



CONFIRMED

MINUTES

ORDINARY MEETING

Held

17 July 2019

At

Shire of Dardanup
ADMINISTRATION CENTRE EATON
1 Council Drive - EATON

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COUNCIL ROLE

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

DISCLAIMER

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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.

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SHIRE OF DARDANUP

MINUTES FOR THE SHIRE OF DARDANUP ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY 17 JULY 2019, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 5.00PM.

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

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

Acknowledgement of Country

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

Affirmation of Civic Duty and Responsibility

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

Emergency Procedure

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

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

Cr. Michael Bennett	-	Shire President (Chairperson)
Cr. Peter Robinson	-	Deputy Shire President
Cr. Luke Davies	-	Elected Member
Cr. Tyrrell Gardiner	-	Elected Member
Cr. Janice Dow	-	Elected Member
Cr. James Lee	-	Elected Member
Mr André Schönfeldt	-	Chief Executive Officer
Mr Phil Anastasakis	-	Deputy Chief Executive Officer
Mr Nathan Ryder	-	Acting Director Infrastructure
Ms Cathy Lee	-	Manager Governance & HR
Mr Brenton Scambler	-	Manager Development Services
Mr Nathan Saunders	-	Manager Operations [5.03PM]
Mr Mick Saunders	-	Manager Assets [5.17PM]

Approximately 14 Members of the public were present.

2.2 Apologies

Cr. Patricia Perks	-	Leave of Absence [170-19]
Cr. Carmel Boyce	-	Leave of Absence [119-19]
Mr Luke Botica	-	Director Infrastructure

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**3.1 Title: Mrs Jill Cross Regarding Lot 2, Banksia Road, Crooked Brook – Cleanaway Compliance Audit**

Reporting Department: Sustainable Development Directorate
Reporting Officer: Mr Brenton Scambler – Manager Development Services
Legislation: Local Government Act 1995

Background

The following question was asked during “Public Question Time” at the Ordinary Council meeting held 26 June 2019. The question was in relation to the dust management strategy utilised by Cleanaway.

Question Taken on Notice:

Mrs Cross - Can the Shire question DWER how effective is the dust management strategy Cleanaway utilises when we have all seen vision of large plumes of dust escaping from this site on a windy day?

Officer Response:

Shire Officers have made contact with DWER and are currently awaiting a response.

NOTED.

Note: Manager Operations, Mr Nathan Ryder joined the meeting [5.03pm].

3.2 Title: Mrs Dianne Webster Regarding Lot 2, Banksia Road, Crooked Brook – Cleanaway Compliance Audit

Reporting Department: Sustainable Development Directorate
Reporting Officer: Mr Brenton Scambler – Manager Development Services
Legislation: Local Government Act 1995

Background

The following question was asked in four parts during “Public Question Time” at the Ordinary Council meeting held 26 June 2019. Part 1 was answered, whilst parts 1a, 1b and 1c were taken on notice. These parts of the question are in relation to the accountability period for the owner/occupier of Lot 2, Banksia Road, Crooked Brook under the Environmental Protection Act 1986 and the Contaminations Act, and also in relation to responsibility for rectifying any future changes to storage requirements for these materials.

Part 1 of the question was as follows:

1. *If, at some stage in the future, the correct containment of materials is compromised, such as dust or seepage for example. Which organisation will be responsible for meeting compensation commitments regarding environmental issues or lifestyle impacts on the community?*

- *Albermarle,*
- *Cleanaway,*
- *Owners of the land,*
- *Dardanup Shire,*
- *State Government or*
- *Other (Please state...)*

The Officer Response to this question was as follows:

Chief Executive Officer, Mr André Schönfeldt – Under the Environmental Protection Act 1986 the principle is that the polluter pays. It is my understanding that this is also true under the Contaminations Act, which means the owner / operator of the land is responsible if the site is considered contaminated.

Question (1a) Taken on Notice:

Mrs Webster - Given question one has been answered. For how long will this organisation be held accountable?

Officer Response:

Shire Officers have made contact with DWER and are currently awaiting a response.

Question (1b) Taken on Notice:

Mrs Webster - If this time of accountability is limited, what is the length of this time and who then then becomes accountable?

Officer Response:

Shire Officers have made contact with DWER and are currently awaiting a response.

Question (1c) Taken on Notice:

Mrs Webster - If at some time in the future an organisation such as the Commonwealth Scientific and Industrial Research Organisation (CSIRO) make a jurisdiction that there needs to be an alteration to how some particular material is stored, who will be responsible for rectifying the situation?

Officer Response:

Shire Officers have made contact with DWER and are currently awaiting a response.

NOTED.

3.3 Title: Mrs Ellen Lilly Regarding Lot 2, Banksia Road, Crooked Brook – Cleanaway Compliance Audit

Reporting Department: Sustainable Development Directorate
Reporting Officer: Mr Brenton Scambler – Manager Development Services
Legislation: Local Government Act 1995

Background

The following question was asked during “Public Question Time” at the Ordinary Council meeting held 26 June 2019. The question was in relation to the Community requesting an independent cumulative environmental assessment of Lot 2.

Question Taken on Notice:

Mrs Lilly - We have a history going back to 1999 where there have been multiple applications and works approval for Lot 2. Initially in 1999 it was not required. Now, 20 years on that landfill site has taken on several different types of waste, including hazardous medical waste. We want a cumulative environmental assessment of Lot 2. Cleanaway are going to continue on Lot 2. They will continue to put in different applications for different cells and different products. There has to be a time that we stop. Lot 1 I accept that we will wait.

The GHD report says that it is of low risk. The soluble matter of this is the risk. When you get the application don't just refer it to the EPA.

Officer Response:

Noted.

The Environmental Protection Authority (EPA) made a decision on the 8 July 2019 to not assess the lithium tailings proposal under Part IV of the Environmental Protection Act 1986. In making its decision the EPA had regard to various matters including the following:

- a) Values, sensitivity and quality of the environment which is likely to be impacted;
- b) Extent (intensity, duration, magnitude and geographic footprint) of the likely impacts;
- c) Consequence of the likely impact (or change);
- d) Resilience of the environment to cope with the impacts or change;
- e) Cumulative impact with other existing or reasonably foreseeable activities, developments and land uses;
- f) Connections and interactions between parts of the environment to inform a holistic view of impacts to the whole environment;
- g) Level of confidence in the prediction of impacts and the success of proposed mitigation;
- h) Public interest about the likely effect of the proposal, if implemented, on the environment, and public information that informs the EPA's assessment.

The EPA have concluded that the likely environmental effects of the proposal are not so significant as to warrant formal assessment because of the relatively small scale of the impacts, the small geographic footprint and relatively short duration of planned activities. The EPA has also considered the mitigation strategies proposed by the proponent to avoid and minimise impacts, noting that there is no native vegetation and fauna habitat to be cleared, and the presence of other statutory processes to regulate emissions and discharges.

The EPA has stated that it is of the view that the potential impacts of the proposal can be adequately managed. The EPA considers that other statutory processes such as Part V of the Environmental Protection Act 1986 (Works Approvals and Licences) and Environmental Protection (Noise) Regulations 1997, can regulate the facility. The EPA decision to not assess the proposal is appealable, appeals close on 22 July 2019. The Shire are considering its options with regards to lodging an appeal of the EPA decision.

NOTED.

4 PUBLIC QUESTION TIME

Note: Public Question Time commenced at 5.04pm.

4.1 Mrs Ellen Lilly - Banksia Road, Waste Site – Cleanaway – Possible Water Contamination

Mrs Ellen Lilly asked the following question regarding the EPA decision to not assess Lot 2 Banksia Road:

Has the Council considered the contamination of water – on 11/6/19 Cleanaway wrote to EPA to explain the contamination of monitoring location SESD 6 to 5 – reporting poor water quality with elevated concentrations of ammonia, nitrogen, phosphorus, metal (TRH & PFAS) this is the case for the last 3 years!

Cleanaway suggest this is naturally occurring, however TRH & PFAS are not natural. This contamination need to be considered in light of contamination in Busselton, Serpentine & Oakford.

Response:

Manager Development Services, Mr Brenton Scambler – The Shire referred both the DWER Works Approval application and the EPA Decision to ‘Not Assess’ to an independent environmental consultant to peer review the information and decision. In the limited time period to undertake the peer review, the consultants have generally concurred with the findings presented in the Works Approval documentation and the EPA’s decision. The Shire does not have access to the groundwater monitoring report referred to in Cleanaway’s letter to the EPA, as such this aspect of the proposal was not peer reviewed by the environmental consultant.

4.2 Mrs Ellen Lilly - Banksia Road, Waste Site – Cleanaway – Water Used for Dust Suppression

Mrs Ellen Lilly asked the following question:

Has the Council considered the water to be used for dust suppression?

EPA suggest water suppression to manage dust. In light of Dardanup Shire Policy CP093 – Sustainability indicates that water usage needs to be utilized with the objective of reducing demand on total water supply. Could Council please explain how they consider this increase in water use fits in with this Policy?

Cleanaway also do not have a current dust suppression plan, they do not have a forward wind plan, they generally wake up and realise the wind and arrange a contractor often not being able to source on the day for Cleanaway to manage dust on existing projects plus lithium they would numerous full time water carts 24/7 to manage this is not noted in the proposal.

Response:

Manager Development Services, Mr Brenton Scambler – The Shire are of the understanding that dust suppression measures proposed to be undertaken on the premises will utilise the water collected and stored on the property within the existing stormwater dams. The reuse of collected stormwater on the site for dust suppression would not increase the total water demand for the premises.

Chief Executive Officer, Mr André Schönfeldt – we don't have a development application in front of us at the moment so we haven't had the opportunity to assess that at the moment.

Mrs Lilly advised Council that Cleanaway do not have a current dust suppression program. They do not have full time employees and equipment in place.

4.3 Mrs Ellen Lilly - Banksia Road, Waste Site – Cleanaway – Effects of Inspirable Dust

Mrs Lilly asked the following question:

Has the Council considered the effects of inspirable dust on residents and livestock that live near the site?

Dust monitoring is conducted from Bunbury and would not indicate immediate proximity effects, can the council assure me that the dust does not contain radioactive materials.

Response:

Chief Executive Officer, Mr André Schönfeldt – This will be taken on notice.

Mrs Lilly noted that if there was no appeal, how would we know if it is radioactive or not?

Response:

Chief Executive Officer, Mr André Schönfeldt – those considerations need to be requested from DWER.

Note: *Manager Assets, Mr Mick Saunders joined the meeting [5.17pm].*

4.4 Mrs Ellen Lilly Regarding Item 14.1 "Title: Consideration of Environmental Protection Authority Decision to "Not Assess" the Lithium Tailings Proposal at Lot 2 Banksia Road, Crooked Brook"

Mrs Ellen Lilly asked the following question:

The EPA states that the risks will be mitigated by other government departments.

However, we already know that current non-compliances of storm water runoff into neighbor's properties, dust, rubbish and accepting of non-compliant materials is not managed currently by DEWAER. How does the council consider that the mitigation will occur?

Response:

Chief Executive Officer, Mr André Schönfeldt – The EPA is expecting that this be considered and managed through the Planning and Development Act Process as well as through the DWER licencing process. The Shire has not yet received the development application and therefore we cannot yet consider what the mitigation strategies will be.

4.5 Mrs Ellen Lilly - Banksia Road, Waste Site – Cleanaway – Cell Design for Containment of Lithium Tailings

Mrs Ellen Lilly asked the following question:

What is the design of the cell to contain the lithium tailings?

Has council considered the design and the ability as the existing ground structures to sustain this loading? Has the Council considered the integrity of the waste landfill structure to hold the tailings as the design has not been made available?

Response:

Chief Executive Officer, Mr André Schönfeldt – As mentioned the Shire has not yet received a development application and can therefore not yet consider the design. As the EPA pointed out this is something that needs to be considered under the planning process.

4.7 Mrs Dianne Webster Regarding Item 3.2 Title: Mrs Dianne Webster Regarding Lot 2, Banksia Road, Crooked Brook – Cleanaway Compliance Audit

Mrs Webster asked the following questions:

1. *This is further clarification to my question at the last Council meeting regarding who is ultimately responsible for meeting compensation commitments, regarding environmental issues or lifestyle impacts on the community.*

In the minutes from the meeting it was stated the owner/operator bears responsibility. As it is now, these are two separate identities. Can you please advise which one is ultimately responsible?

Response:

Chief Executive Officer, Mr André Schönfeldt advised that as this was a complex question, that the question would be taken on notice.

2. *Given this do any of the statutory authorities that grant approval for such works, such as the Dardanup Shire Council, be held responsible for future environmental or community impact?*

Response:

Chief Executive Officer, Mr André Schönfeldt advised that this question would also be taken on notice. However, generally speaking, no the Council would not be found responsible if they have followed the correct process and made their decision on the information that they had at hand, at the time.

4.8 *Mr David Birch - Regarding Item 14.1 "Title: Consideration of Environmental Protection Authority Decision to "Not Assess" the Lithium Tailings Proposal at Lot 2 Banksia Road, Crooked Brook"*

Mr Birch asked:

When the Shires suitably qualified, competent person assessed if the Shire was to appeal the decision of the EPA not to assess the Lot 2 Banksia Road lithium tailings proposal, did they;

1. *Consider the dust modelling risk assessment supplied by Cleanaway was based on the wind data from the North Boyanup weather station not from the two closer stations at Dardanup that would give far more accurate data of local conditions and therefore better predictions of hazard risks?*

Response:

Chief Executive Officer, Mr André Schönfeldt explained that the assessment by the consultants were based on the information provided by Cleanaway as per the DWER application.

2. *Consider that the EPA has erred in not considering the economic and cultural impact of the proposal as per the definition in section 3(2) of the Act given that tourism is a \$5 million industry in Dardanup that likely impact of the proposal has been clearly shown by the reactions of the residents of Dardanup.*

Response:

Chief Executive Officer, Mr André Schönfeldt advised that this was to be considered by Council tonight.

4.9 Mr Noel Hayward Regarding Item 14.1 "Title: Consideration of Environmental Protection Authority Decision to "Not Assess" the Lithium Tailings Proposal at Lot 2 Banksia Road, Crooked Brook"

Mr Hayward read aloud the following:

Probability of naturally occurring radioactive materials (NORM) in the Tailings to be stored by Cleanaway.

At the recent ALTA 2019 Conference in Perth, the Department of Mines, Industry Regulation and Safety (DMIRS) presented a paper entitled Lithium Projects in Western Australia - The Safety Regulator's Perspective. In this they state that:

'Mineralisation for lithium in Western Australia is frequently accompanied by low levels of the naturally occurring radionuclides - uranium and thorium, and the products of their radioactive decay. Collectively these radioisotopes are known as naturally occurring radioactive materials (NORM).'

DMIRS consider that in many cases the management of radiation exposures resulting from NORM will apply to lithium exploration, mining, and processing activities. Hansard records that in reply to a question in parliament regarding storing of uranium as a by-product of mining other commodities, it was answered that Greenbushes Tantalum Concentrate contains between 1000 and 7000 ppm U2308.

Geological papers on the Greenbushes orebody confirm the presence of Uranium and Thorium in the ores, with the most abundant mineral being urananite. A 2018 report prepared by GHD for Talison Lithium Australia Pty Ltd (Environmental Referral Supporting Document) records that the pegmatite ore contains uranium and thorium (approximately 24 mg/kg and 6.2 mg/kg respectively).

The Albermarle Lithium Refinery Works Approval Document refers to a Caesium and Rubidium stream from the refinery (which they hope to sell). Based on this information there seems to be a very high probability of naturally occurring radioactive minerals being present in the Lithium Refinery tailings.

Question 1a: - Do Council believe that Cleanaway have adequately addressed this issue in the supporting documents with their Works Approval application and that the design and operating procedures for the TSF are adequate to protect the community from exposure to radiation, considering the high probability of naturally occurring radioactive minerals being present in the tailings?

Question 1b: A common method of preventing exposure to radiation is to keep the tailings covered with water until they are capped, as occurs with the Cristal Pigments tailings which contain uranium and thorium. However if radioactive tailings are allowed to dry out, workers and the public can be exposed to hazards such as diffusion of radon gas into the atmosphere or exposure to radioactive and other toxic particles through dispersal by the wind.

In view of this do Council consider Cleanaway's dry stacking proposal for stage 2 as an acceptable risk considering the high probability of naturally occurring radioactive minerals being present in the tailings?

History of tailings and involved in environmental impact statement. I believe that this would be sent back.

Response:

Chief Executive Officer, Mr André Schönfeldt advised that the questions would be taken on notice.

4.10 Mr Noel Hayward - Banksia Road, Waste Site – Cleanaway – Tailings Dam Design

Mr Hayward read aloud the following:

TSF Design Standard - Normally TSF's are located on mine sites and are managed and regulated under Mining Act 1978.

Before approving a TSF the Mines Department requires appropriate data to be collected to ensure the dam will meet the design objectives — safe, stable, non-polluting, erosion-resistant and self-sustaining — during construction, operation, rehabilitation and after closure.

The Mines Registered Manager and a competent person(s) engaged in the TSF design are required to determine the level of geotechnical and other professional assistance required, and a competent reviewer is required to certify that the design report has been prepared in accordance with the Tailings storage facilities in Western Australia Code of Practice. The design report is expected to cover, design, construction, operation, decommissioning and rehabilitation.

The information provided by Cleanaway in the Works Approval Application on the Tailings Storage Facility is no better than a scoping document. The detail is well below the standard described by the Mines Department guidelines to necessary to design a TSF which will ensure safe, stable, non-polluting facility during and after operation. Further, Cleanaway's consultant has questioned the representativeness of the samples used to determine of the tailings characteristics and their Report states that:

'The design and in particular the Stage 2 tailings stacking concept should be reviewed and assessed once additional representative tailings samples and test results are available.'

It is unlikely the design would be acceptable for a tailings3 rirri on a mine site. ThP matters of operation, decommissioning and rehabilitation have been ignored.

Question: Are Council comfortable with a tailings dam design that would probably not be acceptable in a remote location on the edge of a desert, being used to store Lithium Refinery Tails in the Dardanup, dependent on its traditional farming enterprises like beef and dairy producing prime, boutiques wineries, breweries tourism industry.

Response:

Chief Executive Officer, Mr André Schönfeldt advised that the questions would be taken on notice.

Note: Deputy Chief Executive Officer, Mr Phil Anastasakis left the room [5.35pm].

4.11 Mrs Heather Elliott- Regarding Item 12.1 "Title: Lot 2 Banksia Road, Crooked Brook – Cleanaway Compliance Audit"

Mrs Elliott read aloud the following:

I understand that Council are considering an Appeal to the EPA for banksia Road. The EPA assessment that there are other elements of Legislation available in WA to manage the design, operation and closure of TSFs (EPA Advice p2) is considered inadequate for the following reasons:

1. TSF facilities are typically managed under the Mining Act 1978, however due to the nature of the Cleanaway facility this is not the case.

2. DMIRS's primary regulatory responsibility for tailings storage facilities (TSFs) is to fulfil the requirements of the Mining Act 1978 and the Mines Safety and Inspection Act 1994. DMIRS is required to ensure the safety of the TSF during operation, and the long-term stability of the TSF at mine closure. DWER's responsibility for TSFs is to regulate emissions and discharges to the environment according to the EP Act. (DWER Regulation June 2019 FAQ p8)

3. The proposal would not require approval under the Mining Act if there is no Mining Act tenure.

4. Geotechnical/safety assessment of such a proposed facility would be a potential gap in the Part V/DWER space.

5. Another gap is the requirements DMIRS have in terms of regular geotech audits/construction reports etc.... and review.

The closure aspects get missed under the part V scenario and is an important gap. A Part IV formal assessment and conditions could deal with such concerns, if there is no Part IV condition, how the closure aspect would get looked at? Under the Mining Act there are well-defined requirements for the development of Mine Closure Plans to demonstrate what risks exist for the facility at closure, how there will be management, what closure works will consist of, present closure designs and the process applied in the provisioning for closure and post-closure works, what outcomes the proponent commits to achieving in closure and a post-closure monitoring program. Closure planning commences during the approvals phase and is continually reviewed (minimum every three years or whenever there is a significant change to the project approach) and refined during operations.

The lack of suitable cover material on hand would be a concern from a closure perspective. Assume it would have to be quarried/ brought in from somewhere and that aspect needs to be added to the EIA process.

In this proposal there are no mining rehabilitation fund requirements, Mining Lease Rental or unconditional performance bonus, as not administered under the Mining Act. Long term there is little control mechanisms to protect the State in the event that rehabilitation works are not adequately completed, or that a major failure occurs. There may be financial implications for Dardanup Council.

This aspect needs to be peer reviewed and open to public consultation and input.

Response:

Shire President, Cr. M T Bennett thanked Mrs Elliott for her presentation.

Note: Deputy Chief Executive Officer, Mr Phil Anastasakis returned to the room [5.39pm].

4.12 Mr Patrick Smith - Regarding Item 14.1 "Title: Consideration of Environmental Protection Authority Decision to "Not Assess" the Lithium Tailings Proposal at Lot 2 Banksia Road, Crooked Brook"

Mr Smith asked:

Council policy number CP060 – "Storm Water Drainage from Buildings" requires the council to obtain Stormwater drainage plans for all developments and has listed requirements for the design criteria. The EPA has stated that "larger storm events will be contained within the premises stormwater management system". Can the council please provide the detailed stormwater drainage plans as submitted by Cleanaway and required by the policy. Is the Council 100% certain that the stormwater system in place at Banksia Road will fully prevent groundwater contamination?

Response:

Manager Development Services, Mr Brenton Scambler - Any of the rain and water that falls within the waste cells, including the Millennium Chemicals Tailings Cells and the proposed lithium tailings cell is collected and directed to separate leachate ponds. There are two other stormwater collection dams on the property which collect all stormwater generated outside of the landfill cells.

The stormwater bund which is located on the southern lot boundary has at times failed and subsequently allowed stormwater from the site to flow into the adjoining conservation reserve. In this regard, Cleanaway have undertaken works to rectify the failures when they have occurred. Additionally, the Shire have been working with Cleanaway for a better outcome for the stormwater bunds on the southern boundary.

The stormwater bund plans can be made available for inspection.

As far as the storm water management system is concerned the DWER has also approved the design and plans. Cleanaway have advised they are looking to rectify the stormwater problem on the southern boundary and propose to design and install a new system in the 20/21 financial year.

Mr Smith asked:

And if the drain was filled with radioactive water...

Response:

Manager Development Services, Mr Brenton Scambler - There are two separate wastewater / stormwater management systems. These are the leachate ponds which are connected to and collect wastewater from the waste and millennium inorganic chemicals (MIC) cells. Any rain which falls over the waste or MIC cells is captured and is fed into the leachate ponds for collection and management.

Rain water which is collected outside of the waste or MIC cells is managed via a separate storm water system and directed to one of the two stormwater dams. In this regard, as there are two systems operating on the site, one which deals entirely with the wastewater generated from the waste and tailings cell, the potential for cross-contamination would be unlikely.

Note: Public Question Time ended at 5.42pm

5 APPLICATIONS FOR LEAVE OF ABSENCE

None.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

None.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Ordinary Meeting Held 26 June 2019

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

204-19 MOVED - Cr. L Davies SECONDED - Cr. T G Gardiner

THAT the Minutes of the Ordinary Meeting of Council held on 26 June 2019, be confirmed as true and correct subject to no corrections.

CARRIED
6/0

7.2 Special Meeting of Council Held 3 July 2019

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

205-19 MOVED - Cr. J Dow SECONDED - Cr. L Davies

THAT the Minutes of the Special Meeting of Council held on 3 July 2019, be confirmed as true and correct subject to no corrections.

CARRIED
6/0

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

None.

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

None.

10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

None.

11 DECLARATION OF INTEREST

“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 CP039.

Discussion:

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

There were no Declarations of Interest made.

12 REPORTS OF OFFICERS AND COMMITTEES

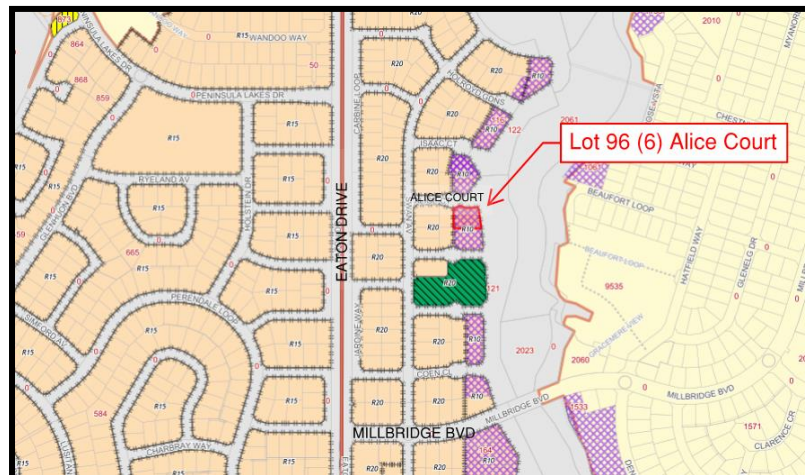
12.1 Title: Application for Development Approval – Lot 96 (6) Alice Court, Millbridge - Single Dwelling (Summit Homes)

Reporting Department: Sustainable Development Directorate
Reporting Officer: Mrs Suzanne Occhipinti - Senior Planning Officer
Legislation: Local Government Act 1995

Overview

Council has received a development application for a proposed dwelling at Lot 96 (6) Alice Court, Millbridge, which varies the rear setback requirement in the Residential Design Codes (R-Codes) for R10 lots, and proposes a Bushfire Attack Level (BAL) of BAL-40 on a lot greater than 1100m². Officers are recommending the proposal be approved subject to appropriate conditions.

Location Map



Site Map



Background -

Council has received an Application for Development Approval for the construction of a single dwelling at Lot 96 (6) Alice Court. The 1316m² lot is zoned 'Residential' under the Shire of Dardanup Town Planning Scheme No. 3 (TPS3) and coded 'R10' under the R-Codes. It is located within the established Millbridge residential estate, and in a designated Bushfire Prone Area. The property is bound by Alice Court to the north, Millars Creek reserve to the east, and residential properties to the south and west. Part of the proposed dwelling is double storey.

