



CONFIRMED

MINUTES

ORDINARY COUNCIL MEETING

Held

23rd of November 2022

At

Shire of Dardanup
ADMINISTRATION CENTRE EATON
1 Council Drive - EATON

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- ~ Large Print
- ~ Electronic Format [emailed]
Upon request.

VISION STATEMENT

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

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COUNCIL ROLE

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

DISCLAIMER

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

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

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

RISK ASSESSMENT

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

SHIRE OF DARDANUP

MINUTES OF THE SHIRE OF DARDANUP ORDINARY COUNCIL MEETING HELD ON WEDNESDAY, THE 23RD OF NOVEMBER 2022, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 5.00PM.

1 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

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

Acknowledgement of Country

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

Emergency Procedure

In the event of an emergency, please follow the instructions of the Chairperson who will direct you to the safest exit route. Once outside, you will be directed to an appropriate Assembly Area where we will meet (and complete a roll call).

Affirmation of Civic Duty and Responsibility

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

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

2.1 Attendance

Cr. Michael Bennett	-	Shire President
Cr. Tyrrell Gardiner	-	Deputy Shire President
Cr. Janice Dow	-	Elected Member
Cr. Mark Hutchinson	-	Elected Member
Cr. Ellen Lilly	-	Elected Member
Cr. Luke Davies	-	Elected Member
Cr. Stacey Gillespie	-	Elected Member
Mr André Schönfeldt	-	Chief Executive Officer
Mr Phil Anastasakis	-	Deputy Chief Executive Officer
Ms Susan Oosthuizen	-	Director Special Projects & Community
Mr Theo Naudé	-	Director Infrastructure
Mr Murray Connell	-	Executive Manager Development Services
Ms Cathy Lee	-	Manager Governance & HR
Mrs Natalie Hopkins	-	Manager Financial Services
Ms Cassandra Budge	-	Manager Community Development
Mrs Gabriella Hayward	-	Executive Support Officer

2.2 Apologies

Cr. Patricia Perks	-	Elected Member
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2.3 Leave of Absence

Cr. Peter Robinson	-	Elected Member (Resolution 257-22)
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2.4 Previous Meetings

DATE	TYPE	Cr. M T BENNETT	Cr. L W DAVIES	Cr. J DOW	Cr. T G GARDINER	Cr. S L GILLESPIE	Cr. M R HUTCHINSON	Cr. E P LILLY	Cr. P R PERKS	Cr. P S ROBINSON
OCTOBER 2022										
21/09/22	AF	✓	NA	✓	✓	LoA	✓	✓	Ap	✓
28/09/22	OCM	✓	✓	✓	✓	LoA	✓	✓	✓	✓
10/10/22	WS Artwork – Dardanup Civic Precinct – RAC Grant	✓	NA	Ap	✓	✓	Ap	Ap	✓	NA
12/10/22	WS Cat L/L	✓	NA	✓R	✓	✓	✓	Ap	✓	Ap
19/10/22	AF	✓	NA	✓	✓	✓	✓	✓	Ap	✓R
26/10/22	CF	✓	NA	✓	✓	✓	✓	✓	✓	✓
26/10/22	OCM	✓	✓	✓	✓	✓	✓	✓	✓	✓
NOVEMBER 2022										
16/11/22	WS Rating	✓	NA	✓	Ap	Ap	✓	✓	Ap	LoA
16/11/22	AF	✓	NA	✓	Ap	✓	✓	✓	Ap	LoA

DATE	TYPE	Cr. M T BENNETT	Cr. L W DAVIES	Cr. J DOW	Cr. T G GARDINER	Cr. S L GILLESPIE	Cr. M R HUTCHINSON	Cr. E P LILLY	Cr. P R PERKS	Cr. P S ROBINSON
23/11/22	CF	✓	✓	✓	✓	✓	✓	✓	Ap	LoA
23/11/22	OCM	✓	✓	✓	✓	✓	✓	✓	Ap	LoA

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

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

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

4 PUBLIC QUESTION TIME

4.1 Fred Carbone (Papps Road, Brunswick) – Application for Development Approval – Extractive Industry – Lot 4580 Panizza Road, Crooked Brook

Note: The following questions were received via public question time form from Mr Carbone.

Question 1:

We request that Council consider the WALGA contribution would be on the anniversary of each year.

Question 2:

With regard to condition e) noise management, our consultants Lundstrom Environmental have undertaken the Noise Management Plan according to the Appendix of the report. They have measured the distance between the pit, the operating area and sensitive receptors and there are none that occur in the vicinity.

Question 3:

As discussed the license date for the EIL is too short. We anticipate 8 years for the licence approval to enable us to complete removal of the material and rehabilitate. This will save us the cost of having to re-apply for another EIL until completion.

Discussion:

Shire President, Cr. M T Bennett took these questions on notice as Mr Carbone was not in attendance.

Note: The following responses were prepared by Officers prior to the commencement of the meeting and were provided to Councillors.

Question 1 Response:

The contribution amount is calculated at the end of each licence year based on the exact tonnages that have been extracted from the site for that year.

Question 2 Response:

There was no separate noise management plan submitted with the application and only a partial amount of information was included in section 4.5 of the application. It is considered that there is insufficient information with regard to an assessment of the actual noise generated from the operations of the site and what (if any) mitigation measures are required. Thus a more detailed noise management plan has been requested.

Question 3 Response:

The application submitted and supporting documents consistently refer to a 5 year period as follows:

- The environmental management report under 3.2 on page 9 states “extraction will occur over a period of 5 years”;
- The EIL application form states under 13. on page 12 that the “term of licence sought is 5 years”;
- Form 110 and the GBRS application form states that the “estimated time of completion is 5 years”;
- The weed management plan under 1.2 on page 1 states that the “EIL application is for 5 years”;
- The water management plan under 2.1 on page 2 “summarises the actions that are to be taken on the property over the next 5 years”;
- The dust management plan under 3 on page 3 states that the “EIL is for 5 years”.

In any event the Shires new (draft) Extractive Industries Local Law limits approvals to a period of 5 years. After this time it is only the extractive industry licence that will require a new approval.

4.2 Jill Cross (513 Crooked Brook Road, Dardanup) – Application for Development Approval – Extractive Industry – Lot 4580 Panizza Road, Crooked Brook

It is noted that a number of local residents have raised potentially dangerous traffic issues in submissions to council and I believe that these concerns are not being properly addressed. With several gravel extraction licences in the Depiazzi, Banksia Rd and Panizza Rd areas, operations at Lot 2 Banksia Rd, heavy and light traffic on Dowdells Line, TJ Depiazzi operations, the Shire transfer station and local and tourist traffic on Ferguson Rd this has all added to a significant increase in traffic using this intersection.

This intersection was not designed to accommodate all these vehicle movements and the safety concerns have been raised with Council on several occasions however it doesn't appear any improvements have been made. Trucks entering Ferguson Rd from Depiazzi treat Ferguson Rd as a slip lane and visibility to the east along Ferguson Rd is very poor. Added to this there are more heavy vehicles entering Ferguson Rd from Dowdells Line, avoiding the BORR work at Waterloo Rd.

