council.*
 - c) *Prior to sea container being brought onto the Glen Huon Oval Reserve, the external surfaces of the sea container must be painted to match the colour of the existing Eaton Sports Club Change room facility. Colours to be approved by Shire of Dardanup before being painted. Thereafter the sea container is to be maintained in a good condition free of graffiti.*

- d) *The approval is granted for a limited period only, namely the 1st November 2021 until the 31st October 2023.*
 - e) *Within three (3) months of ceasing the use of the sea container, the following works must be undertaken to the satisfaction of the Shire of Dardanup:*
 - *the sea container and any fixtures to the land must be removed from Glen Huon Oval Reserve; and*
 - *the lawn must be reinstated to the satisfaction of the Shire of Dardanup.*
 - f) *The Club is to provide the Shire with a copy of a valid public liability insurance policy to operate the activity, prior to commencement of the use and works. The policy shall indemnify both the Club and the Shire against any death or injury to a person or property arising from the works and use associated with the sea container for a minimum value of \$10 million.*
 - g) *The Club shall not move equipment to and from the sea container during large events where an event permit has been issued by the Shire, or where the Shire is running an event on the Glen Huon Oval Reserve, unless the Club is involved in the event or through negotiation with event organisers they are permitted by the Shire of Dardanup to do so.*
 - h) *All current bookings have precedence i.e. Bunbury and Districts Dog Club may have to change some of their training days / times.*
 - i) *Container to be secured safely.*
 - j) *All costs associated with the relocation and placement of the sea container, including Building and Contents Insurance, landscaping and any site works required, are to be at the expense of the Bunbury and Districts Dog Club.*
2. *Requires the Bunbury and Districts Dog Club to submit a development application for the proposed sea container."*

As the land manager of Glen Huon Oval, Council approved the installation of the sea container however, as per point 2 of the above resolution an application for Development Approval was required and is now presented to Council for determination.

Location Plan



Proposal

The application is seeking the temporary placement of a 40 foot sea container on Glen Huon Oval for the storage of incidental equipment associated with the activities of the Bunbury and Districts Dog Club. The application requires a variation to the Shire's Local Planning Policy 'SDev CP096 – Sea Containers'.

Please refer to [Appendix ORD: 12.2.7A] for details of the application and the outline of the proposal is as follows:

Greater Bunbury Region Scheme	'Urban' zone
Local Planning Scheme No. 3	'Recreation' Local Scheme Reserve
Structure Plan/Precinct Plan	Eaton Fair Activity Centre Plan – 'Recreation Precinct'
Use Class and Permissibility	Community Purpose – 'D' use
Lot Size	5.6 hectares
Existing Land Use	Recreation ovals, clubrooms, playgrounds and associated facilities
State Heritage Register	No
Local Heritage	No
Bushfire Prone Area	Yes, however as there are no habitable buildings the bushfire planning requirements do not apply

Legal Implications

The applicant has the right to review Council's decision through the State Administrative Tribunal in accordance with Part 14 of the *Planning and Development Act 2005*.

Strategic Community Plan

Strategy 2.3.1 - Delivery of a high level of Development & Regulatory Services that considers the environmental, social and land use planning requirements which meets the diverse community needs. (Service Priority: Flagship)

Environment - None.

Precedents

As detailed in the 'Background' section of this report, Council has previously considered this request by the Bunbury and Districts Dog Club for a sea container at meetings held on the 29th of September 2021 (280-21) and the 27th of October 2021 (326-21).

Council at its meeting held on the 13th of May 2013 (121-13) granted approval for a storage shed on Glen Huon Oval. Council at its meeting held on the 29th of March 2017 (66-17) granted approval for a football pavilion and change rooms on Glen Huon Oval.

Council at its meeting held on the 25th of August 2021 (258-21) granted a 2 year approval for a sea container on the Eaton Foreshore reserve for the storage of equipment by Coastal Rowing WA Inc.

Consultation

Public Consultation

The application was advertised to the owners of properties along Cowin Gardens that front the oval. The owners of Lot 12 (No. 46) Cowin Gardens submitted an objection. Please refer to [Appendix ORD: 12.2.7B] for a copy of the submission. The following table summarises the key issues raised and Officer Comments are provided in response.

Issue raised	Officer Comments
<i>Council laws do not allow a sea container on private property and therefore if this is allowed then we would also be allowed to place a sea container on our property.</i>	The location of the sea container is on a local scheme reserve and the objectors land is zoned 'Residential'. There are provisions of the local planning policy that are specific to 'Residential' zoned land that restricts sea containers for up to 7 days for loading/unloading, or for up to 12 months where associated with building construction or subdivision works. Local planning policies can be varied by Council.
<i>When purchasing the property we took into account the open area in front and the sea container would diminish the property's value.</i>	The planning issue for consideration by a local government is not whether a proposed development will adversely impact on the value of an adjoining property but whether the proposed development will have an adverse impact on the amenity of the locality. Amenity includes the likely future amenity of an area and residents along Cowin Gardens that front the football oval would have a legitimate expectation that the open nature of the oval area will be retained.

Consultation with Government/Service Agencies

The subject land abuts the Eaton Community College which is a 'Public Purposes' reserve under the Greater Bunbury Region Scheme. The Shire has delegated authority to determine the application, subject to accepting the recommendation and any advice from the public authority responsible for the reserved land.

The application was referred to the Department of Education, which advised that it did not object to the sea container being located as per the advertised plans, near Cowin Gardens. However, it is the Department's preference for it to be located next to the football club change rooms as per Alternative Option B in [Appendix ORD: 12.2.7C].

Please refer to [Appendix ORD: 12.2.7B] for a copy of the submission.

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: 12.2.7D] for the full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Sea Container – Glen Huon Oval (Reserve 50882) Council Drive, Eaton
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 a financial impact through the State Administrative Tribunal process.

Officer Comment

In considering an application for development approval, cl. 67(2) of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires a local government to have due regard to the following matters that are relevant to the application as detailed below.

(a) *The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area*

The following aims and provisions of the Shire of Dardanup Local Planning Scheme No. 3 (LPS3) are relevant to this application:

1.3 Objects of the Scheme

1.3 (b) to secure the amenity, health and convenience of the Scheme Area and the inhabitants thereof.

The Scheme places considerable emphasis on the amenity of the Scheme Area. The term ‘amenity’ means ‘*all those factors which combine to form the character of an area and include the present and likely future amenity.*’

Residents along Cowin Gardens that front the football oval would have a legitimate expectation that the open nature of the oval area will be retained especially given the recent construction of the football pavilion and change rooms. There would be little expectation that the likely future amenity would involve the placement of a stand-alone, isolated sea container in the location as proposed.

1.13 Use and Development of Local Reserves

1.13.2 (b) in determining an application for planning approval the local government is to have due regard to the ultimate purpose intended for the reserve.

The site is classified as a ‘Local Scheme Reserve’ for the purpose of ‘Recreation’. The sea container is to be used for the storage of incidental equipment associated with the activities of the Bunbury and Districts Dog Club and is therefore consistent with the purpose of the reserve.

2.3 Zones and Uses

The application seeks approval for the placement of a sea container associated with the activities of the Bunbury and Districts Dog Club. This use can be reasonably determined as falling within the 'Community Purpose' use class which is defined as:

"the use of premises designed or adapted primarily for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit".

The Zoning Table of TPS3 lists 'Community Purpose' as a 'D' use under the 'Recreation' zone which means *'that the use is not permitted unless the local government has exercised its discretion by granting planning approval.'*

(g) Any local planning policy for the Scheme area

The Shire's Local Planning Policy 'SDev CP096 – Sea Containers' regulates the use of sea containers within the Shire to ensure they visually integrate with the surrounding area and do not adversely impact on the amenity or streetscape.

Under the policy sea containers are not permitted on land zoned 'Residential' or within any designated town-site boundary other than for temporary use for up to 12 months associated with building construction or subdivision works, however a Local Planning Policy can be varied having due regard for the provisions and objectives of the policy.

In considering a departure from the policy, the extended temporary nature of the sea container and its use, which is ancillary to a recreational type Club provides a context in which a variation may be supported.

However, clause 5.5 of the policy states that if the Shire considers *'that a sea container is likely to have a detrimental effect on the local amenity, or has the ability to visually impair or detract from the exterior design or appearance of other buildings or sightlines in the vicinity, the application will be refused'.*

The proposed location of the sea container is adjoining the Cowin Gardens road reserve and isolated from any other buildings or structures. It is a stand-alone feature that, regardless of painting, cannot be 'absorbed' into the surrounding open vista and will have a detrimental effect on the local amenity.

Approval could be considered should the sea container be relocated in a less conspicuous position from nearby residents, or adjacent to other substantial structures.

Alternative locations have been presented to Council previously at the meeting held on the 27th of October 2021 as 'Alternative Option A' and 'Alternative Option B'. Option A was adjacent to the Eaton Recreation Centre near the football oval scoreboard and a significant distance from any residential dwellings. Option B was adjacent to the football clubrooms and would be compatible with the setting of the existing buildings.

Please refer to [Appendix ORD: 12.2.7C] for the information that was previously presented to Council on the alternative options.

(h) Any structure plan, activity centre plan or local development plan that relates to the development

The site is within the Eaton Fair Activity Centre Plan and identified as a 'Recreation Precinct'. The objective of the Recreation Precinct is to provide for district level recreation facilities with preferred land uses being sporting and recreation, and associated club uses.

The application is consistent with the activity centre plan.

- (m) The compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development
- (n) The amenity of the locality including the following –
 - (i) environmental impacts of the development
 - (ii) the character of the locality
 - (iii) social impacts of the development

As detailed previously in this report it is considered that the development is not compatible with its setting in terms of its relationship on the adjoining residential land. It will be an isolated structure that would break the open panorama and be a prominent feature in full view of the nearby residences.

- (y) Any submissions received on the application
- (za) The comments or submissions received from any authority consulted under clause 66

The submissions received are discussed in the 'Consultation' section of this report.

Conclusion

Whilst it is acknowledged that Council has previously approved the placement of the sea container, it has done so only as the 'landowner' and has required the Club to submit a Development Application. Council must now determine the matter based on the planning merits of the application.

Glen Huon Oval is a 'Local Scheme Reserve' for the purpose of 'Recreation'. The use of a sea container for the storage of incidental equipment associated with the activities of the Bunbury and Districts Dog Club and is consistent with the purpose of the reserve.

The Scheme places considerable emphasis on the amenity of the Scheme Area including the present and likely future amenity. Residents along Cowin Gardens that front the football oval would have a legitimate expectation that the open nature of the oval area will be retained. There would be little expectation that the likely future amenity would involve the placement of a stand-alone, isolated sea container in the location as proposed.

It is considered that the development is not compatible with its setting in terms of its relationship on the adjoining residential land. It will be an isolated structure that would break the open panorama and be a prominent feature in full view of the nearby residences and therefore officers are recommending refusal of the application.

Officers consider that the application does not comply with the requirements of orderly and proper planning, and as such the option to approve is not recommended. However approval could be considered should the sea container be relocated and therefore it is recommended that Council delegate to the Chief Executive Officer the approval of an application for Development Approval at either location 'Alternative Option A' or 'Alternative Option B' as shown in [Appendix ORD: 12.2.7C].

Should Council wish to approve the location it is recommended that this be on a temporary basis in accordance with Council's previous decision to approve the placement of the sea container. The matter has been before Council previously on two occasions and therefore Officers also do not recommend the option to defer the matter.

Council Role - Quasi-Judicial.

Voting Requirements

Absolute Majority – Officer Recommended Resolution ‘A’

Simple Majority – Officer Recommended Resolution ‘B’.

OFFICER RECOMMENDED RESOLUTION ‘A’

THAT Council:

1. Refuses the Application for Development Approval for a ‘Community Purpose’ on Reserve 50882 Council Drive, Eaton under the Shire of Dardanup Town Planning Scheme No. 3 and the Greater Bunbury Region Scheme for the following reasons:
 - a) The application would be inconsistent with the character and the present and likely future amenity of the area; and
 - b) The application is not compatible with its setting in terms of its relationship on the adjoining residential land.
2. Delegates to the Chief Executive Officer the approval of an Application for Development Approval for a ‘Community Purpose’ on Reserve 50882 Council Drive, Eaton under the Shire of Dardanup Town Planning Scheme No. 3 and the Greater Bunbury Region Scheme in either location ‘Alternative Option A’ or ‘Alternative Option B’ as shown in [Appendix ORD: 12.2.7C].

By Absolute Majority

OR

OFFICER RECOMMENDED RESOLUTION ‘B’

THAT Council approves the Application for Development Approval for a ‘Community Purpose’ on Reserve 50882 Council Drive, Eaton under the Shire of Dardanup Town Planning Scheme No. 3 and the Greater Bunbury Region Scheme subject to the following conditions:

1. The approval is limited to a 2 year period commencing November 2021 and is subject to the establishment of a written Agreement to occupy a portion of the Glen Huon Oval Reserve.
2. Approves the location of the sea container in accordance with the Plan as shown on page 37 of the Agenda.
3. The sea container must not be used for any purposes other than the storage of Bunbury and Districts Dog Club equipment without the further written consent of Council.
4. Prior to sea container being brought onto the Glen Huon Oval Reserve, the external surfaces of the sea container must be painted to match the colour of the existing Eaton Sports Club Change room facility. Colours to be approved by Shire of Dardanup before being painted. Thereafter the sea container is to be maintained in a good condition free of graffiti.

5. Within three (3) months of ceasing the use of the sea container, the following works must be undertaken to the satisfaction of the Shire of Dardanup:
 - the sea container and any fixtures to the land must be removed from Glen Huon Oval Reserve; and
 - the lawn must be reinstated to the satisfaction of the Shire of Dardanup.
6. Container to be secured safely.
7. All costs associated with the relocation and placement of the sea container, including any landscaping, site works or relocation of services required are to be at the expense of the Bunbury and Districts Dog Club.

Note: Cr S Gillespie moved officer recommended Resolution B and Cr J Dow seconded the motion. Cr J Dow requested that the commencement date be changed from November to January 2022. Cr S Gillespie supported the amendment to the motion.

Change to Officer Recommendation

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

- *Change in the approval commencement date from November 2021 to January 2022.*

OFFICER RECOMMENDED RESOLUTION 'B'

MOTION MOVED - Cr. S L Gillespie SECONDED - Cr. J P Dow
LOST

THAT Council approves the Application for Development Approval for a 'Community Purpose' on Reserve 50882 Council Drive, Eaton under the Shire of Dardanup Town Planning Scheme No. 3 and the Greater Bunbury Region Scheme subject to the following conditions:

1. The approval is limited to a 2 year period commencing January 2022 and is subject to the establishment of a written Agreement to occupy a portion of the Glen Huon Oval Reserve.
2. Approves the location of the sea container in accordance with the Plan as shown on page 37 of the Agenda.
3. The sea container must not be used for any purposes other than the storage of Bunbury and Districts Dog Club equipment without the further written consent of Council.
4. Prior to sea container being brought onto the Glen Huon Oval Reserve, the external surfaces of the sea container must be painted to match the colour of the existing Eaton Sports Club Change room facility. Colours to be approved by Shire of Dardanup before being painted. Thereafter the sea container is to be maintained in a good condition free of graffiti.
5. Within three (3) months of ceasing the use of the sea container, the following works must be undertaken to the satisfaction of the Shire of Dardanup:
 - the sea container and any fixtures to the land must be removed from Glen Huon Oval Reserve; and

- the lawn must be reinstated to the satisfaction of the Shire of Dardanup.
6. Container to be secured safely.
 7. All costs associated with the relocation and placement of the sea container, including any landscaping, site works or relocation of services required are to be at the expense of the Bunbury and Districts Dog Club.

MOTION LOST

4/5

FOR THE MOTION	AGAINST THE MOTION
Cr J Dow Cr L Davies Cr M Hutchinson Cr S Gillespie	Cr M T Bennett Cr P Robinson Cr E Lilly Cr P Perks Cr T Gardiner

Note: As Officer Recommended Resolution B was lost, Cr P Perks moved Officer Recommended Resolution A. Cr M T Bennett seconded the motion.

OFFICER RECOMMENDED RESOLUTION 'A' & COUNCIL RESOLUTION

399-21 MOVED - Cr. P R Perks MOVED Cr. M T Bennett

THAT Council:

1. Refuses the Application for Development Approval for a 'Community Purpose' on Reserve 50882 Council Drive, Eaton under the Shire of Dardanup Town Planning Scheme No. 3 and the Greater Bunbury Region Scheme for the following reasons:
 - a) The application would be inconsistent with the character and the present and likely future amenity of the area; and
 - b) The application is not compatible with its setting in terms of its relationship on the adjoining residential land.
2. Delegates to the Chief Executive Officer the approval of an Application for Development Approval for a 'Community Purpose' on Reserve 50882 Council Drive, Eaton under the Shire of Dardanup Town Planning Scheme No. 3 and the Greater Bunbury Region Scheme in either location 'Alternative Option A' or 'Alternative Option B' as shown in [Appendix ORD: 12.2.7C].

CARRIED

7/2

By Absolute Majority

FOR THE MOTION	AGAINST THE MOTION
Cr J Dow Cr M Hutchinson Cr M T Bennett Cr P Robinson Cr E Lilly Cr P Perks Cr T Gardiner	Cr L Davies Cr S Gillespie

Note: Manager Place & Community Engagement, Ms Lucy Owen-Conway left the room at 6.21pm.

PROCESS

As there were several members of the public in the room interested in Item 12.3.4, Shire President Cr. M T Bennett brought forward Item 12.3.4.

12.3.4 Title: Wireless Road – Proposal to Cut-Off Connection to South Western Highway Connection – Public Submissions [Page 62 of Agenda].

PROCESS

12.3.4 Title: Wireless Road – Proposal to Cut-Off Connection to South Western Highway Connection – Public Submissions

<i>Reporting Department:</i>	<i>Infrastructure Directorate</i>
<i>Reporting Officer:</i>	<i>Mr Nathan Ryder - Manager Infrastructure Planning & Design</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.3.4A – Risk Assessment Appendix ORD: 12.3.4B – Submissions Table</i>

Overview

Public comment has been sought on the proposal to remove the connection of Wireless Road to the South Western Highway. The submission period has closed and therefore the matter is brought back to Council for further consideration.

Background

At the Ordinary Council Meeting held on the 28th of April 2021, Council resolved the following (109-21):

“THAT Council:

- 1. Endorses in-principle the removal of the direct connection of Wireless Road from South Western Highway;*
- 2. Requests the Chief Executive Officer to complete a Consultation Strategy and carry out Community Consultation, including all relevant stakeholders, as well as publically advertise the proposal in accordance with Section 3.50 of the Local Government Act; and*
- 3. Requests the Chief Executive Officer to bring the matter back to Council once the Community Consultation is complete in order to seek approval from Council as to the exact location of the barrier / Cul-De-Sac on Wireless Road as well as advise on costs and timeframe for implementation.”*

The proposal to close the thoroughfare was advertised publically from the 21st of October 2021 with the submission period closing on the 29th of October 2021. The submission period was subsequently extended to the 29th of November 2021.

The matter is now brought back to Council for further consideration.

Legal Implications

Closure of a thoroughfare needs to be in accordance with the Local Government Act 1995 Section 3.50 – Closing Certain Thoroughfares to Vehicles.

Strategic Community Plan

Strategy 4.3.3 - Plan and facilitate adequate transport, infrastructure and utility services to meet industry requirements. (Service Priority: Very High)

Strategy 5.1.1 - Provide an efficient road network for the efficient movement of people and goods by road. (Service Priority: Very High)

Strategy 5.1.3 - Provide a safe road transport network where crashes resulting in death or serious injury are minimised. (Service Priority: Very High)

Environment - None

Precedents

At the Ordinary Council Meeting held on the 24th of November 2021, Council considered the closure of Panizza Road.

Budget Implications

The purchase and installation of “Local traffic only” signs in two locations, as mentioned in the Officer Comment section, is estimated at approximately \$1000, and could be sourced from the Road Maintenance Budget.

Placement of traffic counters, including its removal and data analysis, , as mentioned in the Officer Comment section, is in the order of \$600, and could be sourced from the Road Maintenance 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: 12.3.4A] for full assessment document.

TIER 3 – ‘High’ or ‘Extreme’ Inherent Risk.		
Risk Event	Wireless Road – Proposal to Cut-Off Connection to South Western Highway Connection – Public Submissions	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	Maintain thoroughfare open and monitor road condition and traffic.	
Residual Risk Rating (after treatment or controls)	Low (1 - 4)	
Risk Category Assessed Against	Financial Impact	Impact to businesses due to closure of thoroughfare and the need to travel via another route.
	Service Interruption	Emergency services impacted by the closure.

Officer Comment

Shire Officers have been involved in the technical meetings with the South West Gateway Alliance (SWGA), which is managing the construction of the Bunbury Outer Ring Road (BORR), where the question of possible closure of Wireless Road to cut off traffic to and from South Western Highway was suggested by Main Roads / SWGA.

Once the BORR project is complete, the remaining section of Wireless Road that is not due for upgrade as part of the project (between the intersection with the (new) Discovery Road and the South Western Highway), is a narrow local road with the following characteristics:

- services a small number of local residents;
- 4m wide seal;
- deep open drain adjacent to the road;
- intersects with Railway Road, another small local road in relatively poor condition;
- railway crossing near South Western Highway, which does not have boom gates;
- no slip lane for right-hand turning vehicles from South Western Highway;
- no left hand turn pocket from South Western Highway;

If Wireless Road remained open with full thoroughfare, it is expected that it may attract traffic that would otherwise be accessing the interchange from Martin-Pelusey Road or Discovery Road (Waterloo Road). Should the remaining section of Wireless Road need to be upgraded, the costs would be considerable and would need to be entirely borne by the Shire of Dardanup and/or the Developers of the Waterloo Industrial Estate. Land acquisition would also be required.

Cutting off the direct connection from Wireless Road to South Western Highway would force road users to use either Martin Pelusey Road or Discovery Road (Waterloo Road), which have been designed for the higher traffic loading and suitable for the higher volume of vehicles.

Under the Waterloo Industrial Park District Structure Plan, Wireless Road is identified as an Integrator A Road connected to the Bunbury Outer Ring Road / Wireless Road interchange and adjoins the eastern boundary of Precinct 2. Precinct 2 identifies potential opportunities for industries that are related to rail activities. The Plan shows Wireless Road as not being connected to South Western Highway. Due to its proposed classification under the Structure Plan, it is expected that Wireless Road will be further developed to support the Industrial Park as it is developed in the future. This change in function is considered long term and will require significant expansion and upgrade to occur on the road, including land acquisition, drainage, lighting and pavement upgrade. Officers expect Wireless Road to form part of a developer contribution plan, which will collect contributions from developers for its upgrade and expansion as the area is subdivided. Depending on the location of the currently proposed closure, it may be necessary to re-open thoroughfare at the appropriate time in future to enable Wireless Road to perform its new function within the Industrial Park. This need and timing will be addressed as part of the developer contribution plan.