The Development Guide Plan 'Creekside Lots Stage 2' (DGP) designates a 10m x 10m area in the south-western corner of the subject lot for an outbuilding. The proposal seeks to position the dwelling partially within that area, so as to maximise its separation from the bushfire threat in the abutting Millars Creek reserve. This is not at variance to the DGP (which does not preclude any other development in the designated outbuilding area), however does represent a rear setback variation under the R-Codes. An objection has been received due to the reduced rear lot boundary setback proposed, and therefore the proposal requires Council's determination. Full details of the proposal are contained in Appendix ORD: 12.1A.

- *Advertising / Notification of Proposal*

The proposal was advertised in accordance with the provisions of clause 64 of the *Deemed Provisions for Local Planning Schemes, Planning and Development (Local Planning Schemes) Regulations 2015*. Written notification was sent to all adjoining landowners with the plans showing the dwelling setback 3.5m from the western boundary and 1.5m from the southern (rear) boundary.

Following initial advertising above, the applicant submitted amended plans to include a shed abutting the southern and western boundaries. The proposed dwelling was moved towards the east resulting in a 4.0m setback from the western boundary, and the setback from the southern boundary remained at 1.5m. Two submissions were received from adjoining landowners, being one letter of support and one objection. A copy of the submissions are contained in (Appendix ORD: 12.1B).

Since advertising, the applicant has submitted a number of further modifications to the setbacks and the shed has now been removed from the proposal. The setback from the western boundary is now proposed to be 4.5m, however the modifications did not alter the proposed 1.5m southern boundary setback.

The submissions are discussed in the following Schedule of Submissions.

	SUBMITTER	SUBMITTER COMMENT	OFFICER COMMENT
	C and H Summerton 4 Alice Court Millbridge	We the undersigned wish to advise that we have no objection to allowing Mrs Unkovich to erect the shed as outlined in your letter above.	Noted. The shed has since been removed from the application. No objection to the dwelling was received from Mr and Mrs Summerton.
	S and D Rosenberg Lot 98 (5) Archer View, Millbridge	As the owners of the adjacent property directly affected by the application (Lot 98 Archer Court), we object to the above application on the following grounds: In the advertising letter dated 19 th March, the Senior Planning Officer	Noted The DGP is considered to be a 'Local Development Plan' under the <i>Planning and Development</i>

	SUBMITTER	SUBMITTER COMMENT	OFFICER COMMENT
		<p>stated that:</p> <p><i>The proposal still seeks a variation to the requirements of the Local Development Plan ("Development Plan Guide") which applies to the lot.</i></p> <p>Our understanding of this process is that if it is a variation of the Local Development Plan, then it can be addressed at a local Council level. If, however, the document is a Development Guide Plan, then we believe that this document is registered with the WA Planning Commission and as such any alteration at a Local level is complex.</p>	<p><i>Regulations (Local Planning Schemes) 2015</i>, and is approved by the Shire rather than by the Western Australian Planning Commission.</p> <p>Officers consider that the wording of the officer's comment (in italics) may have nevertheless caused confusion. The officer's comment was not intended to refer to a variation (modification) to the DGP itself, but rather that the proposal varies from the requirements of the DGP.</p> <p>The DGP designates an area for an outbuilding on the lot. The proposed dwelling is located partially in that area. Officers had considered the proposal to be a departure from the DGP requirements, as potentially it would not leave sufficient space for a shed within the designated area. Upon further consideration, officers believe that the DGP does not technically preclude the development of any other structure within the designated outbuilding area, and therefore the plans submitted are not inconsistent with the DGP.</p> <p>Officers note that the outbuilding (shed) shown on subsequent plan revisions is no longer part of this application, however the dwelling proposed remains setback 1.5m from the objectors' boundary.</p>
		<p>The statement by the Planning Officer appears contradictory and we request Council to provide clarification on this issue.</p>	<p>As discussed above.</p>
		<p>Further, to assist us in interpreting Council's advice, we request that we be provided with a copy of the Local Development Plan, and that this matter be cleared up.</p>	<p>This has since been provided to the objectors.</p>
		<p>In conversation with Mrs Rosenberg, the Senior Planning Officer provided verbal reasoning as to why the application was being made.</p>	<p>Noted</p>
		<p>We fail to understand why the</p>	<p>The applicant provided justification for</p>

	SUBMITTER	SUBMITTER COMMENT	OFFICER COMMENT
		<p>applicant herself did not have to submit in writing, as part of her application process, why she would like these variations. We note that Form 110 on Council's website (Application for Development Approval) specifically calls for text that provides "<i>a comprehensive written submission which addresses issues relevant to the proposal that cannot be described on the plan</i>".</p>	<p>the reduced setback with the DA application, stating that the applicant "is seeking the same relaxation of the rear setback that has been done for the surrounding streets".</p> <p>Officers have assessed the proposal (development plans, Bushfire Management Plan (BMP) and Bushfire Attack Level (BAL) assessment) and are satisfied that reduced setback proposed is required to reduce the bushfire risk from the adjoining reserve.</p>
		<p>If this documentation was in fact submitted to Council, why were we not provided with copies of it?</p>	<p>Further to the objectors' submission, the full application including the applicant's justification letter was provided to the objectors.</p>
		<p>Why does the applicant not have to justify to all concerned why they would be expected to be allowed the concessions?</p>	<p>Officers have assessed the proposal and are satisfied that the reduced setbacks proposed are necessary to reduce the bushfire risk, without impacting the vegetation significantly.</p>
		<p>We do not believe that it is the role of an impartial Council representative to provide justification as to why the application is being lodged.</p> <p>We would request that the Builder / Applicant submit their arguments in writing for consideration by Council.</p>	<p>Officers have simply provided the objectors (and all other notified landowners) with the reasons that Development Approval is required in this instance.</p> <p>Officers are aware that the proposal seeks to reduce the rear setback due to the BAL-40 determination. The landowner was advised prior to making an application that Development Approval would be required for a BAL rating above BAL-29, due to the lot being greater than 1100m². This is a requirement under the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p>
		<p>If the reasoning is solely based on the BAL 40 rating, it is our understanding that the WA Planning Tribunal look poorly on variations being allowed to mitigate BAL considerations to the detriment of others.</p>	<p>This comment has not been substantiated by the objectors, and Officers are not aware of any State Administrative Tribunal (SAT) decisions that support this claim.</p> <p>Regardless of any SAT determinations, the Shire's is required to determine this application on its merits, having regard to relevant planning considerations. Such considerations are discussed later in</p>

	SUBMITTER	SUBMITTER COMMENT	OFFICER COMMENT
			this report under the 'Officer Comment' heading.
		In this instance, in our view the proposed variations will impact negatively on our ability to enjoy the privacy we expected when we originally purchased the block when we build here, and on the value and saleability of the block should we choose to sell it.	The objectors have not demonstrated how the privacy of their lot will be impacted. Officers consider this comment to be unsubstantiated. Property values are not a relevant planning consideration.
		Further to the above, the proposal is for a two-storey home, and in the elevation drawing there is no evidence of shielding on the balcony to prevent overlooking.	The R-Codes requires the balcony to be setback at least 7.5m from lot boundaries within the 'cone of vision', unless screened. The balcony is proposed to be setback over 9m from the objectors' boundary. Therefore, the second storey complies with visual privacy/overlooking requirements in the R-Codes and screening to the balcony is not required.
		The applicant appears to make no effort to ensure our privacy or amenity are protected in their application.	As discussed above.
		In relation to the BAL rating, we note that the advertised plans of the amended proposal quote a BAL rating of 40 for parts of the proposed structure, and a BAL 29 for the remainder.	Noted
		It is unclear to us as to how these ratings were arrived at by the BAL assessor and (in the absence of knowledge of the identity and qualifications of the assessor) the quality of the BAL assessment.	The Bushfire Attack Level (BAL) Report and Bushfire Management Plan (BMP) were prepared by fully accredited Level 2 and Level 3 practitioners. Both the BAL report and BMP were provided to the objectors as a result of this submission.
		From our understanding of AS3959 -2009, it appears that the applicant is attempting to use shielding to reduce the BAL for significant portions of the proposed residence, but the justification for this, especially for a two-storey building, is unclear to us.	This is not a planning consideration.

	SUBMITTER	SUBMITTER COMMENT	OFFICER COMMENT
		Further, we suspect that the BAL assessment was limited to the extents of Lot 96 Alice Court, and has not considered the proximity of vegetation in the protected zone of the adjoining property.	The BAL assessment states that it has been undertaken in accordance with AS3959, and that all vegetation within a 100m radius of the development site has been classified. The BAL assessment shows that all vegetation within the adjoining property has been classified as either 'Low Threat' or 'Class B Woodland'.
		We request that Council provide us with the BAL assessment and details of the assessor who prepared the report for the proposed residence.	Both the BAL report and BMP were provided to the objectors as a result of the submission.
		Additionally, in relation to the proposed shed, even if this was given Development Approval, we fail to see how it would meet the requirements of the National Construction Code. Volume 2 of the NCC2016, Figure 3.7.1.4 addresses the protection of Class 1 buildings (houses) and Class 10A (sheds).	The shed is no longer part the application for Development Approval. Regardless, the question of whether a building can or will meet National Construction Code, or any other building standards, is not a relevant planning consideration. Those are matters to be determined at Building Permit application stage, if relevant.
		The application shows a standard Colorbond shed with zero allotment setback.	The shed has been removed from the application.
		The boundary wall should have to achieve a Fire Resistance Level of 60/60/60, which is not evident in the application.	A shed is no longer part of this application. Regardless, this is not a relevant planning consideration. Those are matters to be determined at Building Permit application stage, if relevant.
		Additionally, there should be a minimum of 1.8m between the shed and the house, and there is not.	As above
		We are genuinely concerned that in this application there is blatant disregard for compliance with National Construction Code, which will then will require yet more concessions when a Building	The question of whether a building can or will meet National Construction Code, or any other building standards, is not a relevant planning consideration. Those are matters to be determined at Building Permit

	SUBMITTER	SUBMITTER COMMENT	OFFICER COMMENT
		Licence is issued if they are to achieve the outcome they desire.	application stage, if relevant.
		Why is the building company who is preparing these plans not advising the applicant of these issues? They are well known and all building licences issued are required to meet the NCC requirements.	As above, this is not an application for Building Permit.
		On examination of the advertised plans for the amended proposal we note that the roof carpenter's note indicates that the roof is to be constructed in accordance to AS1684. However, the proposed roof pitch of 39 degrees is not in accordance with this standard, as it is too steep.	The roof pitch is not a relevant planning consideration. This is a matter to be determined at Building Permit application stage, if relevant.
		<p>In light of the above issues and large variations to the R-code being sought in the amended proposal, we require a professional assessment of the impact on our property at 98 Archer Court.</p> <p>We therefore request that Council grant an extension on Council's determination on the applicant's amended proposal to allow us to obtain this assessment.</p>	<p>This objection was received on 9 April 2019. Officers advised the objectors on 15 April 2019 that deferral was not considered to be justified.</p> <p>Officers note the significant elapse of time since the objectors' comments were made, and consider that the objectors have had sufficient time to consider the application. It is also noted that the intervening modifications to plans (see comments below this table) do not alter the proposed setback to the objectors' property.</p>
		As a final note, we would like to voice our extreme disappointment in the process that Council has employed when dealing with this matter.	<p>Officers have followed due process as for any other Development Application, and have responded to the objectors' queries as quickly as possible.</p> <p>Upon receiving the objection, officers contacted the objectors to request a meeting at the Shire offices to discuss the concerns raised. The objectors have advised that they would meet with Officers, but had not pursued this offer further at the time of writing this report, despite a further offer from Officers to do so.</p>

	SUBMITTER	SUBMITTER COMMENT	OFFICER COMMENT
		It would appear that Council have abrogated their duty of enforcing the legislation, meekly accepting an ever-increasing set of major departures from the relevant codes and standards, and have placed the onus of attempting to enforce these well-established regulations upon us.	The application only seeks one departure the 'deemed-to-comply requirements', being a reduced rear setback. Officers have considered this in light of all relevant planning considerations and in this instance consider it to be acceptable.
		We view this as unacceptable, and places us in the very uncomfortable position of either being at loggerheads with the adjacent landowner, and our future neighbour, or being strong-armed into accepting these extreme concessions to our own detriment.	As discussed above.
		We take particular exception to the wording of part of the advertising letter addressed to us by the Senior Planning Officer, dated 19 th March 2019 which reads as follows: <i>When making a submission please be aware that your name and address details may be included in a Council report which is available to the public. Please also be aware that submissions may be subject to applications for access under the Freedom of Information Act 1992.</i>	This standard wording (in italics) is included on all Development Approval applications that are advertised for comment. The wording is intended to protect submitters who may not otherwise be aware that their details may become publicly available.
		While this may be factual, it is not germane to an advertising letter that is intended to impartially advise surrounding landowners of the application and to seek comment. In our experience the inclusion of such a statement is highly irregular, and its presence in the Senior Planning Officer's letter may be construed as being intimidatory and prejudicial.	As note above.
		We seek an explanation from Council as to why this statement was included in the letter directed to us.	This standard wording (in italics) is included on all Development Approval applications that are advertised for comment. The wording is intended to protect submitters who may not otherwise be aware that their details may become

	SUBMITTER	SUBMITTER COMMENT	OFFICER COMMENT
			publicly available.

Legal Implications - Appeal rights exist at the State Administrative Tribunal.

Strategic Community Plan -

Strategy 2.1.1 - To protect and preserve open spaces, natural vegetation and bushland. (Service Priority: Very High)

Strategy 3.5.1 - To protect public health and safety. (Service Priority: High)

Environment - None.

Precedents -

Reduced setbacks to boundaries can be seen at other creek side lots to the north and south of the subject land, at 6 Isaac Court, 5 Alice Court, and 8 Cadell View.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officers consider the proposed single dwelling is unlikely to detract from the Millars Creek reserve to the east of the subject land, which includes lit walking tracks and appears to be actively used by the community.

The heavily vegetated and sloping reserve imposes a bushfire threat and development constraints to lots adjoining it. Officers have considered the need to balance protection from bushfire threat, the requirements of the R-Codes, and the requirements of the DGP, which in this instance have competing objectives, along with the expectation of being able to develop this residentially zoned lot.

Officer Comment -

The single dwelling proposed on the subject land requires Development Approval as:

- a) It has a BAL rating of BAL-40 on a lot greater than 1100m² in size, and
- b) Due to the reduced setback proposed to the rear boundary.

In assessing the proposal, officers have given due consideration to the following relevant matters:

- *Planning and Development (Local Planning Schemes) Regulations 2015* – Clause 67 ‘Matters to be Considered’;
- State Planning Policy 7.3 (SPP 7.3) - Residential Design Codes (R-Codes);
- State Planning Policy 3.7 (SPP 3.7) - Planning in Bushfire Prone Areas;
- Town Planning Scheme No. 3 (TPS3);
- Garden of Eaton Local Structure Plan; and
- Development Guide Plan: Creekside Lots, Stage 2.

Each of the above matters are discussed in turn below.

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

Clause 67 of the Regulations requires the Shire to give due regard to the following, relevant matters:

- The aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- The requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;
- Any approved State planning policy;
- Any policy of the State;
- Any structure plan, activity centre plan or local development plan that relates to the development;
- 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;
- The amenity of the locality including the following —
 - o environmental impacts of the development;
 - o the character of the locality;
 - o social impacts of the development;
- The likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;
- whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- The suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;
- The suitability of the land for the development taking into account the possible risk to human health or safety; and
- Any submissions received on the application.

An assessment against the relevant State Planning Policies, TPS3, structure plan, and local development plan have been undertaken and are discussed later in this report.

The suitability of the land for development and possible risk to safety are discussed with regard to SPP3.7 later in this report also. The submissions received have been discussed earlier, in the Schedule of Submissions.

The proposal is consistent with the residential zoning of the land and is a 'P' (permitted) use. The proposal is also consistent with the established neighbourhood character, and the pattern of development along Millars Creek.

- *State Planning Policy 7.3 Residential Design Codes (R-Codes)*

The application has been assessed against the R-Codes, and can satisfy all of the 'deemed-to-comply' provisions other than the 6m rear boundary setback for R10 lots (1.5m setback proposed). The rear boundary is considered to be the southern boundary in this instance, with

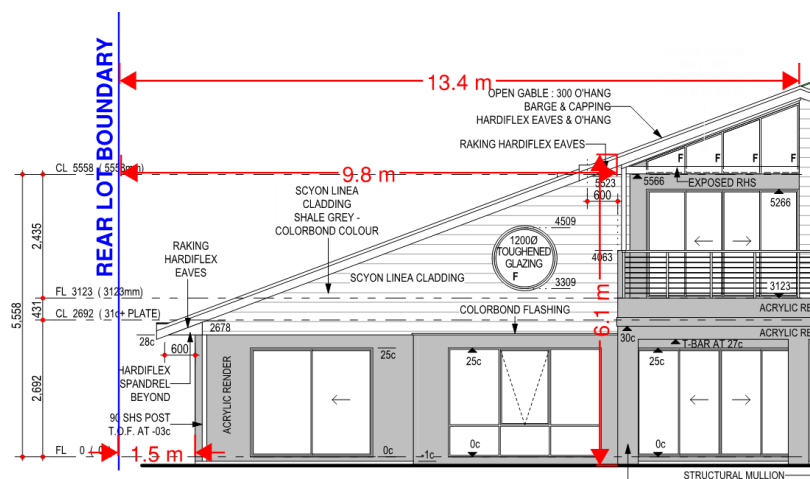
the main entry to the dwelling (the front door) facing north. It is noted that the dwelling 'outlook' is oriented towards the creek and in that respect complies with part 3.3.7 of TPS3.

As the proposal does not meet the deemed-to-comply provisions in Part 5.1.3 of the R-Codes, it should comply with the associated 'Design Principles' for that part. Officers have provided responses to the Part 5.1.3 Design Principles below:

Buildings set back from lot boundaries or adjacent buildings on the same lot so as to:

- *Reduce impacts of building bulk on adjoining properties;*

A reduced setback to the rear (southern) boundary is proposed. The adjoining lot to the rear is described as Lot 98 (5) Archer View. The proposed dwelling on Lot 96 Alice Court comprises a single storey height within 9.8m of the rear lot boundary, and rises to a two storey / loft style dwelling which is setback approximately 13.4m from the southern boundary at its highest point. This is shown on the illustration below:



Officers do not consider the proposal to present an unacceptable 'bulk' when viewed from 5 Archer View.

5 Archer View is currently vacant with no development or building approvals being issued. Officers consider it is likely that the future development of 5 Archer View will also require reduced setbacks, to achieve an acceptable separation from the bush fire threat present the Millars Creek reserve.

The proposed reduced rear boundary setback on the subject lot is consistent with or greater than setbacks on other similar coded lots along Millars Creek at 6 Isaac Court, 5 Alice Court, and 8 Cadell View.

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

The proposed dwelling does not compromise or impact direct sun or ventilation to the adjoining properties to the south or west. Despite it being double storey in some areas, the second storey is setback substantially from adjoining properties, such that it complies with the solar access requirements in the R-Codes. It will only cast a shadow to approximately 1% of the adjoining lot to the south. The R-codes allows for shadowing of up to 25% of the adjoining lot. It is noted that the adjoining lot is currently vacant.

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

The 'cone of vision' from the proposed upper floor balcony does not extend to the adjoining property (Lot 98). The R Codes requires a setback of at least 7.5m within the cone of vision. The setback of the balcony to the adjoining property is over 9m. The second storey complies with overlooking requirements in the R-Codes and screening to the balcony is not required.

- *State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP3.7)*

SPP3.7 considers the development of a single dwelling in a built-out residential area to be 'minor development', where the area may not have been subject to bushfire considerations at the time of subdivision, resulting in development that is constrained by pre-existing road and lot layouts. The Guidelines to SPP3.7 acknowledges that, due to such existing constraints, the bushfire protection criteria may not be able to be met in full. However, it states that "the siting of buildings should always be optimised to reduce the impact of bushfire".

The fire risk to the east and north-east of the lot, being the creek side reserve, has resulted in development constraints on the subject lot. In order to reduce the fire threat and the BAL rating without the need to remove native vegetation, the proposed dwelling is located close to the south-western corner of the lot.

The BAL report and Bushfire Management Plan (BMP) has been prepared by qualified and accredited bushfire practitioners. It determines that the dwelling must be constructed to BAL-40 and BAL-29. Having regard to onsite vegetation management, the updated BAL and BMP states "the objective would be to achieve a "Parkland Cleared" state focusing on the removal of the understory fuels with potential for minor tree removal (Saplings/ juveniles) to increase the canopy separation (As per the standards)".

Officers note that no vegetation removal has been applied for, however consider it likely that some minor pruning may be required to achieve and maintain a compliant Asset Protection Zone (APZ) as discussed in the BMP. The vegetation on the lot has very little if any understorey, and the Shire's Fire Prevention Notice requires lots in this area to be slashed to no higher than 50mm, other than for living trees. Officers consider that a compliant APZ would not significantly impact the vegetation on the lot, or the amenity of the creek reserve and surrounding lots.

No clearing within the adjoining reserve is proposed and Officers do not consider it to be necessary to comply with the BAL assessment or BMP submitted. The BAL and BMP are included in (Appendix ORD: 12.1C).

- *Town Planning Scheme No. 3 (TPS3)*

The subject land is zoned Residential, and is located in a developed residential area, abutting the western edge of the Millars Creek reserve. Apart from the adjoining, vacant lot to the south, all other nearby lots have been developed with single dwellings. The area is serviced with reticulated water and sewer. The proposal is consistent with the zoning of the land.

Part 3.3.7 of TPS3 requires the R10 lots along Millars Creek to be generally oriented towards Millars Creek, and the proposal complies with this requirement.

- *Garden of Eaton Local Structure Plan*

The endorsed Garden of Eaton Local Structure Plan identifies the western creek side lots as Residential R10, including the subject land. There are no other relevant provisions in the Local Structure Plan that apply to the subject land.

- *Development Guide Plan: Creekside Lots, Stage 2*

The Development Guide Plan was approved at the Ordinary Council Meeting of 24 February, 2004 [52/04]. The subject lot includes a Development Limit Line which is setback 7.5m from the eastern (creek) boundary, and a Protected Area between the Development Limit Line and the creek boundary.

The Council report of 24 February 2004 states:

- *“A development exclusion area along the Millars Creek boundary (which) replaces the rear setback required by the Residential Design Codes;*
- *A development setback from the street boundary of generally 3 metres which replaces the primary street setback required by the Residential Design Codes;*
- *Development envelopes for the siting of outbuildings and garages”.*

Having regard to the first dot point above, officers are not clear as to the intention of this statement, as it is considered unlikely that the Millars Creek boundary would become the ‘rear’ boundary of the lots on the DGP. Further, as previously discussed, TPS3 requires development to face towards the creek reserve. Aerial photography demonstrates that the majority of creek side lots have been developed in this manner. On these lots, the creek (eastern) boundary is effectively the side lot boundary, with reduced setbacks to the northern and southern rear boundaries, similar to that proposed for Lot 96 Alice Court. This orientation places outdoor living areas on the eastern side of the dwellings, rather than at the rear as is typical on most residential lots. Aerial photography is included in (Appendix ORD: 12.1D).

The 2004 Council report states that “development envelopes for the siting of outbuildings and garages should prevent these structures from being visible from the Foreshore Reserve abutting the Creek”. The DGP does not prevent dwellings from being located in that area also, but does prevent outbuildings being located in any other part of the lot, unless approved by the Shire.

The proposal for Lot 96 Alice Court shows the dwelling being partially located in the designated outbuilding area. Officers note that should a future shed be located outside the designated outbuilding area, it will require Development Approval and will likely need to be referred back to Council for determination. The proposal meets all other aspects of the DGP, which is included in (Appendix ORD: 12.1E).

Conclusion

Officers have considered each of the above relevant planning matters, and consider that the proposed dwelling is unlikely to negatively impact the amenity of adjoining lots or the creek reserve, or result in unacceptable risk to life from bushfire. Balancing these objectives, officers have recommended approval.

Council Role - Quasi-Judicial.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

206-19 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council approves the Application for Development Approval for a single dwelling on Lot 96 (6) Alice Court, Millbridge, subject to the following conditions:

- 1. The layout of the site and the size, design and location of buildings and works permitted must always accord with the endorsed plan(s) which form part of this approval, and must not be altered or modified without the further written advice of Council.**
- 2. Prior to works commencing, the existing Bushfire Management Plan (BMP) is required to be amended by a suitably qualified and accredited bushfire consultant to reflect the approved plans, and be submitted to the Shire for review.**
- 3. Prior to the occupation of the approved development, all stormwater from the proposed building and hardstand areas shall be contained on site in accordance with Shire specifications (Policy ENG20 – Stormwater Discharge from Buildings).**
- 4. Prior to the occupation of the approved development, a vehicle crossover shall be constructed to the specification and satisfaction of the local government, and shall be in accordance with the Shire's specifications (Policy ENG 10 – Crossovers in Townsites and Rural Areas)**
- 5. Removal of remnant native vegetation is not permitted unless with the prior written approval of the Shire.**

Advice Notes:

- i) If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of the determination, the approval will lapse and be no further effect.**
- ii) Where an approval has lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.**
- iii) The Bushfire Management Plan (BMP) prepared for the approved dwelling, subject to condition 2 of this approval, contains specific management actions and responsibilities for the landowner. It is the landowners' responsibility to review and implement the BMP, and to undertake all required management actions that are identified on the plan as relevant.**
- iv) A Development Guide Plan (Appendix 12.1E) applies to Lot 96 (6) Alice Court and is required to be complied with at all times. Any proposal that departs from the requirements of the Development Guide Plan will likely require Development Approval from the Shire.**
- v) If an applicant or owner is aggrieved by this determination there is right of review by the State Administrative Tribunal in accordance with the**

Planning and Development Act 2005 Part 14. An application must be made within 28 days of determination.