Question:

When was the last time that the intersection of Depiazzi, Ferguson Roads and Dowdells Line intersection was assessed for road safety?

Discussion:

Shire President, Cr. M T Bennett advised that this question will be taken on notice to allow officers to investigate and provide a response. Response will be provided at the 14th December 2022 Ordinary Council Meeting.

5 APPLICATIONS FOR LEAVE OF ABSENCE

None.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

None

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Ordinary Council Meeting Held on the 26th of October 2022

OFFICER RECOMMENDED RESOLUTION

288-22 MOVED - Cr. T G Gardiner SECONDED - Cr. M R Hutchinson

THAT the Minutes of the Ordinary Meeting of Council held on the 26th of October 2022, be confirmed as true and correct subject to no corrections.

CARRIED
7/0

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.1 Title: Shire President Monthly Report

Reporting Department

Elected Members

Elected Member

Cr. Michael Bennett - Shire President

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

Event:	15/10/2022 – Ernie Dingo Yarn and Singing Event
Report:	Special thanks for Cr Lilly for attending this event on my behalf.
Event:	20/10/2022 – Meeting with Mark Butcher and Land Owners regarding Wanju
Report:	Very well attended by landowners who were advised on different ways to assist in the development of Wanju.
Event:	22/10/2022 – Eaton Australind Volunteer Fire and Rescue 50 year Celebrations
Report:	Fantastic event well organised and fantastic to attend an event honouring so many members for their commitment to fire and rescue with many receiving life membership and others 50 year service medals.
Event:	24/10/2022 – Update from Cleanaway on Methane uses
Report:	General discussion on future use of a large amount of methane gas onsite for electricity.
Event:	24/10/2022 – Podcast with Regional 250
Report:	Interview with me about the shire for 15 minutes and then a 15 minute on the history of Mick.
Event:	26/10/2022 – Discussion with Dr Jeff Brewer on Mining Tenement
Report:	Reference to mining tenement in our shire and the border of Donnybrook shire believed to be Bauxite.
Event:	28/10/2022 – Meeting with Olivia Crowley DG for Minister Saffioti.
Report:	Discussion on the flyover in the Waterloo area.
Event:	29/10/2022 – BSW Business Awards
Report:	A real eye opener on just how many fantastic businesses in our Region.
Event:	09/11/2022 – Southern Ports Stakeholder Meeting.
Report:	Networking opportunity and what the port is up to with Coal etc.
Event:	10/11/2022 – Meeting with Staff State Planning and Possible Wanju Developer.
Report:	Discussion on Density and services to the area but land appears to be too expensive.

RECEIVED

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

9.1 Title: Australia Day Citizen of the Year Awards 2023

9.2 Title: Lot 8 Collie River Road Proposed Land Resumption

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

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

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

Note: Shire President advised that the meeting will go behind closed doors toward the end of the meeting to discuss S.5.23 section (2)(b) and (2)(e)(iii).

10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

None.

11 DECLARATION OF INTEREST

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

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

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

- *Cr. E P Lilly declares an Impartiality Interest in item ‘12.2.5 – Title: Request for Financial Contribution for the Dardanup Centenary Celebrations 2023’ as she has been requested to serve on the organising committee for the Dardanup Centenary Celebrations 2023*
- *Cr. S L Gillespie declares a Proximity Interest in item ‘12.4.5 – Title: Collie River Foreshore – Heritage Walk Trail – Expenditure Report’ as her place of residence is on Pratt Road which is in close proximity of the Collie River foreshore.*
- *Cr. T G Gardiner declared a Financial interest in item ‘12.2.3 Title: Approval of Local Planning Scheme Amendment No. 205 – ‘Small Holding’ Rezoning Lot 2 Harold Douglas Drive and portion of Lot 185 Venn Road, Dardanup West’ as he manages cattle on the property and the land owner’s son is a casual employee of Cr. T G Gardiner.*
- *Cr. M T Bennett declared a Proximity Interest in Item ‘12.2.7Title: Unbudgeted Expenditure 2022-23 Mitigation Activity Fund Grant Program (MAFGP)’ as he owns property that is opposite the reserve relating to this item.*

There were no further Declarations of Interest made.

12 REPORTS OF OFFICERS AND COMMITTEES

12.1 EXECUTIVE REPORTS

None.

12.2 SUSTAINABLE DEVELOPMENT DIRECTORATE REPORTS

12.2.1 Title: Proposed Road Names – Crooked Brook

Reporting Department	<i>Sustainable Development Directorate</i>
Responsible Officer	<i>Mr Murray Connell - Executive Manager Development Services</i>
Reporting Officer	<i>Mr Murray Connell - Executive Manager Development Services</i>
Legislation	<i>Land Administration Act 1997</i>
Council Role	<i>Executive/Strategic.</i>
Voting Requirement	<i>Simple Majority.</i>
Attachments	<i>Appendix ORD: 12.2.1A – Subdivision Plan Lot 4 Garvey Road Appendix ORD: 12.2.1B – Subdivision Plan Lot 6 Sand Pits Road Appendix ORD: 12.2.1C– Risk Assessment Tool</i>

Overview

The purpose of this report is for Council to consider approving three new road names that will be required as a result of the subdivision of Lot 4 Garvey Road and Lot 6 Sand Pits Road, Crooked Brook.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

289-22 MOVED - Cr. J P Dow SECONDED - Cr. M R Hutchinson

THAT Council:

1. Approves the use of the following road names in order of preference for the roads shown on the subdivision plan for Lot 4 Garvey Road, Crooked Brook in [Appendix ORD: 12.2.1A]:
 - a. Fairywren;
 - b. Sittella;
 - c. Fieldwren; and
 - d. Preissiana.

2. Approves the use of the following road names in order of preference for the road shown on the subdivision plan for Lot 6 Sand Pits Road, Crooked Brook in [Appendix ORD: 12.2.1B]:
 - a. Samphire;
 - b. Ficinia; and
 - c. Moorehen.

CARRIED
7/0

Background

A request has been received from the developer of two separate parcels of land in Crooked Brook seeking approval for three road names that are required as a result of the subdivision of the land for rural residential purposes.

The first request relates to the subdivision of Lot 4 Garvey Road which was granted subdivisional approval from the WA Planning Commission (WAPC) on the 5th of August 2022 for the creation of 25 rural residential lots, the extension of Tweed Chase and two new roads.

The second request relates to the subdivision of Lot 6 Sand Pits Road which was granted subdivisional approval from the WAPC on the 2nd of June 2022 for the creation of 18 rural residential lots, the extension of Sand Pits Road and a new road that will connect with roads to the south.

Please refer to [Appendix ORD: 12.2.1A] for a copy of the subdivision plan for Lot 4 Garvey Road and [Appendix ORD: 12.2.1B] for a copy of the subdivision plan for Lot 6 Sand Pits Road.

Legal Implications

The practice of officially naming features, localities and roads is covered under Sections 26 and 26A of the *Land Administration Act 1997*. The local government must first approve proposed road names and then forward them to the Minister for Lands for final approval.

The legislation is supported by the *Policies and Standards for Geographical Naming in Western Australia* which includes a number of fundamental requirements for the naming of roads, administrative boundaries, cultural and topographical features. The proposed road names are in accordance with this policy and their availability has passed Landgate's preliminary validation.