Following Council Resolution (109-21) at the Ordinary Council Meeting held on the 28th of April 2021, public comment was sought on the proposal to cut off the connection of Wireless to the South West Highway. Public notices were advertised, directly affected residents were issued with letters, and comments were sought from authorities and other relevant stakeholders, including Telstra, Water Corporation, Western Power, Main Roads (MRWA), Department of Planning Lands and Heritage (DPLH), Public Transport Authority (PTA), ARC Infrastructure, Department of Fire and Emergency Services (DFES), Harvey Water, St John Ambulance and the WA Police. The submission period closed on the 29th of November 2021.

A number of submissions were received. All submissions were considered and a Submissions Table is included in [Appendix ORD: 12.3.4B] together with Officer Comment against each submission. The content of the submissions has been included in the table verbatim (except contact details), however,

should Councillors wish to view the original submissions as received by the Shire, they can contact Shire Governance staff.

In summary, there were:

- 1 submission in support;
- 8 objections; and
- 2 submissions that did not object or were neutral.

The Shire does not have very recent traffic counts on Wireless Road. The latest traffic count data on file is from 2011 and measured at a location 30m from the intersection of Harris Road and Wireless Road. The data was obtained between the 11th of May 2011 and the 3rd of June 2011 and a total of 650 vehicles were counted.

The average number of vehicles passing was 28.3 vehicles per day, further classified as follows

- Light Vehicles (Class 1-2): 85.6% (24.3 vehicles per day)
- Medium Vehicles (Class 3-5): 13.4% (3.8 vehicles per day)
- Heavy Vehicles (Class 6-12): 0.8% (0.2 vehicles per day)

Based on the traffic data, Wireless Road would be classified as a low volume road.

Should Council decide to remove the connection to South West Highway, Council could resolve that it would not be removed until after the BORR project is completed and Wireless Road is reopened from the south, in accordance with Council Resolution 260-21 from the Ordinary Council Meeting held on the 25th of August 2021.

All of the objections received through the public consultation process were objections in principle to the removal of the connection to South Western Highway. Once the BORR Project is complete, the question of whether Wireless Road actually attracts significant additional traffic and subsequently requires a road upgrade is still a matter of speculation. The Shire has not been involved in Main Road's traffic modelling of the Bunbury Outer Ring Road Project, however, the Shire understands that the modelling is coarse in nature and is unable to precisely determine the impact on local roads. The Shire has not at this point in time carried out a study to determine the impact of the Bunbury Outer Ring Road on the Shire's local road network and how it affects the Shire's forward planning of its assets.

In light of the above, the prudent way forward for Council would be to allow for completion of the BORR (scheduled for completion in early 2024), not remove the connection of Wireless Road to the South Western Highway at this point in time, and monitor the traffic on Wireless Road as well as the road's condition once the BORR project is completed. If traffic is observed to increase on Wireless Road and/or the state of Wireless Road is observed to deteriorate significantly, then the matter could be brought back to Council for further consideration. This should also be included in the considerations that form part of the Development Contribution Plan preparations.

In order to discourage road users to not use Wireless Road, the Shire could consider installation signs "Local traffic only" at:

- Intersection of Wireless Road with South Western Highway (MRWA approval required); and
- New intersection of Wireless Road with Discovery Road.

Council Role - Review.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

400-21 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council:

1. Does not remove the connection of Wireless Road to the South Western Highway at this point in time;
2. Requests that the Chief Executive Officer schedules in the installation of signs at (i) the intersection of Wireless Road and South Western Highway (2 signs); and (ii) new intersection of Wireless Road with Discovery Road (once constructed), to discourage road users from using Wireless Road; and
3. Requests that the Chief Executive Officer monitors the traffic on Wireless Road and its condition and reports back to Council if considered necessary.
4. Requests the Chief Executive Officer include Wireless Road Intersection with South Western Highway to be considered in the preparation of the Development Contribution Plan for the Waterloo Industrial Development Area.

CARRIED
9/0

Note: Manager Place and Community Engagement, Ms Lucy Owen-Conway returned to the room at 6.23pm.

PROCESS

Shire President, Cr. M T Bennett returned to the order of business and dealt with item 12.2.2 at the beginning of the agenda.

12.2.2 Title: Eaton Drive Mural Wall

PROCESS

12.2.2 Title: Eaton Drive Mural Wall

<i>Reporting Department:</i>	<i>Sustainable Development Directorate</i>
<i>Reporting Officer:</i>	<i>Ms Lucy Owen-Conway - Manager Place & Community Engagement</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.2.2A – Advisory Group Meeting Notes Appendix ORD: 12.2.2B – Risk Assessment</i>

Overview

The purpose of this report is for Council to consider the installation of a wall for the purpose of the creation of a public art mural on Eaton Drive.

Background

On the 16th of December 2020 at the Ordinary Council Meeting Council resolved (346-20):

“THAT Council:

- 1. Supports the development of a Ferguson Valley Art Trail Concept Plan subject to funding being received from the Department of Culture and the Arts Creative Community COVID-19 Recovery Program.*
- 2. Authorises the remaining \$7,000 of uncommitted funds within the 2020/21 Public Art Projects budget (J11902) be allocated toward the public art component of the Gnomesville toilet development; and*
- 3. Authorises the Public Art Projects budget (J11902) from 2021/22 onwards be utilised for public art projects that reflect the character of the Places in which they’re being installed.”*

In response to point three above the Eaton Advisory Group identified a public art project to enhance and beautify the Eaton area. This would be achieved by painting a large-scale mural to shield some of the ageing fencing on Eaton Drive while providing opportunities for young people with an interest in the arts to be involved alongside an established artist. Notes from the Eaton Advisory Group meeting held on the 19th of July 2021 are available at [Appendix ORD: 12.2.2A].

Council are requested to consider the options to allow this requested project to progress.

Legal Implications

A building permit is not required for a screening fence constructed from a lightweight Acoustimax wall system of no greater than 1.8m in height. However in the interest of public safety and liability, the Shire needs to ensure it is professionally built to the manufacturers engineered standard. This will be achieved by engaging a certified contractor for the supply and installation of the wall.

Main Road WA approvals are not required.

Strategic Community Plan

Strategy 1.6.1 - Provide opportunities for the community to engage with Councillors and Staff. (Service Priority: High)

Strategy 3.1.1 - To foster Creativity in the community through our public spaces and urban environment. (Service Priority: High)

Strategy 3.1.2 - Promote Creative Participation by supporting the development of opportunities for artists and creative minds. (Service Priority: High)

Environment - None.

Precedents

Since March 2019, numerous public art murals have been painted by various artists across the Shire including on Eaton Drive with a local bird theme. This includes art murals on power boxes, crossing control equipment, and public buildings.

Budget Implications

The estimated budget for this project is as follows:

Expenditure (ex GST)	\$
Traffic Management	6,333
Acoustimax Panel Wall	5,000
Artist Fees	15,000
Contingency (5%)	1,317
Total	27,650

The adopted Annual Budget includes \$19,000 for Public Art Projects (J11902), of which \$5,500 is committed toward the Ferguson Valley Public Art Trail Concept Plan. The remaining \$13,500 is intended to be allocated toward the Eaton Drive Mural Wall project, which will be a capital project instead of operating expense. The project will be subject to receiving grant funding of \$14,150 to meet the shortfall.

Should Council not wish to proceed with the project, or if additional grant funding cannot be obtained, it is expected that the remaining Public Art Projects budget (J11902) will be expended on the first artwork installation as part of the Ferguson Valley Public Art Trail.

Budget – Whole of Life Cost

A maintenance plan for artworks is required by contracted artists. Surface preparations and anti-graffiti coating is applied to public artwork however it is recognised that artworks may require some ongoing maintenance. This is estimated at 2% of the acquisition cost per annum equating to approximately \$550.

Council Policy Compliance

Exec CP090 – COMMUNITY ENGAGEMENT. The project is a direct result of a request from the Eaton Advisory Group. The Group has further been engaged via email on the concept presented in the Officer Comments of this report including suggestions of preferred locations, with full support from the members received.

CNG CP306 – Accounting Policy For Capital Works. Under this policy the project is classified new construction, meets the definition of an asset, and meets the Shire of Dardanup capitalisation threshold, therefore the policy applies.

Risk Assessment

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

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Eaton Drive Mural Wall
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	Health Injury to public due to unsafe installation
	Financial Unavailability of funding to support public art project
	Reputational Individual community members disliking artwork.

Officer Comment

Initially, the project concept was born from the Eaton Advisory Group wishing to beautify sections of the existing fencing on Eaton Drive. Their request was to paint the existing fencing utilising a well-known mural artist while providing an opportunity for young people to be involved in the artistic process. However, upon further investigation Officers concluded that painting the existing wall is not a feasible option due to the issues of shared ownership with the landowners as well as the ongoing maintenance implications of an already ageing fence. Officers therefore have considered an alternative option that will meet the objectives that the Eaton Advisory Group set out to achieve.

The proposed Eaton Drive Mural Wall will consist of a 20m fence constructed from 50mm thick Acoustimax Panel Wall of 1.8m height being constructed approximately 1m from the existing fence line. This will allow access behind the fence should it be required for maintenance purposes while still remaining set-back from the footpath and road. The preferred location is opposite to the intersection at Illawarra Drive. This location was selected in consultation with the Eaton Advisory Group members while taking into consideration mowing and verge maintenance requirements. As this site is sand with no grass or verge planting it is an ideal location to be beautified by the mural wall with minimal impact on verge maintenance.

The proposed location is indicated in the images below.



The theme of the wall will be developed by the artist in collaboration with young people residing within the Shire who nominate to be involved in the project. The style will be dependent on the artist selected, however it is mandatory that the mural reflects the character of Eaton and the other artworks in its vicinity.

A recent example of a similar wall is at the Glen Iris Skate Park which was painted by artists The Papa Giuseppe and Joshua de Gruchy in collaboration with students from the nearby Djidi Djidi Aboriginal School and Picton Primary School.



Council endorsement of the project concept and location is requested to allow consultation with neighbouring properties to take place. Should no objections be received, Officers will submit a grant application to the Department of Local Government, Sport and Cultural Industries Arts U-15k grant program. It is expected that the grant application will be assessed within 45 business days. Should objections be received a report will be presented to Council for their further consideration of the project.

Council Role - Review.

Voting Requirements - Absolute Majority.

Additional Information – Item 12.2.2

Note: Prior to the commencement of the meeting the following information was distributed to Councillors

Cr. S L Gillespie has requested an alternative resolution to allow for the progressive expansion of the wall.

Officers have suggested that a separate line item in the budget be included for the project. Further information would need to be provided for future placement of the wall to ensure that current landscaping was not unnecessarily impacted and the most beneficial amount of wall be built with available funding. Options could be reported to Council at a later date. There is approximately 400m of wall required to cover the area from Sindhi Park to the footpath running along Cleveland Bay Reserve. This is a significant length of wall to do in small increments, therefore it is suggested that an initial annual amount of \$17,500 (excluding GST) be included for consideration in the Draft LTFP, Draft Corporate Business Plan and Draft 2021/22 Budget to allow the progressive expansion of the wall over three years.

ALTERNATIVE RECOMMENDED RESOLUTION

THAT Council:

1. Supports the installation of an Eaton Drive Wall, being a 50mm thick Acoustimax Panel Wall 20m in length opposite to the Illawarra Drive intersection, for the purpose of a public art mural subject to no objections being raised from neighbouring properties and external funding being received.

2. Authorises unbudgeted capital expenditure of up to \$27,650 for the Eaton Drive Mural Wall and the reallocation of \$14,150 from J11902-Public Art Projects towards this project, should external funding be secured.
3. Requests an annual amount of \$17,500 (excluding GST) be included for consideration in the Draft LTFP, Draft Corporate Business Plan and Draft 2021/22 Budget to allow the progressive expansion of the wall over three years.

OFFICER RECOMMENDED RESOLUTION

THAT Council:

1. Supports the installation of an Eaton Drive Wall, being a 50mm thick Acoustimax Panel Wall 20m in length opposite to the Illawarra Drive intersection, for the purpose of a public art mural subject to no objections being raised from neighbouring properties and external funding being received.
2. Authorises unbudgeted capital expenditure of up to \$27,650 for the Eaton Drive Mural Wall and the reallocation of \$14,150 from J11902-Public Art Projects towards this project, should external funding be secured.

Discussion

Cr S Gillespie advised that she would like to move an alternative motion that would allow for the consideration of an annual allocation of \$17,500 (excluding GST) within the Draft LTFP, Draft Corporate Business Plan and Draft 2022/23 Budget which will enable the progression, over a 3 year period, of the mural along Eaton Drive. The Alternative Recommended resolution was amended to correct the Budget period and provide clarity on the expansion of the mural, not the wall, along Eaton Drive.

Change to Officer Recommendation

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

- *A consideration to be made in the Draft Long Term Financial Plan, Draft Corporate Business Plan and Draft 2022/23 Budget to allow the progressive expansion of the mural on Eaton Drive over a 3 years period.*

ELECTED MEMBER ALTERNATIVE RESOLUTION & COUNCIL RESOLUTION

401-21 MOVED - Cr. S L Gillespie SECONDED - Cr. E P Lilly

THAT Council:

1. Supports the installation of an Eaton Drive Wall, being a 50mm thick Acoustimax Panel Wall 20m in length opposite to the Illawarra Drive intersection, for the purpose of a public art mural subject to no objections being raised from neighbouring properties and external funding being received.
2. Authorises unbudgeted capital expenditure of up to \$27,650 for the Eaton Drive Mural Wall and the reallocation of \$14,150 from J11902-Public Art Projects towards this project, should external funding be secured.

3. **Requests an annual amount of \$17,500 (excluding GST) be included for consideration in the Draft Long Term financial Plan, Draft Corporate Business Plan and Draft 2022/23 Budget to allow the progressive expansion of the mural over 3 years.**

CARRIED

9/0

By Absolute Majority

12.2.3 Title: Unnamed Road Closure and Amalgamation – Lot 404 Harris Road, Paradise

Reporting Department: Sustainable Development Directorate
Reporting Officer: Mr Murray Connell - Manager Development Services
Legislation: Land Administration Act 1997
Applicant: Michael, Peta and Margaret Gelmi
Attachments: Appendix ORD: 12.2.3A – Road Closure Plan
Appendix ORD: 12.2.3B – Risk Assessment

Note: *This Item was dealt with earlier in the meeting – Please refer to page 26 of these minutes.*

12.2.4 Title: Draft Local Planning Scheme No. 9

Reporting Department: Sustainable Development Directorate
Reporting Officer: Mr Murray Connell - Manager Development Services
Legislation: Planning and Development Act 2005
Attachments: Appendix ORD: 12.2.4A – Draft Local Planning Scheme No. 9
Appendix ORD: 12.2.4B – Risk Assessment
Appendix ORD: 12.2.4C – Revised Draft Local Planning Scheme No. 9

Note: *This Item was dealt with earlier in the meeting – Please refer to page 30 of these minutes.*

12.2.5 Title: Mungalup Road Dedication, Wellington Forest

<i>Reporting Department:</i>	<i>Sustainable Development Directorate</i>
<i>Reporting Officer:</i>	<i>Mr Murray Connell - Manager Development Services</i>
<i>Legislation:</i>	<i>Land Administration Act 1997</i>
<i>Applicant:</i>	<i>Department of Biodiversity, Conservation and Attractions</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.2.5A – Location Plan</i> <i>Appendix ORD: 12.2.5B – Deposited Plans</i> <i>Appendix ORD: 12.2.5C – Risk Assessment</i>

Overview

The purpose of this report is to seek Council approval to request the Minister for Lands to approve the dedication of a number of land parcels that make up Mungalup Road, Wellington Forest.

Background

Mungalup Road is a 26 km sealed road which travels from the town of Collie to the intersection of Pile and King Tree Road in the Shire of Dardanup. The majority of the road is not contained within a road reserve and is instead located within State forest. In 2016 the Shire of Donnybrook-Balingup requested the (then) Department of Parks and Wildlife to excise portions of State Forest No. 25 and 26 to create a road reserve through their shire, to formalise ownership and management of the road.

To the west of the Shire of Donnybrook-Balingup, Mungalup Road continues for approximately 8 km to the intersection of Pile and King Tree Roads in the Shire of Dardanup. Approximately 1.7 km of the road is contained within a dedicated road reserve, the remaining 6.3 km is located within State Forest No. 25 outside a road reserve. Please refer to [Appendix ORD: 12.2.5A] for a location plan.

In January 2017 Parks and Wildlife requested the Shire to consider the proposal to excise the already constructed and Shire maintained Mungalup Road from State Forest No. 25 and have a road reserve created. Council considered the request at its meeting held on the 15th of February 2017 and resolved (24-17):

“THAT Council, in regards to the proposal for the excision of Mungalup Road from State Forest No. 25 and its dedication as road in accordance with Section 56 of the Land Administration Act 1997:

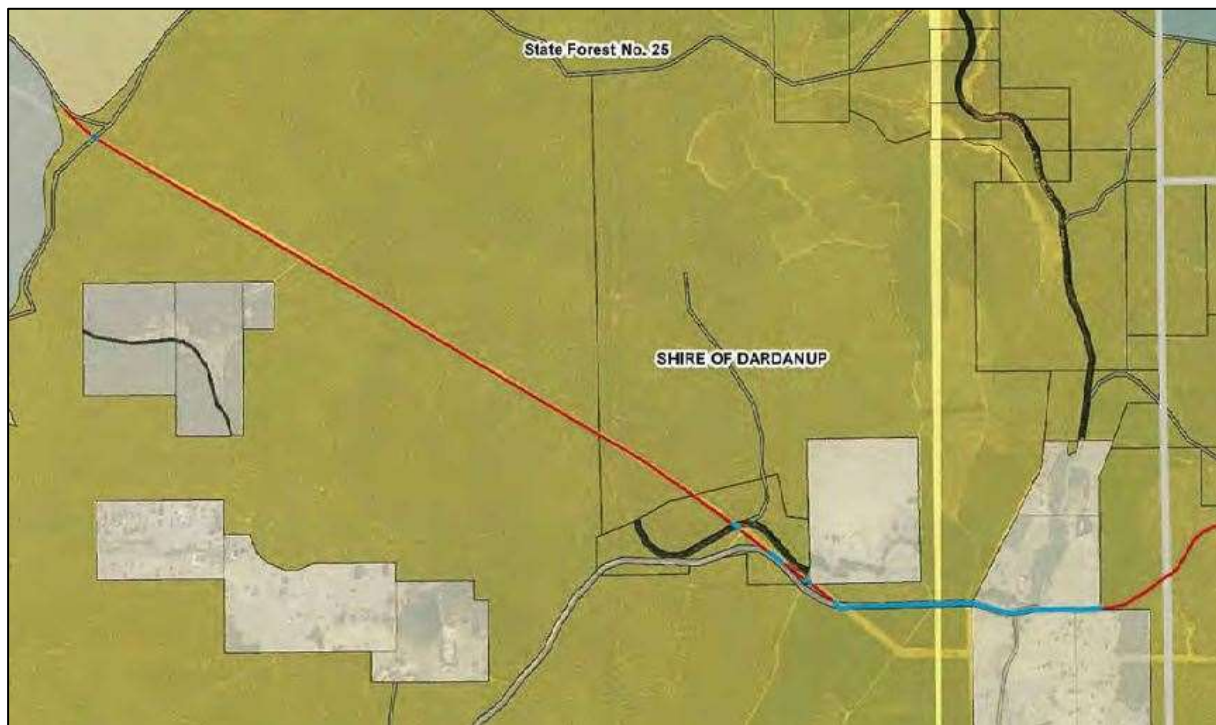
- 1. Supports the proposal in principle.*
- 2. Requests the Department of Parks and Wildlife to undertake the process at their cost, as has been the case previously for the dedication of Pile Road.”*

The Department of Planning, Lands and Heritage have now completed the survey of the land and have forwarded the Deposited Plans. The following land parcels are required to be dedicated as road:

- Portion of Lot 300 on DP 409832;
- Lots 300 and 305 on DP 419903; and
- Lots 3000, 3001, 3002 and 3003 on DP 420658.

Please refer to [Appendix ORD: 12.2.5B] for the Deposited Plans.

Location Plan



**The 'red' lines indicate the extent of the road to be dedicated, whilst the 'blue' lines indicate the area of Mungalup Road within the road reserve.*

Legal Implications

Section 56 of the *Land Administration Act 1997* provides for the dedication of land as road as follows:

56. Dedication of land as road

(1) *If in the district of a local government –*

(a) *land is reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government;*

and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.

Strategic Community Plan

Strategy 5.1.1 - Provide an efficient road network for the efficient movement of people and goods by road. (Service Priority: Very High)

Environment - None.

Precedents

Council has previously resolved to support the proposal in principle at its meeting held on the 15th of February 2017 (24-17).

Budget Implications

The Shire already maintains Mungalup Road and the on-going costs for maintenance of the road will continue to be the responsibility of the Shire.

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: 12.2.5C] for full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Mungalup Road Dedication, Wellington Forest
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 Section 56 of the <i>Land Administration Act 1997</i> requires a local government to make a resolution to request the Minister for Lands to dedicate land as road.

Officer Comment

Creation of a formal road reserve over the entire width of Mungalup Road will formalise management of the road, rationalise the road's boundary with State forest and ensure a consistent tenure along the entire road length, and the option to refuse it therefore not recommended. Officers also do not recommend the option to defer as there is considered sufficient information for Council to determine the matter.

Council Role - Legislative.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

402-21 MOVED - Cr. M T Bennett SECONDED - Cr. P R Perks

THAT Council requests the Minister for Lands dedicates the following land parcels as road:

- Portion of Lot 300 on DP 409832;
- Lots 300 and 305 on DP 419903; and
- Lots 3000, 3001, 3002 and 3003 on DP 420658.

CARRIED
9/0

12.2.6 Title: Multi-year Tronox Sponsorship for Spring Out Festival

Reporting Department:	<i>Sustainable Development Directorate</i>
Reporting Officer:	<i>Ms Lucy Owen-Conway - Manager Place & Community Engagement</i>
Legislation:	<i>Local Government Act 1995</i>
Attachments:	<i>Appendix ORD: 12.2.6A – Tronox Spring Out Festival Report</i> <i>Appendix ORD: 12.2.6B – Risk Assessment</i>

Overview

The purpose of this report is for Council to consider a two-year naming rights sponsorship with Tronox for the Spring Out Festival.