- vi) **The applicant is advised that this is not a Building Permit. A Building Permit should be obtained prior to the commencement of construction.**

CARRIED
6/0

CHANGE TO ORDER OF BUSINESS

The Shire President, Cr. M T Bennett asked Councillors if they were happy to move a Change to the Order of Business and deal with New Business of an Urgent Nature prior to Item 12.2 of the agenda.

COUNCIL RESOLUTION

207-19 MOVED - Cr. P S Robinson SECONDED - Cr. J Dow

THAT the Order of Business be changed [5.50pm] to receive New Business of an Urgent Nature.

CARRIED
6/0

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

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

208-19 MOVED - Cr. P S Robinson SECONDED - Cr. J Dow

THAT Council receives the report "Item 14.2 - Consideration of Environmental Protection Authority Decision to "Not Assess" the Lithium Tailings Proposal at Lot 2 Banksia Road, Crooked Brook." as Business of an Urgent Nature.

CARRIED
6/0

14.1 Title: Consideration of Environmental Protection Authority Decision to "Not Assess" the Lithium Tailings Proposal at Lot 2 Banksia Road, Crooked Brook

Reporting Department: Sustainable Development Directorate

Reporting Officer: Mr Brenton Scambler - Manager Development Services

Legislation: Local Government Act 1995

Overview -

At its Special Council Meeting held 16 April 2019, Council resolved to refer the Department of Water and Environmental Regulation (DWER) Works Approval Application proposal by Cleanaway for the proposed storage of tailings at the Waste Facility site on Banksia Road, Dardanup to the Environmental Protection Authority to be assessed through an Environmental Impact Assessment.

Shire Officers subsequently referred the DWER Works Approval application for the proposed Lithium Tailings Cell, made by Cleanaway, to the Environmental Protection Authority (EPA) for its consideration and assessment on the 1 May 2019.

On the 8 July, the EPA published its decision to “Not Assess” the lithium tailings cell proposal (Refer Appendix ORD 14.2A and Appendix ORD 14.2B).

This report will address and consider possible options in regards to the EPA’s decision to “Not Assess” the lithium tailings cell proposal.

Background

On the 1 May 2019, Shire Officers referred the DWER Works Approval application made by Cleanaway for the storing of Lithium Tailings at Lot 2 Banksia Road, Crooked Brook to the EPA for its consideration.

The EPA advertised the referral of the lithium tailings proposal for a seven day public comment period from the 15 May until the 21 May 2019. The EPA considered the submissions received during the public comment period and published its decision to “Not Assess” the proposal on the 8 July 2019.

In its explanation of decision (Refer Appendix ORD 14.2A and Appendix ORD 14.2B), the EPA considers that the likely environmental effects of the proposal are not so significant as to warrant formal assessment because of the relatively small scale of the impacts, the small geographic footprint and relatively short duration (18 months) of planned activities. The EPA has also considered the mitigation strategies proposed by Cleanaway to avoid and minimise impacts, noting that there is no native vegetation and fauna habitat to be cleared, and the presence of other statutory processes to regulate emissions and discharges. The EPA is of the view that the potential impacts of the proposal can be adequately managed. The EPA considers that other statutory processes such as Works Approvals and Licences under Part V of the Environmental Protection Act 1986, and Environmental Protection (Noise) Regulations 1997, can regulate the facility.

Legal Implications

- *Environmental Protection Act 1986*
- *Local Government Act 1995.*

Strategic Community Plan

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

Environment

The environmental implications of the proposal are discussed within the Officer Comment section of this report.

Precedents

- None.

Budget Implications

Shire Officers have engaged environmental consultants Aurora Environmental to undertake a peer review of the proposal documentation and provide advice regarding a possible appeal of the EPA

decision. The costs associated with undertaking the peer review and providing advice is \$6,750. Should the Shire proceed with lodging an appeal of the EPA decision, there will be a further provisional cost of \$1,500 for the consultant to prepare the EPA appeal documentation and submission. These costs are within the 2019/2020 budget allocations.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment -

At its Special Council Meeting held 16 April 2019, Council resolved to refer the Department of Water and Environmental Regulation (DWER) Works Approval Application proposal by Cleanaway for the proposed storage of tailings at the Waste Facility site on Banksia Road, Dardanup to the Environmental Protection Authority to be assessed through an Environmental Impact Assessment. As discussed previously on the 1 May 2019, the Shire referred to the EPA, for its consideration, an application made by Cleanaway to DWER for a Works Approval under Part V of the *Environmental Protection Act 1986* regarding the storing of Lithium Tailings at Lot 2 Banksia Road, Crooked Brook.

The EPA advertised the lithium tailings proposal for a seven-day public comment period, during which 243 submissions were made. The breakdown of the submissions are as follows:

Do not assess:		9
Assess:	a) Referral information	5
	b) Environmental review - no public review	5
	c) Public environmental review	224
	Total submissions:	243

As shown above the majority of public comments requested the EPA to formally assess the proposal at the level of Public Environmental Review. The public submissions largely focused on the following environmental issues:

- Social surroundings and Human health - odour, dust and silicates, safety issues with traffic, negative impacts to local businesses and reduced land values in proximity to the landfill;
- Inland waters - management of stormwater runoff and potential groundwater contamination;
- Air quality - potential impacts from dust and dust monitoring;
- Terrestrial Fauna and Flora and Vegetation - potential impacts to fauna and vegetation in lands surrounding the landfill;
- Cumulative impacts of future expansions and potential re-use of the lithium tailings in the future

The EPA, in its decision, considered the submissions received, examined the referral documentation, and undertook preliminary investigations and inquiries. Additionally, the EPA had regard to various matters, including the following (as outlined in the EPA's Statement of Environmental Principles, Factors and Objectives):

- a) values, sensitivity and quality of the environment which is likely to be impacted;
- b) extent (intensity, duration, magnitude and geographic footprint) of the likely impacts;

- c) consequence of the likely impacts (or change);
- d) resilience of the environment to cope with the impacts or change;
- e) cumulative impact with other existing or reasonably foreseeable activities, developments and land uses;
- f) connections and interactions between parts of the environment to inform a holistic view of impacts to the whole environment;
- g) level of confidence in the prediction of impacts and the success of proposed mitigation;
- h) public interest about the likely effect of the proposal, if implemented, on the environment, and public information that informs the EPA's assessment.

In its assessment, the EPA considered the main preliminary environmental factors relevant to the Lithium Tailings Cell proposal to be impacts on Inland Waters, Air Quality (Dust) and Social Surroundings (Noise and Visual Amenity). The position of the EPA in response to the main environmental factors relevant to the proposal are summarised below.

Social Surroundings (Noise and Visual Amenity) and Air Quality (Dust)

The EPA has noted that the site preparation, construction and operation of the tailings cell and leachate pond embankments has the potential to generate dust emissions. The dust emissions have the potential to cause amenity or health impacts to nearby sensitive human receptors. The nearest residence is located approximately 1.5 kilometres southwest of the proposed lithium tailings cell.

Dust modelling was undertaken for the proposal by Cleanaway (GHD) utilising the physical and chemical properties from samples taken from lithium tailings material analysed at a NATA accredited laboratory. Spodumene sourced from the Greenbushes mine site was processed using a similar process to the Albemarle Lithium Hydroxide plant to produce the lithium tailings samples. The samples are therefore considered to have had very similar characteristics as the tailings material proposed to be stored at the site. The National Environment Protection (Ambient Air Quality) Measure (NEPM) establishes a baseline measure for airborne particulates within the air (PM₁₀), which is particulate matter with the equivalent aerodynamic diameter of 10 micrometres or less. Metals analysed in the dust modelling included Beryllium (Be), Cadmium (Cd), Lead (Pb), Lithium (Li), Mercury (Hg), and Nickel (Ni). The model findings indicate that the nearest receptor to the site will experience concentration levels considerably lower than the adopted NEPM guidelines for PM₁₀ and heavy metals.

Cleanaway have prepared a dust management plan for the tailings proposal which will include further mitigation measures, contingency actions and a monitoring program. The monitoring program will include a baseline monitoring assessment of PM₁₀ and total suspended particles and metals using real-time monitoring instruments. Monitoring instruments will be installed at three locations along the boundary of the site and will be monitored for three months prior to construction, during construction, and three months following commencement of operations. Beyond the three-month post operations monitoring period, dust monitoring for the site will be visual only.

The proposed dust management methods for the lithium tailings cell to be undertaken by Cleanaway are as follows:

1. water carts to be used during construction as required to minimise dust emissions;
2. dust complaints to be recorded and investigated;
3. progressive capping of exposed tailings embankments;
4. compaction of the tailings to form a crust;
5. vehicles to keep to designated roads and operational areas;
6. vehicles to adhere to speed restrictions within the site;

7. pre-wetting of access roads and areas of the site where vehicle movements are anticipated to be carried out as required;
8. soil stabilisation (for example, polymer treatments) may be considered for application to any unsealed haul roads; and
9. the implementation of a dust management plan.

Noise was considered by the EPA to have been controlled under the historical and existing environmental licences for the waste management facility, and the EPA understands that the Environmental Protection (Noise) Regulations 1997 were deemed adequate to manage noise emissions at the premises. The EPA notes that the proposal includes a range of mitigation measures to minimise noise emissions including:

1. operation and maintenance of mobile equipment in line with the manufacturer's specifications;
2. all complaints relating to noise will be recorded and investigated; and
3. tailings stacking activity will be undertaken during daylight hours only. Noting Cleanaway intend to operate the site from 6 am to 10 pm Monday to Sunday.

The EPA also considered the visual amenity impacts of the proposed lithium tailings cell and noted that the cell might be viewed from certain vantage points. The EPA considered that the addition of the proposed tailings cell is unlikely to result in a significant change to the visual amenity from the current approved landfill operations.

In regards to the above, the EPA conclude that given the proposed mitigation measures, implementation of the proposed dust management plan, the relatively short duration of the proposal and regulation through other statutory processes, the proposal is unlikely to have a significant impact on the environmental factors of Air Quality (Dust) and Social Surroundings (Noise and Visual Amenity).

Inland Waters

In regards to inland waters, the EPA noted that the proposal has the potential to cause surface water runoff and cause seepage to groundwater. The property is located within the proclaimed Preston River Catchment and the nearest surface water feature is the ephemeral Crooked Brook approximately 1 kilometre south of the premises. The superficial aquifer is present within the Yoganup formation between 30 to 40 metres below the ground surface of the property.

The proposal includes a number of mitigation methods to manage surface water runoff and seepage into groundwater. These methods are as follows:

1. a leachate collection system to capture all leachate and runoff which has been in contact with tailings;
2. the proposed cell and leachate pond will be lined with a high density polyethylene (HDPE) liner, underlain by a Geo-synthetic Clay Liner (GCL) to prevent seepage; and
3. larger storm events will be contained within the existing premises stormwater management system.

The EPA has noted the use of a GCL, beneath the HDPE, which has a very low permeability and is designed to act as a second liner should the HDPE be punctured or fail post-closure. The EPA has noted that groundwater monitoring is currently being undertaken and monitored through the licence for the facility under Part V of the Act. As the landfill operations have a longer life than the short term lithium tailings cell, groundwater monitoring will continue post closure of the tailings cell.

Additionally, the EPA has noted that the proponent has determined leachable concentrations for any potential contaminants through the Leaching Environmental Assessment Framework, which is a

more comprehensive assessment tool in comparison to historical leaching procedures. The EPA has stated that the testing identified that the majority of potential contaminants were within Class I (inert) waste criteria as defined in the Landfill Waste Classification and Waste Definitions 1996 (as amended 2018), however lithium does not have criteria within the waste classification document.

The EPA considers that surface runoff and management of seepage are common aspects to be considered when designing a tailings storage facility. The EPA further notes that the Part V process is able to place conditions on the operations so that any seepage or runoff are controlled and regulated. Given the proposed mitigation measures, the relatively small scale and design of the cell proposed by the proponent, the EPA considers that the proposal is unlikely to have an unmanageable impact on the environmental factor of Inland Waters. The EPA considers that Part V can regulate the facility for emissions and discharges to surface and groundwater.

Summary of EPA Decision

In summary, although the proposal raises a number of environmental issues, including cumulative impacts from the existing operation, the EPA considered that the likely environmental effects of the proposal are not so significant as to warrant formal assessment. The EPA is of the view that the potential impacts of the proposal can be managed by the proponent's proposed mitigation measures and regulated by other statutory processes.

In making its decision the EPA had particular regard to:

- the relatively small scale of the impacts, the small geographic footprint and relatively short duration of planned activities for this referral;
- the mitigation strategies proposed by the proponent to avoid and minimise impacts, for example:
 - a leachate collection system to capture all leachate and runoff which has been in contact with tailings to prevent discharge to the surrounding environment;
 - the proposed cell and leachate pond will be lined with high-density polyethylene (HDPE), underlain by a geosynthetic clay liner (GCL), to prevent seepage;
 - water suppression as required to minimise dust emissions;
 - progressive capping of exposed tailings embankments;
 - construction and tailings stacking activity will only be undertaken during daylight hours from 7am to 7pm, however some truck deliveries may occur between 7pm and 10pm Monday to Sunday;
 - all complaints relating to noise and dust will be recorded and investigated; and
 - the cell will be established within an existing disturbed area of the Premises therefore clearing of native vegetation and fauna habitat is not required; and
- the presence of other statutory processes, including Part V of the Environmental Protection Act 1986 (EP Act) Works Approvals and Licences, and Environmental Protection (Noise) Regulations 1997 (Noise Regulations).

The EPA has noted that it can only consider the proposal as referred and not potential future proposals. In this regard, the EPA has stated that should larger waste cells be proposed, or the facility expand beyond the current boundaries of the existing landfill, these should be referred to for assessment under Part IV of the EP Act. The EPA expects that future referrals would consider the potential impact of the proposed current cell with any future expansion in a cumulative manner and provide information on the operation and monitoring of the current cell for dust, groundwater and noise. Additionally, should the proponent decide to process tailings in the future, the EPA would expect the proposal to be referred, as the current proposal considered relates to tailings storage and disposal only.

Independent Environmental Advice

Following the EPA's decision to "Not Assess" the lithium tailings proposal, the Shire engaged the services of Aurora Environmental to undertake a peer review of the proposal documentation, provide advice in regards to the adequacy of the proposal documentation, and advise whether there is sufficient basis to lodge an appeal against the EPA's decision.

Given the limited time to review the EPA decision, Aurora Environmental have provided the Shire with a preliminary position and comments on the proposal. The preliminary comment made by Aurora Environmental is outlined below:

Adequacy of Regulatory Framework

One of the matters that EPA considers when determining a level of assessment for a proposal is whether an adequate regulatory framework exists outside of Part IV of the Act to assess the proposal and its subsequent operational phase. In this case, the EPA noted that the Cleanaway facility is currently subject to a licence under Part V of the Environmental protection Act and that a Works Approval Application had triggered the request for EPA to consider formal assessment. In addition, the proposal for the tailings storage facility requires a Development Approval Application to be lodged with the Shire to assess the suitability for the proposal in terms of land use planning.

The EPA appears to consider this regulatory framework to be suitable and adequate to regulate the environmental impacts likely to arise from the proposal, and Aurora concurs that issues such as the potential for dust, noise and water pollution can be adequately regulated under Part V of the Act for most proposals of this scale.

Potential for Dust, Noise and Pollution

The proposal involves the transport and tipping of large quantities of tailings at the facility. As the product is finely divided, there is a potential for dust emissions, however this risk is assessed as being low given the relatively high moisture content in the tailings (around 25%) and the management commitments made by Cleanaway. The Works Approval and subsequent licence provide the necessary regulatory control to enforce a high standard of dust management. As a result, dust emissions, assuming the tailings have low toxicity, do not appear to be an issue that would warrant formal assessment.

The landfill site is an existing operation and it is understood that it currently operates with a low level of environmental impact in terms of noise, dust or odour emissions. The cumulative impacts associated with the tailings proposal would appear unlikely to contribute to such a level of environmental impact to warrant formal assessment under Part IV of the Act given the nature of the operation. This does not mean that additional controls may need to be imposed under the site environmental protection licence.

Potential for Contamination of Ground and Surface Waters

The Works Approval Application indicates that in terms of the key pollutants of concern, the tailings can be regarded as suitable for a Class 1 unlined landfill. Cleanaway propose disposal of the material in a lined cell incorporating a leachate management system. Assuming the chemical characterisation of the tailings is correct, the design of the disposal cell should prevent any significant surface or groundwater contamination and as such would not trigger a requirement for a formal assessment given the controls available under Part V of the Act.

Given the length of time to prepare this submission, Aurora has not fully reviewed the chemical and leaching assessment of the tailings to form a considered view on the hazards to health or environment posed by dust and leachates and as such has not provided its final advice on this aspect of the project at this time. If the information presented by Cleanaway proves to be accurate, then it would appear that the tailings are largely inert and do not represent a significant risk to health or the environment.

THAT Council notes the EPA's decision to "Not Assess" the Lithium Storage Cell Proposal at Lot 2 Banksia Road, Crooked Brook and lodges an appeal of the EPA's decision on the following grounds:

- **Consideration of the Economic and Cultural Impact.**
- **Current Water monitoring quality and the potential for cumulative impact - Per-and polyfluorinated alkyl substances (PFAS).**
- **The tailing composition – radioactive materials better understood.**
- **Dust management and monitoring (weather station), water usage and stormwater management.**
- **This should be considered Mining residue and dealt with under the appropriate legislation.**
- **Scale is considered relative and not considered minor.**
- **Proposed Structure of the Tailings Cell needs to be understood through an environmental impact assessment.**

CARRIED
6/0

COUNCIL RESOLUTION

210-19 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council return to the Order of Business, Item 12.2 [6.06pm]

CARRIED
6/0

RETURN TO ORDER OF BUSINESS

Note: Cr. L Davies left the room [6.07pm].

12.2 Title: Request to Operate a RAV 7, Concessional Level 3 on Moore Road and Barcoo Close (K & S Freighters)

Reporting Department: Infrastructure Directorate
Reporting Officer: Mr Mick Saunders - Manager Assets
Legislation: Local Government Act 1995

Overview -

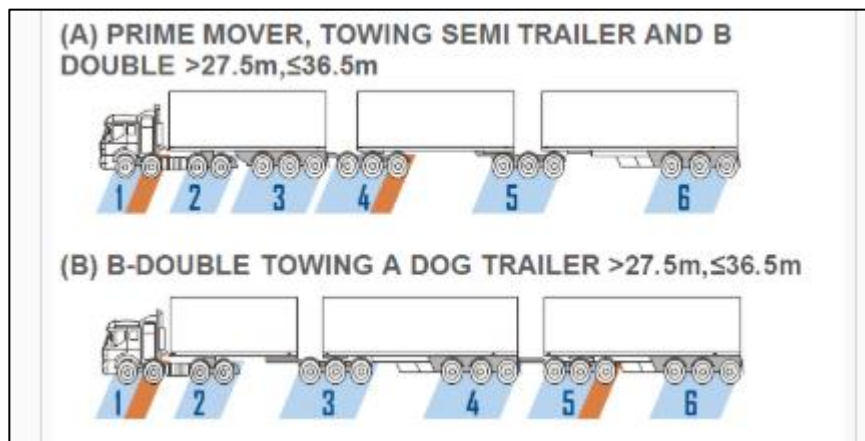
Council is requested to consider an application to operate RAV 7 Level 3 vehicle combinations on Moore Road (SLK 0.00 to SLK 1.60) and Barcoo Close (SLK 0.00 to SLK 0.97).

Background -

The Accredited Mass Management Scheme (AMMS) is a concessional loading scheme introduced by Main Roads Western Australia (MRWA). The AMMS provides a more flexible concessional loading scheme for operators. MRWA advise that road safety is increased and road damage is reduced due to the reduced potential for overloading.

The AMMS is applied to Restricted Access Vehicles (RAV) and effectively means the vehicles will have a higher axle loading under the scheme. There are three approved mass levels under the AMMS. Typically, Council is asked to approve the highest allowable loading, that being AMMS Level 3.

The RAV 7 vehicle types that are the subject of this application is pictured below –



Total length is 36.5 metres and total mass at AMMS Level 3 is 121.5 tonnes (approximately).

The route applied for is shown below –



Legal Implications

The legislation which controls the access of RAVs to local roads is the Road Traffic (Vehicles) Act 2012 and the Road Traffic (Vehicles) Regulations 2014. Only MRWA can issue general endorsement permits under the above legislation. However, MRWA seek support of the local authority for permits on local roads.

Permit conditions must be adhered to at all times, and are enforced by the WA Police and MRWA HVS.

Council can request specific conditions for haulage on its road network.

Approval of this application will set a precedent, whereby other operators will be granted access to the road network in similar vehicles. MRWA are bound to provide equitable access to all operators. Accordingly, if Council approve this application, MRWA shall deem the access available to all operators.

Strategic Community Plan -

Outcome 4.1 - Be supportive of business by encouraging the establishment and ongoing sustainability of diverse business and industries of all sizes.

Environment - None.

Precedents

Allowing any new configuration of heavy vehicle on the Shire's road network sets the precedent whereby MRWA will extend that same level of access to all operators. This applies to RAV category vehicles, vehicles using the Accredited Mass Management Scheme (AMMS) and PBS type vehicles.

Currently, RAV 7 (without concessional loading) are currently permitted on these sections of Moore Road and Barcoo Close. Further to this concessional loading to AMMS Level 3 is conditionally allowed to Moore Road, SLK 1.09 in up to RAV 5 vehicles.

Budget Implications-

The Shire applies to the Regional Road Group (RRG) for funding for the renewal and upgrade of Moore Road. If successful, Council must fund one third of the cost of works, with the remaining two thirds funded by the RRG. Any renewals to Barcoo Close and Busher Road are funded by Council in full.

Budget – Whole of Life Cost

The increased axle loading permitted at AMMS Level 3 will theoretically consume the useful life of the road asset sooner than if concessional loading was not permitted.

Council Policy Compliance

The Director Infrastructure and Manager Assets have delegated authority to approve RAV Category 2, 3 and 4 vehicles on a select range of roads within the Shire. This application is outside the extent of delegated authority due to the concessional loading (AMMS Level 3) and the RAV Category (RAV 7) applied for.

Risk Assessment - Medium.

Increasing the axle loading on a heavy vehicle will increase road wear. Barcoo Close, Moore Road and Busher Road currently show signs of pavement distress. It is difficult to apportion this road wear to the various categories of heavy vehicle using the road.

MRWA are supportive of AMMS applications due to the risk of overloading being reduced.

Officer Comment -

Moore Road appears in the 2019 Road Asset Management Plan as due for renewal works in 2021 / 2022. These works are planned for SLK 0.60 to SLK 1.60. These works are budgeted to be funded by RRG (two thirds) and Council funds (one third).

Barcoo Close, Moore Road and Busher Road are currently showing signs of pavement distress and contain significant defects as a result of all the heavy vehicle traffic on the network.

The current Bunbury Outer Ring Road concept includes access into this industrial precinct at SLK 1.52 on Moore Road. This will provide direct access to the BORR at this point. The access to the BORR at SLK 0.00 Moore Road is proposed to be closed. Moore Road will be reconnected to the Boyanup-Picton Road via Barcoo Close as part of the BORR project.

It is the Officer's opinion that the current application for RAV 7 AMMS Level 3 be rejected on the basis that the road network subject to the application is deteriorating due to heavy traffic. Representatives of all the organisations that operate in the industrial precinct should be invited to negotiate with the Shire of Dardanup to contribute to upgrading the road network to support RAV 7 AMMS Level 3 traffic. Subject to successful negotiation with the organisations in the area, RAV 7 AMMS Level 3 should be allowed.

Should RAV 7 AMMS Level 3 access be granted, it is the Officer's suggestion that Council delegate authority to the Chief Executive Officer for each subsequent application for access where Council has already supported such an application.

Director Infrastructure Comment - None.

Council Role - Review

Voting Requirements - Simple Majority

SUSPEND STANDING ORDERS

COUNCIL RESOLUTION

211-19 MOVED - Cr. T G Gardiner SECONDED - Cr. J Dow

THAT Council Suspend Standing Orders [6.08pm] to hear from a representative of KTrans.

CARRIED
5/0

Note: Cr. L Davies returned to the room during the suspension of standing orders [6.09pm].

COUNCIL RESOLUTION

212-19 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council resume the meeting [6.11pm]. All those present, prior to the Suspension of Standing Orders, were present at the time of resuming the meeting, including Cr. L Davies who had returned to the room during the adjournment.

CARRIED
6/0

RESUME MEETING

OFFICER RECOMMENDED RESOLUTION

THAT Council:

1. Does not support the application from K & S Freighters to operate RAV 7 AMMS Level 3 vehicles on Moore Road (SLK 0.00 to SLK 1.60) and Barcoo Close (SLK 0.00 to SLK 0.30).
2. Instruct the Chief Executive Officer to commence negotiations with the relevant organisations within the industrial precinct to raise a contribution to the upgrade.

3. Subject to a satisfactory contribution being raised, support an application for RAV 7 AMMS Level 3 vehicles on Moore Road (SLK 0.00 to SLK 2.01), Barcoo Close (SLK 0 00 to SLK 0.80) and Busher Road (SLK 0.00 to SLK 0.90).

Change to Officer Recommendation -

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

- Council believes that in the future the Bunbury Outer Ring Road will change the road mechanism.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

213-19 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council:

1. **Support the application from K & S Freighters to operate RAV 7 AMMS Level 3 vehicles on Moore Road (SLK 0.00 to SLK 1.60) and Barcoo Close (SLK 0.00 to SLK 0.30).**
2. **Subject to a satisfactory contribution being raised, support an application for RAV 7 AMMS Level 3 vehicles on Moore Road (SLK 0.00 to SLK 2.01), Barcoo Close (SLK 0 00 to SLK 0.80) and Busher Road (SLK 0.00 to SLK 0.90).**

CARRIED
6/0

Note: Cr. P S Robinson left the room [6.23pm].