Council Plan

8.1 - Support responsible planning and development.

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

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

TIER 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Proposed Road Names – Crooked Brook
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Service Interruption Road naming is essential for location description and is used for postal services, addresses, navigation and emergency service responders.

Officer Comment

The applicant has provided road naming options for both subdivisions as follows:

Lot 4 Garvey Road

- Road 1: *“Fairywren Rise”* – The name recognises the fairywren genus of birds of which many species naturally occur in the South West Region.
- Road 2: *“Sittella Grove”* – The name recognises the varied sittella (*Daphoenositta chrysopetra*) a species of small bird found in the South West Region.
- Alternatives: *“Fieldwren Rise”* – The name recognises the western fieldwren (*Calamanthus montanellus*) a small species of bird which occurs naturally in the South West Region.
- “Preissiana Grove”* – The name recognises the *Melaleuca preissiana* (commonly known as the monah or stout paperbark) which is found throughout the South West Region.

Lot 6 Sand Pits Road

- New Road: *“Samphire Grove”* – The name recognises the samphire genus of wetland / salt-plain plants of which many species naturally occur in the South West Region
- Alternatives: *“Ficinia Grove”* – The name recognises *Ficinia nodosa* (commonly known as the knotted club rush) which is found throughout the South West Region.
- “Moorehen Grove”* – The name recognises the dusky moorhen (*Gallinula tenebros*), a medium sized species of bird which occurs naturally in the South West Region.

The road names are considered appropriate given their flora / fauna linkages to the region and their availability has passed preliminary validation from Landgate.

END REPORT

12.2.2 Title: Application for Development Approval – Extractive Industry – Lot 4580 Panizza Road, Crooked Brook

Reporting Department	<i>Sustainable Development Directorate</i>
Responsible Officer	<i>Mr Murray Connell - Executive Manager Development Services</i>
Reporting Officer	<i>Mr Gareth Webber - Planning Officer</i>
Applicant	<i>Carbone Bros Pty Ltd</i>
Legislation	<i>Planning and Development Act 2005</i>
Council Role	<i>Quasi-Judicial.</i>
Voting Requirement	<i>Simple Majority.</i>
Attachments	<i>Appendix ORD: 12.2.2A – Development Application Report</i> <i>Appendix ORD: 12.3.2B – Development Application Plans</i> <i>Appendix ORD: 12.2.2C – Public Submissions</i> <i>Appendix ORD: 12.2.2D – Agency Comments</i> <i>Appendix ORD: 12.2.2E – Risk Assessment Tool</i>

Overview

The purpose of this report is for Council to consider an application for development approval for an 'extractive industry' for sand and gravel on the north western portion of Lot 4580 (No. 322) Panizza Road, Crooked Brook.

Officers do not have delegation to determine applications for development approval within the 'Waste Disposal/Processing' area as identified in the Local Planning Strategy, and therefore this application is presented to Council for determination.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

290-22 MOVED - Cr. M T Bennett SECONDED - Cr. T G Gardiner

THAT Council:

1. **Approves the Application for Development Approval for an 'Industry – Extractive' on Lot 4580 (No. 322) Panizza Road, Crooked Brook under the Shire of Dardanup Town Planning Scheme No. 3 and the Greater Bunbury Region Scheme subject to the following conditions and advice notes:**

Conditions:

- a) **All development must be carried out in accordance with the approved plans listed below, unless amended with the written approval of the Shire. In the event of an inconsistency between the approved plans and a requirement of the conditions of this development approval, the requirement of the conditions prevails.**
 - **Figure 2: Site and Surrounds; and**
 - **Figure 3: Proposed Operations.**

- b) All works associated with the development (including but not limited to buildings, stockpiles, internal vehicular access, drainage etc.) must be setback a minimum of 20 m from all lot boundaries and 40 m from any road.
- c) Prior to the commencement of works, a rehabilitation plan shall be submitted to and approved by the Shire. Once approved, the landowner/proponent is responsible to ensure that the development is carried out at all times and in all respects in accordance with the plan.
- d) Prior to the commencement of works, a water management plan, prepared by a suitably qualified engineer must be submitted to and approved by the Shire in consultation with the Department of Water and Environmental Regulation (DWER). Once approved, the landowner/proponent is responsible to ensure that the development is carried out at all times and in all respects in accordance with the plan.
- e) Prior to the commencement of works a noise management plan is to be submitted to and approved by the Shire. Once approved, the landowner/proponent is responsible to ensure that the development is carried out at all times and in all respects in accordance with the plan.
- f) Prior to the commencement of works, the existing crossover, must be constructed to the approval of the Shire in accordance with Council Policy *Infr CP050 Crossovers – Approvals, Standards and Subsidies*.
- g) Haulage vehicles associated with the development are prohibited from using the gravel portion of Banksia Road and that portion of Panizza Road west of Depiazzi Road.
- h) Prior to the commencement of works, satisfactory arrangements being made with the Shire for the full cost of upgrading that portion of Panizza Road east of Depiazzi Road to a rural gravel road standard.
- i) Prior to the commencement of works, an agreement is to be entered into between the landowner/proponent and the Shire for a contribution to the maintenance of local roads directly resulting from the development in accordance with the methodology contained in the *WALGA User Guide – Estimating the Incremental Cost Impact on Sealed/Unsealed Local Roads from Additional Freight Tasks*.
- j) The landowner/proponent is responsible to ensure that development is carried out at all times and in all respects in accordance with the Appendix 4 Dust Management Plan prepared by Lundstrom Environmental Consultants Pty Ltd.
- k) The approved hours of operation are 7 am to 5 pm Monday to Friday, and 7 am to 12 pm Saturday. No operations are permitted on Sundays or public holidays.
- l) Haulage vehicle movements are limited to a maximum of 28 movements per day (14 incoming and 14 outgoing).

- m) Any ancillary maintenance or refuelling of plant and equipment shall be restricted to a mobile service vehicle carrying appropriate spill prevention and clean up equipment.
- n) The extraction operations are not permitted to intercept the water table. Should the extractive operations intercept the water table then:
 - The extractive operations must cease immediately, and must be reported to the Shire within 24 hours of the interception occurring; and
 - Prior to any further excavation or works proceeding, a report must be submitted to and approved by the Shire in consultation with the Department of Water and Environmental Regulation (DWER) detailing remedial action. Once approved, the landowner/proponent is responsible to ensure that the remedial actions are carried out at all times and in all respects in accordance with the report.
- o) Topsoil and extraction product material stockpiles are to be located only in the positions shown on the approved plans and limited in height to 2 m for the topsoil and 8 m for the product.

Advice Notes:

- i) With regard to condition c) the rehabilitation plan should detail, at a minimum:
 - The staging of works, operational activities and progressive timing for extraction and rehabilitation of the site;
 - The finished batter slopes which shall be no greater than 1:6;
 - The final landform contours and finished depth to groundwater levels;
 - Sufficient retained sand (500 mm minimum) and top soil (150 mm minimum) on-site to ensure post-extraction pasture rehabilitation viability; and
 - Consistency with 'Table 2: Proposed Stages of Extraction'.
- ii) With regard to condition d) the water management plan should detail, at a minimum:
 - Calculations showing how stormwater will be contained and disposed of on-site;
 - Compliance with the *Rights in Water and Irrigation Act 1914* and *Environmental Protection Act 1986*;
 - Sediment and erosion control;
 - Groundwater protection;
 - Any waterway/wetland impacts; and
 - Management of internal road infrastructure.