Background

On the 14th of July 2021, Shire Officers presented a sponsorship strategy development plan to Councillors at a workshop. The plan outlined the approach Officers intended to take in obtaining corporate sponsorship. Officers were subsequently successful in securing a naming rights sponsor in Tronox who sponsored the 2021 Spring Out Festival, per Council decision (256-21):

“THAT Council:

- 1. Authorises unbudgeted grant income (Ref GL 11 2 9502) in the 2021-2022 Annual Budget of \$10,000 (GST Exclusive) from Tronox.*
- 2. Authorises unbudgeted expenditure (Ref J11901) in the 2021-2022 Annual Budget of \$10,000 (GST Exclusive) toward the 2021 Tronox Spring Out Festival.”*

The Tronox Spring Out Festival was held on Sunday the 24th of October and saw a record attendance of over 3,500 people being a 40% growth on the 2020 event. The free community event coincided with National Children’s Week with entertainment and experiences designed to support children and families to create, connect, learn and play.

The financial support from Tronox matched the Shire’s own contribution and allowed significant growth of the event, contributing greatly in achieving the event’s key objectives being to:

- Celebrate National Children Week and share the 2021 message of ‘Children have the right to choose their own friends and safely connect with others.’
- Support and build a strong and thriving community by providing a free and accessible experience for all children and families within the South West region.
- Inspire and actively involve attendees in healthy living practices.
- Provide attendees with the opportunity to collect resources and engage with services and businesses that focus on children and families.
- Offer a platform to showcase the diversity of our community and provide an opportunity for positive engagement.

The event attracted a large amount of paid and organic media coverage contributing to a positive image for the Shire of Dardanup and the services it provides its community. A post event report is available at [Appendix ORD: 12.2.6A].

Owing to the success of the event Tronox have offered the Shire an additional two-year sponsorship. Council is requested to consider and support this continued relationship to allow the event to continue to grow.

Legal Implications

If endorsed, a sponsorship agreement will be entered into with Tronox who will receive major sponsor benefits including naming rights, logo on all promotional material and a stall or other presence at the event.

Strategic Community Plan

Strategy 3.2.1 - Deliver a high level of Community Programmes & Services that encourages social connectedness, facilitates an accessible, inclusive environment for our diverse community. (Service Priority: Very High)

Strategy 1.3.3 - Maximise Shire grant funding received by the Shire. (Service Priority: Flagship)

Environment - None.

Precedents

Tronox was the major naming rights sponsor for the Spring Out Festival in 2021. Council have also endorsed the major naming rights sponsorship of the Livelighter Summer in Your Park Series (332-21).

Budget Implications

In the 2021/22 financial year the Annual Budget included \$60,000 for Events and Festivals (J11901). Of this \$10,000 is allocated to the Spring Out Festival with a further \$10,000 income and expenditure thanks to the Tronox sponsorship.

If accepted by Council the Tronox sponsorship will increase the expenditure in J11901 by \$10,000 excluding GST; and increase the income in GL 11 2 9502 by \$10,000 excluding GST in the 2022/23 and 2023/24 financial years. This will double the total budget available for the Spring Out Festival to a total \$20,000 per year.

Budget – Whole of Life Cost - None.

Council Policy Compliance

There is no current policy relating to sponsorship. Officers are currently drafting a Sponsorship Policy to guide future sponsorship decisions, which is expected to be taken to the Ordinary Council Meeting in January 2022.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to [Appendix ORD: 12.2.6B] for full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Multi-year Tronox Sponsorship for Spring Out Festival
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	Service Interruption Failure to accept income and expenditure will result in reduced scale of event.
	Legal and Compliance Inability to meet terms of sponsorship.
	Reputational Community perception of alignment to sponsor that is involved in mining and processing.

Officer Comment

The Shire has a longstanding relationship with Tronox who have sponsored several initiatives in the past including Paint the Town READ and Leeuwin Scholarships in 2015/2016 and 2016/2017, and recently the 2021 Tronox Spring Out Festival. Due to the success of the 2021 Tronox Spring Out Festival, Tronox have offered the Shire a two-year naming rights sponsorship agreement.

The Tronox operations are long-standing fixtures in the South West community, having operated in the region for over 60 years and being a major employer of Shire of Dardanup and surrounding residents. Tronox's values and commitment to "making positive contributions to the communities where we live and work" aligns strongly with the aims of this event, as does their corporate citizenship strategy pillar of 'Health and Wellness'. Tronox aims to nurture the future talent stream and encourage people to stay within the South West rather than seeking employment opportunities elsewhere, and they do so by being pro-active in the local community including through sponsorships such as this.

Tronox coming on board as a major naming rights sponsor for the Spring Out Festival for an additional two-years will allow the continued momentum achieved with the highly successful 2021 event. The additional revenue, and therefore expenditure, allows the event to be significantly larger than would otherwise be possible and increase opportunities to include elements that meet the outcomes of the adopted Place and Community Plan.

The confirmation of multi-year support is hugely beneficial to Officers, allowing for certainty of budget and the ability to effectively plan the event with confidence. Officers therefore request Council support this continued sponsorship to allow the popular family-friendly event to continue to grow.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

Note: Manager Development Services, Mr Murray Connell left the meeting at 6.29pm.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

403-21 MOVED - Cr P R Perks SECONDED - Cr S Gillespie

THAT Council:

1. **Accepts the two-year sponsorship offer from Tronox to be the naming rights sponsor of the 2022 and 2023 Spring Out Festivals at a value of \$10,000 (GST Exclusive).**
2. **Includes grant income (Ref GL 11 2 9502) in the 2022-2023 and 2023-2024 Annual Budgets of \$10,000 (GST Exclusive) from Tronox.**
3. **Includes additional expenditure (Ref J11901) in the 2022-2023 and 2023-2024 Annual Budgets of \$10,000 (GST Exclusive) toward the Tronox Spring Out Festival.**

CARRIED
9/0

12.2.7 Title: Sea Container – Glen Huon Oval (Reserve 50882) Council Drive, Eaton

Reporting Department: Sustainable Development Directorate
Reporting Officer: Mrs Suzanne Occhipinti - Senior Planning Officer
Legislation: Planning and Development Act 2005
Applicant: Bunbury and Districts Dog Club
Attachments: Appendix ORD: 12.2.7A – Application Details
Appendix ORD: 12.2.7B – Submissions
Appendix ORD: 12.2.7C – Alternative Options
Appendix ORD: 12.2.7D – Risk Assessment

Note: This Item was dealt with earlier in the meeting – Please refer to page 36 of these minutes.

12.3 INFRASTRUCTURE DIRECTORATE REPORTS

12.3.1 Title: J11573 Glen Huon Reserve - Development Works - Request for Additional Budget Allocation

<i>Reporting Department:</i>	<i>Infrastructure Directorate</i>
<i>Reporting Officer:</i>	<i>Mr Nathan Ryder - Manager Infrastructure Planning & Design</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.3.1 – Risk Assessment</i>

Overview

Council is requested to acknowledge additional income and authorise additional expenditure for the J11573 Glen Huon Reserve - Development Works project to allow completion of the works.

Background

Council allocated a total of \$117,000 for project *J11573 Glen Huon Reserve - Development Works*, in the 2021-2022 Annual Budget. This was 100% funded through the Local Roads and Community Infrastructure (LRCI) Extension Program.

Citygate is expected to contribute to some of these works via prior agreement / conditions of subdivision:

- 50% contribution for the construction of the softball protection fence; and
- 50% contribution for the construction of a grey concrete footpath on the east side of the new road (realigned Council Drive).

This expected income was not included in the 21-22 Annual Budget and this report is to request additional funds to complete the project to a high standard as well as to acknowledge the income to be received from Citygate, with the budget for J11573 to be adjusted accordingly.

Legal Implications

S6.2 of the Local Government Act prescribes the preparation of the annual budget. An absolute majority is required to amend the budget.

Strategic Community Plan

Strategy 1.1.3 - Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High)

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

Environment - None

Precedents

Council has previously approved unbudgeted expenditure and income.

Budget Implications

The following table summarises the project's costs, showing where costs have been allocated, status of the individual elements of the works, forecast cost at completion and estimated income to be received from Citygate:

Item	Description	Status	Forecast Cost at Completion (ex GST)	Estimated Citygate Contribution (ex GST)
1	Certified design of softball fence and footings	Committed. Complete.	\$1,000	\$0
2	Playground, BBQ area works	Committed. 80% complete.	\$9,500	\$0
3	Grey concrete footpath from playground to the football clubrooms (constructed)	Committed. Complete.	\$62,133	\$23,768*
4	Grey concrete footpath from playground to Recreation Drive (not constructed)	Not commenced	\$32,400	\$16,200
5	Softball protection fence	Committed. Works not Commenced.	\$59,075	\$29,538^
6	Playground fencing	Committed. Works not Commenced.	\$14,375	\$0
7	Kerb line in front of football clubrooms	Committed. Complete.	\$3,488	\$0
8	Additional sand for playground and sifting works	Committed. Works not Commenced.	\$1,500	\$0
9	Bore pump area landscaping	Not commenced	\$2,000	\$0
10	Playground island landscaping	Not commenced	\$1,500	\$0
11	Landscaping area between footpath and softball protection fence south of playground	Not commenced	\$5,000	\$0
12	Landscaping works by P&G crew and general tidy up	Commenced	\$12,000	\$0
13	Staff design and project management	On going	\$8,000	\$0
14	New carpark north side of skate park.	Designed. Not commenced.	\$25,000	\$0
15	Contingency (5%)	Allowance	\$10,000	\$0
	Total		\$246,971	\$69,506

* The estimated contribution from Citygate is less than 50% of the cost for this line item as the scope included drainage works between the footpath and the Skate Park / playground that Citygate is not responsible for.

^ This contribution amount \$29,537.50 ex GST has been agreed with Citygate.

Note, the following works in the area have been specifically excluded as they do not have a good definition at this point in time and therefore the costs are unknown:

- Realigned fencing for the football club (requires discussion of options with SWFL).

The above item will need to be brought back to Council once the scope is defined and the estimated costs are known, in order to request a budget allocation.

The impact on the budget for J11573 is summarised as follows:

Item	Description	Costs (ex GST)
	Forecast Project Cost at Completion	\$246,971
	Estimated income from Citygate contributions	\$69,506
	Net cost of project	\$177,465
	Current Budget as per 2021-2022 Annual Budget (100% LRCI Funded)	\$117,000
	Budget of J11573 to be increased by	\$129,971
	Net cost to Council	\$60,465

Budget – Whole of Life Cost

This project will deliver a new asset. Operations and maintenance cost is estimated at 2.5% pa of the value of the project, to be carried out by the Shire. The whole of life costings are not available at this time, but will be included in future Asset Management Plans.

Council Policy Compliance

The following Council policies apply:

- CP034 – Procurement Policy and PR045 Procurement Procedure;
- CP127 – Asset Capitalisation Threshold Policy;
- CP017 – Project Development Policy;
- CP059 – Road Construction Priority;
- CP074 – Asset Management; and
- CP306 – Accounting Policy for Capital Works.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to [Appendix ORD: 12.3.1] for full assessment document.

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.		
Risk Event	J11573 Glen Huon Reserve - Development Works - Request for Additional Budget Allocation	
Inherent Risk Rating (prior to treatment or control)	Extreme (20 - 25)	
Risk Action Plan (treatment or controls proposed)	Council to allocate the necessary funds to complete the works. Shire to closely monitor projected expenditure to ensure budgets set by Council are not exceeded.	
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)	
Risk Category Assessed Against	Financial	Overall cost projected to exceeds budget allocation.
	Reputational	The Shire’s reputation would be negatively not completing works in a high profile public space.

Officer Comment

The requirement for additional funds for this project was previously flagged to Council via Item 12.3.1 (Eaton Oval and Wells Recreation Park Change Rooms and Clubrooms – Concept Plans, Architectural Drawings and Costings) at the Ordinary Council Meeting held on the 28th of July 2021. The estimated increase in funds stated at that time was \$80,000 (forecast project cost at completion \$197,000). However, since that time, Shire Officers have further developed the design, carried out some procurement activities, and the forecast cost to complete the project has increased.

Allocating additional funding to this project will ensure that the works will be finished to a high quality and provide for items not previously accounted for with the interface works completed by Citygate. Additionally the car park on the north side of the skate park was not included in that forecast cost and by constructing it will result in a finished project.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

404-21 MOVED - Cr. M T Bennett SECONDED - Cr. T G Gardiner

THAT Council, pursuant of Section 6.8 of the Local Government Act 1995 (as amended), increases the 2021/22 budget allocation for J11573 Glenn Huon Reserve Development Works from \$117,000 to \$246,971, funded partly from the Parks & Gardens Reserve (\$60,465) and partly through a Citygate contribution as per conditions of subdivision (\$69,506).

CARRIED
9/0

Note: Manager Place & Community Engagement, Ms Lucy Owen-Conway left the meeting at 6.30pm.

12.3.2 Title: J12974 Hynes Road – Request for Additional Funding

Reporting Department:	Infrastructure Directorate
Reporting Officer:	Mr Jason Gick - Manager Operations
Legislation:	Local Government Act 1995
Attachments:	Appendix ORD: 12.3.2 – Risk Assessment

Overview

Council is requested to authorise additional expenditure for the J12794 Hynes Road – asphalt reseal project to allow the completion of works.

Background

Project J12794 Hynes Road (asphalt reseal) has been included in the 2021/22 Capital Works Budget program. The project consists of profiling and relaying of asphalt at the right-angle bend near Clifton Road (SLK 2.06 to 2.15).

The location of the project is depicted below:



Legal Implications

S6.2 of the Local Government Act prescribes the preparation of the annual budget.

An absolute majority is required to amend the budget.

Strategic Community Plan

Strategy 1.1.3 - Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High)

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

Strategy 2.2.2 - Provide Sustainable Transport Infrastructure. (Service Priority: Moderate)

Strategy 5.1.3 - Provide a safe road transport network where crashes resulting in death or serious injury are minimised. (Service Priority: Very High)

Strategy 5.1.1 - Provide an efficient road network for the efficient movement of people and goods by road. (Service Priority: Very High)

Strategy 5.1.4 - Build resilience of our transport network infrastructure from future threats and constraints. (Service Priority: Very High)

Environment

The environmental impact of this project relates primarily to the consumption of natural resources for the road building materials, consumption of fuels for machinery and disposal of waste products.

No trees are affected by the project.

Precedents

Council has previously approved unbudgeted expenditure and income.

Budget Implications

J12794 Hynes Road (SLK 2.06 to 2.15, asphalt reseal) has a budget allocation of \$36,000. This budget allocation was calculated using historical unit rates with the understanding that the project would require routine preparation and site management. Job J12828 also includes an allocation towards staff design and project management costs.

Additional works and management systems have increased the project cost to \$55,000 plus Shire Design and Project Management costs. Council is requested to increase the budget allocation to J12794 Hynes Road by \$19,000 with funds coming from the Road Construction and Major Maintenance Reserve.

Budget – Whole of Life Cost

This project will deliver a renewed asset. Operations and maintenance cost is estimated at 2% pa of the value of the project, or \$1,100 pa to be carried out by the Shire. The whole of life costings are not available at this time, but will be included in future Asset Management Plans.

Council Policy Compliance

The following Council policies apply:

- CP034 – Procurement Policy;
- CP127 – Asset Capitalisation Threshold Policy;
- CP017 – Project Development Policy;
- CP059 – Road Construction Priority;
- CP074 – Asset Management; and
- CP306 – Accounting Policy for Capital Works.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to [Appendix ORD: 12.3.2] for full assessment document.

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	J12974 Hynes Road – Request for Additional Funding
Inherent Risk Rating (prior to treatment or control)	Extreme (20 - 25)
Risk Action Plan (treatment or controls proposed)	Contract provisions requiring the contractor to take precautionary measures to avoid / reduce risk
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)
Risk Category Assessed Against	Health Worker fatality
	Health Worker injury
	Service Interruption Hit underground utility
	Service Interruption COVID 19 lockdown
	Financial Budget allocation increase

Officer Comment

The asphalt surface at the right-angle bend, has shunted dramatically, causing deep rutting in the traffic wheel path and bunching of the shunted asphalt mass into high ridges (up to 10cm in the worst locations). The extent of the shunting goes beyond the original project length and will need to be extended 15m.

Preparation for the project will therefore require more than normal profiling to remove the offending shunted areas. These then need to be corrected before laying the final trafficable asphalt surface.

Hynes Road is a busy road with consistent traffic volumes during daylight hours and reducing to low traffic volumes at night. It is therefore proposed to undertake the works at night time to ensure the works can be done quickly with minimal traffic interruption. Local traffic will be allowed to access property under traffic control. It is intended to schedule these works to not occur during school holiday periods.

The additional works will provide a longer wearing surface and capture more of the damaged surface.

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

405-21 MOVED - Cr. P S Robinson SECONDED - Cr. M T Bennett

THAT Council increases the 2021/22 budget allocation for J12974 Hynes Road from \$36,000 to \$55,000 plus Shire Project Design and Management costs, by drawing down \$19,000 from the Road Construction and Major Maintenance Reserve and reallocating Shire Project Design and Management costs from J12828.

CARRIED

9/0

By Absolute Majority

12.3.3 Title: Additional Expenditure Eaton Drive

<i>Reporting Department:</i>	<i>Infrastructure Directorate</i>
<i>Reporting Officer:</i>	<i>Mr Jason Gick - Manager Operations</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.3.3 – Risk Assessment</i>

Overview

Council is requested to authorise additional expenditure for J12902 Eaton Drive expansion, to address project cost overruns, and to provide funding to complete the works required at the Peninsula lakes Drive intersection.

Background

The Joint Town Planning Scheme (JTPS) was established to provide a statutory vehicle to collect funds for the future contribution towards roadworks, which include the Collie River Bridge, connecting Eaton and Treendale. The Scheme included provisions for roadworks approaching the bridge, including the expansion and duplication of Eaton Drive, and associated intersections.

The Collie River Bridge was constructed in 2017, and Eaton Drive was extended to the bridge in 2017/18, including the development of an intersection configuration to service future subdivision in northern Parkridge.

The design for Eaton Drive, including the duplication, was undertaken by AECOM for Main Roads to service the ultimate roadworks. The duplication of Eaton Drive (J12902) commenced in January 2021, and was completed in November 2021. At the time of writing, the following items remain to conclude the carriageway duplication project:

- Weedspraying verges;
- Removal of redundant raised pavement markers;
- Final defects compilation;
- Installation of one street light (Peninsula Lakes Drive);
- Resolution of a possible property damage claim; and
- Final clean up.

The Peninsula Lakes Drive intersection has not been upgraded (although the splitter island was removed during the demolition phase) and is the subject of this report.

Legal Implications

S6.2 of the Local Government Act prescribes the preparation of the annual budget.

An absolute majority is required to amend the budget.

The project is being funded through provision of the Joint Town Planning Scheme (JTPS). The JTPS provides the means to collect funds and specifies infrastructure delivery obligations for Eaton Drive, including the Peninsula Lakes Drive intersection.

Strategic Community Plan

Strategy 1.1.3 - Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High)

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

Strategy 2.2.2 - Provide Sustainable Transport Infrastructure. (Service Priority: Moderate)

Strategy 5.1.3 - Provide a safe road transport network where crashes resulting in death or serious injury are minimised. (Service Priority: Very High)

Strategy 5.1.1 - Provide an efficient road network for the efficient movement of people and goods by road. (Service Priority: Very High)

Strategy 5.1.4 - Build resilience of our transport network infrastructure from future threats and constraints. (Service Priority: Very High)

Environment

The environmental impact of this project relates primarily to the consumption of natural resources for the road building materials, consumption of fuels for machinery and disposal of waste products.

No trees are affected by the project.

Precedents

Council has previously approved unbudgeted expenditure and income.

Budget Implications

The project commenced in January 2021 and will conclude in early 2022, which straddles two financial years. The following table shows project expenditure and anticipated costs to conclude the project, at the time of writing:

Job Number	Description	Original Budget	Adjusted Budget	Expenditure	Budget variance
2020/21					
J12902	Eaton Drive Extension	\$1,749,601	\$1,474,526	\$1,359,860	\$114,666
J12674	Eaton Drive Path (Millbridge to Jindalee)	\$163,521	\$163,521	\$0	\$163,521
J12675	Eaton Drive Path (Jindalee to bridge)	\$114,888	\$114,888	\$0	\$114,888
2021/22					
J12902	Eaton Drive Extension	\$250,000	\$250,000	\$576,127	-\$326,127
J12674 (CFWD*)	Eaton Drive Path (Millbridge to Jindalee)	\$163,521*	\$163,521	\$92,450	\$71,071
J12675 (CFWD*)	Eaton Drive Path (Jindalee to bridge)	\$114,888*	\$114,888	\$128,466	-\$13,578
TOTAL PROJECT (WORKS)		\$2,278,010	\$2,002,935	\$2,156,903	-\$153,968
Additional Funding Request					
J12902	Eaton Drive Extension Peninsula Lakes Intersection Works	Included above	Included above	\$120,000	-\$120,000
	Project Management Allocation	Nil	Nil	\$100,000	-\$100,000
	Project Management Overheads	Nil	Nil	\$15,000	-\$15,000
	TOTAL ADDITIONAL FUNDING			\$235,000	-\$235,000

Job Number	Description	Original Budget	Adjusted Budget	Expenditure	Budget variance
	TOTAL PROJECT FUNDING	\$2,278,010	\$2,002,935	\$2,391,903	-\$388,968

Note: The cost estimate to complete the works at Peninsula Lakes Boulevard (\$120,000) has been estimated using internal unit rates, provision of materials (drainage, bricks), known contractor costs and estimated construction times. Recent prices for Tenders have been significantly higher than budget. Job J12828 also includes an allocation towards staff design and project management costs, which will be reallocated to the Eaton Drive projects based on actual hours worked on the projects.

Budget – Whole of Life Cost

This project will deliver a renewed asset. Operations and maintenance cost is estimated at 2% pa of the value of the project, to be carried out by the Shire. The whole of life costings are not available at this time, but will be included in future Asset Management Plans.

Council Policy Compliance

The following Council policies apply:

- CP034 – Procurement Policy;
- CP127 – Asset Capitalisation Threshold Policy;
- CP017 – Project Development Policy;
- CP059 – Road Construction Priority;
- CP074 – Asset Management; and
- CP306 – Accounting Policy for Capital Works.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to [Appendix ORD: 12.3.3] for full assessment document.

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Additional Expenditure Eaton Drive
Inherent Risk Rating (prior to treatment or control)	Extreme (20 - 25)
Risk Action Plan (treatment or controls proposed)	Contract provisions requiring the contractor to take precautionary measures to avoid / reduce risk
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)
Risk Category Assessed Against	Health Worker fatality
	Health Worker injury
	Service Interruption Hit underground utility
	Service Interruption COVID 19 lockdown
	Financial Budget allocation increase

Officer Comment

The delivery of this project is nearing completion, with the Peninsula Lakes Drive intersection upgrade remaining as the only prominent outstanding item.

The project itself has presented the Shire with various challenges that have caused disruption to motorists, residents and the community.