12.3 Title: Request to Operate a PBS 2B Vehicle on Harris Road, Kerr Road and Andrew Foord Way (Tieman Tankers)

Reporting Department: Infrastructure Directorate
Reporting Officer: Mr Mick Saunders - Manager Assets
Legislation: Local Government Act 1995

Overview

Council is requested to consider a new Performance Based Standard (PBS) application by Tieman Tankers.

The application relates to Harris Road (SLK 0.00 to SLK 1.05), Kerr Road (SLK 0.00 to SLK 1.05) and Andrew Foord Way (SLK 0.00 to SLK 0.19).

The application is seeking empty travel.

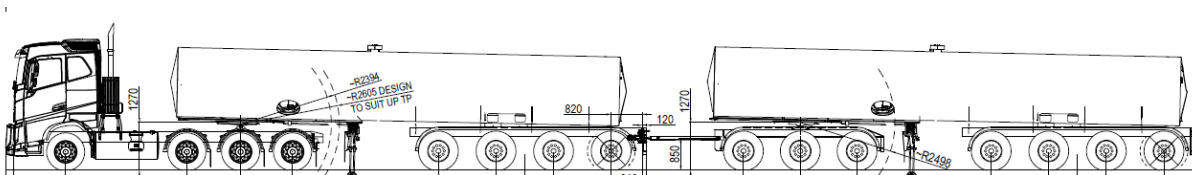
Background

The PBS Scheme is a heavy vehicle scheme that is designed to offer the heavy vehicle transport industry the potential to achieve higher productivity and safety through optimised vehicle design. Main Roads Western Australia (MRWA) is supportive of innovative PBS vehicle combinations on WA roads. The PBS scheme is based upon how a vehicle behaves on the road rather than assessing a vehicle against the existing Restricted Access Vehicle (RAV) Categories.

Whilst the PBS Scheme requires advanced safety standards and aims to increase productivity through increased vehicle loading, the result is larger vehicles with more axles and higher loading. The required performance of the vehicles is achieved via a range of design features including quad axle groups and steering axles within axle groups.

PBS vehicles designs are confidential. For this reason, MRWA Heavy Vehicle Services (HVS) sometimes withhold applicant details. In this instance, MRWA HVS have advised the applicant is Tieman Tankers, a Melbourne based specialised truck design and manufacturing company. Tieman Tankers are currently designing PBS type vehicles for a customer in WA who will utilise a transport depot on Andrew Foord Way.

The PBS vehicle that is the subject of this application is pictured below –



Total length is 31.5 metres.

The route that is subject to this application is shown below –



Legal Implications

The legislation which controls the access of RAVs to local roads is the Road Traffic (Vehicles) Act 2012 and the Road Traffic (Vehicles) Regulations 2014. Only MRWA can issue general endorsement permits under the above legislation. However, MRWA seek support of the local authority for permits on local roads.

Permit conditions must be adhered to at all times, and are enforced by the WA Police and MRWA HVS.

Council can request specific conditions for haulage on its road network.

Approval of this application will set a precedent, whereby other operators may apply for access to the road network in similar PBS type vehicles. MRWA are bound to provide equitable access to all operators. Accordingly, if Council support this application, MRWA shall deem the access available to all operators.

Strategic Community Plan

Outcome 4.1 - Be supportive of business by encouraging the establishment and ongoing sustainability of diverse business and industries of all sizes.

Environment - None.

Precedents

Allowing any new configuration of heavy vehicle on the Shire's road network sets the precedent whereby MRWA will extend that same level of access to all operators. This applies to RAV category vehicles, vehicles using the Accredited Mass Management Scheme (AMMS) and PBS type vehicles.

Budget Implications

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

Budget – Whole of Life Cost

Due to the applicant seeking empty travel, the axle loads imposed will be relatively low. Accordingly, any reduction in useful life of the road pavement will be negligibly low. It should be noted that the effect on the Whole of Life Cost is negligibly low in the case of a single application for access, however this will not be the case for multiple operators.

Council Policy Compliance

The Director Infrastructure and Manager Assets have delegated authority to approve RAV Category 2 and 3 vehicles on a select range of roads within the Shire. The MRWA HVS application is outside the extent of delegated authority due to PBS vehicles not currently being covered by any delegated authority.

Risk Assessment Low.

Increasing the number of axles on a vehicle will increase road wear. However, with the combination of steering axles and liftable axles, the risk of increased road wear is expected to be low.

MRWA are supportive of PBS applications due to the risk of incidents with heavy vehicles being proportional to the number of truck movements.

Officer Comment

PBS type vehicles are relatively new, however, they will become more common as operators look to improve efficiency and safety.

It is timely to establish the Shire's position on PBS applications.

Council Role Review

Voting Requirements Simple Majority

Change to Officer Recommendation - No Change.

Note: Cr. P S Robinson returned to the room [6.24pm].

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

214-19 MOVED - Cr. J Dow SECONDED - Cr. T G Gardiner

THAT Council endorses the application by Tieman Tankers to operate PBS 2B vehicles on Harris Road (SLK 0.00 to SLK 1.05), Kerr Road (SLK 0.00 to SLK 0.31) and Andrew Foord Way (SLK 0.00 to SLK 0.19), subject to the following conditions:

- 1. The Permit is valid for a 24 month period, from 18 July 2019 to 17 July 2021.**
- 2. Any damage to any Shire road as a result of operations under this application shall be repaired at the cost of the applicant.**
- 3. The Shire receives a contribution of \$300 (exclusive of GST) to be paid to the Shire for the Road Safety Fund.**
- 4. A copy of the correspondence from the Shire of Dardanup endorsing the application is to be carried by all vehicles operating under the conditions of this approval.**

CARRIED

6/0

12.4 Title: Request to Operate a PBS 2B Vehicle on Giorgi Road SLK 0.00 to SLK 0.20 (Main Roads Western Australia – Heavy Vehicle Services)

Reporting Department: Infrastructure Directorate
Reporting Officer: Mr Mick Saunders - Manager Assets
Legislation: Local Government Act 1995

Overview

Council is requested to consider a new Performance Based Standard (PBS) application by Main Roads Western Australia (MRWA) Heavy Vehicle Services (HVS).

The application relates to Giorgi Road, from the intersection with South Western Highway at SLK 0.00, to a driveway access at SLK 0.20.

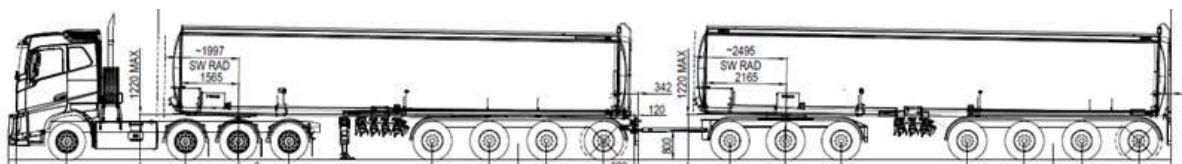
The application is seeking to utilise loading equivalent to Accredited Mass Management Scheme (AMMS) Level 3.

Background

The PBS Scheme is a heavy vehicle scheme that is designed to offer the heavy vehicle transport industry the potential to achieve higher productivity and safety through optimised vehicle design. MRWA are supportive of innovative PBS vehicle combinations on WA roads. The PBS scheme is based upon how a vehicle behaves on the road rather than assessing a vehicle against the existing Restricted Access Vehicle (RAV) Categories.

Whilst the PBS Scheme requires advanced safety standards and aims to increase productivity through increased vehicle loading, the result is larger vehicles with more axles and higher loading. The required performance of the vehicles is achieved via a range of design features including quad axle groups and steering axles within axle groups.

PBS vehicle designs are confidential. For this reason, MRWA HVS sometimes withhold applicant details. Applicant details have been withheld in this instance. The PBS vehicle that is the subject of this application is pictured below –



Total length is 31.5 metres, total mass is 108 tonnes (approximately).

The route that is being applied for is shown below –



Legal Implications

The legislation which controls the access of RAVs to local roads is the Road Traffic (Vehicles) Act 2012 and the Road Traffic (Vehicles) Regulations 2014. Only MRWA can issue general endorsement permits under the above legislation. However, MRWA seek support of the local authority for permits on local roads.

Permit conditions must be adhered to at all times, and are enforced by the WA Police and MRWA HVS. Council can request specific conditions for haulage on its road network.

Approval of this application will set a precedent, whereby other operators may apply for similar concessional loading. MRWA are bound to provide equitable access to all operators. Accordingly, if Council support this application, MRWA shall deem the access available to all operators.

Strategic Community Plan

Outcome 4.1 - Be supportive of business by encouraging the establishment and ongoing sustainability of diverse business and industries of all sizes.

Environment

MRWA has advised the applicant intends to make 16 trips per week with the PBS configuration. The applicant currently makes 21 trips per week utilising the current permissible RAV 4 configuration. The reduction of five truck movements per week will reduce the overall environmental impact of the haulage operation.

Precedents

Allowing any new configuration of heavy vehicle on the Shire's road network sets the precedent whereby MRWA will extend that same level of access to all operators. This applies to RAV category vehicles, vehicles using the Accredited Mass Management Scheme and PBS type vehicles.

Budget Implications

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

Budget – Whole of Life Cost

In theory, the increased axle loading of PBS vehicles will see the useful life of the road consumed earlier than if the increased loading was not permitted. However, due to reduced number of truck movements, this reduction in useful life would be lessened.

Council Policy Compliance

The Director Infrastructure and Manager Assets have delegated authority to approve RAV Category 2 and 3 vehicles on a select range of roads within the Shire. The MRWA HVS application is outside the extent of delegated authority due to PBS vehicles are not currently covered by any delegated authority.

Risk Assessment Low.

Increasing the load on already approved vehicle combinations will increase road wear. However, the increase in road wear is expected to be partially offset by fewer loaded vehicle movements.

MRWA are supportive of PBS applications due to the risk of incidents with heavy vehicles being proportional to the number of truck movements.

Officer Comment

PBS type vehicles are relatively new, however, they will become more common as operators look to improve efficiency and safety. It is timely to establish the Shire's position on PBS applications.

Council Role ReviewVoting Requirements Simple MajorityChange to Officer Recommendation - No Change.**OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION**

215-19 MOVED - Cr. J Dow SECONDED - Cr. L Davies

THAT Council supports the application by MRWA HVS to operate PBS 2B vehicles on Giorgi Road (SLK 0.00 to SLK 0.20), subject to the following conditions:

- 1. The Permit is valid for a 24 month period, from 18 July 2019 to 17 July 2021.**
- 2. Any damage to any Shire road as a result of the operations shall be repaired at the cost of the applicant.**
- 3. The Shire receives a contribution of \$300 (exclusive of GST) to be paid to the Shire for the Road Safety Fund.**
- 4. A copy of the correspondence from the Shire of Dardanup endorsing the application is to be carried by all vehicles operating under the conditions of this approval.**

CARRIED
6/0

12.5 Title: Request to Operate a RAV 4, Concessional Level 3 on Giorgi Road (MGM Bulk)

Reporting Department: Infrastructure Directorate
Reporting Officer: Mr Mick Saunders - Manager Assets
Legislation: Local Government Act 1995

Overview -

Council is requested to consider renewing the approval for MGM Bulk to operate RAV 4 Level 3 vehicle combinations on Giorgi Road (SLK 0.00 to SLK 0.53).

Background -

The Accredited Mass Management Scheme (AMMS) is a concessional loading scheme introduced by Main Roads Western Australia (MRWA). The AMMS provides a more flexible concessional loading scheme for operators. MRWA advise that road safety is increased and road damage is reduced due to the reduced potential for overloading.

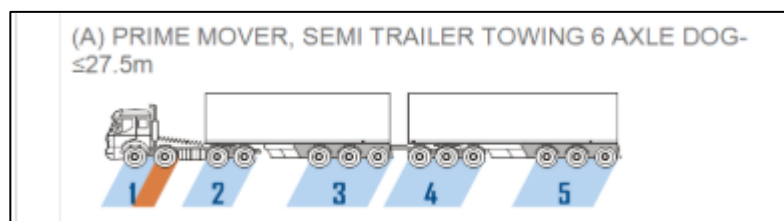
The AMMS is applied to Restricted Access Vehicles (RAV) and effectively means the vehicles will have a higher axle loading under the scheme. There are three approved mass levels under the AMMS. Typically, Council is asked to approve the highest allowable loading, that being AMMS Level 3.

At the Ordinary Council Meeting of 8 August 2018, it was resolved [Res 259/18] –

“THAT Council endorses the application by MGM Bulk Pty Ltd to operate RAV 4 Level 3 vehicle combinations on Giorgi Road from South Western Highway to Sutherland Way, subject to the following conditions:

1. *The Permit is valid for a 12 month period, from 9 August 2018 to 8 August 2019.*
2. *Any damage to any Shire road as a result of the operations shall be repaired at the cost of MGM Bulk Pty Ltd.*
3. *The Shire receives a contribution of \$362 (exclusive of GST) to be paid to the Shire for the Road Safety Fund for this application.*
4. *A copy of the correspondence from the Shire of Dardanup endorsing the application is to be carried by all vehicles operating under the conditions of this approval.”*

The RAV 4 vehicle type that is the subject of this application is pictured below –



Total length is 27.5 metres and total mass at AMMS Level 3 is 98.5 tonnes (approximately).

The route applied for is shown below –



Legal Implications

The legislation which controls the access of RAVs to local roads is the Road Traffic (Vehicles) Act 2012 and the Road Traffic (Vehicles) Regulations 2014. Only MRWA can issue general endorsement permits under the above legislation. However, MRWA seek support of the local authority for permits on local roads.

Permit conditions must be adhered to at all times, and are enforced by the WA Police and MRWA HVS.

Council can request specific conditions for haulage on its road network.

Approval of this application will set a precedent, whereby other operators will be granted access to the road network in similar vehicles. MRWA are bound to provide equitable access to all operators. Accordingly, if Council approve this application, MRWA shall deem the access available to all operators.

Strategic Community Plan

Outcome 4.1 - Be supportive of business by encouraging the establishment and ongoing sustainability of diverse business and industries of all sizes.

Environment - None.

Precedents

Allowing any new configuration of heavy vehicle on the Shire's road network sets the precedent whereby MRWA will extend that same level of access to all operators. This applies to RAV category vehicles, vehicles using the Accredited Mass Management Scheme (AMMS) and PBS type vehicles.

Budget Implications

12.6 Title: Request to Operate a PBS 2B Vehicle on Giorgi Road 0 to 0.53 SLK (Stevemacs)

Reporting Department: Infrastructure Directorate
Reporting Officer: Mr Mick Saunders - Manager Assets
Legislation: Local Government Act 1995

Overview

Council is requested to consider a new Performance Based Standard (PBS) application by Stevemacs.

The application relates to Giorgi Road, from the intersection with South Western Highway at SLK 0.00, to Sutherland Way at SLK 0.53.

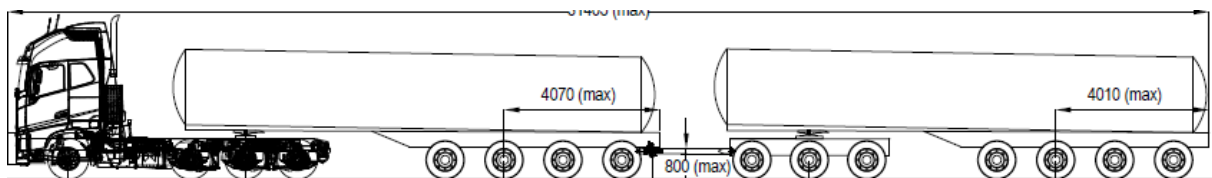
The application is seeking to utilise loading equivalent to Accredited Mass Management Scheme (AMMS) Level 3.

Background -

The PBS Scheme is a heavy vehicle scheme that is designed to offer the heavy vehicle transport industry the potential to achieve higher productivity and safety through optimised vehicle design. MRWA are supportive of innovative PBS vehicle combinations on WA roads. The PBS scheme is based upon how a vehicle behaves on the road rather than assessing a vehicle against the existing Restricted Access Vehicle (RAV) Categories.

Whilst the PBS Scheme requires advanced safety standards and aims to increase productivity through increased vehicle loading, the result is larger vehicles with more axles and higher loading. The required performance of the vehicles is achieved via a range of design features including quad axle groups and steering axles within axle groups.

PBS vehicle designs are confidential. For this reason, MRWA HVS sometimes withhold applicant details. Applicant details have been withheld in this instance. The PBS vehicle that is the subject of this application is pictured below –



Total length is 31.4 metres, total mass is 108 tonnes (approximately).

The route applied for is shown below –



Legal Implications

The legislation which controls the access of RAVs to local roads is the Road Traffic (Vehicles) Act 2012 and the Road Traffic (Vehicles) Regulations 2014. Only MRWA can issue general endorsement permits under the above legislation. However, MRWA seek support of the local authority for permits on local roads.

Permit conditions must be adhered to at all times, and are enforced by the WA Police and MRWA HVS.

Council can request specific conditions for haulage on its road network.

Approval of this application will set a precedent, whereby other operators may apply for similar concessional loading. MRWA are bound to provide equitable access to all operators. Accordingly, if Council support this application, MRWA shall deem the access available to all operators.

Strategic Community Plan

Outcome 4.1 - Be supportive of business by encouraging the establishment and ongoing sustainability of diverse business and industries of all sizes.

Environment

PBS vehicles allow operators to cart heavier loads on specifically designed vehicles. The heavier payloads result in fewer truck movements, thus reducing the overall environmental impact of the haulage operation.

Precedents

Allowing any new configuration of heavy vehicle on the Shire's road network sets the precedent whereby MRWA will extend that same level of access to all operators. This applies to RAV category vehicles, vehicles using the Accredited Mass Management Scheme and PBS type vehicles.

Budget Implications

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

Budget – Whole of Life Cost

In theory, the increased axle loading of PBS vehicles will see the useful life of the road consumed earlier than if the increased loading was not permitted. However, due to reduced number of truck movements, this reduction in useful life would be lessened.

Council Policy Compliance

The Director Infrastructure and Manager Assets have delegated authority to approve RAV Category 2, 3 and 4 vehicles on a select range of roads within the Shire. The MRWA HVS application is outside the extent of delegated authority due to PBS vehicles are not currently covered by any delegated authority.

Risk Assessment Low

Increasing the load on already approved vehicle combinations will increase road wear. However, the increase in road wear is expected to be partially offset by fewer loaded vehicle movements.

MRWA are supportive of PBS applications due to the risk of incidents with heavy vehicles being proportional to the number of truck movements.

Officer Comment

PBS type vehicles are relatively new, however, they will become more common as operators look to improve efficiency and safety.

It is timely to establish the Shire's position on PBS applications.

Under the legislation referenced above, it is not a defensible position of Council to support one application for access and not support subsequent, identical applications. In order to reduce the impost to Council in considering multiple identical applications for access, it is the Officer's suggestion that Council delegate authority to the Chief Executive Officer for each subsequent application for access where Council has already supported such an application.

Council Role ReviewVoting Requirements Absolute MajorityChange to Officer Recommendation - No Change.**OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION**

217-19 MOVED - Cr. T G Gardiner SECONDED - Cr. J Dow

THAT Council supports the application by Stevemacs to operate PBS 2B vehicles on Giorgi Road (SLK 0.00 to SLK 0.53), subject to the following conditions:

- 1. The Permit is valid for a 24 month period, from 18 July 2019 to 17 July 2021.**
- 2. Any damage to any Shire road as a result of the operations shall be repaired at the cost of the applicant.**

- 3. The Shire receives a contribution of \$300 (exclusive of GST) to be paid to the Shire for the Road Safety Fund.**
- 4. A copy of the correspondence from the Shire of Dardanup endorsing the application is to be carried by all vehicles operating under the conditions of this approval.**
- 5. Council delegate authority to the Chief Executive Officer to assess and approve applications for up to PBS 2B access to Giorgi Road from SLK 0.00 (South Western Highway to SLK 0.84 (Temple Road)).**
- 6. Council delegate authority to the Chief Executive Officer to assess and approve renewal applications for up to PBS 2B access to Giorgi Road from SLK 0.00 (South Western Highway to SLK 0.84 (Temple Road)).**

CARRIED

6/0

By Absolute Majority

12.7 Title: Request to Operate a RAV 4, Concessional Level 3 on Giorgi Road (Stevemacs)

Reporting Department: Infrastructure Directorate
Reporting Officer: Mr Mick Saunders - Manager Assets
Legislation: Local Government Act 1995

Overview -

Council is requested to consider an application from Stevemacs to operate RAV 4 Level 3 vehicle combinations on Giorgi Road (SLK 0.00 to SLK 0.53).

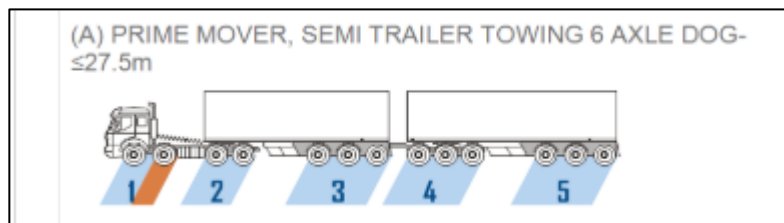
Background -

The Accredited Mass Management Scheme (AMMS) is a concessional loading scheme introduced by Main Roads Western Australia (MRWA). The AMMS provides a more flexible concessional loading scheme for operators. MRWA advise that road safety is increased and road damage is reduced due to the reduced potential for overloading.

The AMMS is applied to Restricted Access Vehicles (RAV) and effectively means the vehicles will have a higher axle loading under the scheme. There are three approved mass levels under the AMMS. Typically, Council is asked to approve the highest allowable loading, that being AMMS Level 3.

Giorgi Road (to SLK 0.53) is already on the MRWA RAV 4 AMMS Level 3 network. Condition CA07 applies, which is: All operators must carry current written approval from the road asset owner permitting use of the road.

The RAV 4 vehicle type that is the subject of this application is pictured below –



Total length is 27.5 metres and total mass at AMMS Level 3 is 98.5 tonnes (approximately).

The route applied for is shown below –



Legal Implications

The legislation which controls the access of RAVs to local roads is the Road Traffic (Vehicles) Act 2012 and the Road Traffic (Vehicles) Regulations 2014. Only MRWA can issue general endorsement permits under the above legislation. However, MRWA seek support of the local authority for permits on local roads.

Permit conditions must be adhered to at all times, and are enforced by the WA Police and MRWA HVS.

Council can request specific conditions for haulage on its road network.

Approval of this application will set a precedent, whereby other operators will be granted access to the road network in similar vehicles. MRWA are bound to provide equitable access to all operators. Accordingly, if Council approve this application, MRWA shall deem the access available to all operators.

Strategic Community Plan -

Outcome 4.1 - Be supportive of business by encouraging the establishment and ongoing sustainability of diverse business and industries of all sizes.

Environment - None.

Precedents -

Allowing any new configuration of heavy vehicle on the Shire's road network sets the precedent whereby MRWA will extend that same level of access to all operators. This applies to RAV category vehicles, vehicles using the Accredited Mass Management Scheme (AMMS) and PBS type vehicles.

Budget Implications -

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

Budget – Whole of Life Cost -

The increased axle loading permitted at AMMS Level 3 will theoretically consume the useful life of the road asset sooner than if concessional loading was not permitted.

Council Policy Compliance -

The Director Infrastructure and Manager Assets have delegated authority to approve RAV Category 2, 3 and 4 vehicles on a select range of roads within the Shire. This application is outside the extent of delegated authority due to the concessional loading applied for (AMMS Level 3).

Risk Assessment - Low

Increasing the axle loading on a heavy vehicle will increase road wear. However, the risk of increased road wear is expected to be acceptable when offset against the requested contribution from the applicant.

MRWA are supportive of AMMS applications due to the risk of overloading being reduced.

Officer Comment -

Under the legislation referenced above, it is not a defensible position of Council to support one application for access and not support subsequent, identical applications. In order to reduce the impost to Council in considering multiple identical applications for access, it is the Officer's suggestion that Council delegate authority to the Chief Executive Officer for each subsequent application for access where Council has already supported such an application.

- Director Infrastructure Comment -

In light of the many applications that are being received by the Shire, and the fact that the Bunbury Outer Ring Road will have impact on the types of vehicles wanting access to various local roads, the Shire's Assets section will be reviewing the road hierarchy and the types of vehicles that should be allowed on the Shire's road network. The intent of this process is to bring clarity and understanding on the expectations from the Shire's road network, ensure that the Shire's network expansion and upgrade planning will meet these expectations and the approvals process is streamlined. It should be noted that the Shire's current Road Asset Management Plan plans for heavy haulage in the Shire and the needs of the heavy transport industry is considered and accounted for in the Plan. However, due to the rapid changes in the network and vehicle types it is necessary to further review the strategies in the RAMP to ensure that the network meets the future growth demands.

Council Role - ReviewVoting Requirements - Absolute MajorityChange to Officer Recommendation - No Change.**OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION**

218-19 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council supports the application for Stevemacs to operate RAV 4 AMMS Level 3 vehicles on Giorgi Road (SLK 0.00 to SLK 0.53), subject to the following conditions:

- 1. The Permit is valid for a 24 month period, from 18 July 2019 to 17 July 2021.**
- 2. Any damage to any Shire road as a result of operations by Stevemacs shall be repaired at the cost of the applicant.**
- 3. The Shire receives a contribution of \$300 (exclusive of GST) to be paid to the Shire for the Road Safety Fund.**
- 4. A copy of the correspondence from the Shire of Dardanup endorsing the application is to be carried by all vehicles operating under the conditions of this approval.**
- 5. Council delegate authority to the Chief Executive Officer to assess and approve applications for up to RAV 4 AMMS Level 3 access to Giorgi Road from SLK 0.00 (South Western Highway) to SLK 0.84 (Temple Road).**

CARRIED

6/0

By Absolute Majority

Note: Cr. T G Gardiner left the room [6.27pm].