- iii) With regard to condition e) the noise management plan should detail, at a minimum:
 - Demonstrate the noise from the crushing and screening will comply with the *Environmental Protection (Noise) Regulations 1997*; and
 - Noise mitigation measures that will be implemented to make the noise comply with the *Environmental Protection (Noise) Regulations 1997*.
 - iv) With regard to condition g) the road upgrading may require a clearing permit which is the responsibility of the landowner/proponent, and the minimum standard for the road upgrade works will be as follows:
 - The road upgrading will require the pruning of roadside vegetation for the length of road between the existing crossover on the site to Depiazzi Road;
 - The road upgrading is for the length of road between the existing crossover on the site to the existing crossover on the adjoining Lot 80;
 - The upgrading requires a minimum 6 m wide gravel formation with 600 mm berm, adequately formed and drained to provide an all-weather surface suitable for all classes of GAV; and
 - Materials, compaction and all works to be completed to the satisfaction of the Shire and are required to meet MRWA specifications.
 - A works permit is to be applied for and granted by the Shire of Dardanup prior to commencement of the road works.
 - v) The site is over a Strategic Mineral Resource Protection Area for titanium-zircon mineralisation. Any removal of sand or gravel containing potentially economic grades of this type of mineralisation may be illegal without authorisation under the *Mining Act 1978*. Further information should be sought from DMIRS.
 - vi) The development is to be implemented in accordance with DWER's *WQPN No.15 Basic Raw Materials Extraction* and the management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with DWER's *WQPN No.56 Toxic and Hazardous Substance Storage and Use*.
 - vii) The development may be categorised as 'Prescribed Premises' under the *Environmental Protection Regulations 1987*. Further information should be sought from DWER.
2. Authorises the Chief Executive Officer to issue an Extractive Industry License for the extraction of sand and gravel at Lot 4580 (No. 322) Panizza Road, Crooked Brook and subject to but not limited to the following:
- a) The licensee is to furnish to the Shire a surveyor's certificate each year, prior to the renewal fee being payable, certifying the quantity of material extracted and that the material has not been extracted below the final contour levels outlined within the approved excavation programme.

- b) The lodging of a \$55,100 bond or bank guarantee with the Shire for restoration and reinstatement of the extraction site.
- c) The licence period being 5 years from the date of issue.

CARRIED
7/0

Background

The Shire has received an application for development approval for an extractive industry on the north western portion of Lot 4580 (No. 322) Panizza Road, Crooked Brook.

The site is located approximately 2.8 km south east of Dardanup townsite and abuts State Forest to the east. To the immediate south, the land contains the Shire of Dardanup waste transfer station, the Bunbury Harvey Regional Council green waste facility and the Water Corporation's Dardanup Wastewater Treatment Plant. To the immediate west, the land is owned by the Shire of Dardanup and is used for storage of materials and contains the Dardanup Aeromodellers Society facility. To the north east of the site is a composting facility. Beyond the immediate site the landscape consists of predominantly rural farmland with the closest dwelling being some 1.3 km from the site's boundary.

Access is via Panizza Road which is unsealed and the formation terminates just to the east of the current entry to the site. Panizza Road connects with the broader road network via Depiazzi Road to the west.

Location Plan



Proposal

The application proposes the extraction of 110,000 m³ of gravel and 110,000 m³ of sand in three stages over a total footprint area of approximately 11 ha. Operations will occur between 7 am to 5 pm Monday

to Friday, and 7 am to 12 pm on Saturday (with no operations on Sunday's or public holidays) over a period of around 5 years.

A mobile crushing and screening plant will be used for approximately 6 weeks per year. An average of 28 truck movements (14 in and 14 out) is estimated per day, dependent on demand.

Topsoil and overburden will be stockpiled along the edges of the extraction area with stockpiles being no higher than 2 m. Excavated material will be stockpiled within the pit area at a maximum height of 8 m.

Upon completion of the extraction of materials the site is to be rehabilitated with pasture and re-contoured approximately 1-2 m below the original ground level with a gentle 1 in 6 slope throughout the pit area.

Please refer to [Appendix ORD: 12.2.2A] for the development application report and to [Appendix ORD: 12.2.2B] for the development application plans. The outline of the proposal is as follows:

The outline of the proposal is as follows:

Region Scheme	'Rural' zoning
Local Planning Scheme	'Special Use' zoning
Structure Plan/Precinct Plan	No
Use Class and Permissibility	'Industry – Extractive' – permitted use
Lot Size	54.6 hectares
Existing Land Use	General farming
State Heritage Register	No
Local Heritage	No
Bushfire Prone Area	Yes

Legal Implications

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

The Shire of Dardanup *Extractive Industries Local Law* requires a person carrying out an extractive industry to hold a valid and current licence.

Council Plan

8.1 - Support responsible planning and development.

Environment

Please refer to the 'Officer Comment' section of this report.

Precedents

Council at its meeting held on the 24th of August 2011 (Res: 259-11) resolved to issue development approval and an extractive industry licence for the extraction of sand and gravel in essentially the same

location as this application proposes. However, this approval has lapsed without any extraction occurring.

Council at its meeting held on the 21st of November 2018 (Res: 369-18) resolved to support Amendment 190 to the Shire of Dardanup Town Planning Scheme No. 3 which rezoned the site from 'General Farming' to 'Special Use' with "industry – extractive" being a permitted use within the special use zone.

Council has previously approved several extractive industry applications within the Dardanup/Waterloo localities.

Consultation

Public Consultation

The application was advertised in accordance with cl. 64 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the Shire of Dardanup Extractive Industries Local Law.

The advertising period was for 14 days (concluding on the 21st of July 2022) and involved the following:

- A notice was placed on the Shire's website;
- A notice was placed in the South Western Times on the 30th of June 2022;
- A notice was placed on site; and
- A written notice was sent to all adjoining landowners within approximately 500 m of the subject land.

In response to the advertising a total of 6 public submissions were received. All submissions objected to the application. Please refer to [Appendix ORD: 12.2.2C] for a copy of the submissions. The key issues raised in the submissions are summarised below and further details are provided in the 'Officer Comment' section of this report.

ISSUE RAISED	OFFICER COMMENTS
Lack of a definitive rehabilitation plan.	Basic rehabilitation details have been submitted with the application however a condition requiring further details in a Rehabilitation Plan is recommended.
Concerns groundwater that travels north westerly may impact adjoining landowners.	The application has avoided the palaeo channel which traverses the site. A Water Management Plan was submitted with the application and a condition requiring further details of the methods that will be used to protect groundwater and manage stormwater is recommended.
A lack of traffic management with the increase of trucks on the road.	The application proposes 28 truck movements per day and to use the existing sealed road network which has been constructed to allow for haulage vehicles. Conditions requiring the upgrading of Panizza Road and also contributions to the local road network are recommended.
An increase of industry to a rural area.	The <i>State Planning Policy 2.5 – Rural Planning</i> advocates for securing significant basic raw material resources and providing for their extraction within rural areas. The site is located in an area identified in the Shire's Local Planning Strategy for 'Waste Disposal/Processing' which has been acknowledged via the site's 'Special Use' zoning that specifically allows for extractive industries.