The winter of 2021 was recorded as one of the wettest in decades, which included 6 days of 25mm rainfall, or more. These storm events not only caused works on this project to stop, but necessarily required staff resources to be redirected to correct blocked drains, damaged roads, fallen trees, and localised flooding.

More broadly, the civil construction market in the South West has been negatively affected by a number of issues affecting the supply lines for contractors, materials, plant and labour, including:

- COVID 19 impacts on supply lines;
- Federal and State Government economic stimulus packages (eg LRCI grants);
- Bunbury Outer Ring Road; and
- Competing demands for resources elsewhere.

The imbalance between supply and demand is causing a reduced number of suppliers and a noticeable increase in pricing. For example, the Shire had to prioritise works for several projects that appointed the same contractors, which caused time delays in the delivery process.

More recently, the overwhelming workload across the South West has caused contractors to actively desist in providing quotes, as they either cannot afford the time to submit documentation or advise that are not readily available for months to delivery works.

Consequently, the stop / start nature of the project has caused problems, with traffic management costs exceeding initial estimates, double handling of materials costing more than necessary, and reworking of areas to address defects incurring costs.

Whilst the project has gone over budget and has taken longer than ideal to deliver, the quality of the product is good, and meets the design and contemporary road construction standards. The new carriageway is working well, the drainage system has performed well during storm events and the new path provides good pedestrian and cycle links along the length of the project.

The practicable completion of the carriageway provides an opportunity to consider the project cost structure and to make a decision to proceed with the balance of works for the Peninsula Lakes Drive intersection. Management has been in discussions with the Executive on the optimal way to proceed with the project. At the time of writing, the balance of works has been estimated to cost in the order of \$120,000. This price range indicates that a Request for Quotation (RFQ) is suitable, in accordance with Councils Procurement Policy.

However, there is an inherent risk with the RFQ process, in that contractors have not been as active in offering bids for tenders (RFT's). This is evident in two recent RFT's (Pile Road and Pratt Road), which attracted only one contractor bid. The RFQ process, however, is somewhat more flexible in that known contractors can be specifically invited and encouraged to quote without breaching the principles of the Procurement Policy.

The project costs have not included project management direct costs or overheads. This request for additional funding makes provision for project management costs at 5% of the project budget (\$100,000) plus an additional 15% overheads for the direct project management costs (\$15,000).

The total request for additional funding is:

• Complete works at Peninsula Lakes Drive intersection	\$120,000 (estimate)
• Project Management direct costs (5%)	\$100,000 (approx.)
• Project Management overheads (15%)	\$ 15,000 (approx.)
• Cost over-runs to date	\$153,968 (at time of writing)
TOTAL	\$388,968

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation- No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

406-21 MOVED - Cr. M T Bennett SECONDED - Cr. P R Perks

THAT Council:

1. Increases the 2021/22 budget allocation for J12902 Eaton Drive Extension from \$250,000 to \$638,968 plus Shire Project Design and Management costs, funded from the Joint Town Planning Scheme and reallocating Shire Project Design and Management costs from J12828; and
2. Authorises the Chief Executive Officer to call a Request for Quotation for the balance of works at the Peninsula Lakes Drive intersection.

CARRIED

9/0

By Absolute Majority

12.3.4 Title: Wireless Road – Proposal to Cut-Off Connection to South Western Highway Connection – Public Submissions

Reporting Department: Infrastructure Directorate
Reporting Officer: Mr Nathan Ryder - Manager Infrastructure Planning & Design
Legislation: Local Government Act 1995
Attachments: Appendix ORD: 12.3.4A – Risk Assessment
Appendix ORD: 12.3.4B – Submissions Table

Note: This Item was dealt with earlier in the meeting – Please refer to page 46 of these minutes.

12.4 CORPORATE & GOVERNANCE DIRECTORATE REPORTS

12.4.1 Title: Light Vehicle Fleet Review – ITEM WITHDRAWN

<i>Reporting Department:</i>	<i>Corporate & Governance Directorate</i>
<i>Reporting Officer:</i>	<i>Mr Phil Anastasakis - Deputy CEO</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.4.1A – Fleet Review-Consulting Report</i> <i>Appendix ORD: 12.4.1B – Fleet Review-Strategic Solutions Report</i> <i>Appendix ORD: 12.4.1C – Exec CP008 – Private Use of Council’s Motor Vehicle by the CEO</i> <i>Appendix ORD: 12.4.1D – Exec CP122 – Private Use of Motor Vehicles – Principal Compliance Officers</i> <i>Appendix ORD: 12.4.1E – AP007-Payment in Lieu Provision of Motor Vehicles – Compliance Officer</i> <i>Appendix ORD: 12.4.1F – AP009-Private Motor Vehicle Use – Directors & Managers</i> <i>Appendix ORD: 12.4.1G – AP020-Loss of Drivers Licence</i> <i>Appendix ORD: 12.4.1H – AP043 – Fuel Cards</i> <i>Appendix ORD: 12.4.1I – Motor Vehicle Use Agreement – Tool of Trade</i> <i>Appendix ORD: 12.4.1J – Risk Assessment</i>

Note: In accordance with 4.11(4) of Standing Orders, Chief Executive Officer, André Schönfeldt asked the Shire President, Cr. M T Bennett if he would give his consent to withdraw Item 12.4.1 – Light Vehicle Fleet Review to allow for more time to work shop the matter

Cr. M T Bennett advised Council that the item would be withdrawn.

ITEM WITHDRAWN

12.4.2 Title: Building Property Manager

Reporting Department:	Corporate & Governance Directorate
Reporting Officer:	Mr Phil Anastasakis - Deputy CEO
Legislation:	Local Government Act 1995
Attachments:	Appendix ORD: 12.4.2 – Risk Assessment

Overview

This report provides Council with an overview of the proposed new Building Property Manager role that would take on responsibility for the management of the Eaton Sports Club building and other Council leased facilities, and seeks Council's endorsement for the creation of this new position.

Background

At the Shire of Dardanup Council meeting held on the 30th of June 2021, a report was presented relating to the Eaton Boomers Football Club. As part of that report, Council resolved (OCM 224-21) the following:

“THAT Council:

- 1. Notes that the Eaton Boomers Football Club have not provided Council with an updated three year Business Plan for the Eaton Sports Centre by the extended due date of 31st of March 2021, and have not complied with the requirements of their lease agreement with the Shire of Dardanup.*
- 2. Requests the Chief Executive Officer to arrange a workshop with Councillors prior to advising the Eaton Boomers Football Club of Council's intention to amend the lease agreement so that the Eaton Sports Club building is no longer part of the lease, with Council to resume responsibility for the booking, usage and management of the building from the 1st of October 2021.*
- 3. Requests the Chief Executive Officer to bring a report to Council on the requirements for a Building Property Manager to manage the Eaton Sports Club building and other Council leased facilities from 1st of October 2021.”*

In a Council workshop held on the 18th of August 2021, further discussion was held in regards to the Eaton Boomers and the role of the proposed Building Property Manager. The following information was provided for information and discussion.

The Shire of Dardanup currently manages bookings for the following Shire properties:

- Dardanup Hall
- Dardanup Community Centre (Back Half)
- Eaton Recreation Centre

Bookings for the Dardanup Hall & Community Centre are administered by Governance staff (Front Counter Staff at Eaton & Dardanup Office). Governance staff processes the bookings, including the distribution and collection of keys and bonds. The final bond check is carried out by the cleaners. There are regular users of both the Hall & Community Centre.

A detailed booking Procedure has been established for the Governance staff to manage bookings at the Dardanup Hall and Dardanup Community Centre. The Eaton Recreation Centre manage their own bookings, and also have a detailed Booking Procedure in place.

The following properties are owned by the Shire of Dardanup and are currently under lease:

- Softball Pavilion – Bunbury & Districts Softball Association
- Eaton Sporting Pavilion – Eaton Boomers (Lease cancelled as of 31st of December 2021)
- Eaton Family Centre – Charterhouse Street
- Pratt Road Hall – Bunbury Repertory Club
- Eaton Bowling Club – Pratt Road
- Wells Recreation Sporting Clubrooms – Dardanup Oval
- Dardanup Equestrian Centre – Garvey Road
- Burekup Country Club – Russell Road
- Ferguson Hall – Ferguson Road
- CWA Hall – Hamilton Road Eaton
- Senior Citizens – Sanford Way.

Legal Implications

Local Government Act 1995

Local Government (Financial Management) 1996

Local Government Act 1995, Section 6.8 requires the prior approval of Council before unbudgeted funds are expended.

6.8. Expenditure from municipal fund not included in annual budget

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

* Absolute majority required.

(1a) In subsection (1) — additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

- (2) Where expenditure has been incurred by a local government —
- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year;
 - and
 - (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the Council.

Strategic Community Plan

Strategy 1.1.4 - Maintain best practice governance systems and practices. (Service Priority: Moderate)

Strategy 1.3.4 - Monitor current and develop new revenue streams. (Service Priority: High)

Strategy 3.2.2 - Deliver a high level Sport & Recreational Services that encourages social connectedness by facilitating community participation in positive social networks, integration and events. (Service Priority: Very High)

Strategy 5.2.1 - Encourage Physical Activity by providing services and recreational facilities that encourage our community towards an active and healthy lifestyle. (Service Priority: Very High)

Environment - None.

Precedents

Council has supported the establishment of Leases and User Agreements for a number of Community and Sporting groups across the Shire of Dardanup, which outline both Council's and the Club's building and facility maintenance obligations.

Budget Implications

Council has not allocated any funding in the 2021/22 Budget for a Building Property Manager role. If Council supports the creation of this new position, it would need to authorise unbudgeted expenditure of \$45,000 in the 2021/22 budget for employee costs related to the Building Property Manager role, which reflects the cost of employing a person in this new role for 6 months. It is estimated the annual cost of employing a person in this role would be approximately \$90,000, inclusive of salary other employee related costs.

If Council was not able to secure a suitable employee to perform this role, the function may be able to be contracted out to an external Property Management business.

Budget – Whole of Life Cost

Council has not allocated any funding in the Long Term Financial Plan or Workforce Plan for the Building Property Manager role. The Shire of Dardanup Workforce Plan and Long Term Financial Plan would need to be updated to reflect this new role if Council supports this addition.

While this report does not directly consider the maintenance or the whole of life cost of buildings, it remains a relevant consideration of Council in planning for the long term usage, maintenance and sustainable operation of the Buildings. This new role would assist in the long term management, utilisation and maintenance of Council facilities, with the potential to generate increased income through lease or user fees.

Council Policy Compliance

Council does not have any formal Policies in place related to facilities bookings, but does have a [Dardanup Hall and Community Centre - Booking Procedures](#) and a [ERC Procedure - Facility Hire - Bookings](#) Procedure.

Risk Assessment

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

Tier 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Building Property Manager
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 Financial whole-of-life costs of building and property management exceeding expectations.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
	Service Interruption	Loss of access to facilities and buildings.
	Reputational	Loss of reputation through non-compliance or mismanagement of facilities.
	Legal and Compliance	Risk of Council breaching lease and use conditions.

Officer Comment

It is proposed that a new position of Building Property Manager be created to undertake the following tasks:

- **Lease & User Agreement Administrative Management** for all Council buildings and leased facilities (i.e.: vacant land, sporting ovals, car parks, etc.). This function has historically been a Governance task, but is currently performed by the PA to the Deputy CEO or the Deputy CEO. This includes the maintenance of the lease agreement template and involvement in lease negotiations, together with interpretation and monitoring of adherence to lease terms and conditions with lessees. This extends to responding to enquiries from lessees on service and maintenance requirements. It is proposed that the Eaton Recreation Centre continue to manage their own bookings due to the specific service provided at the Eaton Recreation Centre, but that the administration of current and future User Agreements be managed by the Building Property Manager.
- **Occupancy and Space Management** to ensure that buildings and facilities are fully utilised where possible, and their use is optimised. This includes the maintenance and development of building and facility bookings systems that enable quick and easy bookings to be undertaken by the community, businesses and groups.
- **Creation of Policies and Procedures** relevant to the management and use of buildings and facilities.
- **Client Liaison** including responding to usage and availability enquiries.
- **Carry out final inspections/authorisation of return of bond.** This task is currently undertaken by cleaners, and would also enable the Building Property Manager to become aware of maintenance needs.
- **Regular Inspection of Structures** to determine the need for any minor or major repairs, including the engagement of contractors for minor repairs and general minor maintenance. Major repairs or improvements would be submitted for Council’s consideration within the relevant Asset Management Plans or as a specific budget request.
- **Promotion and Marketing** of leasable buildings and facilities inside/outside of the region to optimise their use and income to Council. This includes new leasable areas that would become available for lease within the new Administration/Library building.
- **Monitoring of bookings** to report on the operational costs versus incoming revenue for various areas.

It is recommended that Council endorse the creation of the Building Property Manager role to perform the above listed functions, which will facilitate the good management of Council’s current and future buildings and facilities.

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

Discussion:

Council discussed the title of the new position and requested that the title be changed to Building Property Management Officer to make it clear that this was not a Manager position.

Change to Officer Recommendation

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

- *Change in the title, to be Building Property Management Officer.*

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

407-21 MOVED - Cr. P R Perks SECONDED - Cr. T G Gardiner

THAT Council:

- 1. Endorse the creation of a new full-time permanent Building Property Manager Officer position within the Corporate & Governance Directorate to manage the Eaton Sports Club building and other Council leased buildings and facilities from 1st of January 2022, with the option of the role being contracted to an external business in the interim if required;**
- 2. Authorises unbudgeted expenditure of \$45,000 in the 2021/22 budget for employee costs/contractors related to the Building Property Manager Officer role;**
- 3. Authorises the updating of the Shire of Dardanup Workforce Plan and Long Term Financial Plan to include the ongoing costs of employing a Building Property Manager Officer.**

CARRIED

7/2

By Absolute Majority

FOR THE MOTION	AGAINST THE MOTION
Cr. M T Bennett Cr. L Davies Cr. P S Robinson Cr. M R Hutchinson Cr. S L Gillespie Cr. E P Lilly Cr. T G Gardiner	Cr J P Dow Cr. M R Hutchinson

12.4.3 Title: 2020/21 Annual Report

<i>Reporting Department:</i>	<i>Corporate & Governance Directorate</i>
<i>Reporting Officer:</i>	<i>Mr Phil Anastasakis - Deputy CEO</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.4.3A – Risk Assessment</i>
	<i>Appendix ORD: 12.4.3B – Unqualified Audit Report</i>
	<i>Appendix ORD: 12.4.3C – Annual Report</i>

Overview

This report presents the 2020/21 Annual Report to Council, inclusive of the Annual Financial Statements, for consideration and adoption.

Background

Section 5.53 of the *Local Government Act 1995* requires a Local Government to prepare an Annual Report for each financial year. The 2020/21 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.

The adoption of the Annual Report by Council allows for the holding of the Annual Electors Meeting which is proposed for Tuesday 25th of January 2022, commencing at 6.30pm in the Eaton Council Chambers, following the completion of the monthly Council meeting.

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

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

** Absolute majority required.*

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

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

S5.55. Notice of annual reports

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

S5.55A. Publication of annual reports

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

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

5.27. Electors' general meetings

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

Strategic Community Plan

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

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

Environment - None.

Precedents

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: 12.4.3A] for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
Risk Event	2020/21 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	Legal and Compliance	Risk of Council breaching the Local Government Act 1995 and that the 2020/21 Annual Report is not received by Council.
	Reputational	Loss of reputation through non-compliance or mismanagement of funds.

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 1st of December 2021, where the Committee reviewed the recommendations to Council. Council's Auditors have issued an unqualified Audit Report, with no issues or adverse trends raised [Appendix ORD: 12.4.3B]. The Audit Report is also shown on page 94 of the Annual Financial Report that forms part of the Annual Report [Appendix ORD: 12.4.3C] provided under separate cover.

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

Council's actual carried forward surplus as at 30th of June 2021 was \$961,190. This can be compared against the budgeted carried forward surplus in the 2021/22 budget of \$169,557. The favourable variance of \$791,633 was reported to Council and considered at the Special Council Meeting held on the 17th of November 2021.

There were a number of significant 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)*. During the year, two new Australian Accounting Standards came into effect on 1st of July 2020 that apply for the first time to Local Governments for the financial year ending 30th of June 2021. The new standards include:

- AASB 1059 Service Concession Arrangements - Grantor
- AASB 2018-7 Amendment to Australian Accounting Standards – Definition of Material

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 Manager Financial Services, Mrs Natalie Hopkins for the production of Annual Financial Report; and Communications Officer, Mrs Kristy Hitchens for her work on the Annual Report document.

Council is requested to consider and accept the Annual Report for the 2020/21 financial year.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

408-21 MOVED - Cr. M T Bennett SECONDED - Cr. E P Lilly

THAT Council receives and adopts the Shire of Dardanup 2020/21 Annual Report incorporating the audited Annual Financial Statements for the financial year ended on the 30th of June 2021 [Appendix ORD: 12.4.3C].

CARRIED
9/0

12.4.4 Title: Monthly Statement of Financial Activity for the Period Ended on the 30th of November 2021

Reporting Department:	Corporate & Governance Directorate
Reporting Officer:	Mr Ray Pryce - Accountant
Legislation:	Local Government Act 1995
Attachments:	Appendix ORD: 12.4.4A – Risk Assessment Appendix ORD: 12.4.4B – Monthly Financial Report – 30 th of November 2021

Overview

This report presents the monthly Financial Statements for the period ended on the 30th of November 2021 for Council adoption.

Background

The Monthly Statement of Financial Activity is prepared in accordance with the Local Government (Financial Management) Regulations 1996 r. 34 s. 6.4. The purpose of the report is to provide Council and the community with a reporting statement of 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.]

Strategic Community Plan

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

Environment - None.

Precedents

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

Budget Implications

The financial activity statement 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 CP128 Significant Accounting Policies.*

Risk Assessment

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

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
Risk Event	Monthly Statement of Financial Activity for the Period Ended 30 November 2021	
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.
	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 November 2021 is contained in [Appendix ORD: 12.4.4B] and consists of:

- Statement of Financial Activity by Program – including Net Current Assets (liquidity)
- Statement of Comprehensive Income by Nature and Type
- 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 Statement of Investments
 - * Note 6 Accounts Receivable (Rates and Sundry Debtors)
 - * Note 7 Salaries and Wages
 - * Note 8 Rating Information
 - * Note 9 Borrowings
 - * Note 10 Budget Amendments

The Statement of Financial Activity shows operating revenue and expenditure by statutory program and also 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 information.

The Statement of Financial Activity includes the end-of-year surplus brought forward from 2020/21 of \$961,190. This is higher than the estimated surplus of \$169,557 used in preparation of the 2021/22 budget.

Taking into account the larger surplus brought forward, budget amendments adopted by the Council at previous meetings this financial year and officer review of current year-to date performance, the forecast surplus at the 30th of June 2022 is estimated at \$1,675.

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 2021/22 for reporting material variances is 5% or \$25,000, whichever is greater.

Most reported variances are due to timing differences between actual project and operating costs and the corresponding budget allocations. Generally, the budget is spread evenly over the year, however, revenue and expenses (especially asset acquisition and receipt of grants) are not occurring on the same regular pattern. Officers are working to improve this seasonality aspect of presentation of the budget estimates for future reporting.

Note 6 – Statement of Investments reports the current Council cash investments and measures the portfolio against established credit risk limits based on reputable credit ratings agencies and incorporated in the Council's Investment Policy.

The total investment portfolio is currently \$14,613,771 in Reserve Account term deposit funds. It is mainly invested with AA rated Australian banks (86% of the portfolio). Yield return on major bank term deposit investments remain very low at between 0.1% and 0.5% for terms from 3 months up to 12 months. Government and Reserve Bank stimulus measures remain in place to assist with economic stability and recovery. Some of the Reserve Bank stimulus arrangements are being paired back and interest rates on lower credit rated deposit taking institutions (BBB and non-rated) have shown some upwards movement.

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

Council Role - Review.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

409-21 MOVED - Cr. P R Perks SECONDED - Cr. L W Davies

THAT Council: receives the Monthly Statement of Financial Activity [Appendix ORD: 12.4.4B] for the period ended on the 30th of November 2021.

CARRIED
9/0

12.4.5 Title: Schedule of Paid Accounts as at the 26th of November 2021

Reporting Department:	Corporate & Governance Directorate
Reporting Officer:	Mrs Natalie Hopkins - Manager Financial Services
Legislation:	Local Government (Financial Management) Regulations 1996
Attachments	Appendix ORD: 12.4.5 – Risk Assessment

Overview

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

Background

Council delegates authority to the Chief Executive Officer annually:

- To make payments from Trust, Reserve and Municipal Fund;
- To purchase goods and services to a value of not more than \$200,000;
- To purchase goods and services for the Tax Office and other Government Agencies up to the value of \$300,000;
- To purchase goods and services for Creditors where an executed agreement or legal obligation exists which has prior Council endorsement.

Legal Implications

Local Government Act 1995

S6.5. Accounts and records

Local Government (Financial Management) Regulations 1996

R11. Payments, procedures for making etc.

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

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

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

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

- (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name; and
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction; and
 - (b) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under subregulation (1) or (2) is to be —
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

Strategic Community Plan

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

Environment - None.

Precedents

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

Budget Implications

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

Budget – Whole of Life Cost - None.