12.8 Title: Tender RFT-F0151102 – Mowing Services for Millbridge Estate and Council Reserves

Reporting Department: Infrastructure Directorate
Reporting Officer: Mr Nathan Ryder – Manager Operations
Legislation: Local Government (Functions and General) Regulations 1996

Overview

This report provides Council with the results of the evaluation of tenders for the Mowing Services for Millbridge Estate and Council Reserves and makes an officer-recommendation for the award of a contract for these services.

Background

Tenders closing on 7 June 2019 were called for the Mowing Services for Millbridge Estate and Council Reserves. These were publically advertised as per the below:

- South Western Times - Thursday 23 May 2019
- The West Australian - Saturday 25 May 2019

Tenders were called in preparation for the 2019-2020 budget with the intent of awarding a contract that will commence in July 2019 for a period of 3 years. Tenderers were asked to submit a schedule of rates that would be fixed for a 12-month period and thereafter adjusted annually via a CPI rise or fall clause in the contract.

The tender was divided into two main sections:

- (i) Mowing of Millbridge Estate; and
- (ii) (ii) Mowing of Council Reserves.

Two submissions were received, (i) from Lochness Landscape Services, and (ii) the incumbent contractor Perfect Landscapes. Both tender submissions complied with the tender requirements and have therefore been considered.

The detailed schedule of prices submitted is provided to Councillors under separate cover.

- *Tender Evaluation Panel*

The Tender Evaluation Panel comprised of three members of Shire Staff, being the Procurement Officer, the Manager Operation and the Principal Parks & Environment Supervisor.

All members of the evaluation panel have made a conflict of interest declaration confirming they have no relationships with any of the tenderers.

- *Evaluation of Tenders*

The object of the evaluation panel is to recommend a suitably qualified and experienced contractor to satisfy the requirement of the above mentioned RFT. All responses to the qualitative criteria were assessed by the panel, as well as the rates tendered.

The tenders were assessed on the following criteria and weightings, and a total score was determined to compare the tenders:

ASSESSMENT CRITERIA		RAW SCORE	WEIGHTING	WEIGHTED SCORE
Price		0 - 10	40 %	0 – 4.0
Qualitative Criteria	Relevant Experience	0 - 10	15 %	0 – 1.5
	Key Personnel Skills and Experience	0 - 10	20 %	0 – 2.0
	Respondent's Resources	0 - 10	15 %	0 – 1.5
	Demonstrated Understanding	0 - 10	10 %	0 – 1.0
TOTAL SCORE			100 %	0 – 10

i.e. Weighted Score = Raw Score x Weighting

Price was scored on a percentage scale relative to the lowest tendered price, with the lowest price given a score of 10. Qualitative aspects were scored on the relative merits of the information provided by the tenderer in its tender.

Each tenderer was scored and the results were as follows:

ASSESSMENT CRITERIA		LOCHNESS LANDSCAPING	PERFECT LANDSCAPES
Price		0.0	4.0
Qualitative Criteria	Relevant Experience	1.5	1.2
	Key Personnel & Experience	2.0	1.2
	Respondent's Resources	1.5	1.2
	Demonstrated Understanding	1.0	1.0
TOTAL SCORE		6.0	8.6

- *Evaluation Justification*

The evaluation process determined the recommended tenderer clearly represented the best value for money considering responses to qualitative criteria and within the tendered rates submitted.

Based on the tender submissions received, Perfect Landscapes was deemed as the most advantageous to Council for both (i) Mowing of Millbridge Estate; and (ii) Mowing of Council Reserves.

Legal Implications

The Tender has been conducted in accordance with Part 4 of the Local Government (Functions and General) Regulations 1996.

Part 4 — Provision of goods and services

Division 2 — Tenders for providing goods or services (s. 3.57)

11. When tenders have to be publicly invited

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.*

The current mowing contracts expired on 30 June 2019. Contract mowing services are required in Millbridge Estate and on Council Reserves on an on-going basis.

Strategic Community Plan

Strategy 2.1.3 - Provide our community with a variety of waste disposal options to minimise the impact of waste disposal on our natural environment. (Service Priority: Very High).

Environment - None.

Precedents

The Shire of Dardanup has previously entered into contracts for the provision of mowing services for Millbridge Estate and Council Reserves.

Budget Implications

If the Shire of Dardanup enters into a Contract Agreement with Perfect Landscapes, the total cost for Mowing Services in Millbridge Estate and Council Reserves for the 2019-2020 financial year is estimated to be \$182,910, excluding GST. This sits within the allocated budget for Parks & Reserves Maintenance for 2019-2020.

Budget – Whole of Life Cost

The proposed works to be carried out through this contract is in accordance with the Shire of Dardanup's "Parks and Reserves Asset Management Plan 2019 – 2029". The plan deals with the all-of-life cycle costs and maintenance of the Shire's assets.

Council Policy Compliance - None.

Risk Assessment - Low.

The Shire of Dardanup has entered into contracts of this nature previously.

Officer Comment

The recommended contractor is the incumbent Perfect Landscapes. The Shire has fostered a good working relationship with this contractor and believes that their work over the past year has been satisfactory.

The total estimated cost for mowing services in Millbridge Estate for 2019-2020 is \$75,270 based on 39 cuts per annum, which represents a 9% increase compared to 2018-2019. Note however that this is still 17% less than in 2017-2018.

The total estimated cost for mowing services on Council Reserves for 2019-2020 is \$107,640, which represents a 5% increase compared to 2018-2019. Note that this is still 25% less than in 2017-2018, however, note that, as of July 2018, Eaton Foreshore was being mowed by Shire workers, which had a large influence on the reduction in cost from 2017-2018 to 2018-2019.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

Note: Cr. T G Gardiner returned to the room [6.28pm].

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

219-19 MOVED - Cr. P S Robinson SECONDED - Cr. J Dow

THAT Council:

- 1. Accepts the tender submission and rates (provided under separate cover) from Perfect Landscapes for Mowing Services for Millbridge Estate and Council Reserves.**

- 2. Enters into a contract with Perfect Landscapes for Mowing Services for Millbridge Estate and Council Reserves for three years at the rates tendered for the financial year 2019-2020, and this contract ending 30 June 2022 with annual CPI adjustments.**

- 3. Authorise the Shire President and Chief Executive Officer to sign and execute the Contract.**

CARRIED

6/0

12.9 Title: Tender RFT-F0150228 – Bulk Verge Collection Services

<i>Reporting Department:</i>	<i>Infrastructure Directorate</i>
<i>Reporting Officer:</i>	<i>Mr Nathan Ryder – Manager Operations</i>
<i>Legislation:</i>	<i>Local Government (Functions and General) Regulations 1996</i>

Overview

This report provides Council with the results of the evaluation of tenders for the Bulk Verge Collections and makes an officer-recommendation for the award of a contract for these services for the term of three years.

Background

Tenders closing on Friday 28 June 2019 were called for the Bulk Verge Collection services to the Shire. These were publically advertised as per the below:

- South Western Times – Thursday 13 June
- West Australian – Saturday 15 June
- Community News – Tuesday 18 and Wednesday 19 June

Tenders were called to source an experienced and competent contractor to provide bulk green waste and bulk hard waste verge collections from within the townsites of Eaton, Millbridge, Burekup and Dardanup.

These contracts have been in place for many years, let on a per service basis.

The proposed three-year contract covering two green waste verge collections and one hard waste verge collection per year will give certainty to contractors and will attract the best prices and therefore provide the best value to the Shire.

The detailed schedule of prices submitted is provided to Councillors under separate cover.

Two submissions were received from the following businesses:

- (i) Hind's Transport Services Pty Ltd; and
- (ii) Steann Pty Ltd.

Both tender submissions complied with the tender requirements and have therefore been considered.

- *Tender Evaluation Panel*

The Tender Evaluation Panel comprised of three members of Shire Staff, being the Procurement Officer, the Manager Operation and the Principal Parks & Environment Supervisor.

All members of the evaluation panel have made a conflict of interest declaration confirming they have no relationships with any of the tenderers.

- *Evaluation of Tenders*

The object of the evaluation panel is to recommend a suitably qualified and experienced contractor to satisfy the requirement of the above mentioned RFT. All responses to the qualitative criteria were assessed by the panel, as well as the rates tendered.

The tenders were assessed on the following criteria and weightings, and a total score was determined to compare the tenders:

ASSESSMENT CRITERIA		RAW SCORE	WEIGHTING	WEIGHTED SCORE
Price		0 - 10	40%	4.0
Qualitative Criteria	Relevant Experience	0 - 10	10%	1.0
	Key Personnel Skills and Experience	0 - 10	10%	1.0
	Respondent's Resources	0 - 10	20%	2.0
	Demonstrated Understanding	0 - 10	20%	2.0
TOTAL SCORE			100%	10.0

i.e. Weighted Score = Raw Score x Weighting

Price was scored on a percentage scale relative to the lowest tendered price, with the lowest price given a score of 10. Qualitative aspects were scored on the relative merits of the information provided by the tenderer in its tender.

- *Evaluation Justification*

The evaluation process determined the recommended tenderer clearly represented the best value for money considering responses to qualitative criteria and within the tendered rates submitted.

Each tenderer was scored and the results were as follows:

ASSESSMENT CRITERIA		Hind's Transport Services Pty Ltd	Steann Pty Ltd
Price		0.0	4.0
Qualitative Criteria	Relevant Experience	0.0	1.0
	Key Personnel & Experience	0.5	1.0
	Respondent's Resources	0.6	2.0
	Demonstrated Understanding	0.4	2.0
TOTAL SCORE		1.5	10.0

Based on the tender submissions received, Steann Pty Ltd was deemed as the most advantageous to Council.

Legal Implications

The Tender has been conducted in accordance with Part 4 of the Local Government (Functions and General) Regulations 1996.

Part 4 — Provision of goods and services

Division 2 — Tenders for providing goods or services (s. 3.57)

11. When tenders have to be publicly invited

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.*

Strategic Community Plan

Strategy 2.1.3 - Provide our community with a variety of waste disposal options to minimise the impact of waste disposal on our natural environment. (Service Priority: Very High).

Environment None.

Precedents

The Shire of Dardanup has not previously entered into a contract that spans multiple years and services for the provision of bulk waste verge collections.

Budget Implications

If the Shire of Dardanup enters into a Contract Agreement with Steann Pty Ltd, the total cost for the bulk waste collection service for the 2019-2020 financial year is \$67,500.00, excluding GST. This is within the allowances included in the 2019-2020 Annual Budget.

Budget – Whole of Life Cost None.

Council Policy Compliance None.

Risk Assessment Low.

The Shire of Dardanup has been out sourcing the bulk green and hard waste verge collections for many years. The new contract will fix prices (with CPI increase provision) for a three year period and reduces the risk of unpredictable cost increases when dealt with on a service-by-service basis.

Officer Comment

The recommended contractor is Steann Pty Ltd who the Shire has used for many years now. The Shire has fostered a good working relationship with this contractor and believes that their work in the past year has been satisfactory.

Council Role Executive/Strategic.

Voting Requirements Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

220-19 MOVED - Cr. J Dow SECONDED - Cr. T G Gardiner

THAT Council:

1. **Accepts the tender submission and rates (provided under separate cover) from Steann Pty Ltd for Bulk Verge Collections for the town sites of Eaton, Millbridge, Burekup and Dardanup.**
2. **Enters into a contract with Steann Pty Ltd for Bulk Verge Collections for three years at the rates tendered for the financial year 2019-2020, and this contract ending 30 June 2022 with annual CPI adjustments.**
3. **Authorises the Shire President and Chief Executive Officer to sign and execute the Contract.**

CARRIED

12.10 Title: Regional Road Group Nominations 2020/21 - Five Year Program

Reporting Department: Infrastructure Directorate
Reporting Officer: Mr Troy Williamson - Coordinator Assets
Legislation: Local Government Act 1995

Overview -

Nominations are called annually by the Regional Road Group (RRG) for the funding of projects which meet the criteria under the program guidelines. Council is requested to endorse the submission of the 2020/21 proposed five year program.

Background -

Only projects on Roads of Regional Significance are considered for this funding program. Roads of Regional Significance are identified in the Roads 2030 Strategy.

This strategy document outlines the local authority roads in the South West Region which are considered as Roads of Regional Significance and the improvements required to achieve a desirable level of service. To be considered as a Road of Regional Significance, roads must meet a range of eligibility criteria and the scrutiny of all 16 Councils which make up the South West Region. The document is also independently assessed together with Main Roads WA and is endorsed by the Minister for Transport.

Submissions for the 2020/21 RRG funding round are due for submission to Main Roads WA on 30 August 2019. Shire of Dardanup staff have taken projects from the Road Asset Management Plan (RAMP) for nomination. In some cases, the timing of works in the RAMP has been altered to ensure continuity in the delivery of upgrade and renewal works and to increase the opportunity for funding application success.

The five year program to be submitted for consideration in the 2020/21 funding round is provided (Appendix ORD: 12.10).

Legal Implications -

If approved, nominated projects will need to meet the terms and conditions of funding under the program. It should be noted that, should circumstances arise that result in the inability to deliver a nominated project, Council is not obliged to undertake the works. This may result in the need to re-nominate the project to secure funding for the works should they need to be constructed at a later date.

Strategic Community Plan -

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

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

Strategy 5.1.2 - To provide transport choices by increasing the availability of safe, affordable and viable transport options. (Service Priority: High)

Environment -

Road construction projects undertaken on the Shire's road network need to comply with the requirements of the:

- Environment Protection Act 1986;
- Waterways Conservation Act 1976;
- Aboriginal Heritage Act 1972; and
- Heritage of Western Australia Act 1990.

Specifically, this relates to minimising the project's impact on native vegetation, native fauna, heritage sites and waterways. Shire officers complete a preliminary project environmental review sheet for each proposed project to identify whether further environmental investigations are required. Where required, studies, investigations and/or reports are completed and permits obtained to ensure the requirements of the relevant legislations are addressed.

Precedents -

The RRG funding program has been ongoing for many years and Council has approved the submission of nominations to this program in the past.

Budget Implications -

Projects funded through the RRG funding program are funded on a 2 for 1 contribution basis. This means that the Shire is only required to contribute 1/3 the cost of the project with the remaining 2/3 being funded by the RRG. The funding received by the Council through the RRG forms a substantial portion of the Shire's road funding.

Budget – Whole of Life Cost -

The Roads 2030 Strategy is focussed on the upgrade/improvement of regionally significant roads. Upgrade projects comprise approximately 85% of the funding program, with the remaining 15% of funds available to be allocated to renewal or preservation works.

When determining the projects to be nominated for this program, Shire staff aim to coincide road upgrades with renewal works, which are still classed as upgrade/improvement works by the RRG.

Council Policy Compliance - None.

Risk Assessment - Medium.

The RRG forms a significant portion of road funding required to deliver the program of works identified in the RAMP. The funding also relates to Roads of Regional Significance – such roads play a significant role in the Shire's transport network. The funding has been instrumental in the delivery of the RAMP strategy of reducing the backlog of works. Failure to secure RRG funding could result in an increase in the backlog, particularly if the reduction in funds is over more than one year.

However, it should be noted that the distribution of funds is based on a needs basis, thus ensuring that road projects are funded where needed.

Officer Comment -

Projects considered for funding under the RRG scheme can be approved as a single year project or a larger, typically more complex, "staged" project that is funded on an on-going basis, over multiple

years up to five years. For a project to retain its staged project status and be considered for on-going funding the following criteria apply:

- The community expectation score shall remain unchanged or increased during the life of the project. A reduction of the community expectation score will automatically remove the project's staged project status.
- Any significant amendment to the work activity or Straight Line Kilometre (SLK) range carried out under the project.
- A project may retain its staged project status with a maximum break in ongoing funding of twelve (12) months to complete the final seal of a two stage seal.

The projects proposed to be submitted within the current 2020/21 round of funding are detailed as follows:

- *Pile Road (SLK 0.05 - SLK16.78) – Third submission of a five year on-going improvement project to widen and reconstruct the roadway from Ferguson Road to Mungalup Road.*

Project Year	Works Description	Status
1 (2018/19)	Survey, detailed design, commence construction works to widen, reconstruct and seal stage 1.	Complete
2 (2019/20)	Construction works, widen, reconstruct and seal stage 2.	Funded / Scheduled
3 (2020/21)	Construction works, widen, reconstruct and seal stage 3.	Proposed
4 (2021/22)	Construction works, widen, reconstruct and seal stage 4.	Proposed
5 (2022/23)	Complete construction works, widen, reconstruct and seal stage 5.	Proposed

- *Eaton Drive (SLK 0.40 – SLK 1.70) – Third submission of a five year on-going improvement project to undertake road and intersection upgrades and modifications from Lofthouse Avenue to Glen Huon Boulevard.*

Project Year	Works Description	Status
1 (2018/19)	Project analysis / detailed design.	Complete
2 (2019/20)	Project analysis / detailed design.	Funded / Scheduled
3 (2020/21)	Intersection modifications and installation of traffic signals at the intersection of Watson Street.	Proposed
4 (2021/22)	Detailed analysis of impact of Watson Street traffic signals and subsequent design and construction of proposed roundabout at the intersection of Glen Huon Boulevard and modifications to the intersection of Lofthouse Avenue.	Proposed
5 (2022/23)	Complete construction of proposed roundabout at the intersection of Glen Huon Boulevard and modifications to the intersection of Lofthouse Avenue.	Proposed

- *Harris Road (SLK 0.00 – SLK 2.00) – This is the third submission of a four year on-going improvement project to widen, strengthen and reconstruct the road from the Shire boundary with the City of Bunbury to the intersection of Martin Pelusey Road to meet the needs of current and future industrial expansion.*

Project Year	Works Description	Status
1 (2018/19)	Survey, traffic study and project analysis.	Complete
2 (2019/20)	Detailed design, commence construction works to widen, reconstruct and strengthen stage 1.	Funded / Scheduled
3 (2020/21)	Continue construction works to widen, reconstruct and strengthen stage 2.	Proposed
4 (2021/22)	Complete construction works, widen, reconstruct and strengthen	Proposed

Project Year	Works Description	Status
	stage 3.	

- *Ferguson Road (SLK 14.89 – SLK 19.93) – This is the first submission of a proposed four year improvement project. This project will consist of two years of analysis and design and two years of construction works to widen and reconstruct the road from Ratcliffe Road to Wellington Mill Road at Gnomesville.*

Project Year	Works Description	Status
1 (2020/21)	Survey, traffic study and project analysis.	Proposed
2 (2021/22)	Detailed design and project approvals.	Proposed
3 (2022/23)	Construction works, widen, reconstruct and seal stage 1.	Proposed
4 (2023/24)	Complete construction works, widen reconstruct and seal stage 2.	Proposed

Projects that are listed over the remaining proposed 5 year program are as follows:

- *Eaton Drive (SLK 2.97 – SLK 4.25) – This proposed two year project consists of the construction of the ultimate layout of the dual carriage way of Eaton Drive from Millbridge Boulevard northwards.*

Project Year	Works Description	Status
1 (2021/22)	Construction works - first and second carriageway stage 1.	Proposed
2 (2022/23)	Completion of construction works - first and second carriageway stage 2.	Proposed

- *Martin Pelusey Road (SLK 0.00 – SLK 3.03) – A proposed 3 year improvement project to survey, design, widen, reconstruct and strengthen the roadway to cater for current and future industrial expansion.*

Project Year	Works Description	Status
1 (2022/23)	Project analysis / detailed design.	Proposed
2 (2023/24)	Construction works to widen, reconstruct and strengthen stage 1.	Proposed
3 (2024/25)	Complete construction works to widen, reconstruct and strengthen stage 2.	Proposed

- *Ferguson Road (SLK 0.27 – SLK 2.29) – Proposed one year road preservation project consisting of pavement reconstruction of Ferguson Road. This project spans the section of road between Recreation Road and Waterloo Road and will renew the existing pavement.*

Project Year	Works Description	Status
1 (2024/25)	Construction works – reconstruct pavement and seal.	Proposed

- *Moore Road (SLK 0.60 – SLK 1.60) – Proposed one year road preservation project consisting of carriageway reconstruction of Moore Road to rectify pavement fatigue and associated defects.*

Project Year	Works Description	Status
1 (2021/22)	Construction works – reconstruct pavement and seal.	Proposed

- *Dardanup West Road (SLK 0.00 – SLK 2.97) - A proposed two year improvement project to widen and reconstruct the roadway from the Shire boundary with the Shire of Capel to the intersection of Garvey Road.*

Project Year	Works Description	Status
1 (2021/22)	Detailed design and commence construction works to widen, reconstruct and seal stage 1.	Proposed
2 (2022/23)	Complete construction works, widen, reconstruct and seal stage 2.	Proposed

- *Garvey Road (SLK 0.00 – SLK 2.50) – A proposed two year improvement project to widen and reconstruct Garvey Road from the Boyanup – Picton Road to the intersection of the Dardanup West Road.*

Project Year	Works Description	Status
1 (2023/24)	Detailed design and commence construction works to widen, reconstruct and seal stage 1.	Proposed
2 (2024/25)	Complete construction works, widen, reconstruct and seal stage 2.	Proposed

Dardanup West Road and Garvey Road are not currently classed as Regional Roads but advice received from Main Roads WA has indicated that a submission should be made by Council to the Regional Road Group Technical Committee to seek their inclusion in the Roads 2030 Strategy and therefore be considered for future funding.

Council is requested to endorse the 2020/21 nominations. It should be noted that all projects proposed for future funding are subject to Regional Road Group approval and projects successful in securing funding will be used in the development of the Corporate Business Plan, but Council will still have the opportunity to make alterations subject to the outcomes of the Shire's strategic planning process.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION

THAT Council endorse the submission of the Regional Road Group 2020/21, Five Year Program as follows:

ROAD NAME / SECTION	2020/21	2021/22	2022/23	2023/24	2024/25
Pile Road (SLK 0.05 – SLK 16.78)	\$750,000	\$750,000	\$750,000		
Eaton Drive (SLK 2.97 – SLK 4.25)		\$750,000	\$750,000		
Eaton Drive (SLK 0.40 – SLK 1.70)	\$750,000	\$300,000	\$750,000		
Martin Pelusey Road (SLK 0.00 – SLK 3.03)			\$270,000	\$750,000	\$750,000
Harris Road (SLK 0.00 – SLK 2.00)	\$750,000	\$750,000			
Ferguson Road (SLK 14.89 – SLK 19.93)	\$52,500	\$75,000	\$750,000	\$750,000	

ROAD NAME / SECTION	2020/21	2021/22	2022/23	2023/24	2024/25
Ferguson Road (SLK 0.27 – SLK 2.29)					\$720,000
Moore Road (SLK 0.60 – SLK 1.60)		\$730,000			
Dardanup West Road (SLK 0.00 – SLK 2.97)		\$750,000	\$225,000		
Garvey Road (SLK 0.00 – SLK 2.50)				\$750,000	\$300,000
Financial Year Total RRG Pool Contribution	\$1,535,000	\$2,736,667	\$2,330,000	\$1,500,000	\$680,000
Financial Year Total LGA Contribution	\$767,500	\$1,368,333	\$1,165,000	\$750,000	\$340,000
GRAND TOTAL	\$2,302,500	\$4,105,000	\$3,495,000	\$2,250,000	\$1,770,000

Note: Mr Brenton Scambler left the room [6.38pm].

Change to Officer Recommendation

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

The following amendments are made to the submission:

ROAD NAME / SECTION	2020/21	2021/22	2022/23	2023/24	2024/25
Eaton Drive (SLK 2.97 – SLK 4.25)		\$750,000	\$750,000		
Moore Road (SLK 0.60 – SLK 1.60)		\$730,000	\$730,000		

- As it is expected that Eaton Drive will be carried out by developers; and
- Moore Road be pushed back one year to take into consideration of the timing of the Bunbury Outer Ring Road construction.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

221-19

MOVED -

Cr. M T Bennett

SECONDED -

Cr. P S Robinson

THAT Council endorse the submission of the Regional Road Group 2020/21, Five Year Program as follows:

ROAD NAME / SECTION	2020/21	2021/22	2022/23	2023/24	2024/25
Pile Road (SLK 0.05 – SLK 16.78)	\$750,000	\$750,000	\$750,000		
Eaton Drive (SLK 0.40 – SLK 1.70)	\$750,000	\$300,000	\$750,000		
Martin Pelusey Road (SLK 0.00 – SLK 3.03)			\$270,000	\$750,000	\$750,000
Harris Road (SLK 0.00 – SLK 2.00)	\$750,000	\$750,000			

ROAD NAME / SECTION	2020/21	2021/22	2022/23	2023/24	2024/25
Ferguson Road (SLK 14.89 – SLK 19.93)	\$52,500	\$75,000	\$750,000	\$750,000	
Ferguson Road (SLK 0.27 – SLK 2.29)					\$720,000
Moore Road (SLK 0.60 – SLK 1.60)			\$730,000		
Dardanup West Road (SLK 0.00 – SLK 2.97)		\$750,000	\$225,000		
Garvey Road (SLK 0.00 – SLK 2.50)		0		\$750,000	\$300,000
Financial Year Total RRG Pool Contribution	\$1,535,000	\$1,750,000	\$2,316,666	\$1,500,000	\$1,180,000
Financial Year Total LGA Contribution	\$ 767,500	\$ 875,000	\$1,158,333	\$ 750,000	\$ 590,000
GRAND TOTAL	\$2,302,500	\$2,625,000	\$3,474,999	\$2,250,000	\$1,770,000

CARRIED
6/0

12.11 *Title: Natural Disaster Resilience Program (NDRP) Grant Funding For the Purchase of a Generator to Ensure Business Continuity*

Reporting Department: Corporate & Governance
Reporting Officer: Mr Phil Anastasakis – Deputy Chief Executive Officer
Legislation: Local Government Act 1995

Overview

The Department of Fire and Emergency Services (DFES) has advised the Shire that its application to the Natural Disaster Resilience Program (NDRP) for the purchase of a generator was successful. The Shire is eligible to receive funding of **\$44,250** towards the *Shire of Dardanup Alternative Power Supply in Emergencies Project*.