ISSUE RAISED	OFFICER COMMENTS
Concerns regarding increase in dust generated on site and Panizza Road, especially during easterly winds.	The applicant has submitted a Dust Management Plan that complies with the Shire's <i>Dust Control Local Law</i> . A condition requiring the upgrading of Panizza Road to a rural gravel road standard is recommended.
Dust management should be in line with plans on Lot 2 so there is no contradiction.	The applicant has submitted a Dust Management Plan that complies with the Shire's <i>Dust Control Local Law</i> . Lot 2 has a number of differing uses (other than just an extractive industry) and therefore the dust controls are specific to the operations on that site.
The wind indications are using data from Donnybrook which would be totally irrelevant to the site.	The nearest weather station to the site with wind rose data is Donnybrook.
Noise management and concerns noise will be carried out due to strong easterly winds.	It is highly unlikely that there will be any impacts with regards to noise given the nearest resident is over 1 km from the proposed extraction area and this complies with the EPA's <i>Separation Distances between Industrial and Sensitive Land Uses</i> which lists the generic buffer for extractive industries as 500 – 1,000 m. Additionally the operation hours are limited to between 7 am to 5 pm Monday to Friday, and 7 am to 12 pm on Saturday (with no operations on Sunday's or public holidays). A condition requiring a noise management plan demonstrating how the proposal will comply with the <i>Environmental Protection (Noise) Regulations 1997</i> is recommended.
Concerns application is incremental step towards subject site becoming repository radioactive waste and tailings.	Consideration can only be given to the merits of the application as presented.
Concerns regarding soil contamination from historical uses of land.	DWER administers the <i>Contaminated Sites Act 2003</i> to ensure contamination is identified, recorded, managed and remediated. The application was referred to DWER and no concerns on this issue were raised.
A Local Development Plan similar to Lot 2 Banksia Road should be put in place for Lot 4580 with stipulations for what will be allowed in the future at this site.	Officers do not consider a Local Development Plan is necessary as the application is only for an extractive industry, returning the land to pasture.

Consultation with Government/Service Agencies

The application was referred to the following agencies in accordance with the cl. 66 of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*:

- Department of Biodiversity, Conservation and Attractions (DBCA)
- Department of Mines, Industry Regulation and Safety (DMIRS)
- Department of Planning, Lands and Heritage (DPLH)
- Department of Primary Industries and Regional Development (DPIRD)
- Department of Water and Environmental Regulation (DWER)
- Main Roads WA (MRWA)
- Water Corporation

The period for comment was 42 days (concluding on the 5th of August 2022). A response was received from all seven agencies. Please refer to [Appendix ORD: 12.2.2D] for a copy of the agency comments.

The key issues raised from the agencies are summarised below and further details are provided in the 'Officer Comment' section of this report.

AGENCY	ISSUE RAISED	OFFICER COMMENTS
DBCA	No objection provided the proposal complies with the 'Special Use 1' are conditions.	Noted.
DMIRS	Any removal of sand or gravel containing potentially economic grades of this type of mineralisation may be illegal without authorisation under the <i>Mining Act 1978</i> . Advice should be sought from DMIRS should the company have any doubt about the presence of mineralisation during extraction.	An advice note is recommended to advise the applicant of this issue.
DPLH	No relevant comments to make.	As the site abuts State Forest the application requires planning approval under the GBRs. The Shire has delegation to determine the application, subject to the Shire accepting the advice from the relevant agencies.
DPIRD	<u>Groundwater management</u> There needs to be a transect of groundwater piezometers installed to gather information on the depth of groundwater in each relevant aquifer with relevant measurements across the seasons. This information should then be used to ensure that the groundwater is not at any time intercepted or exposed to the air.	A hydrological investigation was conducted by WML Consultants Pty Ltd as detailed in the application. The investigation gathered depth of the groundwater in each relevant aquifer and the data from the investigation allowed for a diagram of the geology and relevant aquifers to be drawn. The extraction area has been designed to avoid intercepting groundwater and a condition prohibiting the extraction operations from intercepting the water table is recommended.
	<u>Rehabilitation planning</u> There needs to be more consideration to the rehabilitation plan to ensure that the land is returned to the same or better condition than prior to excavation, so that the proposed end use of grazing pasture can be successful.	Basic rehabilitation details have been submitted with the application however a condition requiring further details in a Rehabilitation Plan is recommended.
	<u>Staged progress</u> It is recommended that the extraction only be permitted to progress in a staged manner, with just one stage of the operation open at a time.	Basic rehabilitation details have been submitted with the application however a condition requiring further details in a Rehabilitation Plan is recommended.
	The proposal must at all times be compliant with DWER's Water Quality Protection Guidelines for Basic Raw Materials Extraction.	An advice note is recommended to advise the applicant of this issue.
DWER	The proposed extraction is to be implemented in accordance with the Department's Water Quality Protection Note (WQPN) no. 15 'Basic raw materials extraction'.	An advice note is recommended to advise the applicant of this issue.
	Extraction must be undertaken in accordance with a staging plan. Any extraction stage shall be subject to the previous extraction site having substantially commenced rehabilitation.	Basic rehabilitation details have been submitted with the application however a condition requiring further details in a Rehabilitation Plan is recommended.

AGENCY	ISSUE RAISED	OFFICER COMMENTS
	<u>Water Management</u> Adherence to the 'Water Management Plan' (WMP.v.2), with details of the methods that will be used to protect groundwater and manage stormwater and off-site sedimentation, shall be made a condition of any extractive industry licence.	A Water Management Plan was submitted with the application and a condition requiring further details of the methods that will be used to protect groundwater and manage stormwater is recommended.
	<u>Site Rehabilitation</u> A formal 'Rehabilitation Plan' that meets the agreed rehabilitation criteria, is to be prepared and approved, consistent with WQPN 15 'Extractive Industries' and the 'Guidelines for Preparing Mine Closure Plans'.	Basic rehabilitation details have been submitted with the application however a condition requiring further details in a Rehabilitation Plan is recommended.
	<u>Crushing and Screening</u> The proposed operations may be categorised as a 'Prescribed Premises' under the <i>Environmental Regulations 1987</i> .	An advice note is recommended to advise the applicant of this issue.
	<u>Water Supply</u> The proponent is to quantify their water requirements for all aspects of the proposed extraction and provide evidence of a secure water source.	The applicant advised that total water requirements for dust suppression (including water car application) will be below 2,500 kL/year. Crushing will be undertaken in the wetter months (May to September) to minimise the water requirements for dust suppression. It is likely that water for dust suppression will be abstracted off-site from the nearest available commercial scheme source, of which there are several in the region.
	<u>Chemical Tanks/Service</u> Management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with the Department's WQPN 56 – 'Toxic and Hazardous Substance Storage and Use'.	An advice note is recommended to advise the applicant of this issue.
MRWA	No objection.	Noted.
Water Corporation	The Dardanup Wastewater Treatment Plant is located in close proximity to the subject site. During maintenance and abnormal operating or weather conditions, an increased level of odour may occur that will be of nuisance to persons within the odour buffer area.	The odour buffer will have minimal impact, if any on the extraction operation and is considered a compatible land use.