Council Policy Compliance

Payments are checked to ensure compliance with Council's Purchasing Policy 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: 12.4.5] for full assessment document.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.		
Risk Event	Schedule of Paid Accounts as at the 26 th of November 2021	
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.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

410-21 MOVED - Cr. T G Gardiner SECONDED - Cr. P R Perks

THAT Council receives the Schedule of Paid Accounts report from 06/11/2021 to 26/11/2021 as follows:

Payment	Date	Name	Invoice Description	Fund	Amount
ELECTRONIC FUNDS TRANSFER					
EFT45118	11/11/2021	Activ Industries Bunbury	Road Verge Clean Up - Shenton Rd Burekup Including Traffic Management	MUNI	10,450.00
EFT45119	11/11/2021	Advanced Traffic Management WAP/L	Traffic Management for Shoulder Grading Ferguson Road	MUNI	477.13
EFT45120	11/11/2021	All Aussie Truck and Bobcat Services	Waste Transfer Station Maintenance 04/10/21 to 29/10/21	MUNI	2,530.00
EFT45121	11/11/2021	Ausq Training	3 x Basic Traffic Management and 1 x Basic Traffic Mangegment and Controller - Full Course	MUNI	1,834.00
EFT45122	11/11/2021	Australia Post	Monthly Invoice of Mail and Postage September 2021	MUNI	2,354.29
EFT45123	11/11/2021	Badgers Embroidery	Staff Event Shirt - Screen Printing	MUNI	16.50
EFT45124	11/11/2021	Bell Fire Equipment Company Pty Ltd	Layflat Type Fire Hose Fitted with Alloy Bic Couplings as Supplied on Old Hose Length and Pressure Tested to Compliance	MUNI	220.00
EFT45125	11/11/2021	Brownes Foods Operations Pty Ltd	ERC - Cafe Order	MUNI	196.41
EFT45126	11/11/2021	Bunbury Coffee Machines	ERC - Cafe Order	MUNI	539.00
EFT45127	11/11/2021	Bunbury Mower Service	Stihl FS240 Brushcutter	MUNI	2,249.95
EFT45128	11/11/2021	Bunnings Group Limited	Down Lights and Globes Plastic Tubs Grinding Discs Pipe Insulation Tape Pipe Cap Disc Cutting Makita and Safety Cushion Mat	MUNI	381.40
EFT45129	11/11/2021	Burekup Cricket Club	Community Grant Payment R1 2021/2022	MUNI	5,000.00
EFT45130	11/11/2021	Buss Group	Rural Bridge Routine Maintenance - Progress Claim #4	MUNI	12,286.41
EFT45131	11/11/2021	Cameron Baker	Umpire Recoup 10/11/2021	MUNI	154.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT45132	11/11/2021	Castledine Gregory	Cleanaway Vs Shire of Dardanup Sat Mediation Process - Stockpiles on Lot 2 Banksia Rd, Crooked Brook	MUNI	3,542.00
EFT45133	11/11/2021	Caterlink	ERC - Single Pan Gas Fryer 600Mm Including Delivery and Additional Baskets	MUNI	5,864.10
EFT45134	11/11/2021	CFM - Myzone	ERC - Myzone Switch Heart Rate Monitor	MUNI	567.05
EFT45135	11/11/2021	Chelsea Jayne Wood	Refund Hall Hire Bond	MUNI	540.00
EFT45136	11/11/2021	Chloe Scott	Umpire Recoup 10/11/2021	MUNI	88.00
EFT45137	11/11/2021	Christine Worsfold	Umpire Recoup 09/11/2021	MUNI	112.50
EFT45138	11/11/2021	City of Bunbury	2021-2022 Dog/Cat Pound Sustenance Fees	MUNI	665.00
EFT45139	11/11/2021	Clan Cynefin Realm Inc	Community Event Grant Payment R1 2021/2022	MUNI	5,000.00
EFT45140	11/11/2021	Cleanaway Solid Waste Pty Ltd	Monthly Hire / Pick Up of Skip Bins From Waste Transfer Station General Waste Disposal and Waste Bin and Environmental Fee for ERC	MUNI	7,192.67
EFT45141	11/11/2021	Craig Milton Curtis	Refund Animal Cage Bond	MUNI	150.00
EFT45142	11/11/2021	CraneFord Plumbing	Bio-Paks - Fujiclean Water Treatment and Repair Zip Hydro Tap and Service - Depot	MUNI	558.25
EFT45143	11/11/2021	Cross Security Services	Replace Alarm System Dardanup Office - 3 Little Street Dardanup	MUNI	2,350.40
EFT45144	11/11/2021	Dapco Tyre and Auto Centre	Vehicle Service - DA9406	MUNI	669.92
EFT45145	11/11/2021	Daryl Fishwick	Umpire Recoup 10/11/2021	MUNI	44.00
EFT45146	11/11/2021	Dell Financial Services Pty Ltd	Nx-6135-G Server End of Lease Hardware Buyout Agreement 009-0141985-001	MUNI	1.10
EFT45147	11/11/2021	Deputec Pty Ltd	ERC - Deputy Roster Schedule Software - October 2021	MUNI	93.23

Payment	Date	Name	Invoice Description	Fund	Amount
EFT45148	11/11/2021	Diesel Force	Service John Deere Grader DA9774	MUNI	3,206.49
EFT45149	11/11/2021	Donna Bastow	Umpire Recoup 10/11/2021	MUNI	132.00
EFT45150	11/11/2021	Donna Nicholls	Umpire Recoup 08/11/2021	MUNI	90.00
EFT45151	11/11/2021	Drainscope	Repair Downpipe and Gutter to Prevent Flooding at Ferguson Hall	MUNI	1,342.00
EFT45152	11/11/2021	Eaton Environmental Services	Termite Nest Control - Illawarra Park	MUNI	120.00
EFT45153	11/11/2021	Ebony Gene Jones	Umpire Recoup 08/11/2021	MUNI	22.00
EFT45154	11/11/2021	Elizabeth Cox	Refund Hall Hire Bond	MUNI	290.00
EFT45155	11/11/2021	Eve Yoga	ERC - Yoga Sessions Eve Yoga - July 2021 - July 2022	MUNI	180.00
EFT45156	11/11/2021	Fit2Work	Monthly Invoice for Employee Police Checks	MUNI	153.56
EFT45157	11/11/2021	Flexi Staff Pty Ltd	Labour Hire - K Clarke 04/10/21 to 08/10/21 and 18/10/21 to 22/10/21	MUNI	9,928.63
EFT45158	11/11/2021	Frank Trevor Faulkner	Refund Election Nomination Deposit Fee Rec 138251	MUNI	80.00
EFT45159	11/11/2021	Fulton Hogan Industries WA	Premix - Dowdells Line	MUNI	1,552.76
EFT45160	11/11/2021	Glenice Faye Page	Rates Refund for Assessment A11378 12 Primrose Vista Millbridge WA6232	MUNI	634.35
EFT45161	11/11/2021	Hanson Construction Materials Pty Ltd	5/7Mm Mix Aggregate (Blue Metal) Per Tonne - Dowdells Line	MUNI	321.20
EFT45162	11/11/2021	Heatleys	Cargo Net Glove Alphatec Cotton Nitrile Seamless and Tee Shirts	MUNI	1,381.55
EFT45163	11/11/2021	Herbert Smith Freehill	Legal Advice In Respect of Eaton Civic Centre 16/07/2021	MUNI	1,372.80

Payment	Date	Name	Invoice Description	Fund	Amount
EFT45164	11/11/2021	Hersey's Safety P/L	Rags,Sprays,Tapes Water Bottles	MUNI	667.39
EFT45165	11/11/2021	Hynes Contracting	Hire of Tip Truck and Bobcat for Road Repairs - Johnston Road and Taverner Road	MUNI	3,795.00
EFT45166	11/11/2021	Illion Australian Pty Ltd (Tenderlink)	Tenderlink Public Notice Fee - Pratt Rd Carpark	MUNI	418.00
EFT45167	11/11/2021	Ipwea - WA Division	IPWEA Day Course for Acting Manager Asset and WA Division Membership 1/1/2021-31/12/2021 Manager Infrastructure Planning and Design	MUNI	1,138.00
EFT45168	11/11/2021	Jetline Kerbing Contractors	6 x Concrete Pad In "Argyle" Aggregate Concrete - 5m X 2m and 1 X 6m2 Red - Terracotta Pathway of 2m Wide to Seat 2 Pad then Seal	MUNI	12,969.00
EFT45169	11/11/2021	Jim's Test and Tag	Electrical Test and Tag 2021/22 - Depot and Eaton Football Club	MUNI	900.23
EFT45170	11/11/2021	Jo Jingles South West	Jo Jingles Sessions At Eaton Library, Burekup Hall and Dardanup Hall - October 2021	MUNI	1,584.00
EFT45171	11/11/2021	Joan Eileen Smith	Rates Refund for Assessment A1271 88 Hamilton Rd Eaton WA6232	MUNI	567.43
EFT45172	11/11/2021	John Thompson	Umpire Recoup 10/11/2021	MUNI	44.00
EFT45173	11/11/2021	Justine Eichner	Umpire Recoup 10/11/2021	MUNI	44.00
EFT45174	11/11/2021	Karen Mentiplay	Refund Animal Cage Bond	MUNI	150.00
EFT45175	11/11/2021	Karyn Rowe	Umpire Recoup 09/11/2021	MUNI	112.50
EFT45176	11/11/2021	Kenny Pomare	Umpire Recoup 10/11/2021	MUNI	88.00
EFT45177	11/11/2021	Kings Tree Care	Remove Dead Trees to Ground Level and Grind Stump - Cadel View	MUNI	2,640.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT45178	11/11/2021	Korrine Bennell	Welcome to Country - WA Emergency Management Conference	MUNI	500.00
EFT45179	11/11/2021	Les Mills Asia Pacific	ERC - Monthly Licence Fees November 2021	MUNI	1,361.51
EFT45180	11/11/2021	Leschenault Community Nursery Inc	Several various of plants for Parks and Gardens	MUNI	2,612.50
EFT45181	11/11/2021	Lions Club of Eaton	Community Grant Payment L2 R1 2021/2022	MUNI	1,011.59
EFT45182	11/11/2021	Luke Wilkinson	Umpire Recoup 10/11/2021	MUNI	88.00
EFT45184	11/11/2021	Mainline Plumbing	ERC - Installation of New Fryer	MUNI	604.56
EFT45185	11/11/2021	Margery Ann Stevens	Umpire Recoup 08/11/2021	MUNI	134.00
EFT45186	11/11/2021	Marketforce	Tender Advertising South Western Times	MUNI	1,513.98
EFT45187	11/11/2021	Mckayhla Pomare	Umpire Recoup 10/11/2021	MUNI	44.00
EFT45188	11/11/2021	Mcleods Barristers and Solicitors	Cleanaway - Lot 2 Banksia Rd - Planning offences	MUNI	929.64
EFT45189	11/11/2021	MGM Bulk Pty Ltd	113 Ton Gravel - Hynes Road	MUNI	3,034.65
EFT45190	11/11/2021	Michelle Freiburger	Refund of Difference Between Kennel Application Fee and More Than 2 Dog Application	MUNI	75.00
EFT45191	11/11/2021	Naturaliste Hygiene	Sharps Disposal Service 2021/2022 - Eaton Foreshore Public Toilets	MUNI	165.00
EFT45192	11/11/2021	Nightguard Security Service	Security Callout Service - Eaton Admin Centre and Depot	MUNI	616.00
EFT45193	11/11/2021	Officeworks Superstores Pty Ltd	Premium Lanyard Tub Blue 15 Pack - (HR)	MUNI	95.71
EFT45194	11/11/2021	Onsite Rental Group	Annual Hire of Transportable office Block - October 2021	MUNI	1,397.55
EFT45195	11/11/2021	Peel Resource Recovery P/L	Mulch Delivered to Shire Depot and Watson St Reserve	MUNI	1,276.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT45196	11/11/2021	Perfect Landscapes	Parks And Ovals & Mowing Week Commencing 18/10/2021 and 25/10/21 and Turf Renovations - Eaton Oval	MUNI	35,406.78
EFT45197	11/11/2021	PFD Food Services Pty Ltd	ERC - Cafe Order	MUNI	588.90
EFT45198	11/11/2021	QK Technologies Pty Ltd	ERC Quikkids Invoicing for October 2021	MUNI	19.18
EFT45199	11/11/2021	Qmani Pty Ltd	2021-2022 Qmani SMS Annual Fee and Monthly Charges as Per Fees and Charges - October 2021	MUNI	66.00
EFT45200	11/11/2021	Regional Media Specialists P/L	Bulk Purchase of Advertising Space In Bunbury Herald and Bunbury Mail Newspapers for Publication of Monthly Community News Page - October 2021	MUNI	546.70
EFT45201	11/11/2021	Renae Joyce Haag	Refund Foreshore Bond	MUNI	219.00
EFT45202	11/11/2021	Schweppes Australia Pty Ltd	ERC - Cafe Order	MUNI	755.52
EFT45203	11/11/2021	Securepay Pty Ltd	Bank Fees - 2021-2022 Securepay Web & IVR Credit Card Payments MERChant Id Zqa00 - October 2021	MUNI	11.04
EFT45204	11/11/2021	Signs Plus	Name Badges for Shire Staff as Required	MUNI	79.50
EFT45205	11/11/2021	South West Fire	West Dardanup 1.4R 1BYC346 Service	MUNI	9,788.16
EFT45206	11/11/2021	Stacey Gillespie	Reimbursement 27 October 21 - 5 Hours Childcare - OCM and Councillor Workshop	MUNI	240.00
EFT45207	11/11/2021	Statewide Cleaning Supplies Pty Ltd	Fitwipes - Carton of 4	MUNI	1,302.40
EFT45208	11/11/2021	Suez Recycling & Recovery (Perth) Pty Ltd	Con F0198267 - Separable Portion E - Recyclable Processing October 2021	MUNI	3,471.23
EFT45209	11/11/2021	Suez Recycling & Recovery Pty Ltd	FOGO Bin Rollout	MUNI	610,779.82
EFT45210	11/11/2021	Synergy	Townsite Street Lights 25/09/21 to 24/10/21 & Electricity Accounts for 31 x Other Shire Sites	MUNI	33,679.32

Payment	Date	Name	Invoice Description	Fund	Amount
EFT45211	11/11/2021	Te Wairimu Elinor Pomare	Umpire Recoup 10/11/2021	MUNI	66.00
EFT45212	11/11/2021	The Photography and Film Boutique	Tronox Spring Out Festival Photography/Videography 3 Hours and Post Edits Inc Delivery of Still Images and 2 X Promotional Video.	MUNI	1,017.50
EFT45213	11/11/2021	Theona Christine Sloan	Workshop: Make Your Own Needle Case 13 October 2021 @ Eaton Library	MUNI	585.80
EFT45214	11/11/2021	Therese Price	Umpire Recoup 09/11/2021	MUNI	210.00
EFT45215	11/11/2021	Tiana Fraser	Umpire Recoup 05/11/2021	MUNI	30.00
EFT45216	11/11/2021	Toni Hotchin	Umpire Recoup 09/11/2021	MUNI	45.00
EFT45217	11/11/2021	Total Eden Pty Ltd	Parts for Repairs - Cadel Park	MUNI	549.82
EFT45218	11/11/2021	Tutt Bryant Hire	Bobcat Slasher Hire used on 4 x Roads	MUNI	1,330.93
EFT45219	11/11/2021	Vanessa Rose Black	Umpire Recoup 08/11/2021	MUNI	67.50
EFT45220	11/11/2021	Water Corporation	Water Use and Service Charges for Lot 90 Swan Avenue, Millbridge and Burekup Fire Station	MUNI	247.24
EFT45221	11/11/2021	Westrac Pty Ltd	Replace Window Caterpillar Loader DA2833	MUNI	1,954.15
EFT45222	11/11/2021	Winc Australia Pty Ltd	Stationery order - Eaton Admin Centre Library and ERC	MUNI	482.48
EFT45223	11/11/2021	Work Clobber	ERC Vacation Care - Hi Vis Vests and Rain Jacket	MUNI	1,298.70
EFT45224	11/11/2021	Workforce Road Services Pty Ltd	Line Marketing for 12 locations within the Shire	MUNI	7,771.48
EFT45225	11/11/2021	Warrick Welding	Fabricate and Install Mesh Cover to Drain Outlet/Inlet as Quoted 20/09/2021 - Sindhi Park	MUNI	1,383.22
EFT45226	18/11/2021	Action Kerbing	Supply and Install Kerbing for Eaton Drive DUP and Jindalee Way DUP	MUNI	122,292.50

Payment	Date	Name	Invoice Description	Fund	Amount
EFT45227	18/11/2021	Advanced Traffic Management WAP/L	Traffic Management for Should Grading Ferguson Road 1/11/21 to 09/11/21	MUNI	5,809.68
EFT45228	18/11/2021	Allegiance Security Personnel	Spring Out Festival - Overnight Security Guard 6pm - 6am.	MUNI	255.20
EFT45229	18/11/2021	Amity Signs	Rural Street Number Signs Guide Posts and Coureflute Signs	MUNI	4,457.86
EFT45230	18/11/2021	Ampol Australia Petroleum Pty Ltd	Fuel - DA9774 - John Deere Grader	MUNI	19,533.43
EFT45231	18/11/2021	Australian Tax office	PAYG Withholding Fortnight Ending 12/11/2021	MUNI	72,280.00
EFT45232	18/11/2021	B Watts Panel & Paint Repairs	Excess to Insurance Claim - Repair to Damaged Door and Panel - DA8673 - LGIS Claim Number Mo0051336	MUNI	500.00
EFT45233	18/11/2021	Big W	Board Games for Vacation Care School Holidays	MUNI	97.45
EFT45234	18/11/2021	Brecken Corporate Care	Pre Employment Medical and Audio - General Hand Works 11/11/2021	MUNI	248.60
EFT45235	18/11/2021	Bunbury Machinery	Concrete Blade Demo Saw	MUNI	315.00
EFT45236	18/11/2021	Bunbury Plumbing Service	Plumber Attending Site At The Dardanup Hall Male Public Facility to Unblock The Toilet	MUNI	104.50
EFT45237	18/11/2021	Bunnings Group Limited	Handy Storage Tubs - DA9279	MUNI	208.79
EFT45238	18/11/2021	Cameron Baker	Umpire Recoup 17/11/2021	MUNI	110.00
EFT45239	18/11/2021	Caroline Mears	Chair Yoga 20 October and 27 October 2021	MUNI	130.00
EFT45240	18/11/2021	Chloe Scott	Umpire Recoup 17/11/2021	MUNI	110.00
EFT45241	18/11/2021	Christine Worsfold	Umpire Recoup 16/11/2021	MUNI	202.50
EFT45242	18/11/2021	Chubb Fire and Security	Building Alarm Monitoring - Dardanup office 3 Little Street 01/07/21 to 30/09/21	MUNI	538.96

Payment	Date	Name	Invoice Description	Fund	Amount
EFT45243	18/11/2021	Civil Projects Southwest	Bobcat Hire - Joshua Brook Road and Eaton Drive	MUNI	2,926.00
EFT45244	18/11/2021	Country Landscaping Pty Ltd	Investigate Leak and Replace Water Meter - Eaton Oval	MUNI	2,964.30
EFT45245	18/11/2021	Craven Foods	ERC - Stock Purchases	MUNI	1,285.31
EFT45246	18/11/2021	Darryn Wade Rigg	Rates Refund for Assessment A11328 52 Stones Rd Wellington Mill	MUNI	266.12
EFT45247	18/11/2021	Data #3 Limited	UPS Battery Microsoft CSP Azure Consumption Charges Cloud Subscription - 1 Year and ECL Move IT Requirements	MUNI	6,452.65
EFT45248	18/11/2021	Department of Local Government, Sport and Cultural Industries	LG Standards Panel Fees for 2020-21	MUNI	1,078.00
EFT45249	18/11/2021	Donna Bastow	Umpire Recoup 17/11/2021	MUNI	132.00
EFT45250	18/11/2021	Duxton Hotel Perth	Accommodation - CEO Check In 3 November - 5 November 2021	MUNI	786.00
EFT45251	18/11/2021	Easy Signs	Changeable A-Frame Signs with Inserts	MUNI	231.14
EFT45252	18/11/2021	Eaton Community Pharmacy	ERC - Cafe Order	MUNI	437.28
EFT45253	18/11/2021	Ella Hunt	Reimbursement for Unused Creche Pass	MUNI	25.00
EFT45254	18/11/2021	Elliotts Irrigation Pty Ltd	Iron Filter Services - Millbridge Lakes - October 2021	MUNI	286.00
EFT45255	18/11/2021	Erin Hutchins	Reimbursement of Council Contribution Towards Kayli Planks Leaving Gift	MUNI	50.00
EFT45256	18/11/2021	Frontline Signs	Spring Out Signage 30 X Grass Spikes and 30 X Clorflutes	MUNI	396.00
EFT45257	18/11/2021	Isabella Francis	Umpire Recoup 16/11/2021	MUNI	67.50
EFT45258	18/11/2021	Jim's Test and Tag	Electrical Test and Tag 2021/22 - Burekup Hall	MUNI	541.51
EFT45259	18/11/2021	JLG Photographics	Photography for Promotional Materials	MUNI	1,500.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT45260	18/11/2021	John Thompson	Umpire Recoup 17/11/2021	MUNI	44.00
EFT45261	18/11/2021	June Keil	Workshop Presenter: June Keil, Workshop: How to Grow Blueberries 15th Sep	MUNI	120.00
EFT45262	18/11/2021	Karyn Rowe	Umpire Recoup 16/11/2021	MUNI	202.50
EFT45263	18/11/2021	Katie Williams	Refund for Dog Registration Due to Sterilisation L002290	MUNI	150.00
EFT45264	18/11/2021	Kenny Pomare	Umpire Recoup 17/11/2021	MUNI	143.00
EFT45265	18/11/2021	Kylie's Magical Face Painting	Spring Out Festival Entertainment Provider 3 Hrs Free Community Face painting 3 x Face-Painters	MUNI	960.00
EFT45266	18/11/2021	Lions Club of Millbridge	Contribution to The Glen Huon Breakfast Club Program for 2021/22 - Service Provided By Millbridge Lions.	MUNI	3,045.00
EFT45267	18/11/2021	Local Government Professionals Australia WA	Local Government Professionals Annual State Conference 2021 CEO	MUNI	1,200.00
EFT45268	18/11/2021	Lonsdale Party Hire	Spring Out - Sunday 24 October 2021 Hire 9M X 10M Marquee Tables, Chairs and Umbrellas Installation , Delivery and Pick Up Fee	MUNI	2,547.78
EFT45269	18/11/2021	M & J Essential Solutions Pty Ltd	Counselling Services - Employee Assistance Program	MUNI	230.00
EFT45270	18/11/2021	Maddie Darch	Reimbursement of Gift Hampers - Emergency Management Conference E Hutchins and M Howard	MUNI	207.00
EFT45271	18/11/2021	Margery Ann Stevens	Umpire Recoup 15/11/2021	MUNI	88.00
EFT45272	18/11/2021	Marzano & Co	2021/2022 EAP By Referral - Consultations	MUNI	220.00
EFT45273	18/11/2021	Mckayhla Pomare	Umpire Recoup 17/11/2021	MUNI	110.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT45274	18/11/2021	Michaela Jane Hayden	Reimbursement for 50% of Course Fees as per CNG CP051 - Extend Own Information Literacy Skills to Locate Information	MUNI	694.80
EFT45275	18/11/2021	Municipal Workcare Scheme	Refund - Incorrect Payment Made to The Shire of Dardanup - Robbie Moaho Ref 0000029949	MUNI	1,291.76
EFT45276	18/11/2021	NGIS Australia Pty Ltd	GIS Services Contract - October 2021	MUNI	9,735.00
EFT45277	18/11/2021	O'Brien Glass Industries Limited	Windscreen Replacement - ICUW501	MUNI	3,323.70
EFT45278	18/11/2021	Roldan Tomas	Umpire Recoup 17/11/2021	MUNI	33.00
EFT45279	18/11/2021	Samantha Wright	Reimbursement for Summer In Your Park Graphics	MUNI	43.05
EFT45280	18/11/2021	Schweppes Australia Pty Ltd	ERC - Cafe Order	MUNI	479.56
EFT45281	18/11/2021	Small's Bar & Bites Pty Ltd	Luncheon with The Department of Transport 27/10/2021 - Shire President and CEO	MUNI	79.00
EFT45282	18/11/2021	SOS Office Equipment	Photocopier Meter Reading - Located In Stationery Room	MUNI	2,762.64
EFT45283	18/11/2021	Southwest Vehicle Group (SVG) T/A Bunbury Nissan	DA9295 80,000Km Service	MUNI	545.19
EFT45284	18/11/2021	Southwest Ventures T/A Geographe Ford/Bunbury Hyundai	Purchase (Only) New Ford Ranger Auto as Per RFQ- F0212109 - DA9279	MUNI	26,147.16
EFT45285	18/11/2021	Stephen Delane	Reimbursement of 1 X 12v Adapter Cable for Rangers Vehicle	MUNI	34.95
EFT45286	18/11/2021	Synergy	Electricity Accounts for 7 x Shire Sites	MUNI	3,394.07
EFT45287	18/11/2021	Te Wairimu Elinor Pomare	Umpire Recoup 17/11/2021	MUNI	110.00
EFT45288	18/11/2021	Telstra	Shire Mobile Accounts - November 2021 and Dardanup Phones and Fax	MUNI	4,455.85