Under the funding agreement the Shire will be required to contribute \$35,000 in cash expenditure and \$9,250 in in-kind expenditure.

The 2019-2020 Budget does not include a budget allocation for the project. At the time of application, Council did not make a specific allocation for the project and requested that the matter be brought to Council once the outcome of the submission was known. The matter is now brought to Council for further consideration and deliberation.

Background

The Natural Disaster Resilience Program (NDRP) grant funding is made available for organisations to deliver projects that were implementing sustained disaster resilience or disaster mitigation strategies that would directly benefit the WA community. Funding between \$10,000 and \$250,000 (no GST applied) was offered, with NDRP accounting for no more than 50% of the total project cost.

Electricity supply disruption was one of the risks identified through the Shire's participation in the State Risk Project. One of the highest priority risks highlighted due to this disruption was the Shire's ability to deliver and maintain core services as outlined in the Business Continuity Plan. The administration office, as well as the majority of equipment within it, is run solely on electricity. If there was to be a disruption to the electricity supply, the operations and functions of many departments would be incapacitated or severely restricted. There would be no access to a vast number of records, communication and software programs to ensure business continuity.

The Eaton administration building also houses our primary data centre in terms of server and network infrastructure that hold all the corporate data, which is critical to all of the Shire's operations. While we have an uninterruptible power supply (UPS), it only carries us for approximately 40 minutes before power is lost.

While past events have highlighted that front of house operations have been completely disabled when power is lost for extended periods, the start-up and rebooting of servers has taken a number of hours. While this has meant the Shire office had to be closed and staff sent home, the number of times this has occurred is infrequent (once in the last two years). Some departments employ the use of mobile IT such as iPads, laptops and mobile telephones, which could be used in a limited capacity to provide some services.

An important part of preparedness planning for a business servicing the community is to ensure its business continuity. Further, ensuring power restoration happens instantaneously to the Shire's servers will also prevent operating system corruption, which would otherwise be detrimental to the Shire's systems. The frequency and likelihood of these types of events needs to be weighed up with the consequences of the loss of power.

One advantage of continued power would be that it would enable the Council Administration Centre to be utilised as the Emergency Coordination Centre (ECC), as identified in the Shire's Local Emergency Management & Recovery Arrangements. The modification of the power supply for the Eaton Recreation Centre would enable it to remain functional throughout an incident (provided a mobile generator was available), as well as supporting community groups within the Emergency Management sector to maintain assistance during times of an emergency.

The alternative power supply, that includes mains connection modifications, can reduce and possibly eliminate the consequences of electricity supply disruption to the Shire and will enable the Shire offices to continue to operate as both the ECC, and source of information and leadership within our community in the event of a power outage during an emergency incident. To ensure this is achieved there would be ongoing maintenance requirements attached to the generator.

Project Requirements:

The Shire of Dardanup Alternative Power Supply in Emergencies Project will require the following works to be completed to the Eaton Administration and Recreation Centres;

- Automatic transfer switches and mains power modification to both the Eaton Administration and Recreation Centre;
- Installation of a concrete pad for GENSET and trailer at the Eaton Administration Centre;
- Installation of fencing around GENSET and trailer at the Eaton Administration Centre;
- 100 KVA GENSET and trailer;
- Fire Extinguisher.

The Key Performance Indicators (KPIs) are;

- Project completed within budget ;
- Project completed within agreed timeline;
- Proven functional capability of the project for its intended purpose;
- Ongoing testing and maintenance schedule developed and implemented;
- 80% success rate when testing reverting to back up power;
- Training of at least 5 staff members on operation of generator.

There is a requirement for quarterly progress reports to DFES that include;

- the progress of the project based on milestones, outputs and outcomes;
- a statement of income and expenditure to date, certified by the CEO or nominated representative;
- details of any possible variations requested;
- promotional activities undertaken.

A copy of the funding agreement is provided (Appendix ORD: 12.11).

Council Resolution 58-19 from the Ordinary Meeting of Council held 27 March 2019 states that Council:

“Receive a report on the outcome of the National Disaster Resilience Program (NDRP) application for a mobile generator when the program results are announced.”

This report is hereby presented to Council advising the program results, seeking Council consideration and deliberation on whether it wishes to proceed with the project prior to notifying DFES.

Legal Implications

-

The project is not included in the 2019-2020 Budget and therefore the Local Government Act 1995 requires the Council to consider and approve any changes to the budget.

6.8. Expenditure from municipal fund not included in annual budget

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

** Absolute majority required.*

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

- Local Government Act 1995

S6.10. Financial Management Regulations

Regulations may provide for —

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

- Local Government (Financial Management) Regulations 1996

R11. Payments, procedures for making etc.**R12. Payments from municipal fund or trust fund, restrictions on making**

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

Strategic Community Plan

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

Strategy 1.4.3 - Investigate and develop where appropriate 'smart' technologies to improve service provision. (Service Priority: Very high)

Strategy 1.5.1 - Participate in and seek collaborative resource sharing opportunities. (Service Priority: High)

Strategy 3.4.1 - To enable community safety and a sense of security. (Service Priority: Very High)

Strategy 3.3.2 - Support volunteer groups within the Shire of Dardanup. (Service Priority: High)

Strategy 3.5.1 - To protect public health and safety. (Service Priority: High)

Environment - None.

Precedents - None.

Budget Implications

As part of the NDRP grant funding conditions, the Shire will require an equivalent dollar-for-dollar (cash & in-kind) contribution towards the project.

SUMMARY	COST (inc GST)
Generator ATS switchboard and mains connection to Eaton Administration Building	\$15,000.00
Generator ATS switchboard and mains connection to Eaton Recreation Centre	\$15,000.00
100 KVA GENSET Supply and Install	\$45,000.00
Concrete Pad & Fencing	\$5,500.00
Supply Oil and Fuel	\$2,500.00
GENSET trailer	\$5,000.00
Fire Extinguisher	\$500.00
TOTAL	\$88,500.00
NDRP Contribution (pending application)	\$44,250.00
Shire's Cash Contribution	\$35,000.00
Shire's In-Kind Contribution	\$9,250.00

There is no allocation in the current budget. If the Council decide to proceed with the funding agreement and the delivery of the project, the project will be unbudgeted expenditure. It will result in an unbudgeted net expenditure of \$35,000.

Budget – Whole of Life Cost

The provision of a generator will require ongoing expenditure for the purposes of regular maintenance, testing and eventually the decommissioning and replacement of the unit when it reaches the end of its useful life. These expenses will need to be included in the Shire's plant operational budgets and plant replacement program, which is an additional cost that is currently unbudgeted.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

A backup power supply will address one of the Shire's risks identified through the State Risk Project, power supply disruption, as well as align with the Shire's Business Continuity Plan by ensuring time critical business activities are able to be maintained, ensure that the Emergency Coordination Centre (ECC) and Welfare Centres, as identified in the Shire's Local Emergency Management & Recovery Arrangements remain functional throughout an incident, as well as supporting community groups within the Emergency Management sector to maintain assistance during times of an emergency.

The need for a mobile backup generator, including the acquisition and operating costs, have been considered by the Executive Management Team to assess the current risk and consequences associated with having or not having this facility installed. The Executive is of the view that the installation of this facility should be delayed until the new administration building is constructed in approximately three years time.

Officers recommend that Council not support the immediate funding opportunity, but request that the Department of Fire & Emergency Services hold over the allocation of this funding to enable a backup power supply to be incorporated into the new administration building. This will enable Council to incorporate the acquisition and ongoing maintenance costs into its long term financial plans, and ensure that the equipment is fit for purpose.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

222-19 MOVED - Cr. T G Gardiner SECONDED - Cr. P S Robinson

THAT Council:

1. **Acknowledges the advice from the Department of Fire and Emergency Services that the Shire of Dardanup has been successful in obtaining funding of \$44,250 under the Natural Disaster Resilience Program (NDRP) for the Shire of Dardanup Alternative Power Supply in Emergencies Project.**
2. **Instruct the Chief Executive Officer to write to the Department of Fire and Emergency Services and request that \$44,250 available under the Natural Disaster Resilience Program be held over until such time as the new administration centre is designed and construction commences.**
3. **Incorporate into the Shire of Dardanup Long Term Financial Plan a provision for matching capital contribution and ongoing maintenance and operating costs.**

CARRIED

6/0

12.12 Title: Consideration of Submission to the Western Australian Planning Commission on the Draft Fibre Ready Telecommunications Infrastructure Position Statement

Reporting Department: Sustainable Development Directorate
Reporting Officer: Mr Brenton Scambler - Manager Development Services
Legislation: Local Government Act 1995

Overview -

The Western Australian Planning Commission have released for public consultation the draft Fibre Ready Telecommunications Position Statement. The draft position statement aims to ensure appropriate internet access in future land developments within Western Australia. This report provides the submission on the Fibre Ready Telecommunications Position Statement to the WAPC from the Shire of Dardanup.

Background

The Western Australian Planning Commission (WAPC) have prepared a draft Fibre Ready Telecommunications Position Statement for public comment (Appendix ORD: 12.12A). The position statement aims to ensure that appropriate internet access is provided in future land developments within Western Australia. The position statement provides guidance on the provision of fibre ready telecommunications within greenfield and infill subdivision and development applications of land for residential, commercial and industrial purposes. The position statement has been prepared to clarify the relevant planning requirements for fibre ready facilities and telecommunications infrastructure consistent with the WAPC's *Model Subdivision Conditions Schedule*, particularly for subdivision and development where the Commonwealth *Telecommunications Act 1997* applies.

The provision of fibre ready telecommunications infrastructure and access to the internet is important for increasing the connectivity and social mobility of communities, especially in a vast region such as Western Australia. Access to the internet allows access to employment and job opportunities, access to social services, online education and health support, and social networks. The implications of not having access to fibre ready telecommunications infrastructure could include additional delays and increased costs from retrofitting developments.

Legal Implications - None.

Strategic Community Plan

Strategy 2.6.1 - To provide a variety of places to live, work and play that meet the current and future needs of the community. (Service Priority: Very High)
 Strategy 4.1.4 - To provide essential infrastructure: Facilitate the provision of essential services and infrastructure to support the growing community and local economy. (Service Priority: High)
 Strategy 5.1.6 - To encourage urban developments that foster connectivity between residents. (Service Priority: Moderate)

Environment - None.

Precedents

The Shire has previously taken a proactive role in advocating for the introduction of smart technologies and fibre telecommunications infrastructure into new subdivisions and developments. At its ordinary Council Meeting of 21 November 2018, the Council resolved:

“to make formal representation to the Western Australian Planning Commission and the Minister for Planning, Heritage and Lands to consider the inclusion of telecommunications infrastructure (inclusive of the installation of conduit for the future provision of data cabling) for new residential developments, in any future review of the model subdivision conditions.”

This draft position statement is seeking to establish a planning framework for the installation of fibre telecommunications infrastructure into new developments and subdivision areas.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment -

The draft Fibre Ready Telecommunications Infrastructure position statement provides a clear and defined requirement for the installation on fibre telecommunications infrastructure within new development areas to ensure that all new dwellings are provided with suitable internet and telecommunications access. The policy objectives of the position statement ensure that new lots created as a result of subdivision are to be provided with suitable telecommunications infrastructure in keeping with the Telecommunications Act.

Under the position statement telecommunications infrastructure is to be addressed as follows:

1. Greenfields subdivisions are generally expected to be provided with fibre ready facilities to enable fixed line connections, that is, Fibre to the Premises (FTTP), Fibre to the Curb (FTTC), Fibre to the Node (FTTN);
2. Infill subdivision proposals are expected to demonstrate that telecommunication infrastructure is available to the proposed lots;
3. Multiple dwellings and apartments are generally required to be provided with fibre ready facilities.

The position statement provides that where fixed line services are not available or planned, such as some rural areas, telecommunications services may be possible at development stage through the use of fixed wireless or satellite services.

Examples of how the provision of fibre ready telecommunications infrastructure is to be provided in new subdivision areas is shown below.

1. Example of a subdivision with no existing network that meets fibre ready requirements



2. Example of a Freehold or Survey-Strata subdivision



3. Example of a Survey-Strata subdivision with common property



The position statement outlines that carriers that install fibre have their own specifications for installing fibre ready facilities including pit and pipe, spaces and pathways. The Communications

Alliance has published a guideline that may be referred to: *Fibre Ready Pit and Pipe Specification for Real Estate Development Projects Industry Guideline (G645:2011)*. Specifications may also be set on legislative instruments under the Telecommunications Act such as conditions specified under Part 20A of the Telecommunications Act, and technical specifications under Part 21 of the Telecommunications Act and/or applicable industry codes or industry standards (including those made by the Australian Communications and Media Authority).

The draft position statement recommends that the following conditions be applied to new developments at the subdivision stage:

For Greenfields subdivision - *Arrangements being made to the satisfaction of the local government and to the specification of a suitably qualified person for the provision of fibre ready facilities to enable future connection to a telecommunications service.*

For Infill or rural/regional subdivision - *Arrangements being made to the satisfaction of the local government and to the specification of a suitably qualified person for the provision of suitable telecommunications infrastructure.*

Or alternatively, the following advice note may be considered:

Applicants are reminded of their obligations under the Telecommunications Act 1997 to provide suitable telecommunications infrastructure to the proposed lot.

In considering development applications, no specific policy measures are identified in the position statement. The WAPC have stated in the position statement that these measures will be identified in future policy guidance with respect to the built environment and apartments.

Whilst Shire Officers are supportive of the intent and planning requirement for the provision of fibre telecommunications infrastructure identified within the position statement, there is some concern regarding local government being listed as the clearing authority as provided within the proposed conditions. In this regard, the position statement outlines that carriers that install fibre have their own specifications for installing fibre ready facilities including pit and pipe, spaces and pathways which could present a substantial financial risk to local government should it remain the clearing authority for the installation of telecommunications facilities. Due to each fibre carrier potentially having different specifications for the installation of fibre facilities, it could lead to local government being liable for any additional works required if the facilities installed as part of the subdivision process does not meet a particular carrier's specifications and standards.

The draft position statement identifies that there are guidelines which may be referred, and that specifications may be set under legislative instruments, such as the Telecommunications Act. However, there is insufficient certainty within the position statement regarding the exact standards required for fibre ready facilities.

Given the potential financial risk associated with the draft conditions and local government being identified as the clearing authority, Shire Officers have taken a precautionary approach in regard to the position statement and recommend that the WAPC or the NBN Co being identified as the clearing authority in regards to the proposed conditions.

The submission is provided as Appendix ORD 12.12B to this item.

Council Role - Advocacy.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

223-19

MOVED - Cr. J Dow

SECONDED -

Cr. L Davies

THAT Council endorses the letter of reply titled Submission on the Draft Fibre Ready Telecommunications Infrastructure Position Statement (Appendix ORD: 12.12B) as the formal submission on the Draft Fibre Ready Telecommunications Infrastructure Position Statement from the Shire of Dardanup.

CARRIED
6/0

12.13 Title: WA Local Government Association – Annual General Meeting Member Motions

Reporting Department: Executive
Reporting Officer: Mr André Schönfeldt – Chief Executive Officer
Mrs Gaylene Godfrey - CEO Personal Assistant
Legislation: Local Government Act 1995

Background

The Annual General Meeting of the Western Australian Local Government Association is to be held on Wednesday, 7 August 2019 at the Perth Convention Exhibition Centre.

The Notice of Annual General Meeting is attached at (Appendix ORD: 12.13A), together with a full copy of the AGM Agenda at (Appendix ORD: 12.13B)

Council is to consider the recommended motions and direct their delegates (Cr. MT Bennett and Cr. P Robinson) how they are to vote at the convention.

Legal Implications - None.

Strategic Community Plan -

Outcome 1.5.2 of the Strategic Community Plan.

Environment - None.

Precedents -

In previous years where the Council has no policy on a matter going before the WALGA AGM the Council has given approval for the delegates to vote according to any new information debated at the meeting, otherwise delegates are to vote in accordance with Councils direction.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low

Officer Comment

The motions for consideration are as follows, with more details regarding the motion and members comments included in Appendix 12.13B.

3.1 *Costal Erosion*

IN BRIEF

- *WALGA advocate for more resources to be provided to Coastal Councils to manage coastal hazards.*
- *Intergovernmental Agreement to develop a coordinated national approach to Coastal Issues.*

MOTION

That WALGA advocate to the Federal and State Governments with respect to the importance of responding to the increasing challenges faced by Coastal Councils, and develop policy initiatives to include:

- 1. Introduction of a national funding formula to provide the resources necessary to manage and maintain the coast effectively on behalf of all Australians, including the funds needed to increase the adaptive capacity of Councils to address climate impacts.*
- 2. Allocation of additional Financial Assistance Grants to address coastal hazards, and broadening of the range of 'disabilities' listed under Financial Assistance Grants to include factors such as the vulnerability of coastal areas and communities to coastal hazards.*
- 3. Development of an intergovernmental agreement on the Coastal Zone that will provide a co-ordinated national approach to coastal governance through and in cooperation with Australian state, territory and local governments and clearly define the roles and responsibilities of each tier of government in relation to coastal zone management.*
- 4. Creation of a National Coastal Policy, the basis of which is formed by the intergovernmental agreement on the Coastal Zone, that outlines the principles, objectives and actions to be taken to address the challenges of integrated coastal zone management for Australia.*
- 5. An increase in funding for Australian climate science research programs conducted by CSIRO and other research bodies, including the restoration of funding for the National Climate Change Adaption Research Facility or establishment of a similar body, and continuing support for CoastAdapt. This is essential to ensure that appropriate guidance in responding to coastal hazards is accessible by Australia's coastal Councils so that coastal communities and assets are adequately prepared to address the adverse effects of climate change impacts.*

Officer Comment

Shire of Dardanup Officers are generally supportive of this motion. However, there is some concern regarding point 2 above, where by it may result in reduced Financial Assistance Grants to inland communities.

If however an alternative source of funding could be sourced instead of the Financial Assistance Grants, then our officers would be in full support. In line with this it is suggested that the Chief Executive Officer write to the Shire of Gingin regarding consideration of alternative grant.

3.2 Department of Housing Leasing Residential Property to Charitable Organisations**IN BRIEF**

- *Department of Housing policy and practice to lease housing assets, to not for profit organisations is eroding Local Governments' rate base.*

MOTION**WALGA advocate to the Minister for Housing to:**

1. *Cease the policy of the Department of Housing leasing their housing assets to charitable/not for profit organisations who are then eligible for charitable Local Government rate exemptions; or*
2. *Provide Local Governments with a rate equivalent payment annually as compensation for the loss of rates income; or*
3. *Include in the lease agreements with charitable institutions that they must pay Local Government rates on behalf of the Department of Housing recognising the services Local Government provides to its tenants.*

Officer Comment

Officer are fully supportive of this motion, recognising its charitable purpose.

3.3 **Motorist Taxation Revenue and Spending in WA**

IN BRIEF

- *Fair distribution of funding from motorists to road maintenance, congestion and road safety is sought.*
- *An inquiry into road user pricing should be established.*

MOTION

To support the independent position of the RAC, that WALGA call on the State and Federal Government to:

- 1. *Provide a fairer distribution of funding from revenue collected from Western Australian motorists (consistently a minimum of 50%) to remediate Western Australia's \$845m road maintenance backlog and tackle the increasing costs of congestion and road trauma, to deliver productivity and liveability outcomes; and***
- 2. *Hold an inquiry into road user pricing as part of a broader reform of motorist taxation that would remove revenue raising fees and charges, and / or hypothecate money collected for the provision of transport infrastructure and services.***

Officer Comment

Officers are supportive of this motion, particularly the increased percentage of funding for remediation of roads. However the same concern is shared by officers as is raised by the WALGA Secretariat in their comments within the agenda (Appendix 12.13B) as quoted below:

"If roads are to become a priced utility (like power or water networks) an important consideration would be sustainable funding for low traffic volume roads, all of which are the responsibility of Local Governments. There remains an important role for all levels of government to support the provision of basic road services to ensure social mobility, economic welfare, road safety and public security. Any reforms to road investment and charging arrangements must be mindful of how best to integrate roads as an economic service with roads as a community service obligation."

It is noted that the proposal is for an inquiry only and at the conclusion of that process it will require further consideration.

3.4 Biosecurity Groups (RBGs)

IN BRIEF

- *Current WALGA policy position is that local government isn't supportive of Recognised Biosecurity Groups (RBGs).*
- *Since development of this policy position 16 RBGs have been established in Western Australia, covering land within 61 separate local governments.*
- *Individual local governments can be discouraged from trying to work with the RBG in its area due to the current sector policy provision.*
- *It is timely to review the current policy position.*

MOTION

That WALGA revokes its current policy position of not supporting the establishment and operations of Recognised Biosecurity Groups (RBGs) and that the decision on whether to support RBGs is to rest with individual Local Governments.

Officer Comment

Officers are supportive of this motion, particularly considering WALGA are intending to review the current policy position in line with the upcoming ministerial review of the Biosecurity and Agriculture Management Act (2007), due to occur in the second quarter of 2020. This would make the above motion a very timely consideration.

Officers also support the Shire of Bridgetown-Greenbushes assertion of the primacy of each member to make its own decisions, in accordance with its community's desires and expectations.

3.5 WALGA Members Support for Waste to Energy

IN BRIEF

- Seeking support for the Waste Strategy: Western Australia's Waste Avoidance and Resource Recovery Strategy 2030 from WALGA Members.
- To seek firm commitments from the State Government as to how it will be achieved, including alternative options and incentives to reduce and eventually eliminate reliance on landfill.

MOTION

That WALGA continue to support Western Australia's Waste Avoidance and Resource Recovery Strategy 2030 and seek firm commitments from the State Government about how the waste avoidance, resource recovery and diversion from landfill targets will be achieved, including local options for reprocessing, recycling and waste to energy.

In particular these commitments should clearly indicate how the State Government will cease the proliferation of landfills in the non-metropolitan areas which are predominantly taking metropolitan waste or waste generated elsewhere in the state including mining and construction camps. These commitments should encourage alternative options and outline what incentives the Government will put in place to reduce, and eventually eliminate, our reliance on landfill.

ATTACHMENTS

Attachment 1 – Waste Avoidance and Resource Recovery Strategy 2030 (Appendix 12.13C)

http://www.wasteauthority.wa.gov.au/media/files/documents/Waste_Avoidance_and_Resource_Recovery_Strategy_2030.pdf

Attachment 2 – Waste Avoidance and Resource Recovery Strategy Action Plan 2030 (Appendix 12.13D)

http://www.wasteauthority.wa.gov.au/media/files/documents/Waste_Avoidance_and_Resource_Recovery_Strategy_2030_Action_Plan.pdf

Attachment 3 – Waste to Energy Position Statement (Appendix 12.13E)

https://www.wasteauthority.wa.gov.au/media/files/documents/W2E_Position_Statement.pdf

Attachment 4 – WALGA Waste to Energy Discussion Paper for Local Government (Appendix 12.13F)

<https://www.dropbox.com/s/7ihc97m8p056nk1/Attachment%204%20-%20W2E%20Discussion%20Paper%20FINAL.pdf?dl=0>

Officer Comment

This motion has been tabled to WALGA by the Shire of Dardanup. As such, it is recommended that this motion be supported.

3.6 Membership of Development Assessment Panels

IN BRIEF

- *DAP includes 3 experts and 2 elected members, which is considered by DoPLH as a balanced decision-making framework;*
- *There is a need to strengthen transparency and increase public respect for the DAP process;*
- *It is proposed that WALGA advocate for increasing local government membership on DAP.*

MOTION

That WALGA investigate increasing Local Government membership in Development Assessment Panels.

Officer Comment

Officers are generally supportive of increasing Local Government membership in Development Assessment Panels in line with being able to maintain a balanced level of input into the associated decisions being made.

3.7 *Review of the Mining Act 1978*

IN BRIEF

- *FIFO and DIDO to be limited in a reviewed Mining Act, similar to the Stronger Resource Communities Act in Qld*
<https://www.legislation.qld.gov.au/view/whole/pdf/inforce/current/act-2017-028>
- *That an MOU with Councils is addressed as a compulsory part of the mining application process*
- *That the MOU forms part of the Audit process of the relevant Local Government*

MOTION

That:

1. ***WALGA requests that the Hon. Bill Johnston, Minister for Mines and Petroleum, undertakes a review of the outdated Mining Act 1978 and that the revision address FIFO and DIDO, and its impact on local communities; and***
2. ***The Mining application process includes a mandatory MOU with the Local Government which would be overseen by the Auditor General to ensure fairness to the Community by having the mining company contribute to local infrastructure as a Legacy project.***

Officer Comment

Officers are generally supportive of this motion, however would like to see the review include mining related waste management, such as tailings, which isn't addressed within the Mining Act 1978 currently.

3.8 Financial Assistance Grant**IN BRIEF**

- *Acknowledges the importance of federal funding through the Financial Assistance Grants program for the continued delivery of Council services and infrastructure;*
- *Expresses its concern about the decline in the value of Financial Assistance Grants funding at the national level from an amount equal to around 1% of Commonwealth Taxation Revenue in 1996 to a current figure of around 0.55%.; and*
- *Calls on all political parties contesting the 2019 Federal Election and their local candidates to support the Australian Local Government Association's call to restore the national value of Financial Assistance Grants funding to an amount equal to at least 1 % of Commonwealth Taxation revenue and therefore to provide a Fairer Share of Federal funding for our local communities.*

MOTION

That WALGA requests the Hon. Minister of Local Government and Communities David Templeman to assist all Local Governments to Lobby the Federal Government to retain the Financial Assistance Grant at one percent of the of Commonwealth Taxation Revenue.

Officer Comment

Officers are in full support of this motion to retain the Financial Assistance Grant rate at one percent of the Commonwealth Taxation Revenue, as opposed to seeing a decline in funding available.