Budget Implications

The *Shire of Dardanup Extractive Industries Local Law* requires a bond or bank guarantee to be lodged with the Shire for restoration and reinstatement of the extraction site. The bond amount is calculated at \$55,100. The bond is refundable on completion of rehabilitation of the site.

A contribution for the maintenance of local roads directly affected by the extractive industry is recommended as a condition of the approval. The amount of \$12,415 per annum has been calculated in accordance with the methodology contained within the *WALGA document User Guide – Estimating the Incremental Cost Impact on Sealed/Unsealed Local Roads from Additional Freight*.

Budget – Whole of Life Cost - None.

Council Policy Compliance

- *Infr CP050 – Crossovers – Approvals, Standards and Subsidy*
- *Infr CP055 – Extractive Industries – Site Rehabilitation*
- *SDev CP5050 – Public Consultation – Planning Matters*

Risk Assessment

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

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Application for Development Approval – Extractive Industry
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Financial Should Council refuse the application, and the proponent seek a review of that decision, there is likely to be a financial impact through the State Administrative Tribunal process.

Officer Comment

The application has been assessed in accordance with the cl. 67(2) of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* with those matters relevant to the application detailed below.

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

The site is zoned ‘Special Use’ under Local Planning Scheme No. 3 (LPS3) and the objectives of the zone are:

- To facilitate special categories of land uses which do not sit comfortably within any other zone.
- To enable Council to impose specific conditions associated with the special use.

The application seeks approval for an ‘Industry – Extractive’ use class which is defined as:

“an industry which involves the extraction, quarrying or removal of sand, gravel, clay, hard rock, stone or similar materials from the land and includes the treatment and storage of those materials, or the manufacture of products from those materials on, or adjacent to, the land from which the materials are extracted, but does not include industry – mining”

Special Use No. 1 (SU1) lists ‘Industry – Extractive’ as a permitted use for the site which means that the use is permitted by the Scheme providing the use complies with the relevant development standards and requirements of the Scheme.

(c) Any approved State planning policy.

- *State Planning Policy 2.4 – Planning for Basic Raw Materials*

The intent of this policy is to ensure basic raw materials (BRM) and extractive industries matters are considered during planning and development decision-making, to facilitate the responsible extraction and use of the State's BRM resources. The policy acknowledges that the supply of BRM are essential to support the economic development in Western Australia.

The policy highlights separation distances, visual impacts, groundwater separation and transport management as key aspects to consider. The application has demonstrated that:

- It meets the minimum 500 m separation distance from sensitive land uses outlined in the EPA's Guidance Statement No. 3;
- The site is not considered to be in a visually sensitive area and currently has vegetation and dense bushland that provides a visual buffer;
- The application was amended to avoid a palaeo channel which was likely to bring about water management issues; and
- Conditions are recommended to ensure road access is suitable with future contributions to be made to the Shire for maintenance.

- *State Planning Policy 2.5 – Rural Planning*

The purpose of the policy is to protect and preserve rural land assets due to the importance of their economics, natural resource, food production, environmental and landscape values. Ensuring broad compatibility between land uses is essential to delivering this outcome.

The policy advocates for securing significant basic raw material resources and providing for their extraction and the application is therefore considered consistent with the policy.

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

As the proposed works proposes no habitable buildings or structures, the application is exempt from the requirements of the policy.

(e) Any policy of the Commission.

The land is located within the Greater Bunbury Region Scheme Strategic Minerals and Basic Raw Materials Resource Policy. The principal purpose of this policy is to ensure long-term security of access for minerals and basic raw materials through appropriate land use planning and control of development. The applicant is therefore considered consistent with the purpose of the policy.

(fa) Any local planning strategy for this Scheme endorsed by the Commission.

The Shire of Dardanup Local Planning Strategy was endorsed by the WAPC on the 4th of May 2015. The site is located within an area identified as a 'Waste Disposal/Processing' area and also within the 'Strategic Minerals' and 'Basic Raw Materials & Buffer' area. The extractive industry land use is consistent with the Strategy's future intentions for the area.

(g) Any local planning policy for the Scheme area.

The Shire's policy Infr CP055 – Extractive Industries – Site Rehabilitation' specifies the rehabilitation requirements for extraction sites and requires a plan to be submitted detailing the rehabilitation and monitoring.

Conditions are recommended to require a rehabilitation plan demonstrating the return of the site to pasture, as well as a rehabilitation bond which will be refunded upon completion of the excavation and rehabilitation works.

(m) The compatibility of the development with its setting, including –

- (i) the compatibility of the development with the desired future character of its setting; and
- (ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.

(n) The amenity of the locality including the following –

- (i) environmental impacts of the development;
- (ii) the character of the locality;
- (iii) social impacts of the development.

Whilst extractive industries do involve excavation works that have a ‘scarring effect’ on the land, there has also been well-established acknowledgement and acceptance of these temporary impacts on the rural amenity.

A condition is recommended requiring a rehabilitation plan demonstrating that once the extraction has been completed, how the land will be returned to pasture to compliment the surrounding rural landscape.

(n) The likely effect of the development on the natural environment or water resources and any means that are proposed to protect or mitigate impacts on the natural environment or the water resource.

The application has avoided the paleo channel which traverses the site. A Water Management Plan was submitted with the application and a condition requiring further details of the methods that will be used to protect groundwater and manage stormwater is recommended.

(p) 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 site is cleared agricultural land and the proposed extraction area avoids any remnant vegetation. The site is located at the end of Panizza Road with no adjoining residential land uses and is therefore not considered to be in a visually sensitive area. Additional landscaping or visual screening is not considered necessary, and it is noted that there is significant vegetation along Panizza Road and the boundaries of the site which will provide sufficient screening of the proposed operations.

(r) The suitability of the land for the development taking into account the possible risk to human health or safety.

The nearest resident is over 1 km from the proposed extraction area and this complies with the EPA’s *Separation Distances between Industrial and Sensitive Land Uses* which lists the generic buffer for extractive industries as 500 – 1,000 m.

With regard to dust, the applicant has submitted a Dust Management Plan that complies with the Shire’s *Dust Control Local Law*.

With regard to noise, the application provides basic details with regards to noise management and operation hours are limited to between 7 am to 5 pm Monday to Friday, and 7 am to 12 pm on Saturday (with no operations on Sunday’s or public holidays). In order to protect the amenity of

the area and concerns regarding noise, a condition requiring a detailed noise management plan demonstrating how the proposal will comply with the *Environmental Protection (Noise) Regulations 1997* is recommended.

(s) The adequacy of –

(i) the proposed means of access to and egress from the site; and

(ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles.

(t) The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.