Payment	Date	Name	Invoice Description	Fund	Amount
EFT45289	18/11/2021	The Cafe Merchant	Catering for Citizenship Ceremony to Be Held 4 November 2021	MUNI	190.00
EFT45290	18/11/2021	The Funk Factory	Tronox Spring Out Festival Junkadelic - Roving Performance	MUNI	1,100.00
EFT45291	18/11/2021	The Workwear Group	3 X Avignon Long Sleeve Slim Shirt -Light Blue - Neil Nicholson	MUNI	149.85
EFT45292	18/11/2021	Therese Price	Umpire Recoup 16/11/2021	MUNI	202.50
EFT45293	18/11/2021	Tiana Fraser	Umpire Recoup 12/11/2021	MUNI	104.00
EFT45294	18/11/2021	Toll Transport - Ipec Pty Ltd	2021- 2022 Postage & Freight - Collie River Foreshore Dup	MUNI	40.72
EFT45295	18/11/2021	Tony Aveling & Associates Pty Ltd	Demonstrate First Attack Firefighting Equipment for Selected Staff	MUNI	3,660.80
EFT45296	18/11/2021	WA Distributors Pty Ltd	ERC - Cafe Order	MUNI	35.85
EFT45297	18/11/2021	Water Corporation	Water Use and Service Charges for Eaton Recreation Centre 1/11/21 - 31/12/21	MUNI	752.26
EFT45298	18/11/2021	Woolworths Group Limited - Online Order Only	ERC - Cafe Order	MUNI	713.52
EFT45299	18/11/2021	Woolworths Group Limited - Openpay Portal	General Kitchen Items/Milk/Grocery/ERC Creche Halloween Party Supplies	MUNI	483.98
EFT45300	18/11/2021	X5 Academy	Spring Out Festival Entertainment Provider - 3Hrs Parkour Workshops and Demos	MUNI	880.00
EFT45301	25/11/2021	Access Wellbeing Services	Employee Assistance Program Consultations	MUNI	561.00
EFT45302	25/11/2021	Advanced Traffic Management WAP/L	Supply Traffic Management - Eaton Drive Expansion Hynes Rd and Ferguson Rd	MUNI	31,795.44
EFT45303	25/11/2021	Alan Whitehead	Refund Animal Cage Bond	MUNI	150.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT45304	25/11/2021	Amity Signs	Rural Street Signs and White Guide Posts - Wellington Mill Road	MUNI	1,912.90
EFT45305	25/11/2021	Aquachill	Rental of Aquachill Water Cooler - 11-11-2021 to 11-11-2022 - Dardanup Office	MUNI	686.40
EFT45306	25/11/2021	Aquila Food Forest	Sustainable Living Workshops 11/11/2021	MUNI	230.00
EFT45307	25/11/2021	Arbor Guy	Removal of Multiple Non-Native Trees Collie River Road	MUNI	83,242.50
EFT45308	25/11/2021	Ausq Training	Basic Traffic Management and Traffic Controller - Reaccreditation x 3 Officers	MUNI	1,068.00
EFT45309	25/11/2021	BOC Ltd	ERC - Hire of Oxygen Bottle	MUNI	12.54
EFT45310	25/11/2021	Brandicoot	Monthly Web Hosting For Shire Sites - November 2021	MUNI	907.00
EFT45311	25/11/2021	Bunnings Group Limited	Various Items - Treat Pine Turpentine/Paint Brushes/Disc Abrasive Flao Masking Tape/New Key Pad Door Lock for Fire Station/ERC Building Mtce	MUNI	577.68
EFT45312	25/11/2021	Burekup and District Country Club	Budget Allocation - Donation for Seniors Luncheon - 2021	MUNI	1,250.00
EFT45313	25/11/2021	Busselton Acton South West	Rates Refund for Assessment A10292 58 Gardiner St Burekup	MUNI	1,072.00
EFT45314	25/11/2021	Cameron Baker	Umpire Recoup 24/11/2021	MUNI	132.00
EFT45315	25/11/2021	Carbone Brothers Pty Ltd	Limestone 100 Tonne - Warburton Road	MUNI	1,857.76
EFT45316	25/11/2021	Christine Worsfold	Umpire Recoup 23/11/2021	MUNI	90.00
EFT45317	25/11/2021	Ciphertel Pty Ltd T/A Gateway Internet Services	Monthly Account for Point to Point Microwave Service Depot and Dardanup - 01/10/21 to 31/10/21	MUNI	2,893.00
EFT45318	25/11/2021	Cleanaway Solid Waste Pty Ltd	Monthly Hire/Pick up of Skip Bins from Waste Transfer Statement and General Waste Disposal	MUNI	1,961.15

Payment	Date	Name	Invoice Description	Fund	Amount
EFT45319	25/11/2021	Connect Call Centre Services	After Hours Call Centre Service- October 2021	MUNI	466.18
EFT45321	25/11/2021	Constructive PD Pty Ltd	Collection of The Frames From The Bunbury Prison - CPD to Supply Transportation From Bunbury Prison to Eaton Foreshore	MUNI	5,390.00
EFT45322	25/11/2021	Country Water Solutions	Geardrive Rainbird Sprinklers - Eaton Foreshore	MUNI	734.45
EFT45323	25/11/2021	Dapco Tyre and Auto Centre	4 x New Tyres - Subaru Forrester DA9605	MUNI	865.00
EFT45324	25/11/2021	Dell Financial Services Pty Ltd	Dell Nutanix (4 Nodes) Hardware Refresh - Dell EMC Xc740Xdent Core 2.0 Base Networking Cable 01/10/21 to 31/12/21	MUNI	4,475.22
EFT45326	25/11/2021	Diesel Force	Grader Service - DA698	MUNI	1,323.26
EFT45327	25/11/2021	Digital First Consulting Pty Ltd	Valo Fresh Subscription Renewal for Period 09/2021 - 08/2022	MUNI	2,304.50
EFT45328	25/11/2021	Donna Bastow	Umpire Recoup 24/11/2021	MUNI	132.00
EFT45329	25/11/2021	DX Print Group Pty Ltd	Business Cards - 5 x Officers	MUNI	495.00
EFT45330	25/11/2021	Easy Signs	ECL - Signs and Banners for Advertising	MUNI	521.53
EFT45331	25/11/2021	Eaton Party Hire and Balloons	ERC Vacation Care - Party Day (Slushy Machine and Balloons)	MUNI	240.00
EFT45332	25/11/2021	Eaton Trophies	ERC - Winning Sports Team Engraved Label and Updated ERC Logo	MUNI	260.80
EFT45333	25/11/2021	Evan Mills	Umpire Recoup 24/11/2021	MUNI	44.00
EFT45334	25/11/2021	Fuji Xerox Australia Pty Ltd	AWMS Software Maintenance for Xerox Printers 17/10/21 to 16/10/22	MUNI	1,718.16

Payment	Date	Name	Invoice Description	Fund	Amount
EFT45335	25/11/2021	Genesis Accounting Pty Ltd	Supply of "GST Addin" for The LG Solutions Fees & Charges Cloud Application to 30 June 2022	MUNI	1,925.00
EFT45336	25/11/2021	Grace Records Management	Offsite Storage, Confidential Disposal, Consumables	MUNI	994.52
EFT45337	25/11/2021	Heatleys	Coverall Disposable White Type 456 Medium	MUNI	1,261.70
EFT45338	25/11/2021	Herbert Smith Freehill	Legal Review for Shire of Dardanup - Lease Agreement Template	MUNI	3,004.16
EFT45339	25/11/2021	Howson Technical	Eaton Drive - Intersection Upgrade and Harris Rd Reconstruction	MUNI	3,239.50
EFT45340	25/11/2021	Integrity Management Solutions Pty Ltd	Software Renewal Licence for Attain - 12 Month Subscription	MUNI	6,050.00
EFT45341	25/11/2021	Iris Consulting Group	Duplex Scanning Test Target for ISO 12653-3	MUNI	260.00
EFT45342	25/11/2021	Jetline Kerbing Contractors	Maintenance and Repairs - Flinders St Braddon Way Hale Street and Eaton Drive	MUNI	9,603.00
EFT45343	25/11/2021	Jim's Test and Tag	Electrical Test and Tag 2021/22 - Eaton Junior Football Club	MUNI	236.50
EFT45344	25/11/2021	John Thompson	Umpire Recoup 24/11/2021	MUNI	44.00
EFT45345	25/11/2021	Karyn Rowe	Umpire Recoup 22/11/2021	MUNI	180.00
EFT45346	25/11/2021	Kenny Pomare	Umpire Recoup 24/11/2021	MUNI	44.00
EFT45347	25/11/2021	Kings Tree Care	Remove Crown of Lightning Struck Tree and Retain for Habitat - Shier Rise Burekup and Prune Tree at Dardanup Central BFB	MUNI	3,640.00
EFT45348	25/11/2021	Kmart	ERC Creche Christmas Party Resources	MUNI	282.30
EFT45349	25/11/2021	Landgate	Title Searches	MUNI	690.62
EFT45350	25/11/2021	Little Explorers Early Learning	Refund Animal Cage Bond	MUNI	150.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT45351	25/11/2021	M & B Sales Pty Ltd	Jarrah Wood 60 X 30 with Timber Machining Pencil Round to All 4 Edges for 6 Seats At Collie River Heritage Walk	MUNI	1,152.60
EFT45352	25/11/2021	M & J Essential Solutions Pty Ltd	EAP Consultations	MUNI	290.00
EFT45353	25/11/2021	Malatesta Road Paving and Hotmix	Emulsion - Ferguson and Depiazzi Road	MUNI	720.00
EFT45354	25/11/2021	Marece Hetaraka	Umpire Recoup 24/11/2021	MUNI	66.00
EFT45355	25/11/2021	Mark Atherton	Reimbursement for The Repair to The Slasher	MUNI	24.43
EFT45356	25/11/2021	Mckayhla Pomare	Umpire Recoup 24/11/2021	MUNI	88.00
EFT45357	25/11/2021	Mcleods Barristers and Solicitors	Legal Preparation of Easement Documentation for Nyleeta Close - Emergency Access Way - Matter 44736	MUNI	1,233.00
EFT45358	25/11/2021	Nutrien Ag Solutions	100Lt Silvan 12V Smoothflo Spotpak Sprayer	MUNI	704.00
EFT45359	25/11/2021	Perfect Landscapes	Parks And Ovals & Mowing Week Commencing 01/11/2021 and 08/11/21	MUNI	9,041.34
EFT45360	25/11/2021	Peter Hobbs Architects	Phase 1 Design Work - Eaton Admin, Library and Community Building 80%	MUNI	64,416.00
EFT45361	25/11/2021	PFD Food Services Pty Ltd	ERC - Cafe Order	MUNI	328.25
EFT45362	25/11/2021	Plumbers & Gasfitters Bunbury	Repair Roof Leak with Water Getting Through and Leaking Down The Split System Air Conditioner At Place and Communities Section	MUNI	295.00
EFT45363	25/11/2021	Prestige Products	ERC - Order of 10 X Smart One T/Rolls	MUNI	617.10
EFT45364	25/11/2021	Regional Media Specialists P/L	Bulk Purchase of Advertising Space In Bunbury Herald Newspapers for Publication of Monthly Community News Page - October 21	MUNI	943.80

Payment	Date	Name	Invoice Description	Fund	Amount
EFT45365	25/11/2021	Roof Safety Solutions Pty Ltd	6 Month Inspection of Roof System - Depot ERC Eaton football and Softball Pavilion	MUNI	1,927.09
EFT45366	25/11/2021	Ryan Baker	Umpire Recoup 24/11/2021	MUNI	154.00
EFT45367	25/11/2021	Shire of Harvey	Contribution to Propping Equipment Hire for Bridge 4930 - Krones Bridge for 2020/2021	MUNI	7,927.92
EFT45368	25/11/2021	Signs Plus	Name Badges for Shire Staff as Required	MUNI	21.00
EFT45369	25/11/2021	SMR Psychology	Employee Assistance Program - Counselling	MUNI	374.00
EFT45370	25/11/2021	South West Sand Cleaning	Rubber Softfall Repairs - Carramar Park	MUNI	440.00
EFT45371	25/11/2021	South West Tree Safe	Height and Width Pruning Approx 1 Km Both Sides - Venn Road	MUNI	4,400.00
EFT45372	25/11/2021	Stanton International	Probity Services for New Admin Building - ECI Engagement with Architect	MUNI	365.20
EFT45373	25/11/2021	Synergy	Electricity Supply - Eaton Recreation Centre and 2 x Other Shire Sites	MUNI	7,324.19
EFT45374	25/11/2021	Scitech Discovery Centre	Scitech Science Wonderland for Spring Out Festival	MUNI	2,049.00
EFT45375	25/11/2021	Shane's Gas & Electrics	ERC - Repairs to Kitchen Fryer and Oven	MUNI	382.00
EFT45376	25/11/2021	T-Quip	Shaft Roller Rear - Toro DA9429	MUNI	226.85
EFT45377	25/11/2021	Telstra	Telephone and Various Lines for Eaton Admin Centre - Includes Directory Charges and Link to Library	MUNI	6,135.01
EFT45378	25/11/2021	Theona Christine Sloan	November Workshop - Air Dry Clay Ornaments	MUNI	410.25
EFT45379	25/11/2021	Therese Price	Umpire Recoup 23/11/2021	MUNI	135.00
EFT45380	25/11/2021	Thompson Technology	ERC Bouncy Castle Inspection	MUNI	110.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT45381	25/11/2021	TKL Contractors Pty Ltd	Refund Building Permit Fee 2021220223 Application Cancelled, Due The Owner Deceased	MUNI	110.00
EFT45382	25/11/2021	Toll Transport - Ipec Pty Ltd	2021- 2022 Freight From T-Quip	MUNI	37.50
EFT45383	25/11/2021	Toni Anderson	Umpire Recoup 19/11/2021	MUNI	15.00
EFT45384	25/11/2021	Toni Hotchin	Umpire Recoup 22/11/2021	MUNI	270.00
EFT45385	25/11/2021	Tutt Bryant Hire	Hire Smooth Drum Roller x 3 Roads and Multi Tyred Roller x 24 Roads	MUNI	5,992.80
EFT45386	25/11/2021	Vanessa Rose Black	Umpire Recoup 23/11/2021	MUNI	90.00
EFT45387	25/11/2021	Water Corporation	Water Use and Service Charges for 13 x Shire Sites	MUNI	3,341.75
EFT45388	25/11/2021	Weathersafe WA	Dismantle and Reinstallation 7 x Shade Sails - Lofthouse Park	MUNI	4,202.00
EFT45389	25/11/2021	Western Australia Treasury Corporation	Loan 70 - Wanju DCP and Waterloo Industrial Park	MUNI	40,400.21
EFT45390	25/11/2021	Winc Australia Pty Ltd	Stationery order - Eaton Admin Centre Library	MUNI	76.34
EFT45391	25/11/2021	Woolworths Group Limited - Online Order Only	Stock for Staff Kitchen	MUNI	291.71
EFT45392	25/11/2021	Woolworths Group Limited - Openpay Portal	General Items Purchased (Milk, Grocery, Etc)	MUNI	17.95
EFT45393	25/11/2021	Work Clobber	General Hand - Denim Jeans	MUNI	1,544.33
EFT45394	25/11/2021	Zipform Pty Ltd	2021/2022 2nd Instalment Notice Mailout	MUNI	2,990.40
CHEQUES					
28	12/11/2021	Shire of Dardanup - Please Pay Cash	Petty Cash Recoup on 12/11/2021	MUNI	217.00

Payment	Date	Name	Invoice Description	Fund	Amount
TRUST					
EFT45320	25/11/2021	Construction Training Fund : BCITF	BCITF Remittance - October 21	MUNI	102.00
EFT45325	25/11/2021	Department of Mines, Industry, Regulations & Safety (DMIRS) - BSL	BSL Remittance - October 2021	MUNI	10,333.28
EFT45381	25/11/2021	TKL Contractors Pty Ltd	Refund BSL Fee 2021220223 Application Cancelled, Due The Owner Deceased	MUNI	61.65
PAYROLL					
DD16115.1	12/11/2021	Aware Super Pty Limited	Payroll Deductions	MUNI	34,526.05
DD16115.2	12/11/2021	One Path Masterfund	Superannuation Contributions	MUNI	98.88
DD16115.3	12/11/2021	Suncorp Brighter Super	Superannuation Contributions	MUNI	221.02
DD16115.4	12/11/2021	AMP Flexible Super - Super Account	Superannuation Contributions	MUNI	52.52
DD16115.5	12/11/2021	Hostplus	Superannuation Contributions	MUNI	149.77
DD16115.6	12/11/2021	ANZ Australian Staff Superannuation Scheme	Superannuation Contributions	MUNI	101.11
DD16115.7	12/11/2021	Local Government Super	Superannuation Contributions	MUNI	245.31
DD16115.8	12/11/2021	Commonwealth Essential Super	Superannuation Contributions	MUNI	274.22
DD16115.9	12/11/2021	Hesta Super Fund	Payroll Deductions	MUNI	564.11
DD16115.10	12/11/2021	MIML - Macquarie Super Accumulator	Payroll Deductions	MUNI	1,021.45
DD16115.11	12/11/2021	Unisuper	Superannuation Contributions	MUNI	128.61
DD16115.12	12/11/2021	Asgard Infinity E Wrap Super	Payroll Deductions	MUNI	1,002.91

Payment	Date	Name	Invoice Description	Fund	Amount
DD16115.13	12/11/2021	Sunsuper Pty Ltd	Superannuation Contributions	MUNI	53.37
DD16115.14	12/11/2021	The Bro Code Super Fund	Payroll Deductions	MUNI	34.97
DD16115.15	12/11/2021	Rest Superannuation	Payroll Deductions	MUNI	1,078.62
DD16115.16	12/11/2021	Media Super	Superannuation Contributions	MUNI	544.91
DD16115.17	12/11/2021	Diamond Sea Superannuation Fund	Superannuation Contributions	MUNI	293.01
DD16115.18	12/11/2021	Australiansuper	Payroll Deductions	MUNI	3,854.81
DD16115.19	12/11/2021	Hub24 Superannuation Fund	Superannuation Contributions	MUNI	321.46
DD16115.20	12/11/2021	MLC Super Fund	Superannuation Contributions	MUNI	817.29
DD16115.21	12/11/2021	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	175.81
DD16136.1	26/11/2021	Aware Super Pty Limited	Payroll Deductions	MUNI	41,050.36
DD16136.2	26/11/2021	MLC Super Fund	Superannuation Contributions	MUNI	1,081.12
DD16136.3	26/11/2021	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	245.59
DD16136.4	26/11/2021	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	330.16
DD16136.5	26/11/2021	One Path Masterfund	Superannuation Contributions	MUNI	143.72
DD16136.6	26/11/2021	Suncorp Brighter Super	Superannuation Contributions	MUNI	298.37
DD16136.7	26/11/2021	AMP Flexible Super - Super Account	Superannuation Contributions	MUNI	59.08
DD16136.8	26/11/2021	Hostplus	Superannuation Contributions	MUNI	264.15
DD16136.9	26/11/2021	ANZ Australian Staff Superannuation Scheme	Superannuation Contributions	MUNI	108.87

Payment	Date	Name	Invoice Description	Fund	Amount
DD16136.10	26/11/2021	Local Government Super	Superannuation Contributions	MUNI	330.02
DD16136.11	26/11/2021	Commonwealth Essential Super	Superannuation Contributions	MUNI	367.22
DD16136.12	26/11/2021	Asgard Infinity E Wrap Super	Payroll Deductions	MUNI	1,100.33
DD16136.13	26/11/2021	Hesta Super Fund	Payroll Deductions	MUNI	725.86
DD16136.14	26/11/2021	MIML - Macquarie Super Accumulator	Payroll Deductions	MUNI	1,021.45
DD16136.15	26/11/2021	Unisuper	Superannuation Contributions	MUNI	100.56
DD16136.16	26/11/2021	Sunsuper Pty Ltd	Superannuation Contributions	MUNI	65.61
DD16136.17	26/11/2021	Rest Superannuation	Payroll Deductions	MUNI	1,340.89
DD16136.18	26/11/2021	The Bro Code Super Fund	Superannuation Contributions	MUNI	112.51
DD16136.19	26/11/2021	Media Super	Superannuation Contributions	MUNI	664.11
DD16136.20	26/11/2021	Australiansuper	Payroll Deductions	MUNI	4,331.02
DD16136.21	26/11/2021	The Templeman Family Superannuation Fund	Superannuation Contributions	MUNI	52.46
DD16136.22	26/11/2021	Hub24 Superannuation Fund	Superannuation Contributions	MUNI	408.00
DD16136.23	26/11/2021	Hughes Superannuation Fund	Superannuation Contributions	MUNI	51.41
CREDIT CARD					
DD16140.1	26/11/2021	CANVA PTY LTD	ERC - Annual license fee for Canva Pro - 28-10-21 to 30-06-22	MUNI	164.99
DD16140.2	26/11/2021	GRAMMARLY BUSINESS	Grammarly Annual subscription renewal for the period 28/10/2021-27/10/2022 - 3 seats	MUNI	616.73

Payment	Date	Name	Invoice Description	Fund	Amount
DD16140.3	26/11/2021	PURPLEAIR INC	PurpleAir Air Sensor for Dardanup Office	PA-II MUNI	478.54
DD16140.4	26/11/2021	Facebook Ireland Limited	Eaton Recreation Centre Facebook Advertising Campaigns.	MUNI	34.91
DD16140.5	26/11/2021	Facebook Ireland Limited	Events - Social Media Marketing	MUNI	84.72
DD16140.6	26/11/2021	MAILCHIMP	Monthly Subscription and Charge for Electronic Newsletters July 21 - June 22	MUNI	107.66
DD16140.7	26/11/2021	AMAZON AUSTRALIA	Assist with Library Move - X-Cart Aluminium Folding Trolley with one basket	MUNI	344.00
DD16140.8	26/11/2021	SURVEYMONKEY EUROPE	Subscription to Survey Service - Survey Monkey Online 19/11/21 to 18/2/22	MUNI	111.00
DD16140.9	26/11/2021	DEPARTMENT OF TRANSPORT	Shire of Dardanup - Special Series Number Plate Application 4 x \$200 each	MUNI	800.00

DIRECT DEBIT**INTERNATIONAL****BPAY**

Payment	Date	Name	Invoice Description	Fund	Amount
					1,624,760.38

REPORT TOTALS

EFT	1,511,490.82
Muni Cheque	217.00
Trust	10,496.93
Payroll	99,813.08
Credit Card	2,742.55
Direct Debit	0.00
International	0.00
BPAY	0.00

TOTAL	1,624,760.38
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CERTIFICATE OF CHIEF EXECUTIVE OFFICER

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



MR ANDRÉ SCHÖNFELDT
Chief Executive officer

CARRIED
9/0

12.5 COMMITTEES

12.5.1 Title: Local Emergency Management Committee Meeting Minutes held on the 10th of November 2021

Reporting Department: Sustainable Development Directorate
 Reporting Officer: Mrs Kathleen Hoult – Governance Officer
 Legislation: Local Government Act 1995

MINUTES OF THE SHIRE OF DARDANUP LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD ON WEDNESDAY, 10th OF NOVEMBER 2021, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 10.00AM.