3.9 Third Party Appeal Rights**IN BRIEF**

- *Further amendments proposed to the Preferred Model for Third Party Appeals Process.*

MOTION

1. *That there be an amendment to the Third Party Appeals Process Preferred Model, being that third parties in addition to Local Governments are able to make an appeal.*
2. *That there be an amendment to the Third Party Appeals Process Preferred Model, being that third parties are able to appeal decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels.*

Officer Comment

Officers are supportive of this motion.

Council Role - Advocacy.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

224-19 MOVED - Cr. P S Robinson SECONDED - Cr. J Dow

THAT Council:

1. **Directs Council's delegates to the Western Australian Local Government Association 2019 Annual General Meeting (Cr. M.T Bennett and Cr. P Robinson) to vote as follows:**

ITEM FOR DECISION	FOR ✓	AGAINST ✓
3.1 Coastal Erosion	✓	
3.2 Department of Housing Leasing Residential Property to Charitable Organisations	✓	
3.3 Motorist Taxation Revenue and Spending in WA	✓	
3.4 Biosecurity Groups (RBGs)		✓
3.5 WALGA Members Support for Waste to Energy	✓	
3.6 Membership of Development Assessment Panels	✓	

ITEM FOR DECISION	FOR ✓	AGAINST ✓
3.7 Review of the <i>Mining Act 1978</i>	✓	
3.8 Financial Assistance Grant	✓	
3.9 Third Party Appeal Rights		✓

2. Requests the Chief Executive Officer to write to the Shire of Gingin requesting consideration be given to locating an alternative source of funding to address coastal hazards.

CARRIED
6/0

12.14 Title: Schedule of Paid Accounts as at 17 July 2019

<i>Reporting Department:</i>	<i>Corporate & Community Services</i>
<i>Reporting Officer:</i>	<i>Mrs Renée Thomson – Accounts Payable Officer Mr Ray Pryce – Accountant Financial Services</i>
<i>Legislation:</i>	<i>Local Government (Financial Management) Regulations 1996</i>

Overview

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

Background

Council delegates authority to the Chief Executive Officer annually:

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

Legal Implications

Local Government Act 1995

S6.5. *Accounts and records*

Local Government (Financial Management) Regulations 1996

R11. *Payments, procedures for making etc.*

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

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

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

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

- (ii) *the amount of the payment; and*
 - (iii) *sufficient information to identify the transaction;*
 - and*
 - (b) *the date of the meeting of the Council to which the list is to be presented.*
- (3) *A list prepared under subregulation (1) or (2) is to be —*
- (a) *presented to the Council at the next ordinary meeting of the Council after the list is prepared; and*
 - (b) *recorded in the minutes of that meeting.*

Strategic Community Plan

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

Environment - None.

Precedents

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

Budget Implications

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

Budget – Whole of Life Cost - None.

Council Policy Compliance

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

Risk Assessment - Low.

Officer Comment

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

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

225-19 MOVED - Cr. T G Gardiner SECONDED - Cr. P S Robinson

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

Payment	Date	Name	Invoice Description	Fund	Amount
ELECTRONIC FUNDS TRANSFER					
EFT34285	20/06/2019	Access Wellbeing Services	EAP Consultations	MUNI	374.00
EFT34286	20/06/2019	Alex Carter-Raftos	Umpire Recoup Netball 18-06-2019	MUNI	44.00
EFT34287	20/06/2019	All Aussie Truck & Bobcat Services	Transfer Station Maintenance & Clean Up	MUNI	1,925.00
EFT34288	20/06/2019	Amity Signs	Rural Street Numbering 2018/19	MUNI	85.80
EFT34289	20/06/2019	Amy Helen Lawrence	Uniform Reimbursement	MUNI	60.00
EFT34290	20/06/2019	Anita Ettridge	Umpire Recoup Netball 17-06-2019	MUNI	22.50
EFT34291	20/06/2019	Australind/Eaton Medical Centre	Medical Expenses - to be Recouped from LGIS	MUNI	243.30
EFT34292	20/06/2019	AXIO Maintenance & Construction	ERC - Installation of the New Boxing Frame	MUNI	643.50
EFT34293	20/06/2019	B Watts Panel & Paint Repairs	Panel & Paint Work for DA 8222 & DA9287	MUNI	1,584.00
EFT34294	20/06/2019	Big W	Purchase of TV for the Library	MUNI	399.00
EFT34295	20/06/2019	Blaine Thompson	Umpire Recoup Netball 18-06-2019	MUNI	44.00
EFT34296	20/06/2019	Brandicoot	Use of Web Services & Support - Eaton Community Library & Wanju	MUNI	337.00
EFT34297	20/06/2019	Brody England	Umpire Recoup Netball 18-06-2019	MUNI	44.00
EFT34298	20/06/2019	Brownes Foods Operations Pty Ltd	ERC - Cafe Stock	MUNI	130.15
EFT34299	20/06/2019	Bullivants Pty Ltd - Sling Rig	Rated Rope to Comply With OHS	MUNI	209.28

Payment	Date	Name	Invoice Description	Fund	Amount
EFT34300	20/06/2019	Bunbury Coffee Machines	ERC- Cafe Order	MUNI	287.00
EFT34301	20/06/2019	Bunbury Harvey Regional Council	Stanley Rd - Banksia Rd - Hook Bin - Regional Waste	MUNI	8,103.65
EFT34302	20/06/2019	Bunbury Holden	Repairs to Ignition Key Barrel DA9279	MUNI	688.16
EFT34303	20/06/2019	Bunbury Mower Service	Repair Chainsaw & Mower	MUNI	412.00
EFT34304	20/06/2019	Bunnings Group Limited	Wood Paint Fasteners - Bench Repair Hunters Park - General Repairs & Maintenance	MUNI	625.13
EFT34305	20/06/2019	Cape Shades Pty Ltd	Remove & Repair Damaged Shade Sails	MUNI	363.00
EFT34306	20/06/2019	CB Traffic Solutions	Road Maintenance & Traffic Management Golding Cr, Townsite & Pile Road	MUNI	6,667.65
EFT34307	20/06/2019	Chamber of Arts & Culture WA	Public Art Training - Program Officer & Events Officer	MUNI	198.00
EFT34308	20/06/2019	Ciphertel Pty Ltd T/A Gateway Internet Services	Monthly Account for Point to Point Microwave Service	MUNI	2,893.00
EFT34309	20/06/2019	City of Bunbury	2018/19 Leschenault CLAG Contribution - Mosquito Control & Advertising	MUNI	8,250.00
EFT34310	20/06/2019	Civil & Structural Engineers	Provision of Structural Certification of Pylon Sign Plan	MUNI	742.50
EFT34311	20/06/2019	Cleanaway Solid Waste Pty Ltd	Kerbside Waste Collection & Landfill Waste	MUNI	3,335.72
EFT34312	20/06/2019	Coates Hire Ltd	Hire & Pick Up of Portable Toilet	MUNI	996.85
EFT34313	20/06/2019	Connect Call Centre Services	After Hours Call Centre Service	MUNI	418.28

Payment	Date	Name	Invoice Description	Fund	Amount
EFT34314	20/06/2019	Construction Training Fund BCITF	BCITF Remittance May 2019	MUNI	1,906.07
EFT34315	20/06/2019	Craven Foods	ERC - Cafe Stock	MUNI	70.76
EFT34316	20/06/2019	Cross Security Services	ERC - Security Monitoring	MUNI	143.00
EFT34317	20/06/2019	Daniel Anderson Consulting Pty Ltd	Project Councillor Portal - Standard Delivery	MUNI	18,150.00
EFT34318	20/06/2019	Daniel Bryant	Umpire Recoup Basketball 19-06-2019	MUNI	132.00
EFT34319	20/06/2019	Dapco Tyre & Auto Centre	New Tyres & Wheel Alignment DA9668	MUNI	1,119.00
EFT34320	20/06/2019	Dardanup Rural Supplies	Star Pickets - Road Maintenance Garvey Road	MUNI	34.00
EFT34321	20/06/2019	Data #3 Limited	Microsoft Azure Services	MUNI	279.99
EFT34322	20/06/2019	David Rawet	Library Programs - Live Music In the Library - December	MUNI	100.00
EFT34323	20/06/2019	Debra Rodden	Yoga Instruction x 3	MUNI	180.00
EFT34324	20/06/2019	Dell Australia Pty Ltd	Laptop Charger Events Officer	MUNI	51.03
EFT34325	20/06/2019	Department for LG & Communities	Annual Fee for Vacation Care 2019 - 2020	MUNI	311.00
EFT34326	20/06/2019	DWER	Clearing Permit for Across Shire for Typha Orientalis	MUNI	200.00
EFT34327	20/06/2019	Deputec Pty Ltd	ERC - Deputy Roster Software 2018/2019	MUNI	109.56
EFT34328	20/06/2019	DX Print Group Pty Ltd	Dog Registration Books	MUNI	1,022.00
EFT34329	20/06/2019	Darryl Fishwick	Umpire Recoup Netball 18-06-2019	MUNI	66.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT34330	20/06/2019	Dennis Hewett	Uniform Reimbursement	MUNI	178.75
EFT34332	20/06/2019	Eaton Pet Vet	Canine Euthanasia & Burial	MUNI	75.00
EFT34333	20/06/2019	Evelyn Butchart	Catering Southwest Zone Meeting & Road Safety Alliance Meeting	MUNI	668.20
EFT34334	20/06/2019	Fit Right Sit Tight	Fit Right Sit Tight Car Seat Checks - June	MUNI	200.00
EFT34335	20/06/2019	Fulton Hogan Industries WA	Bags Ezstreet - Road Maintenance	MUNI	177.10
EFT34336	20/06/2019	Gareth Webber	Uniform Reimbursement	MUNI	209.98
EFT34337	20/06/2019	Gaylene Godfrey	Reimbursement for iTunes Card for CEO iPad	MUNI	20.00
EFT34338	20/06/2019	Go Electrical Contracting	ERC- Building Maintenance	MUNI	2,083.84
EFT34339	20/06/2019	Harvey Norman	Lifeproof iPhone 8 Case - DFES Officer	MUNI	30.95
EFT34340	20/06/2019	Heatleys	Protective Clothing	MUNI	341.97
EFT34341	20/06/2019	Hynes Contracting	Spread Gravel in Laneway & Tree Removals	MUNI	1,375.00
EFT34342	20/06/2019	IT Vision Australia Pty Ltd	Payroll Training EOFY Procedures - Payroll Officer	MUNI	275.00
EFT34343	20/06/2019	James Reilly	Uniform Reimbursement	MUNI	25.00
EFT34344	20/06/2019	Jason Carroll Naturopath	ERC - Ideal Breakfast Shake	MUNI	510.40
EFT34345	20/06/2019	Jason Signmakers	Supply Road Signs - Crooked Brook Road & Eaton Family Centre	MUNI	1,908.51
EFT34346	20/06/2019	Josie Phillips	Umpire Recoup Netball 18-06-2019	MUNI	90.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT34347	20/06/2019	June Keil	Library Programs - Grow Your Own Food: Blueberries - April	MUNI	100.00
EFT34348	20/06/2019	Kaitlyn O'Dea	Umpire Recoup Netball 18-06-2019	MUNI	157.50
EFT34349	20/06/2019	Karyn Rowe	Umpire Recoup Netball 18-06-2019	MUNI	225.00
EFT34350	20/06/2019	Kmart	Kitchen Crockery & Utensils for Fire Brigade Station	MUNI	208.50
EFT34351	20/06/2019	Kryptomine Pty Ltd	Applications Support Contract	MUNI	700.00
EFT34352	20/06/2019	Les Mills Asia Pacific	Monthly Music Licence Fees	MUNI	1,222.50
EFT34354	20/06/2019	Monitored Electronics	ERC - Duress Alarm System Monitoring	MUNI	57.20
EFT34355	20/06/2019	Nayax	ERC - License Fee	MUNI	16.51
EFT34356	20/06/2019	Nites Electrical	Investigation Light Faults Sindhi Park	MUNI	660.00
EFT34357	20/06/2019	Nathan Stacey	Umpire Recoup Netball 18-06-2019	MUNI	132.00
EFT34358	20/06/2019	O'Brien Glass Industries Limited	DA9668 Subaru Windscreen Repair	MUNI	1,011.90
EFT34359	20/06/2019	Officeworks Superstores Pty Ltd	iPhone 6 Life Proof Case - Senior Ranger	MUNI	97.00
EFT34360	20/06/2019	Onsite Rental Group	Monthly Hire of Ablution Block at Banksia Refuse Site	MUNI	862.40
EFT34361	20/06/2019	P E Civil	Remove Waste Sand & Blue Metal Shape Drain	MUNI	3,679.50
EFT34362	20/06/2019	Perfect Landscapes	Mowing - Various Parks & Ovals	MUNI	4,262.50
EFT34363	20/06/2019	PFD Food Services Pty Ltd	ERC - Cafe Stock	MUNI	365.50

Payment	Date	Name	Invoice Description	Fund	Amount
EFT34364	20/06/2019	PFI Supplies	Eaton & Dardanup Office Supplies	MUNI	424.55
EFT34365	20/06/2019	Pollen Nation	Library Programs - Smudge Sticks - June	MUNI	265.00
EFT34366	20/06/2019	Promote You	Embroidery of Staff Uniforms	MUNI	53.90
EFT34367	20/06/2019	QK Technologies Pty Limited	Qikpay Usage	MUNI	5.05
EFT34368	20/06/2019	RJ Pestell Family Trust Ta Subway Treendale	Meals for BFAC Meeting	MUNI	90.00
EFT34369	20/06/2019	Schweppes Australia Pty Ltd	ERC - Cafe Stock	MUNI	194.44
EFT34370	20/06/2019	Sealinks Plumbing	Replace Stolen Valve - Softball Pavilion	MUNI	551.10
EFT34371	20/06/2019	Soundwave Car Stero	Replacement of Vehicle Camera DA9287	MUNI	814.00
EFT34372	20/06/2019	South West Sand Cleaning	Sand Cleaning of Glen Huon Playground - Burekup PS Playground	MUNI	1,168.75
EFT34373	20/06/2019	South West Septics	ERC - Empty Grease Traps	MUNI	264.00
EFT34374	20/06/2019	Southern Lock & Security	Replacement Padlock for Power Box at Sindhi Park	MUNI	68.65
EFT34375	20/06/2019	Spraymow Services	Application of Iron Maid to Glen Huon Oval	MUNI	355.00
EFT34376	20/06/2019	Telstra	Telephone & Various Lines Shire of Dardanup - All Mobiles & iPads	MUNI	10,769.67
EFT34377	20/06/2019	The Passionate Baker	ERC - Breads & Cakes for Cafe	MUNI	106.95
EFT34378	20/06/2019	The Workwear Group	Staff Uniform - Principal Planning Officer	MUNI	165.75
EFT34379	20/06/2019	Therese Price	Umpire Recoup Netball 18-06-2019	MUNI	157.50

Payment	Date	Name	Invoice Description	Fund	Amount
EFT34380	20/06/2019	Tracey Tupaea	Umpire Recoup Netball 17-06-2019	MUNI	66.00
EFT34381	20/06/2019	Tutt Bryant Hire	Hire of 3.5 Ton Excavator to Pile Rd & Banksia Rd	MUNI	6,227.10
EFT34382	20/06/2019	Toll Transport	Postage & Freight - Various Departments	MUNI	203.61
EFT34383	20/06/2019	Vanessa Black	Umpire Recoup Netball 14-06-2019	MUNI	45.00
EFT34384	20/06/2019	VEEV Group	LG Consortia Cyber Security Audit 2019	MUNI	6,961.80
EFT34385	20/06/2019	WALGA	Emergency Management In A Changing Climate - Staff Training Development Services	MUNI	297.00
EFT34386	20/06/2019	West Australian Mechanical Services Pty Ltd	Air Conditioning Quarterly Maintenance Inspection - Eaton Admin	MUNI	1,801.58
EFT34387	20/06/2019	WINC - Australia Pty Ltd	Stationery Supplies Eaton Admin - ERC & Community Services	MUNI	1,380.26
EFT34388	20/06/2019	WML Consultants	Consulting Services for Submission of Black Spot Applications	MUNI	1,287.00
EFT34389	20/06/2019	Wood and Grieve Engineers	Provision of Services for the Design of Harris Road Upgrade	MUNI	12,973.68
EFT34390	20/06/2019	Woolworths Group Limited	ERC Cafe Stock & Eaton Office General Supplies	MUNI	505.86
EFT34391	20/06/2019	Work Clobber	Work Uniforms & Protective Clothing	MUNI	779.82
EFT34392	27/06/2019	Leila Cooper	Refund of Community Centre Hire Bond	TRUST	250.00
EFT34393	27/06/2019	Shire of Dardanup	BWGOC Trust Funds for SW Regional Waste Group Project Officer	TRUST	3,400.50
EFT34394	27/06/2019	21 Graphic Design Pty Ltd	Calendar of Events - Design	MUNI	346.50

Payment	Date	Name	Invoice Description	Fund	Amount
EFT34395	27/06/2019	Alison Meachem	Library Programs - Watercolour Doodling - June	MUNI	195.00
EFT34396	27/06/2019	All Aussie Truck and Bobcat Services	Transfer Station Maint. & General Road Maintenance Clean Up	MUNI	1,430.00
EFT34397	27/06/2019	Amanda Curtin	ECL - Author Presentation and Discussion	MUNI	200.00
EFT34398	27/06/2019	Amelia Kaitani	Umpire Recoup Netball 24-06-2019	MUNI	66.00
EFT34399	27/06/2019	Amy Helen Lawrence	Uniform Reimbursement	MUNI	30.00
EFT34400	27/06/2019	Ann-Louise Willoughby	Author Presentation & Discussion - ECL	MUNI	200.00
EFT34401	27/06/2019	Ausq Training	Basic Worksite Traffic Management Reaccreditation - Staff Training	MUNI	678.00
EFT34402	27/06/2019	Australian Tax Office	PAYG Withholding - Payrun 28-06-2019	MUNI	73,379.00
EFT34403	27/06/2019	Blaine Thompson	Umpire Recoup Basketball 26-06-2019	MUNI	44.00
EFT34404	27/06/2019	Boyles Plumbing & Gas	Works Completed Brooksy Place Burekup & Dardanup Oval Toilets	MUNI	273.63
EFT34405	27/06/2019	Brandicoot	Use of Web Services & Support ERC	MUNI	165.00
EFT34406	27/06/2019	Brownes Foods Operations Pty Ltd	ERC - Cafe Stock	MUNI	76.86
EFT34407	27/06/2019	Bunbury Holden	Service to Holden Colorado - DA9279	MUNI	495.30
EFT34408	27/06/2019	Bunbury Machinery	Maintenance Parks & Gardens	MUNI	66.30
EFT34409	27/06/2019	Bunbury Tyrepower - Picton	Tyre Repairs - Hire Roller & Grader	MUNI	389.00
EFT34410	27/06/2019	Bunnings Group Limited	Art Supplies for Project & Pliers for Fencing Repairs	MUNI	599.98

Payment	Date	Name	Invoice Description	Fund	Amount
EFT34411	27/06/2019	Carmel Boyce	Councillor Allowance	MUNI	1,149.50
EFT34412	27/06/2019	Caroline Mears	Library Programs - Chair Yoga & International Yoga Day - June	MUNI	270.00
EFT34413	27/06/2019	Cecilia Muller	Reimbursement - hardware for street numbering purposes	MUNI	95.70
EFT34414	27/06/2019	Civil & Structural Engineers	Bowling Club Structural Report	MUNI	1,897.50
EFT34415	27/06/2019	Cleanaway Solid Waste Pty Ltd	Kerbside Waste Collection & Landfill Waste	MUNI	4,989.89
EFT34416	27/06/2019	CLPS Pty Ltd Atf the CLPS Unit Trust	Refund - Debtor 27305 - Overpaid Account	MUNI	283.80
EFT34417	27/06/2019	Collins Booksellers	Author Talk Books	MUNI	69.98
EFT34418	27/06/2019	Craven Foods	ERC - Cafe Stock	MUNI	377.40
EFT34419	27/06/2019	Caltex Energy WA	Kerosene - Sundry Plant & Trailer	MUNI	181.72
EFT34420	27/06/2019	Daniel Bryant	Umpire Recoup Basketball 26-06-2019	MUNI	154.00
EFT34421	27/06/2019	Dapco Tyre and Auto Centre	Tyres & Wheel Alignment DA9429 & DA 9136	MUNI	1,009.00
EFT34422	27/06/2019	Dardanup Garage & Service Station	Abandoned Vehicle Call Out	MUNI	92.40
EFT34423	27/06/2019	Data #3 Limited	SAP Crystal Reports 2016 Licence	MUNI	1,068.91
EFT34424	27/06/2019	DFES	2018/19 Emergency Services Levy (ESL) Quarter 4	MUNI	65,346.64
EFT34425	27/06/2019	Dardanup Tavern	Councillor Shire Bus Tour & Lunch	MUNI	225.00
EFT34426	27/06/2019	Darryl Fishwick	Umpire Recoup Basketball 26-06-2019	MUNI	88.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT34427	27/06/2019	Dean Pitts	Pizza for Author Talk Event	MUNI	24.75
EFT34428	27/06/2019	Eaton Bowling & Social Club Inc.	Library Programs - Barefoot Bowls - March	MUNI	112.00
EFT34429	27/06/2019	Eaton Pet Vet	Feline Euthanasia & Burial	MUNI	75.00
EFT34430	27/06/2019	Emma Woollams	Umpire Recoup Netball 24-06-2019	MUNI	66.00
EFT34431	27/06/2019	Evelyn Butchart	Light Lunch for Citizenship Ceremony 17 June 2019	MUNI	308.00
EFT34432	27/06/2019	Fuji Xerox Australia Pty Ltd	Lease for Photocopiers	MUNI	4,785.00
EFT34433	27/06/2019	Hal Trevor Davison	Rates Refund for Assessment A9833	MUNI	480.85
EFT34434	27/06/2019	Health Insurance Fund of WA	Payroll Deductions	MUNI	114.95
EFT34435	27/06/2019	Heatleys	Protective Clothing	MUNI	267.85
EFT34436	27/06/2019	Hynes Contracting	Road Maintenance - Gravel Supplied	MUNI	770.00
EFT34437	27/06/2019	IVC Computer Services	Hard Drives Purchased	MUNI	800.00
EFT34438	27/06/2019	James Lee	Councillor Allowance	MUNI	1,149.50
EFT34439	27/06/2019	Janice Dow	Councillor Allowance	MUNI	1,149.50
EFT34440	27/06/2019	Jennylee Maaka	Umpire Recoup Netball 21-06-2019	MUNI	60.00
EFT34441	27/06/2019	Jo Jingles South West	Library Programs - Early Learning Sessions - June	MUNI	2,200.00
EFT34442	27/06/2019	Josie Phillips	Umpire Recoup Netball 24-06-2019	MUNI	157.50

Payment	Date	Name	Invoice Description	Fund	Amount
EFT34443	27/06/2019	June Keil	Library Programs - Growing Roses Workshop - June	MUNI	100.00
EFT34444	27/06/2019	Karyn Rowe	Umpire Recoup Netball 25-06-2019	MUNI	157.50
EFT34445	27/06/2019	Kryptomine Pty Ltd	Sharepoint Consulting - System Analysis & Infrastructure Upgrade Preparation	MUNI	550.00
EFT34446	27/06/2019	Leschenault Community Nursery Inc.	New Plants - Parks & Gardens Various Locations	MUNI	918.75
EFT34447	27/06/2019	Luke Davies	Councillor Allowance	MUNI	1,149.50
EFT34448	27/06/2019	Maria Nelson	Refund of Difference Unsterilized to Sterilised Dog Registration Fee	MUNI	15.00
EFT34449	27/06/2019	Marie Wilkinson	Library Programs Workshop - June	MUNI	626.00
EFT34450	27/06/2019	Matthew Thomson	Personal Development Grant	MUNI	400.00
EFT34451	27/06/2019	Mckayhla Pomare	Umpire Recoup Basketball 26-06-2019	MUNI	22.00
EFT34452	27/06/2019	Mcleods Barristers & Solicitors	Legal Advise - Groundwater Monitoring Data	MUNI	5,562.15
EFT34453	27/06/2019	Michael Bennett	Councillor Allowance	MUNI	3,802.34
EFT34454	27/06/2019	Nites Electrical	Repairs to Lights Replacement of Ballasts & Igniters	MUNI	1,811.92
EFT34455	27/06/2019	Nathan Stacey	Umpire Recoup Basketball 26-06-2019	MUNI	132.00
EFT34456	27/06/2019	Officeworks Superstores Pty Ltd	Brady Sharps Container - Health Department	MUNI	45.40
EFT34457	27/06/2019	Patricia Perks	Councillor Allowance	MUNI	1,149.50