The application proposes 28 truck movements per day and to use the existing sealed road network which has been constructed to allow for haulage vehicles. Currently, Panizza Road east of the adjoining Lot 80 is of a standard suitable only for a low level of vehicle traffic. Due to the additional haulage vehicles associated with the proposal, conditions requiring the upgrading of Panizza Road and also contributions to the local road network are recommended.

(y) Any submissions received on the application.

(za) The comments or submissions received from any authority consulted under clause 66.

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

Conclusion

The proposed extractive industry is a permitted use within the Special Use (SU1) zone. Officers consider that the proposal is compatible with the surrounding development context and the character of the area.

Matters raised during the advertising period with regard to rehabilitation, water management, traffic, noise and dust can be appropriately managed by conditions. Officers consider that the application complies with the requirements of orderly and proper planning and are therefore recommending conditional approval of the application.

The *Planning and Development (Local Planning Schemes) Regulations 2015* states that the local government is to be taken to have refused to grant development approval if it has not made a determination within 90 days of the receipt of the application (in this instance being the 22nd of August 2022), however the applicant has agreed to an extension of time to the 30th of November 2022. Therefore officers do not recommend deferring the matter.

END REPORT

12.2.3 Title: Approval of Local Planning Scheme Amendment No. 205 – ‘Small Holding’ Rezoning Lot 2 Harold Douglas Drive and portion of Lot 185 Venn Road, Dardanup West

Reporting Department	<i>Sustainable Development Directorate</i>
Responsible Officer	<i>Mr Murray Connell - Executive Manager Development Services</i>
Reporting Officer	<i>Ms Melanie Young – Senior Planning Officer</i>
Applicant	<i>Across Planning on behalf of Dardanup Park Pty Ltd</i>
Legislation	<i>Planning and Development Act 2005</i>
Council Role	<i>Legislative</i>
Voting Requirement	<i>Simple Majority</i>
Attachments	<i>Appendix ORD: 12.2.3A – Amendment 205 report</i> <i>e-Appendix ORD: 12.2.3B – Technical Appendices</i> <i>Appendix ORD: 12.2.3C – EPA Notice of Decision</i> <i>Appendix ORD: 12.2.3D – Schedule of Submissions</i> <i>Appendix ORD: 12.2.3E – Submissions</i> <i>Appendix ORD: 12.2.3F – Risk Assessment Tool</i>

DECLARATION OF INTEREST

Cr. T G Gardiner declared a Financial Interest in this item.
Please refer to Part 11 ‘Declaration of Interest’ for full details.
Cr. T G Gardiner left the room [5.06pm].

Overview

Council at its meeting held on the 27th of April 2022 resolved to initiate Amendment 205 and the advertising period has now concluded with 13 submissions received. The purpose of this report is to seek Council approval of Amendment 205 to the Shire of Dardanup Town Planning Scheme No. 3 without modification.

The purpose of Amendment 205 is to rezone Lot 2 Harold Douglas Drive and a small portion of Lot 185 Venn Road, Dardanup West to the ‘Small Holding’ zone to facilitate future subdivision of the land.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

291-22 MOVED - Cr. M T Bennett SECONDED - Cr. S L Gillespie

THAT Council:

- 1. Supports Amendment 205 to the Shire of Dardanup Town Planning Scheme No. 3 without modifications;**
- 2. Advises the applicant and the Western Australian Planning Commission that Council’s support for the Amendment is in no way to be construed as any indication that the Shire will recommend approval of the subdivision as proposed in the Concept Plan, and that a Local Development Plan is first to be submitted and approved prior to any subdivision being considered.**

CARRIED

6/0

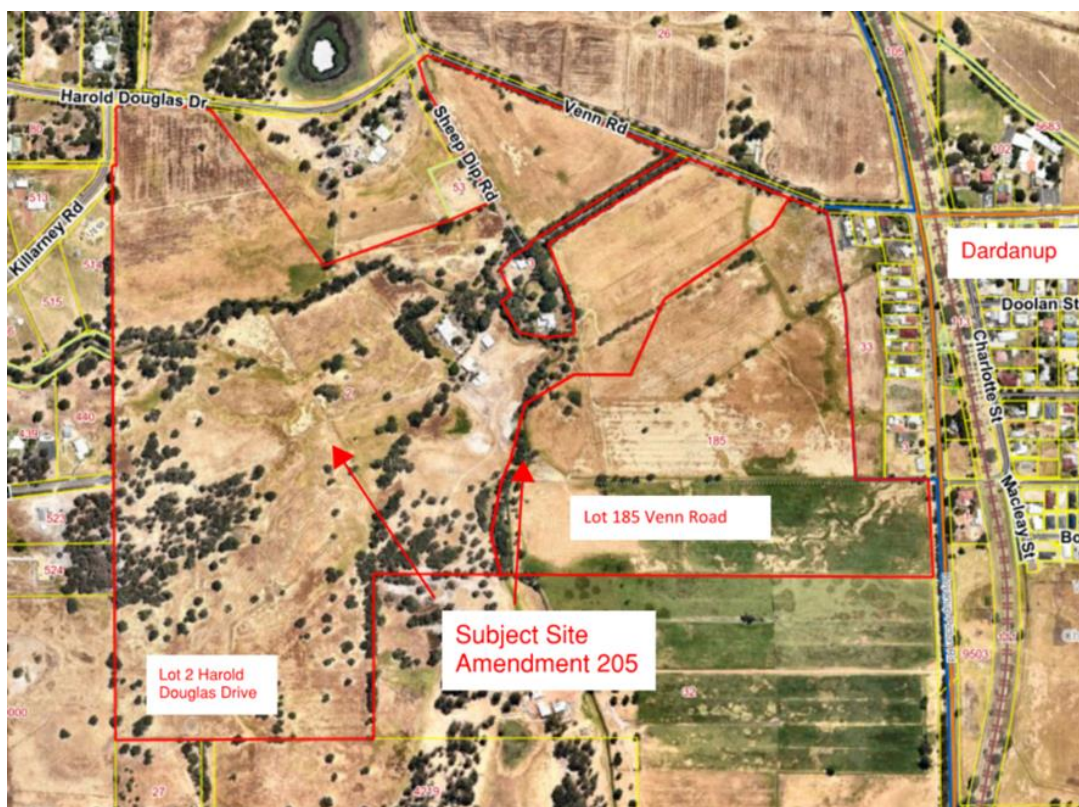
Background

Lot 2 Harold Douglas Drive and Lot 185 Venn Road (the subject site) is located approximately 0.5 km west of the Dardanup townsite. The Lots have direct road frontage to both Harold Douglas Drive and Venn Road.

Lot 2 (58.83 ha) is predominantly flat, used for grazing and contains an existing dwelling and sheds. A small creek line (Gavin's Gully) runs along the eastern part of Lot 2. The north east section of Lot 2 abuts Lot 3, a battle axe lot that contains a residential homestead. Lot 185 (24.23 ha) is used for general farming and contains no buildings.

The subject site is bordered by general farming to the north and south, with 'small holding' lots to the west. To the east are residential zoned lots and the Dardanup townsite.

Location Plan



Proposal

Amendment 205 seeks to rezone all of Lot 2 and only the western edge of Lot 185 from 'General Farming' to the 'Small Holding' zone to facilitate future subdivision.