Officer Comment

The Minutes of the Local Emergency Management Committee Meeting held on the 10th of November 2021 [Appendix ORD: 12.5.1] are attached.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

411-21 MOVED - Cr. M T Bennett SECONDED - Cr. T G Gardiner

THAT Council receives the Minutes [Appendix ORD: 12.5.1] of the Local Emergency Management Committee Meeting held on the 10th of November 2021.

CARRIED
9/0

Note: *The Local Emergency Management Plan and Local Recovery Support Plan [Confidential Under Separate Cover Document] will be made available to the Public once it has been adopted by Council and all confidential information has been redacted by Staff.*

LOCAL EMERGENCY MANAGEMENT COMMITTEE RECOMMENDED RESOLUTION 'A' & COUNCIL RESOLUTION

412-21 MOVED - Cr. M T Bennett SECONDED - Cr. T G Gardiner

THAT Council:

- 1. Adopts the Shire of Dardanup Local Emergency Management Plan and Local Recovery Support Plan [CONFIDENTIAL Under Separate Cover Document].**
- 2. Updates the Terms of Reference to update the position of Deputy Chairperson of the Local Emergency Management Committee to be held as a shared position with the inclusion of WA Police (Capel).**
- 3. Update the Terms of Reference for the inclusion of members of the Moore Road Emergency Group to be committee members with voting authority.**

CARRIED
9/0

12.5.2 Title: Audit & Risk Committee Meeting Minutes held on the 1st of December 2021

Reporting Department: Corporate & Governance Directorate
 Reporting Officer: Mrs Donna Bailye – Personal Assistant – DCEO
 Legislation: Local Government Act 1995

MINUTES OF THE SHIRE OF DARDANUP AUDIT & RISK COMMITTEE MEETING HELD ON WEDNESDAY, 1st OF DECEMBER 2021, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 2.00PM.

Officer Comment

The Minutes of the Audit & Risk Committee Meeting held on the 1st of December 2021 [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. P Perks moved and seconded the committee resolutions en bloc.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

413-21 MOVED - Cr. T G Gardiner SECONDED - Cr. P R Perks

THAT Council receives the Minutes [Appendix ORD: 12.5.2A] of the Audit & Risk Committee Meeting held on the 1st of December 2021.

CARRIED
9/0

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

414-21 MOVED - Cr. T G Gardiner SECONDED - Cr. P R Perks

THAT Council:

1. **Accepts the Draft Unqualified Auditor's Report [Confidential Document Under Separate Cover] as issued by the Office of the Auditor General (OAG) of the Annual Financial Statements for the 2020/21 financial year.**
2. **Acknowledges that the 2020/21 Audit Exit meeting and Behind Closed Door session with Council's auditors was held at the Audit & Risk Committee meeting on the 1st of December 2021 as per the adopted 2021 Annual Audit Work Plan.**

CARRIED
9/0

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

415-21 MOVED - Cr. T G Gardiner SECONDED - Cr. P R Perks

THAT Council receives the Shire of Dardanup 2020/21 audited Annual Financial Statements for the financial year ended 30th of June 2021 [Appendix ORD: 12.5.2B].

CARRIED
9/0

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

416-21 MOVED - Cr. T G Gardiner SECONDED - Cr. P R Perks

THAT Council endorse Item 9.7 "Confirmation Committee Responsibilities Have Been Carried Out" from the 1st of December 2021 Audit & Risk Committee Meeting Minutes confirming the Audit and Risk Committee's responsibilities that have been carried out in the 2021 Annual Audit WorkPlan:

AUDIT AND RISK COMMITTEE – 2021 ANNUAL AUDIT WORK PLAN						MANAGEMENT RESPONSE
FUNCTIONS, RESPONSIBILITIES & ASSOCIATED ACTIVITIES	3 Mar 21	* Apr 21	16 Jun 21	8 Sep 21	1 Dec 21	
1. Committee Operation						
Biennial review of the Charter (Terms of Reference).				✓ OCM 29-09-21 Res: 295-21		Completed. This function was next due in 2022, however the Charter was considered and endorsed at OCM prior to the 2021 Council Elections.
Agree on the annual audit work plan; and set priority areas for the coming year.					✓ AAR 33-21	This function is occurring at this committee meeting
Annual confirmation that all responsibilities outlined in the Charter have been carried out. The annual confirmation will be reported through to Council and will include information about the Committee and the outcomes delivered during the period.					✓ AAR 33-21	This function is occurring at this committee meeting
New members are briefed on their appointment to assist them to meet their Committee responsibilities. <i>Next Due 2021.</i>					✓ <i>Not minuted</i>	Completed Briefing session held 24-11-2021
Appointment of Presiding Member and Deputy Presiding Member. <i>Next Due 2021.</i>					✓ AAR 33-21	This function is occurring at this committee meeting
2. Risk Management						
To consider the Risk Management Governance Framework (once in every 3 years) for appropriateness and effectiveness. Current Framework adopted: OCM 14-08-2019 [Res 250-19] <i>Report Next Due: 30-06-2022</i>	Not Applicable – next due 2022					
Receive the biannual dashboard report			✓ AAR 08-21		✓ AAR 33-21	Completed
3. Legislative Compliance						
Review the annual Compliance Audit Return (CAR) and report to the Council the results of that review.	✓ AAR 04-20					Completed
Receive the biannual compliance report resulting from the Compliance Manual (incorporating the annual calendar).	✓ AAR 03-21			✓ AAR 18-21		Completed
4. Internal Audit						
Review annually the internal audit annual work plan, including any reports produced as part of special assignments undertaken by internal audit.				✓ AAR 20-21		Completed
5. Financial Reporting						
Consider and recommend adoption of the Annual Financial Report to Council.					✓ AAR 33-21	This function is occurring at this committee meeting
6. External Audit (OAG)						
Audit Entrance Meeting with Audit and Risk Committee, Management and Council Auditors. The option exists for this entrance meeting to be only with the CEO and Finance staff negating the need for an Audit and Risk Committee meeting.		* ✓ <i>Not minuted</i>				Completed Microsoft Teams Meeting held 10 May 2021 with Chair, Deputy Chair, Moore Australia representative, OAG representative & Management

AUDIT AND RISK COMMITTEE – 2021 ANNUAL AUDIT WORK PLAN						MANAGEMENT RESPONSE
FUNCTIONS, RESPONSIBILITIES & ASSOCIATED ACTIVITIES	3 Mar 21	* Apr 21	16 Jun 21	8 Sep 21	1 Dec 21	
To meet with the auditor, at least once per year without management present (closed door session). The Committee will discuss matters relating to the conduct of the audit, including any difficulties encountered, restrictions on scope of activities or access to information, significant disagreements with management and adequacy of management responses.					✓ AAR 33-21	These functions are occurring at this committee meeting
Examine the reports of the auditor to – i.) determine if any matters raised require action to be taken by the local government; and ii.) ensure that appropriate action is taken in respect of those matters.					✓ AAR 33-21	
Audit Exit Meeting with Audit and Risk Committee, Management and Council Auditors. To meet with the auditor, once in each year and provide a report to Council on the matters discussed and the outcome of those discussions.					✓ AAR 33-21	
To consider that relevant mechanisms are in place to review and implement, where appropriate, issues raised in OAG better practice guides and performance audits of other State and local government entities.	✓ AAR 05-20		✓ AAR 09-21	✓ AAR 19-21	✓ AAR 33-21	Completed
7. Regulation 17 Triennial Review (report next Due: March 2021)						
To consider the CEO’s triennial review on risk management, internal control and legislative compliance.	✓ AAR 02-21					Completed
Set the action plan arising from auditor recommendations from the Regulation 17 review.	✓ AAR 02-21					Completed
Receive an update on the action plan arising from auditor recommendations from the Regulation 17 review.			✓ AAR 07-21	✓ AAR 17-21	✓ AAR 33-21	Completed
8. Financial Management Systems Triennial Review (report next Due: March 2022)						
To consider the Financial Management Systems Review required every three years under Regulation 5 of the Local Government (Financial Management) Regulations 1996, and report to Council the results of that review.	Not Applicable – next due 2022					
Set the action plan arising from auditor recommendations from the Financial Management Systems Review.	Not Applicable – next due 2022					
Receive an update on the action plan arising from auditor recommendations from the Financial Management Systems Review.	Not Applicable – next due 2022					
9. Governance Health & Financial Sustainability Biennial Review (report next Due: March 2022)						
To consider the CEO’s biennial Governance Health and Financial Sustainability Review, and report to the Council the results of that review.	Not Applicable – next due 2022					
Set the action plan arising from the recommendations from the review.	Not Applicable – next due 2022					
Receive an update on the action plan arising from the recommendations from the review.	Not Applicable – next due 2022					
Undertake an independent external assessment of the Committee at least once in every three years. This assessment may be included in the scope of the Governance Health and Financial Sustainability Review.	Not Applicable – next due 2022					
10. Information Systems Security Audit (report next Due: June 2021)						
Receive the audit report arising from the 2 yearly Information Systems Security Audit.				✗		C/F - Now scheduled for 2022-23
Set the action plan arising from the recommendations from the Information Systems Security Audit.					✗	C/F - Now scheduled for 2022-23

AUDIT AND RISK COMMITTEE – 2021 ANNUAL AUDIT WORK PLAN						MANAGEMENT RESPONSE
FUNCTIONS, RESPONSIBILITIES & ASSOCIATED ACTIVITIES	3 Mar 21	* Apr 21	16 Jun 21	8 Sep 21	1 Dec 21	
Receive an update on the action plan arising from the recommendations from the Information Systems Security Audit.					×	C/F - Now scheduled for 2022-23

CARRIED
9/0

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

417-21 MOVED - Cr. T G Gardiner SECONDED - Cr. P R Perks

THAT the Audit and Risk Committee recommends that Council receives and endorse the 2022 Annual Audit Work Plan as follows:

AUDIT AND RISK COMMITTEE – 2022 ANNUAL AUDIT WORK PLAN					
FUNCTIONS, RESPONSIBILITIES & ASSOCIATED ACTIVITIES	16 Mar 22	* Apr/ May 22	8 Jun 22	14 Sep 22	7 Dec 22
11. Committee Operation					
Biennial review of the Charter (Terms of Reference). Next Due 2023.	Not Applicable – next due 2023				
Agree on the annual audit work plan; and set priority areas for the coming year.					✓
Annual confirmation that all responsibilities outlined in the Charter have been carried out. The annual confirmation will be reported through to Council and will include information about the Committee and the outcomes delivered during the period.					✓
New members are briefed on their appointment to assist them to meet their Committee responsibilities. Next Due 2023.	Not Applicable – next due 2023				
Appointment of Presiding Member and Deputy Presiding Member. Next Due 2023.	Not Applicable – next due 2023				
12. Risk Management					
To consider the Risk Management Governance Framework (once in every 3 years) for appropriateness and effectiveness. Current Framework adopted: OCM 14-08-2019 [Res 250-19] Report Next Due: 30-06-2022			✓		
Receive the biannual dashboard report			✓		✓
13. Legislative Compliance					
Review the annual Compliance Audit Return (CAR) and report to the Council the results of that review.	✓				
Receive the biannual compliance report resulting from the Compliance Manual (incorporating the annual calendar).	✓			✓	

AUDIT AND RISK COMMITTEE – 2022 ANNUAL AUDIT WORK PLAN					
FUNCTIONS, RESPONSIBILITIES & ASSOCIATED ACTIVITIES	16 Mar 22	* Apr/ May 22	8 Jun 22	14 Sep 22	7 Dec 22
14. Internal Audit					
Review annually the internal audit annual work plan, including any reports produced as part of special assignments undertaken by internal audit.				✓	
15. Financial Reporting					
Consider and recommend adoption of the Annual Financial Report to Council.					✓
16. External Audit (OAG)					
Audit Entrance Meeting with Chair and Deputy Chair as representatives of the Audit and Risk Committee, Management and Council Auditors.		*			
To meet with the auditor, at least once per year without management present (closed door session). The Committee will discuss matters relating to the conduct of the audit, including any difficulties encountered, restrictions on scope of activities or access to information, significant disagreements with management and adequacy of management responses.					✓
Examine the reports of the auditor to – iii.) determine if any matters raised require action to be taken by the local government; and iv.) ensure that appropriate action is taken in respect of those matters.					✓
Audit Exit Meeting with Audit and Risk Committee, Management and Council Auditors. To meet with the auditor, once in each year and provide a report to Council on the matters discussed and the outcome of those discussions.					✓
To consider that relevant mechanisms are in place to review and implement, where appropriate, issues raised in OAG better practice guides and performance audits of other State and local government entities.	✓		✓	✓	✓
17. Regulation 17 Triennial Review (report next Due: March 2024)					
To consider the CEO's triennial review on risk management, internal control and legislative compliance.	Not Applicable – next due 2024				
Set the action plan arising from auditor recommendations from the Regulation 17 review.	Not Applicable – next due 2024				
Receive an update on the action plan arising from auditor recommendations from the 2021 Regulation 17 review (until all action items are completed).	✓		✓	✓	✓
18. Financial Management Systems Triennial Review (report next Due: March 2022)					
To consider the Financial Management Systems Review required every three years under Regulation 5 of the Local Government (Financial Management) Regulations 1996, and report to Council the results of that review.	✓				
Set the action plan arising from auditor recommendations from the Financial Management Systems Review.	✓				
Receive an update on the action plan arising from auditor recommendations from the Financial Management Systems Review.			✓	✓	✓

AUDIT AND RISK COMMITTEE – 2022 ANNUAL AUDIT WORK PLAN					
FUNCTIONS, RESPONSIBILITIES & ASSOCIATED ACTIVITIES	16 Mar 22	* Apr/ May 22	8 Jun 22	14 Sep 22	7 Dec 22
19. Governance Health & Financial Sustainability Four-Yearly Review (report next Due: 2023-24)					
To consider the CEO’s biennial Governance Health and Financial Sustainability Review, and report to the Council the results of that review.	Not Applicable – next due 2023-24				
Set the action plan arising from the recommendations from the review.	Not Applicable – next due 2023-24				
Receive an update on the action plan arising from the recommendations from the review.	Not Applicable – next due 2023-24				
Undertake an independent external assessment of the Committee at least once in every three years. This assessment may be included in the scope of the Governance Health and Financial Sustainability Review.	Not Applicable – next due 2023-24				
20. Information Systems Security Audit (report next Due: 2022-23)					
Receive the audit report arising from the 2 yearly Information Systems Security Audit.				✓	
Set the action plan arising from the recommendations from the Information Systems Security Audit.				✓	
Receive an update on the action plan arising from the recommendations from the Information Systems Security Audit.					✓

CARRIED
9/0

13 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13.1 Title: Notice of Motion – Recording of Names against Council Resolutions

Reporting Department: Elected Member
 Reporting Officer: Cr. J Dow
 Legislation: Local Government Act 1995

Overview

Cr. J Dow has requested the minute taking process be amended where voting records are concerned for Council Meetings.

The request is to have the Minute Taker at each Council Meeting record the names of each Elected Member and record their vote for each item put to Council. If the vote is unanimous, the individual recording of names would not be required.

This process is to replace the current practice of recording only a numerical result.

Background

At the Ordinary Council Meeting held on the 4th of September 2019 Ordinary Council Meeting an Elected Member Notice of Motion was put to Council to have Elected Member names recorded against Council Resolutions however the Motion was lost:

MOTION MOVED - Cr. J Dow SECONDED - Cr. M T Bennett
 LOST
 THAT Council directs the Chief Executive Officer to instruct the Minute Taker at all Council Meetings to record the names of each Elected Member and their vote, unless the vote is unanimous.

MOTION LOST
 2/5

FOR THE MOTION	AGAINST THE MOTION
Cr. J Dow Cr. M T Bennett	Cr. P S Robinson Cr. T G Gardiner Cr. C N Boyce Cr. L Davies Cr. J Lee

Legal Implications

The Local Government Act 1995 Section 5.21 provides as follows:

5.21. Voting

- (1) Each council member and each member of a committee who is present at a meeting of the council or committee is entitled to one vote.
- (2) Subject to section 5.67, each council member and each member of a committee to which a local government power or duty has been delegated who is present at a meeting of the council or committee is to vote.
- (3) If the votes of members present at a council or a committee meeting are equally divided, the person presiding is to cast a second vote.
- (4) If a member of a council or a committee specifically requests that there be recorded —
 - (a) his or her vote; or

- (b) *the vote of all members present, on a matter voted on at a meeting of the council or the committee, the person presiding is to cause the vote or votes, as the case may be, to be recorded in the minutes*
- (5) *A person who fails to comply with subsection (2) or (3) commits an offence.*

Strategic Community Plan

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

Environment - None.

Precedents

As outlined in the Background section of this report, Council has considered this previously.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Elected Member Comment

I request that the Minute Taker at each Council Meeting record the names of each Elected Member and record their vote for each item put to Council. If the vote is unanimous, the individual recording of names would not be required. This process is to replace the current practice of recording only a numerical result.

Through this process we as Councillors show the community our willingness to be open and accountable in the way we vote. Recording each of our names and decisions ensures that we are transparent in accounting for our actions.

ELECTED MEMBER RESOLUTION

THAT Council as a matter of standard practice, at Council Meetings and Committee Meetings record the names of each Elected Member and their vote, unless the vote is unanimous.

Chief Executive Officer Comment

As outlined in the Legal Implications sections of the report the Local Government Act 1995 makes provision for a Council or Committee member to specifically requests that the votes of members present be recorded.

There is conjecture over whether or not this provision allows this to be a standard practice or whether the provision within the Act means that the names and voting can only be recorded when a member specifically requests this to occur and that his request should occur each time a vote is cast.

A number of local governments do however as a matter of standard practice record the voting of members present, without the need for a specific request. It is possible for this to also be standard practice at committee meetings.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

13.2 Title: Elected Member Motion – Audio Recordings of Council Meetings

Reporting Department: Elected Member
Reporting Officer: Cr. Janice Dow
Legislation: Local Government Act 1995

Overview

A Notice of Motion has been put forward by Councillor Dow in accordance with the Standing Orders Local Law clause 4.12. This report provides the Background information received from Councillor Dow along with the motion provided by Councillor Dow.

Officer Comment is provided in the relevant section of this report.

Background

Live streaming of Council meetings is a positive step forward as one measure that contributes towards a Council being open, transparent and to better service and engage with our community. Live streaming has become a valuable tool for local governments to increase community engagement.

Local Governments of all sizes have taken to live streaming of council meetings as a way to communicate their message to their community. By live streaming, local governments are demonstrating transparency and accountability, it also provides real-time and accurate information to residents quickly and efficiently.

While the public may want to attend every meeting the reality is that they can't always be physically present due to distance, prior commitments, ill health, being on vacation or lack of transport on the night to attend. Live streaming gives the flexibility to fit into the residents' day, whether it be by live streaming on the night or a recording at a later date. Live streaming also allows residents to view Council meetings in the comfort and safety of their own home especially at the current time with the threat of the COVID-19 pandemic which could go on for many more months.

The shire employ 10 IT staff that have the expertise to set up live streaming. The last Council Meeting in April was set up and live streamed via Zoom due to COVID-19 by the very talented and qualified IT staff, not by outside contractors therefore I would expect the implementation of Live Streaming to be at a reasonable cost.

Legal Implications

Local Government Act 1995.
State Records Act 2000.

Strategic Community Plan

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

Strategy 1.6.2 - Promote a positive public image for the Council through appropriate marketing activities and high standards of customer service. (Service Priority: Very High)

Environment - None.

Precedents

This matter was previously considered by Council in May 2020 when Councillor Dow put forward a Notice of Motion requesting the CEO to seek quotes and for Council to support the live streaming of Council meetings. The matter was deferred to allow investigation and a report was brought back to the September 2020 Council meeting.

Options were provided to Council in relation to the live streaming of Council meetings and Council at the meeting resolved as follows:

“THAT Council:

1. *Does not proceed with live streaming of Ordinary Council Meetings at this point in time; and*
2. *Considers chambers audio visual and live streaming requirements as part of the design of the new administration/library building.”*

Budget Implications

The budget implications would need to be considered following receipt of quotes for the relevant equipment and understanding the impact it may have on staffing requirements.

Budget – Whole of Life Cost

This will need to be further considered depending on the technology chosen.

Council Policy Compliance - None.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Elected Member Motion – Live Streaming of Council Meetings
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)	Low (1 - 4)
Risk Category Assessed Against	Financial Cost of installation and ongoing maintenance

Elected Member Comment

Currently there is a Resolution that Council livestream meetings when the New Shire of Dardanup Administration, Library & Community Building has been built however that process is taking longer than expected so as a halfway measure audio equipment can be purchased with the new building in mind.

The purpose of audio recording is to ensure that a true and accurate account of the debate and discussions at meetings is available and to assist in the preparation of the minutes of Council meetings.

Ordinary and Special Meetings of Council should be audio recorded in their entirety consistent with the objectives of the Act in section 1.3(2)(c) which promotes greater accountability of Local Governments to their communities.

All audio recording – excluding those parts of the meeting that are closed to the public by resolution of Council – could be made available on the Shire website within five working days following the Council meeting. Councillors understand that meetings do not provide any Elected Member, Staff or member of the public with Absolute Privilege and that individuals are not protected from defamation in relation to behaviour or statements made; however if there is a claim made about comments or behaviour audio recording will be proof enough to settle any issues that may arise.