Payment	Date	Name	Invoice Description	Fund	Amount
EFT34458	27/06/2019	Perfect Landscapes	Broad Leaf Weed Control Turf Areas & Mowing Various Parks/Ovals	MUNI	4,191.00
EFT34459	27/06/2019	Pete Lewis	Library Programs - Live Music In the Library - June	MUNI	80.00
EFT34460	27/06/2019	Peter Robinson	Councillor Allowance	MUNI	1,683.08
EFT34461	27/06/2019	PFD Food Services Pty Ltd	ERC - Cafe Stock	MUNI	403.95
EFT34462	27/06/2019	Picton Civil Pty Ltd	Crooked Brook Road Reconstruction Drainage Works	MUNI	61,176.81
EFT34463	27/06/2019	Picton Tyre Centre Pty Ltd	Replace Damaged Tyre DA429	MUNI	175.00
EFT34464	27/06/2019	Polylink Piping Systems Pty Ltd	Polypipe - Road Maintenance	MUNI	310.20
EFT34465	27/06/2019	Prime Supplies	Goggles for Rangers	MUNI	84.88
EFT34466	27/06/2019	Raelene Tedd	Umpire Recoup Netball 25-06-2019	MUNI	90.00
EFT34467	27/06/2019	Rock N Roll High	Library Programs - Live Music in the Library - June	MUNI	200.00
EFT34468	27/06/2019	Ryan Baker	Umpire Recoup Basketball 26-06-2019	MUNI	88.00
EFT34469	27/06/2019	Schweppes Australia Pty Ltd	ERC - Cafe Stock	MUNI	225.26
EFT34470	27/06/2019	Shire of Dardanup	Dardanup Works Depot Decommission - Building Services Levy	MUNI	61.65
EFT34471	27/06/2019	Siveryogies Dojoh Pty Ltd	Library Programs - Calming Your Anxious Teens - June	MUNI	250.00
EFT34472	27/06/2019	Swiftworks Pty Ltd	Solution Model for Volunteer Management	MUNI	3,000.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT34473	27/06/2019	Synergy	Elec. Account for Eaton Administration Centre & Various Locations	MUNI	9,085.54
EFT34474	27/06/2019	The Print Shop	Advertising - Fire Prevention	MUNI	1,623.00
EFT34475	27/06/2019	Therese Mary Hynes	Rates Refund for Assessment A7111	MUNI	2,294.55
EFT34476	27/06/2019	Therese Price	Umpire Recoup Netball 25-06-2019	MUNI	90.00
EFT34477	27/06/2019	Tutt Bryant Hire	Hire of Multi Roller for Various Locations	MUNI	3,623.40
EFT34478	27/06/2019	Tyrrell Gardiner	Councillor Allowance	MUNI	1,149.50
EFT34479	27/06/2019	Vanessa Black	Umpire Recoup Netball 21-06-2019	MUNI	30.00
EFT34480	27/06/2019	Victor Robert Younger	Rates Refund for Assessment A1692	MUNI	400.00
EFT34481	27/06/2019	WALGA	WALGA E-Learning - Governance Officer	MUNI	215.00
EFT34482	27/06/2019	West Australian Mechanical Services Pty Ltd	Quarterly A/C Maintenance - Dardanup Office	MUNI	212.85
EFT34483	27/06/2019	Woolworths Group Limited	ERC - Cafe Stock & Eaton Office General Supplies	MUNI	254.30
EFT34484	27/06/2019	Work Clobber	Safety Boots	MUNI	330.30
EFT34485	04/07/2019	Adrian Gordon	Refund of Key Bond Foreshore Key	TRUST	40.00
EFT34486	04/07/2019	Paul Coffey	Refund of Cat Cage Hire - 122572	TRUST	150.00
EFT34487	04/07/2019	21 Graphic Design Pty Ltd	Creation of Print Ready Artwork for Community News Pages	MUNI	396.00
EFT34488	04/07/2019	Adam Groves	Refund Unsterilized Dog to Sterilized - Receipt #113235	MUNI	100.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT34489	04/07/2019	Adelphi Tailoring	Ranger Kit x 8	MUNI	748.00
EFT34490	04/07/2019	Amelia Kaitani	Umpire Recoup Netball 28-06-2019	MUNI	26.25
EFT34491	04/07/2019	Amicus Advisory Pty Ltd	Investment Strategy Formulation	MUNI	3,300.00
EFT34492	04/07/2019	Amity Signs	Supply of 54 Signs with Posts & Brackets - Directional Signage	MUNI	12,151.48
EFT34493	04/07/2019	Belinda Joy Franks	Unsterilized Dog to Sterilized - Receipt # 122142	MUNI	30.00
EFT34494	04/07/2019	Big W	Book Stock Eaton Library	MUNI	240.50
EFT34495	04/07/2019	Blackwoods	Sharps Containers for Parks & Environment Team	MUNI	97.57
EFT34496	04/07/2019	BOC Ltd	ERC - Monthly Hire of Oxygen Bottle	MUNI	12.19
EFT34497	04/07/2019	Boyanup Botanical	Plant Stock - Parks & Gardens Various Locations	MUNI	8,007.46
EFT34498	04/07/2019	Boyles Plumbing & Gas	Completed Works Pratt Road Water Tank & Dardanup Oval Toilets	MUNI	827.20
EFT34499	04/07/2019	Brainspice	ECL - Code Club Items for Weekly Workshops	MUNI	621.85
EFT34500	04/07/2019	Brody England	Umpire Recoup Basketball 03-07-2019	MUNI	132.00
EFT34501	04/07/2019	Bunbury Harvey Regional Council	Regional Waste Education Program	MUNI	1,964.78
EFT34502	04/07/2019	Bunbury Machinery	Repairs to Tractor DA9781	MUNI	978.04
EFT34503	04/07/2019	Bunbury Psychological Services	Counselling Services - EAP	MUNI	154.00
EFT34504	04/07/2019	Bunnings Group Limited	Parts & Materials for Depot & Safety Items Repairs & Maintenance	MUNI	940.11

Payment	Date	Name	Invoice Description	Fund	Amount
EFT34505	04/07/2019	CB Traffic Solutions	Dardanup Works Depot - Line Marking	MUNI	2,730.42
EFT34506	04/07/2019	Cineads Australia Pty Ltd	ERC - Monthly Media Screening	MUNI	1,100.00
EFT34507	04/07/2019	City of Bunbury	Monthly Dog & Cat Pound Fees	MUNI	612.00
EFT34508	04/07/2019	Civilcon	Building Maintenance - ERC, Dardanup & Ferguson Halls	MUNI	12,510.96
EFT34509	04/07/2019	Cleanaway Solid Waste Pty Ltd	Kerbside Waste Collection & Landfill Waste	MUNI	4,468.36
EFT34510	04/07/2019	Collins Booksellers	ECL - Book Stock - June 2019	MUNI	246.90
EFT34511	04/07/2019	Craig Alexander & Karen Janette Wilson	Rates Refund for Assessment A2680	MUNI	2,050.15
EFT34512	04/07/2019	Craven Foods	ERC - Cafe Stock	MUNI	321.69
EFT34513	04/07/2019	Christopher Hynes	CBFCO Annual Payment 2019/20	MUNI	840.00
EFT34514	04/07/2019	Damon Thompson	Umpire Recoup Basketball 03-07-2019	MUNI	132.00
EFT34515	04/07/2019	Daniel Bryant	Umpire Recoup Basketball 03-07-2019	MUNI	132.00
EFT34516	04/07/2019	Dardanup General Store	Supply of Milk	MUNI	4.80
EFT34517	04/07/2019	Data #3 Limited	Microsoft Monthly Licenses & Acrobat Pro	MUNI	807.98
EFT34518	04/07/2019	Donna Bullen	Reimb for Refreshments - Organisation Structure Relocation Day	MUNI	549.40
EFT34519	04/07/2019	Dardanup Veterinary Centre	Dog Sterilisation Program - June 2019 - Dog Owners In the Shire of Dardanup	MUNI	335.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT34520	04/07/2019	Eaton Environmental Services	Rodent Control - Depot	MUNI	132.00
EFT34521	04/07/2019	Eaton Pet Vet	Dog Sterilisation Program June 2019 - Dog Owners In Shire of Dardanup	MUNI	100.00
EFT34522	04/07/2019	Eaton Vet Clinic	Dog Sterilisation Program - June 2019 - Dog Owners In the Shire of Dardanup	MUNI	1,435.00
EFT34523	04/07/2019	Evelyn Butchart	Catering for Two Day Structural Fire Fighting Course	MUNI	308.00
EFT34524	04/07/2019	Geographe Community Landcare Nursery Inc.	Assorted Plants - Parks & Gardens	MUNI	2,170.00
EFT34525	04/07/2019	Go Go On Hold	On Hold Message Service July to December 2019	MUNI	414.00
EFT34526	04/07/2019	Heatleys	Protective Clothing & Gloves	MUNI	1,368.40
EFT34527	04/07/2019	IT Vision Australia Pty Ltd	Synergyssoft ERP Annual License Fees	MUNI	65,324.47
EFT34528	04/07/2019	James Reilly	Flu Shot Reimbursement	MUNI	15.00
EFT34529	04/07/2019	Josie Phillips	Umpire Recoup Netball 01-07-2019	MUNI	67.50
EFT34530	04/07/2019	Kaitlyn O'Dea	Umpire Recoup Netball 02-07-2019	MUNI	180.00
EFT34531	04/07/2019	Karyn Rowe	Umpire Recoup Netball 02-07-2019	MUNI	90.00
EFT34532	04/07/2019	Kings Tree Care	Tree Pruning Priority 2 Trees At Gnomesville for Safety Reasons	MUNI	4,785.00
EFT34533	04/07/2019	Kmart	Storage Boxes - Ranger Services	MUNI	80.00
EFT34534	04/07/2019	Landmark Operations Ltd	Kens Triclopyr 600 - Parks & Gardens	MUNI	72.17

Payment	Date	Name	Invoice Description	Fund	Amount
EFT34535	04/07/2019	LGIS Risk Management Services	Emergency Evacuation Drawings of West Dardanup Fire Station	MUNI	181.50
EFT34536	04/07/2019	Lions Club of Eaton Inc.	Sausage Sizzle for Event: First Design Reveal for the New Eaton Skate park	MUNI	250.00
EFT34537	04/07/2019	Lonsdale Party Hire	Eaton Skate Park First Design Reveal to Community for Comment - Setup Supplies	MUNI	1,240.99
EFT34538	04/07/2019	Marketforce	Advertising - Public Notices - Recruitment - Tenders	MUNI	4,424.86
EFT34539	04/07/2019	Michelle Winwood	Pilates Instruction x 3 Classes	MUNI	126.00
EFT34540	04/07/2019	Nutrition Systems	ERC - Cafe Stock	MUNI	386.10
EFT34541	04/07/2019	Nathan Stacey	Umpire Recoup Basketball 03-07-2019	MUNI	132.00
EFT34542	04/07/2019	Officeworks Superstores Pty Ltd	General Stationery Supplies - Laptop DFES Officer - Grant Funded	MUNI	4,194.97
EFT34543	04/07/2019	Our Lady of Lourdes School	Budget Allocation School Awards	MUNI	150.00
EFT34544	04/07/2019	Perfect Landscapes	Mowing - Various Parks & Ovals	MUNI	4,262.50
EFT34545	04/07/2019	Peter Robinson	FCO Annual Payment 2019/20	MUNI	500.00
EFT34546	04/07/2019	Picton Tyre Centre Pty Ltd	Tyre Rotation to DA 9581 Dump Truck	MUNI	105.20
EFT34547	04/07/2019	Prime Supplies	Protective Clothing & OHS Items	MUNI	99.00
EFT34548	04/07/2019	Promote You	Embroidery of Staff Uniforms	MUNI	38.50
EFT34549	04/07/2019	Pro Crack Seal	Crack Sealing - Road Maintenance	MUNI	9,570.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT34550	04/07/2019	Rexel Electrical Supplies	Led Lights for the two display cabinets In the Library	MUNI	200.20
EFT34551	04/07/2019	Richard Stacey	FCO Annual Payment for 2018/19 & 2019/20	MUNI	1,000.00
EFT34552	04/07/2019	Rodney George Bailey	FCO Annual Payment 2019/20	MUNI	500.00
EFT34553	04/07/2019	Schweppes Australia Pty Ltd	ERC - Cafe Stock	MUNI	197.33
EFT34554	04/07/2019	Scott Irving	Rates Refund for Assessment A10199	MUNI	246.30
EFT34555	04/07/2019	Shire of Boddington	Industry Road Safety Alliance Membership 2019	MUNI	550.00
EFT34556	04/07/2019	SOS Office Equipment	Photocopier Meter Readings - Shire of Dardanup	MUNI	3,439.35
EFT34557	04/07/2019	SW Group of Affiliated Agricultural Associations	Allocated Funding as per Budget 2018-2019	MUNI	250.00
EFT34558	04/07/2019	Spraymow Services	Perform Rural Road Shoulder Spraying Apprx, 3M From Edge of Seal to Shire Supplied Road List	MUNI	6,372.30
EFT34559	04/07/2019	State Law Publisher	Government Gazette Advertising - Town Planning - Fire Prevention	MUNI	614.28
EFT34560	04/07/2019	Synergy	Electricity Account 13 Locations	MUNI	2,015.40
EFT34561	04/07/2019	SW Vehicle Group T/A Bunbury Nissan	DA329 - 20 000 Km Service - Principal Planning Officer Vehicle	MUNI	347.91
EFT34562	04/07/2019	Therese Price	Umpire Recoup Netball 02-07-2019	MUNI	157.50
EFT34563	04/07/2019	Tint City	Events Promotion- Window Signage- Shire Office Building	MUNI	264.00
EFT34564	04/07/2019	Total Eden Pty Ltd	Repairs & Maintenance - Parks & Gardens	MUNI	217.28

Payment	Date	Name	Invoice Description	Fund	Amount
EFT34565	04/07/2019	Tracey Tupaea	Umpire Recoup Netball 01-07-2019	MUNI	236.00
EFT34566	04/07/2019	Toll Transport	Postage & Freight - Health	MUNI	14.63
EFT34567	04/07/2019	Varidesk	Cube Corner Desk - Engineering Project Officer	MUNI	675.00
EFT34568	04/07/2019	Weathersafe WA	Removal, Storage & Reinstallation of all Shade Sails Various Parks	MUNI	6,810.00
EFT34569	04/07/2019	Western Australia Treasury Corporation	Loan 69 - Glen Huon Sports Pavilion	MUNI	38,928.40
EFT34570	04/07/2019	WML Consultants	Additional Design Work for Alternative Option - Path Rebuild	MUNI	478.50
EFT34571	04/07/2019	Woolworths Group Limited	Farewell Gift for HR Officer & General Supplies	MUNI	833.54
EFT34572	04/07/2019	Work Clobber	Safety Boots & Hi-Vis Shirts	MUNI	267.92
BPAY					
DD14397.1	19/06/2019	iiNet Ltd	Monthly Charge for NBN Wireless 4 Service	MUNI	174.94
DD14434.1	30/06/2019	Alinta	ERC - Electricity Account 80004063	MUNI	3,379.37
INTERNATIONAL					
DD14401.1	20/06/2019	Mailstore Software GMBH	Standard Update & Support Service Valid 14.06.2019 – 14.06.2020	MUNI	1,861.75
DD14406.1	24/06/2019	Muhimbi Ltd	PDF Converter for Sharepoint- Small Farm License USD \$ 3,499.30	MUNI	5,370.32
PAYROLL					
DD14419.1	28/06/2019	WA Super	Payroll deductions	MUNI	38,370.61

Payment	Date	Name	Invoice Description	Fund	Amount
DD14419.2	28/06/2019	Perpetual Wealth Focus Super Plan	Superannuation contributions	MUNI	87.95
DD14419.3	28/06/2019	MLC Super Fund	Superannuation contributions	MUNI	622.66
DD14419.4	28/06/2019	Colonial FS First Choice Personal Super	Superannuation contributions	MUNI	319.06
DD14419.5	28/06/2019	Diamond Sea Superannuation Fund	Payroll deductions	MUNI	257.05
DD14419.6	28/06/2019	One Path Masterfund	Superannuation contributions	MUNI	110.07
DD14419.7	28/06/2019	Suncorp Brighter Super	Superannuation contributions	MUNI	93.01
DD14419.8	28/06/2019	BT Super For Life	Superannuation contributions	MUNI	74.30
DD14419.9	28/06/2019	Amp Flexible Super - Super Account	Superannuation Contributions	MUNI	37.15
DD14419.10	28/06/2019	Asgard Infinity E Wrap Super	Superannuation Contributions	MUNI	256.69
DD14419.11	28/06/2019	ANZ Smart Choice Super (Onepath Masterfund)	Superannuation Contributions	MUNI	632.96
DD14419.12	28/06/2019	Media Super	Superannuation Contributions	MUNI	476.26
DD14419.13	28/06/2019	Construction & Building Industry Super	Superannuation Contributions	MUNI	763.58
DD14419.14	28/06/2019	Rest Superannuation	Payroll Deductions	MUNI	939.23
DD14419.15	28/06/2019	Australiansuper	Superannuation Contributions	MUNI	1,192.23
DD14419.16	28/06/2019	Burton Superannuation Fund	Superannuation Contributions	MUNI	254.92

Payment	Date	Name	Invoice Description	Fund	Amount
DD14419.17	28/06/2019	Hostplus	Superannuation Contributions	MUNI	443.29
					694,082.84

REPORT TOTALS

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

EFT	638,365.44
Muni	
Cheque	
Payroll	44,931.02
Credit Card	
International	7,232.07
BPAY	3,554.31
TOTAL	694,082.84



Chief Executive Officer: _____

CARRIED
6/0

Discussion:

Cr. P S Robinson noted that the Dardanup Townscape Committee minutes had incorrectly recorded a committee resolution as a committee action. Cr. P S Robinson moved the action as a resolution for Council to consider. Cr. P S Robinson requested that this be noted for the next Townscape Committee meeting also.

**DARDANUP TOWNSCAPE COMMITTEE RESOLUTION
& COUNCIL RESOLUTION "D"**

230-19 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council request the Chief Executive Officer investigate the supply of natural gas to Dardanup and Burekup.

CARRIED
6/0

12.16 Roadwise Committee Meeting Minutes Held 19/06/2019

MINUTES OF THE SHIRE OF DARDANUP ROADWISE COMMITTEE MEETING HELD ON WEDNESDAY, 19 JUNE 2019, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 3.30PM.

Officer Comment

The minutes of the Roadwise Committee meeting are attached (Appendix ORD: 12.16).

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

231-19 MOVED - Cr. T G Gardiner SECONDED - Cr. M T Bennett

THAT Council receives the minutes of the Roadwise Committee meeting held 19 June 2019.

CARRIED
6/0

ROADWISE COMMITTEE RESOLUTION & COUNCIL RESOLUTION

232-19 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council request that WALGA seek the support of local governments within the region and facilitate an initial regional forum with the aim of workshopping and discussing collective projects amongst local governments in the South West.

CARRIED
6/0

12.17 *Title: Regional New Industries Fund Grant Application*

Reporting Department: *Executive*
Reporting Officer: *Mr André Schönfeldt – Chief Executive Officer*
Legislation: *Local Government Act 1995*

Overview

This report presents Council with a draft grant application for endorsement (Appendix ORD: 12.17) to be submitted to the Department of Primary Industries and Regional Development. The grant application is to seek funding to employ a Cluster Manager to support the development of a Regional New Industries Cluster for the Bunbury Geographe Region. The cluster will be focused on developing new industries that take advantage of the new products and opportunities presented to the region. One particular pilot project intended for the cluster is to seek alternative uses for the lithium tailings expected from the production of lithium within the region. Another pilot project is intended to develop a small scale waste-to-energy plant to provide an alternative to landfill for mixed municipal waste.

Background

The Chief Executive Officer submitted a funding application to the Department of Primary Industries and Regional Development seeking matching funding to establish a Regional Industry Cluster through the Regional New Industries Fund (RNIF). In June the Shire received positive feedback from the grant assessment panel who requested that the application be updated with additional information and resubmitted for consideration on 18 July 2019. The application has now been updated and is presented to Council for endorsement before it will be submitted on Thursday, 18 July 2019.

Legal Implications -

The project is not included in the 2019-2020 Budget and therefore the Local Government Act 1995 requires the Council to consider and approve any changes to the budget.

6.8. *Expenditure from municipal fund not included in annual budget*

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

** Absolute majority required.*

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

- Local Government Act 1995

S6.10. Financial Management Regulations

Regulations may provide for —

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

- Local Government (Financial Management) Regulations 1996

R11. Payments, procedures for making etc.

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

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

Strategic Community Plan

Strategy 1.5.2- Foster strategic alliance with major industry groups and government agencies. (Service Priority: High)

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

Strategy 4.1.2- To create a sustainable workforce: Attract and retain a quality labour with skills aligned to the needs of local business. (Service Priority: Low)

Strategy 4.1.3- To encourage business to develop: Support the capacity of local firms and industry to establish, grow and employ. (Service priority: Moderate)

Strategy 4.1.4- To provide essential infrastructure: Facilitate the provision of essential services and infrastructure to support the growing community and local economy. (Service Priority: High)

Strategy 4.3.1- To attract and retain major investment in the region. (Service Priority: High)

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

Environment - None.

Precedents - None.

Budget Implications -

The total project cost is associated with the appointment of a Cluster Manager on a 3 Year Contract. A cost breakdown as per the table below outlines the expected total cost for the project:

Base Salary	\$110,000
Super	\$10,450
Vehicle	\$14,550
Overheads @ 20%	\$27,000
Sundry Expenses	\$10,000
Total per annum	\$172,000
Total Project Cost over 3 years	\$516,000

The grant application seeks a 50% contribution from the RNIF towards the total cost of the project being \$258,000 in total or \$86,000 per annum over the next three years. The Shire of Dardanup will provide a matching contribution for the remainder of the 2019/20 financial year. In 2020/21 financial year additional funding will be sought from other local government and industry participants which is intended to reduce the contribution from the Shire of Dardanup.

Should no additional contributions be forthcoming, the Shire of Dardanup will be required to continue to fund the matching contributions for the duration of the project until December 2022. It is requested that Council endorse the grant application and supports that amendments be made to the Workforce Plan and the Annual Budget to provide for this new position should the grant funding be approved.

Budget – Whole of Life Cost -

As this contract is for a three year period it applies to four financial years due to the timing of the commencement. This will need to be reflected in the updated Corporate Business Plan for future years.

Council Policy Compliance - None.

Risk Assessment - Medium.

Officer Comment -

The intent of the project is to appoint a cluster manager to develop an industry cluster that seizes the opportunities presented to the region with new and emerging products, technologies and industries.

The deliverables are defined as:

1. Set up the Cluster by December 2020.
2. Establish the Incubator by December 2021 (physical manifestation of the Cluster organisation); and
3. Develop and commission three pilot projects by December 2022.

Currently concepts identified as potential pilot projects include:

1. A small scale Waste-to-Energy plant that processes mixed municipal waste with forestry waste to produce energy.

2. A plasterboard or cement manufacturing plant aimed at reprocessing the tailings from the lithium processing plant in Kemerton. To develop this pilot project it is intended that the Cluster work closely with the Future Batteries Industry Cooperative Research Centre (FBICRC).
3. A battery manufacturing/assembly pilot plant to explore the opportunities for Western Australian based specialist battery manufacturing.
4. An energy storage pilot project within the region this may include pumped hydro, mass-batteries or hydrogen conversion technologies.

Support has been sought from surrounding local governments and also from industry. A number of letters of support have already been received and updated letters are currently being sought to reflect the updated grant application. These letters will accompany the application.

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

Discussion:

Chief Executive Officer, Mr André Schönfeldt advised that the report noted that the application would be submitted on 18 July 2019, however the application had already been submitted as the deadline was 12 July 2019 and had already been extended to 16 July 2019.

Mr Schönfeldt advised that he had received a number of positive responses for support for the application already.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

233-19 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council endorses the attached grant application (Appendix ORD 12.17) and authorises the Chief Executive Officer to update the Workforce Plan and amend the budget to include the unbudgeted expenditure as required, if and when the grant application is approved.

CARRIED

5/1

By Absolute Majority

On 28 May 2019 the Chief Executive Officer requested further information with regard to painting the external elements when the current lease agreement stipulated that this work be undertaken by the Lessee. Advice was provided to the on 28 May 2019 outlining the reasons for progressing with the matter. The Chief Executive Officer considered the advice and requested that the purchase order not be proceeded with until all matters relating to the Lease be investigated and confirmation as to how best to proceed with the matter had been received. This was communicated to officers on the 5 June 2019. The cancellation was communicated to the painting contractor on the 5 June 2019.

An investigation was undertaken and advice sought from Governance and Finance on how best to determine the matter. It was found that, under the terms of the Lease, the external elements had to be painted by the Shire prior to handover of the building. The five-year Lease had commenced on October 2014.

A review of the adopted 2013-14 and 2014-15 Building Asset Management Plans and Annual Budget documents found there was no budget provision for the capital painting works in either financial years.

The 2018-19 Annual Budget includes an allocation of \$9,206 for the Ferguson Hall (painting and hand rails works) which is fully funded from the Building Maintenance Reserve. As at reporting date, \$1,235 has been expended during the financial year (18/19) with the remaining balance of \$7,971 to be transferred from the Building Maintenance Reserve to the Carried Forward Projects Reserve as part of year end processing.

Council is requested to authorise an amended budget allocation of \$7,971 for the Ferguson Hall Project (J11712) and acknowledge that this will be fully funded from the Carried Forward Projects Reserve.

Legal Implications

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

6.8. Expenditure from municipal fund not included in annual budget

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

* Absolute majority required.

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

- Local Government Act 1995

S6.10. Financial Management Regulations

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 - (i) *the municipal fund; and*
 - (ii) *the trust fund,**of a local government.*

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

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

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 - (b) *otherwise, if the payment is authorised in advance by a resolution of the Council.*

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

Strategic Community Plan

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

Environment - None.

Precedents - None.

Carried Forward Projects are usually captured throughout the annual budget process, however changes to a budget item or project does occur from time to time. This may be due to a timing issue for the project works or by other explanation as identified by staff. All budget variances are assessed by Management and the Chief Executive Officer prior to reporting to Council.

Budget Implications - None.

The budget allocation of \$7,971 for the Ferguson Hall painting works is proposed to be fully funded from the Carried Forward Projects Reserve. These recommended changes to the 2019-20 Annual Budget ensures that there is no effect on the Shire's projected end of year surplus.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment - Low.

Officer Comment

The external timber elements (fascia, barge boards and window frames) will require painting as they are showing signs of chipping and flaking and the work will need to be done to ensure the preservation of the underlying timber.


16 MATTERS BEHIND CLOSED DOORS

None.

17 CLOSURE OF MEETING

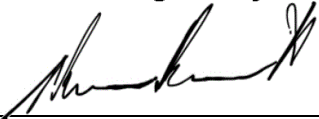
The Presiding Officer advised that the date of the next Ordinary Meeting of Council will be Wednesday 14 August 2019, commencing at 5.00pm at the Shire of Dardanup - Administration Centre Eaton.

There being no further business the Presiding Officer declared the meeting closed at 7.09pm.



CONFIRMATION OF MINUTES

“As the person presiding at the meeting at which these minutes were confirmed on 14 August 2019, I certify that these minutes have been confirmed as a true and accurate record of proceedings.

DocuSigned by:


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