Audio recordings will then be retained in accordance with the State Records Act 2000 and disposed of in accordance with the General Disposal Authority for Local Government Records, which states in ref. 25.1.3 that audio recordings of Council Meetings can be destroyed one year after confirmation of the minutes, and with clear signage placed on the entrances to the Council Chambers advising members of the public that the meeting is being recorded and that by participating in open Council Meetings, individuals consent to the use and disclosure of the information that they share at the meeting (including any personal or sensitive information given), they also consent to the disclosure of that information to any persons who access audio of Shire of Dardanup Council Meetings.

As added protection at the commencement of each Council Meeting the Presiding Member will publicly announce that the meeting will be audio recorded and if recordings are terminated or suspended the time the fact and reason for this will be recorded in the Council Minutes so that the public has a clear understanding of what is going on.

Although meetings are open to the public it is recognised that not every resident is able to travel to the Council Chambers to attend but may otherwise be interested in the affairs, business and decision making of the Council and public access to Council's decision making process is an important foundation of Local Government. Audio recording of Council Meetings can make these accessible to the public when they cannot otherwise attend.

Audio recording made available to the public enables greater transparency, accountability and efficiency in relation to meetings of Council and will facilitate community access and involvement in Council Meetings and enable greater public awareness of the decision making processes of the Council and will also assist in the preparation of complete and accurate minutes.

As another precaution a notice to inform the public that the meeting proceedings are recorded would be printed on the agenda of all Council Meetings to inform the public that the proceedings are recorded plus a notice to inform the public that Council Meetings are being recorded be displayed at the entrance to a room in which a meeting is being held.

Audio files of meeting recordings to be retained for 12 months in accordance with Regulation 33 and to dispose of the files promptly following the expiry of that period will allow the community plenty of time to hear the recordings when it is convenient to them.

A new Council Policy will need to be introduced by council to protect all parties that would include conditions such as a copy of the digital file being made available on the Council's website for listening to by any member of the public for a minimum period of 6 months. The Council will make this information available as a routine disclosure under the Right to Information Act 2009.

Where the Council has resolved to record the part of the meeting closed to the public the digital files or meeting proceedings will only be available for listening by Councillors entitled to be present during the proceedings in question and upon written request.

The LG Minister is intending to introduce changes to make it mandatory for councils classed as Band 1 & 2 to have their meetings livestreamed however as we are only Band 3 we are not covered by the proposed changes. I feel this will be one step closer to livestreaming for our shire as at this stage going live may not be implemented for 2 years.

Officer Comment

Business Solutions staff have previously investigated the requirements associated with implementing video recording and live streaming of Council meetings. The live streaming of Council meetings will need to be compliant with *State Records Act 2000*. The audio/video recording of meetings and verbatim transcripts must be retained and are required to be compliant with the following formats:

Audio recordings must meet the following minimum specifications:

- Speed: Audio must be digitized at original speed
- Compression: Lossless only
- Channels: Minimum Stereo, or as appropriate if recording contains more than 2 channels
- Long term file formats: BWAV, WAV, AIF

Video and film recordings must meet the following minimum specifications:

- Speed: Video and film must be digitized at original speed
- Compression: Lossless only
- Channels: As per original (eg: 1280x720px)
- Long term file formats: MPEG-2, MPEG-4
- Audio: AAC

To achieve the above, verbal quotes were obtained to estimate the capital and operating costs required:

- Capital Cost – past research on the cost of the setup can range from \$25,000 – \$180,000 depending on the nature and complexity of the premise.
- Operational Cost – adequate IT and human resources need to be made available to support the function of the live streaming and/or recording of Council meetings. An additional 0.4 FTE would be recommended for this setup. Ongoing asset management responsibilities would need to be incorporated into this Plan as part of operational costs.

Due to the above, Council Officers have previously recommended that this equipment be considered when the specifications for the new Council Administration building are being developed. As Council had supported this direction previously staff have not investigated this any further at this point in time and are awaiting further direction on the New Building.

It should also be noted that due to movements within staff the IT team is currently understaffed and the Shire does not have internal resources to investigate the option proposed by Councillor Dow within the timeframe being proposed.

However, should Council decide to proceed with the New Shire of Administration Building, the subject of a separate report within this agenda, then investigations into audio and visual recording / streaming equipment will be undertaken as part of that process and in accordance with Council's previous direction. As part of this process it will be possible to consider the option of installing technology into the current chambers that can be easily transferred to the new building. It should however be noted that based on timing and likely delays as part of disrupted supply chains it is likely that the installation will be in place for only about 12 months before it will need to be installed into the new building. That is Councillor Dow's request is for the equipment to be functioning by the OCM on the 27th of July 2022. The construction of the New Administration building is expected to be completed by August 2023, with testing and commissioning about to start. Therefore it is likely that the equipment will need to be transferred to the new building around July 2023.

Should Council intend to support this course of action it is recommended that Council allow appropriate time for the investigations to be undertaken on what the requirement for the new Building will be and that a report be brought back to Council in April 2022 on the options with regards to audio and /or visual recording and live streaming. This will coincide with further details regarding the new Building design and process.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

ELECTED MEMBER RESOLUTION

THAT Council:

1. Requests the Chief Executive Officer to present to the April 2022 Ordinary Council Meeting the cost of implementing and installing Audio Recording equipment for all Ordinary and Special Meetings for consideration in budget talks.
2. Authorises expenses and the installation of equipment ready for the July 2022 Ordinary Council subject to Council approval.
3. Introduces a new Council Policy to be workshopped by Councillors to set guidelines of audio recording before the installation and recording of meetings scheduled for July 2022.

Discussion:

Cr. J P Dow moved the elected member Resolution and Cr. M R Hutchinson seconded. During discussion, Cr P Perks proposed to foreshadow a motion.

Councillors discussed the Elected Member resolution and amended the resolution to provide further clarity and to establish a budget for the proposed works.

Change to Elected Member Recommendation

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

- *Resolution was reworded to provide greater clarity in the intent of the resolution and include a maximum budget of \$25,000 for the works.*

ELECTED MEMBER RESOLUTION & COUNCIL RESOLUTION

419-21 MOVED - Cr. J P Dow SECONDED - Cr. M R Hutchinson

THAT Council:

1. Requests the Chief Executive Officer to present to the April 2022 Ordinary Council Meeting the cost of implementing and installing Audio Recording equipment for all Ordinary and Special Meetings for consideration in budget talks.
2. Expenses to be no more than \$25,000 and the installation of equipment ready for the July 2022 Ordinary Council subject to Council approval.
3. Introduces a new Council Policy to be workshopped by Councillors to set guidelines of audio recording before the installation and recording of meetings scheduled for July 2022.

CARRIED
5/4

FOR THE MOTION	AGAINST THE MOTION
Cr J Dow Cr M Hutchinson Cr S Gillespie Cr P Robinson Cr E Lilly	Cr L Davies Cr P Perks Cr T Gardiner Cr M T Bennett

13.3 Title: Elected Member Motion – Panizza Road Dust Suppression

Reporting Department: Elected Member
Reporting Officer: Cr. Tyrrell Gardiner
Legislation: Local Government Act 1995

Overview

A Notice of Motion has been put forward by Councillor Gardiner in accordance with the Standing Orders Local Law clause 4.12. This report provides the Background information received from Councillor Gardiner along with the motion provided by Councillor Gardiner.

Officer Comment is provided in the relevant section of this report.

Background

At the Ordinary Council Meeting held on the 26th of May 2021, Council resolved the following (Res: 143-21):

“THAT Council:

- 1. Authorises the Chief Executive Officer to seek public comment on the proposal to close the thoroughfare on Panizza Road by advertising the proposal and notifying affected residents in accordance with Section 3.50 of the Local Government Act 1995.*
- 2. Requests that once public comments have been received, the matter, together with public comments, is reported back to Council for further consideration and final deliberation.”*

The proposal to close the thoroughfare was advertised publically from the 21st of July 2021 with the submission period closing on the 11th of August 2021. In addition, traffic counters were placed on the road to obtain data and this information is also presented.

The matter was brought back to Council for further consideration on 24 November 2021 whereby it was resolved [362-21]:-

“THAT Council:

- 1. Does not close Panizza Road and that the upgrade and sealing of Panizza Road be considered as part of the 2022-23 Budget deliberations and the Road Asset Management Plan.*
- 2. Requests that the Chief Executive Officer carries out survey, design, environmental assessment and cost estimation of upgrading Panizza Road; and*
- 3. Once the process is complete, requests that the results are brought back to Council for further consideration.*
- 4. Requests the Chief Executive Officer to investigate speed restrictions and or surveillance along the road as an immediate measure to address safety concerns.”*

Legal Implications

Closure of a thoroughfare needs to be in accordance with the Local Government Act 1995 Section 3.50 – Closing Certain Thoroughfares to Vehicles.

Strategic Community Plan

Strategy 5.1.1 - To provide an efficient road network for efficient movement of people and goods by road. (Service Priority: Very High)

Strategy 4.3.3 - To plan and facilitate adequate transport, infrastructure and utility services to meet industry requirements. (Service Priority: Very High)

Environment – None

Precedents

Council has previously considered the upgrade of roads within the Shire in respect to various issues including dust.

Budget Implications

The budget implications would need to be considered following a decision on the treatment options chosen.

Budget – Whole of Life Cost

This will need to be further considered depending on the treatment options chosen.

Council Policy Compliance – None

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Elected Member Motion – Panizza Road Dust Suppression
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)	Low (1 - 4)
Risk Category Assessed Against	Financial Cost of installation and ongoing maintenance

Elected Member Comment

At the 24th of November Ordinary Council Meeting Council resolved (362-21) to investigate the sealing of the balance of Panizza Road. Unfortunately the time involved in this process means that there will be a period of time that the dust problem will still occur.

As an option to stop trucks delivering waste to the Cleanaway site using Panizza Road as a “short cut”. Whilst some of these vehicles are “as of right” it is in my opinion in a similar vein to the ban on “as of right” trucks carrying containers not allowed on South Street between Kwinana Freeway and Stock Road in the metropolitan area. This ban was put in place to keep container traffic servicing Fremantle Harbour

on recognized transport routes. There may be other roads closed to some “as of right trucks” throughout the state.

Signage and Education to users of the Cleanaway site would also be required.

Officer Comment

It is very difficult to suppress dust on rural gravel roads, particularly during the warmer and drier times of the year.

The following options are considered available:

Option	Description	Evaluation	Effectiveness
1	Watering (water truck)	<ul style="list-style-type: none"> Costly, would require several passes a day Labour intensive 	<ul style="list-style-type: none"> Very short term improvement
2	Wetting agent mixed in with water (water truck)	<ul style="list-style-type: none"> Unproven effectiveness of additives, many different ones on market Costly Labour intensive 	<ul style="list-style-type: none"> At best, a very short term improvement only
3	Binding agent	<ul style="list-style-type: none"> Costly Requires water binding process (rolling) Establishes a hard smooth finished product Road cannot be graded Eventually breaks down leaving potholes 	<ul style="list-style-type: none"> Provides some improvement for up to a few months in duration (not years)
4	Limestone sheeting	<ul style="list-style-type: none"> Costly Requires water binding process (rolling) 	<ul style="list-style-type: none"> Potentially a medium term improvement only Does not solve the problem (result could be limestone dust instead of gravel dust)
5	Sealing (road upgrade)	<ul style="list-style-type: none"> Very costly Construction project 	<ul style="list-style-type: none"> Permanent solution Will solve the problem
6	Signage to slow traffic down and discourage heavy vehicle usage	<ul style="list-style-type: none"> Inexpensive Administrative control only 	<ul style="list-style-type: none"> Very limited or at least unknown effectiveness Policing difficult

Costings for Options 2-4 have not been examined by Officers at this point in time, however, they are not recommended.

Option 5 was considered by Council at the Ordinary Council Meeting held on the 24th of November 2021 via Council Resolution 361-21. As such, the option of upgrading and sealing Panizza road will be considered by Council as part of the 2022-23 Budget deliberations and the Road Asset Management Plan.

Out of the above options, Option 6 is the recommended option. It is inexpensive, may have some effectiveness, would be rapid to implement. Occasional watering could also be done to assist with the dust during summer months, but for it to be done as an ongoing exercise will be expensive and the benefit does not warrant the cost associated with it.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

ELECTED MEMBER RESOLUTION

THAT Council:

1. Requests that the Chief Executive Officer investigate and report to Council cost for treating the gravel section of Panizza Road with a dust suppression product to mitigate the dust problem that is affecting local landholders.
2. Remove vehicles Class 3 and above from using Panizza Road as a through road (pickups and deliveries from Panizza Road to be exempt).

OFFICER RECOMMENDED RESOLUTION

THAT Council liaises with Main Roads WA and seeks approval to install appropriate signage to slow down traffic and to discourage heavy vehicle usage on Panizza Road.

Discussion:

When moving the motion, Cr. T G Gardiner removed part 2 of the original recommendation and replaced it with the wording from the Officer Recommended Resolution.

Change to Elected Member Recommendation

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

- *To combine both the Elected member and Officer Recommended resolution.*

ELECTED MEMBER RESOLUTION & COUNCIL RESOLUTION

420-21 MOVED - Cr. T G Gardiner SECONDED - Cr P Robinson

THAT Council:

1. Requests that the Chief Executive Officer investigate and report to Council cost for treating the gravel section of Panizza Road with a dust suppression product to mitigate the dust problem that is affecting local landholders.
2. Liaises with Main Roads WA and seeks approval to install appropriate signage to slow down traffic and to discourage heavy vehicle usage on Panizza Road.

CARRIED
9/0

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

421-21 MOVED - Cr. T G Gardiner SECONDED - Cr. P R Perks

THAT in accordance with the Local Government Act 1995, S 5.23, section (2)(e)(iii), Council goes Behind Closed Doors [7.12pm] to discuss information about the business, professional, commercial or financial affairs of a person.

CARRIED
9/0

PROCESS

Cr M T Bennett adjourned the meeting at 7.12pm and reconvened the meeting at 7.15pm. All staff and Councillors returned to the room (excluding Manager Governance & HR, Ms Cathy Lee who left the meeting at 7.12pm).

PROCESS

16.1 Title: Additional Income and Expenditure: Grant Funding

Reporting Department: Sustainable Development Directorate
Reporting Officer: Ms Lucy Owen-Conway – Manager Place and Community Engagement
Legislation: Local Government Act 1995

REPORT UNDER SEPARATE COVER

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

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

422-21 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council:

1. **Acknowledges and authorises additional grant income (Ref GL 11 2 3501 the 2021-2022 Annual Budget) of \$125,000 (GST exclusive) as detailed in the confidential agenda report dated 15 December 2021.**
2. **Authorises additional expenditure (Ref J11653) in the 2021-2022 Annual Budget of \$125,000 (GST exclusive) as detailed in the confidential agenda report dated 15 December 2021.**
3. **Impose an embargo on public announcements or the release of information about the funding approval until after the funding body have announced the successful projects.**

CARRIED
9/0

16.2 Title: New Shire of Dardanup Administration and Library Building

Reporting Department: Executive
 Reporting Officer: Mr André Schönfeldt – Chief Executive Officer
 Ms Susan Oosthuizen – Director Sustainable Development
 Legislation: Local Government Act 1995

DECLARATION OF INTEREST

Cr. L W Davies declared a Financial Interest in this item. Refer to the list of Declarations of Interest.

Cr. L Davies left the room [7.16pm].

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.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

423-21 MOVED - Cr. P S Robinson SECONDED - Cr. E P Lilly

THAT Council:

1. Accepts the ECI submission received from Perkins Pty Ltd to design and construct the New Shire of Dardanup Administration, Library and Community Building, for a total Guaranteed Maximum Price of up to \$14,964,859 excluding GST and excluding fixed contingencies required for servicing the site.
2. Accepts the ECI submission received from Perkins Pty Ltd with regards to fixed contingencies of up to \$830,000 excluding GST to be included in the total contract Price, but excluded from the Guaranteed Maximum Price.
3. Delegates, by Absolute Majority, in accordance with section 5.42 of the *Local Government Act 1995*, authority to the Chief Executive Officer to negotiate in regard to the contract to design and construct the New Shire of Dardanup Administration, Library and Community Building to include the following:
 - a) Peter Hobbs and Associates and Advance Timber Concepts Studio are to be kept as the architects with Council having the final decision to change the designers or architects if a change is requested by the Contractors;
 - b) Minor variations before entry into the contract, in accordance with Regulation 20 of the *Local Government (Functions and General) Regulations 1996*, including minor variations to the scope to reduce the Guaranteed Maximum Price component of the contract to be closer to \$14.5million excluding escalation and fixed contingencies.

- c) An 80% Design Hold Point to be included in the contract that will provide the final costings inclusive of the final GMP, escalation and all relevant contingencies to be provided to the Shire by 28 March 2022.
 - d) Provisions be included in the contract that allows for an open book process on any escalation and all pricing that form part of the contract;
 - e) Variations, after the contract has been entered into, limited to variations which do not change the scope of the contract and which do not increase the contract value beyond 5%, in accordance with Regulation 21A of the *Local Government (Functions and General) Regulations 1996*.
 - f) Exercise the contract extension options in accordance with Regulations 11(2)(j) and 21A of the *Local Government (Functions and General) Regulations 1996*.
4. Authorises the Chief Executive Officer, in accordance with section 9.49A(4) of the *Local Government Act 1995*, to execute the contract with Perkins Pty Ltd. to design and construct New Shire of Dardanup Administration, Library and Community Building.
 5. Authorises the Chief Executive Officer to make an advance payment under the Design and Construct Contract for the timber procurement.
 6. Requests the Chief Executive Officer to present a report to Council in April 2022 to confirm the final contract price inclusive of the Design and Construction Contingencies.

CARRIED

5/3

By Absolute Majority

FOR THE MOTION	AGAINST THE MOTION
Cr P Perks	Cr J Dow
Cr T Gardiner	Cr M Hutchinson
Cr M T Bennett	Cr S Gillespie
Cr P Robinson	
Cr E Lilly	

Note: Cr L Davies returned to the room at 7.21pm.

16.3 Title: Request for Quote RFQ F0245622 Wells Reserve Change Rooms and Cricket Nets

Reporting Department: Infrastructure Directorate
 Reporting Officer: Ms Susan Oosthuizen - Director Sustainable Development
 Mr Allan Hutcheon - Procurement Officer
 Mr James Reilly – Project Development Engineer
 Legislation: Local Government Act 1995
 Local Government (Functions and General) Regulations 1996

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.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

424-21 MOVED - Cr. J P Dow SECONDED - Cr. E P Lilly

THAT Council:

1. Allocates the Mr Alexander Poad's bequeathed funds of \$51,000 plus interest to J11639 and increase the expenditure of J11639 with an equivalent amount.
2. Accepts the request for quote submission for RFQ F0245622 Wells Reserve Change Rooms and Cricket Nets as received from Kilmore Group Pty Ltd T/A Timberbuilt Australia, as the most advantageous, for a lump sum value of \$959,806 (Ex GST).
3. Delegates by Absolute Majority, to the Chief Executive Officer in accordance with s.5.42(1) of the Local Government Act 1995, to:
 - a) Negotiate minor variations to the contract for RFQ F0245622 Wells Reserve Change Rooms and Cricket Nets before its execution in accordance Regulations 20 and 21A of the Local Government (Functions and General) Regulations 1996;
 - b) Execute the contract for RFQ F0245622 Wells Reserve Change Rooms and Cricket Nets in accordance with s.9.49A of the Local Government Act 1995; and
 - c) Negotiate variations, after the contract has been entered into, limited to variations which do not change the scope of the contract and which do not increase the contract value beyond 10%, in accordance with Regulation 21A of the Local Government (Functions and General) Regulations 1996.
 - d) Incur expenditure related to utility service upgrades that may be required for this project in addition to the Contract Value of no more than \$100,000.

- 4. Thanks the Dardanup Red Cross and acknowledges Mr Alexander Poad's contribution towards this important community facility, and requests the Chief Executive Officer to ensure that Mr Poad's contribution is appropriately acknowledged within the Wells Recreation Reserve Club Room Facility when it is redeveloped.**

CARRIED

9/0

By Absolute Majority

16.4 Title: RFT F0257593 – Pratt Road Carpark Redevelopment

Reporting Department: Infrastructure Directorate
 Reporting Officer: Mr Jason Gick – Manager Operations
 Mr Allan Hutcheon - Procurement Officer
 Legislation: Local Government Act 1995
 Local Government (Functions and General) Regulations 1996

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 S Gillespie declared a Proximity Interest in this item. Refer to the list of Declarations of Interest.

Cr. S Gillespie left the room [7.22pm].

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

425-21 MOVED - Cr. M T Bennett SECONDED - Cr. M R Hutchinson

THAT Council:

1. **Accepts the tender submission for RFT F0257593 Pratt Road Carpark Redevelopment as advertised and recorded in the Tenders Register, received from Carbone Bros Pty Ltd, named in the Evaluation Panel Report recommendation detailed in [Appendix BCD: 16.4B] as the most advantageous, for a lump sum value of \$418,468.14 (excl. GST);**
2. **Delegates by Absolute Majority, to the Chief Executive Officer in accordance with s.5.42(1) of the Local Government Act 1995, to:**
 - a) **Negotiate minor variations to the contract for RFT F0257593 Pratt Road Carpark Redevelopment before its execution in accordance Regulations 20 and 21A of the Local Government (Functions and General) Regulations 1996;**
 - b) **Execute the contract for RFT F0257593 Pratt Road Carpark Redevelopment in accordance with s.9.49A of the Local Government Act 1995; and**
 - c) **Negotiate variations, after the contract has been entered into, limited to variations which do not change the scope of the contract and which do not increase the contract value beyond 10%, in accordance with Regulation 21A of the Local Government (Functions and General) Regulations 1996.**

3. Increases the 2021/22 budget allocation for J12904 Pratt Road and Carpark from \$349,954 to \$449,310 plus Contingency and Shire Project Design and Management costs estimated at \$43,900, funded from the Road Construction and Major Maintenance Reserve and reallocating Shire Project Design and Management costs from J12828.

CARRIED

8/0

By Absolute Majority

Note: Cr S Gillespie returned to the room at 7.23pm.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

426-21 MOVED - Cr. T G Gardiner SECONDED - Cr. P R Perks

THAT Council return from Behind Closed Doors [7.24pm].

CARRIED

9/0

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

17 CLOSURE OF MEETING

The Presiding Officer advises that the date of the next:

- Ordinary Meeting of Council will be Wednesday, the 25th of January 2022, commencing at 5.00pm at the Shire of Dardanup - Administration Centre Eaton.
- Annual Electors Meeting will be Wednesday, the 25th of January 2022, commencing at 7.00pm at the Shire of Dardanup – Administration Centre Eaton.

There being no further business the Presiding Officer declared the meeting closed at 7.24pm.

**CONFIRMATION OF MINUTES**

"As the person presiding at the meeting at which these minutes were confirmed on the 25th of January 2022, 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 "Michael Bennett".

Email: michael.bennett@dardanup.wa.gov.au