In addition, the Amendment proposes to introduce additional requirements for the site in Appendix VIII Additional Requirements – Small Holding Zones of the Scheme. These additional requirements contain development control provisions applicable to the subject site. The Amendment will provide the statutory basis upon which the Shire can determine future subdivision and development applications.

Please refer to [Appendix ORD: 12.2.3A] for a copy of the Amendment 205 Report. All of the technical appendices have been provided electronically [e-Appendix ORD: 12.2.3B] and printed hard copies are available upon request.

The outline of the proposal is as follows:

Region Scheme	Greater Bunbury Region Scheme 'Rural' zone
Local Planning Scheme	Town Planning Scheme No. 3 'General Farming' zone
Structure Plan/Precinct Plan	Dardanup Small Holdings Structure Plan
Lot Size	A total area of 53 ha is to be rezoned
Existing Land Use	General Farming
State Heritage Register	No
Local Heritage	No
Bushfire Prone Area	Yes

Legal Implications

Division 3 of the *Planning and Development (Local Planning Schemes) Regulations 2015* sets out the process that must be followed for standard amendments to a local planning scheme and in particular Regulation 50 deals with the consideration of submissions as follows:

50. *Consideration of submissions on standard amendments*
 - (2) *The local government –*
 - (a) *must consider all submissions in relation to a standard amendment to a local planning scheme lodged with the local government within the submission period; and*
 - (b) *may, at the discretion of the local government, consider submissions in relation to the amendment lodged after the end of the submission period but before the end of the consideration period.*
 - (3) *Before the end of the consideration period for a standard amendment to a local planning scheme, or a later date approved by the Commission, the local government must pass a resolution –*
 - (a) *to support the amendment without modification; or*
 - (b) *to support the amendment with proposed modifications to address issues raised in the submissions; or*
 - (c) *not to support the amendment.*

Council Plan

8.1 - Support responsible planning and development.

Environment

The Environmental Protection Authority advised that the Amendment should not be assessed by them under Part IV of the *Environmental Protection Act 1986*. Please refer to [Appendix ORD: 12.2.3C] for a copy of the decision.

Precedents

Council at its meeting held on the 27th of April 2022 (Res: 83-22) resolved to initiate this Amendment for the purpose of public advertising. Council has also previously resolved to initiate and support a number of other amendments in the Dardanup Small Holdings Structure Plan area.

Consultation

The Amendment was publicly advertised in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Council Policy SDev CP505 – Public

Consultation – Planning Matters. The advertising period was for 42 days (concluding on the 12th of August 2022) and included the following:

- A public notice appeared in the South Western Times on the 30th of June 2022;
- The Amendment details were made available on the Shire’s website and a copy of the document was made available at the Shire’s offices in Eaton and Dardanup;
- A sign was placed on site on the 30th of June 2022;
- All landowners and occupiers within 500 m were written to and advised of the Amendment;
- The Amendment was referred to the following government/service agencies:
 - Aqwest
 - Water Corporation
 - Department of Health
 - Department of Fire and Emergency Services
 - Department of Primary Industries and Regional Development
 - Department of Biodiversity, Conservation and Attractions
 - Department of Water and Environmental Regulation
 - Department of Planning, Lands and Heritage

At the conclusion of the public advertising period a total of 13 submissions were received (5 from the public, 7 from government/service agencies and the applicant also provided a late submission). Please refer to [Appendix ORD: 12.2.3D] for the ‘Schedule of Submissions’ which contains recommendations for each submission. Please refer to [Appendix ORD: 12.2.3E] for a copy of the actual submissions.

The key issues raised in the submissions are summarised below:

- The proposed lots are in a low-lying area within significant parts of being inundated.
- Mosquito management.
- Concern that the bushfire management plan has not adequately considered how compliance with the bushfire protection criteria can be achieved at subsequent planning stages.
- Stocking rates and the keeping of horses.
- Minimising vegetation clearing.
- No support for the subdivision layout and additional information required to further consider seasonal inundation risks.
- Capability of the proposed lots to accommodate on-site effluent disposal.
- Traffic safety and management including road upgrades.
- Drainage off-site.
- Acknowledgment from the applicant that the ‘Concept Plan’ initially submitted with the Amendment document was indicative only, is not a formal part of the Amendment and will not be endorsed.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance

SDev CP505 – Public Consultation – Planning Matters

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to [Appendix ORD: 12.2.3F] for full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Approval of Local Planning Scheme Amendment No. 205
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Legal and Compliance Failing to pass resolution in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .

Officer Comment

Amendment 205 has been assessed against the following planning framework applicable to the Amendment as detailed below:

State Planning Policy 2.5 Rural Planning

The Policy aims to protect rural land for primary production but recognises there is a demand for rural living development. A number of policy measures and planning requirements are listed for consideration when decision-making for rural living proposals. The most pertinent to this Amendment are:

- *the rural living precinct must be part of a settlement hierarchy established in an endorsed planning strategy.*

The site has been identified in the Shire’s Local Planning Strategy as ‘Rural-Residential’ and the Strategy also advocates for further subdivision in the ‘Dardanup West / Crooked Brook Rural Living’ area. This is further reinforced with the site forming part of the Dardanup Small Holdings Structure Plan.

- *the land is capable of supporting the development of dwellings and associated infrastructure (including wastewater disposal and keeping of stock) and is not located in a floodway or an area prone to seasonal inundation.*

The submissions raised the capability of the land as a concern. However it is important to note that the matters raised were directly related to the subdivision Concept Plan that accompanied the Amendment report. Whilst these issues are recognised, it is important to acknowledge that the Amendment is proposing only the rezoning of the land to ‘Small Holding’ which will facilitate future rural residential lots that may range in size from 1 ha to 4 ha.

The technical reports submitted with the Amendment have provided useful background information identifying key land capability issues across the site. They also indicate that the land is capable of rural living development (albeit with potentially less number of lots as depicted in the Concept Plan).

The site is generally suitable for rural living development with suitable ground improvement and appropriate wastewater disposal solutions. The Amendment is considered to be broadly consistent with the Policy noting that further detailed assessment will be required at future planning stages.

Government Sewerage Policy

The Policy (GSP) establishes the position on the provision of sewerage services. The policy aim is for reticulated sewerage to be provided, however where reticulated sewerage cannot be provided, the Policy provides for a best practice approach to on-site sewage treatment and disposal.

The site is within a sewage sensitive area and proposes at future planning stages to provide on-site sewage disposal. The GSP states that this may be considered where it can be demonstrated that each lot is capable of accommodating on-site sewage disposal without endangering public health or the environment. Again the submissions raised the capability of the land for on-site sewage disposal as concern, which was directly related to the subdivision Concept Plan that accompanied the Amendment report. Whilst these issues are acknowledged, it is important to note that the Amendment is proposing only the rezoning of the land to 'Small Holding' which will facilitate future rural residential lots that may range in size from 1 ha to 4 ha.

The on-site disposal of wastewater will need to be appropriately addressed with further detail at the subdivision stage, which may then necessitate changes to the subdivision design.

Bunbury – Geographe Sub-regional Strategy 2022

The purpose of this Strategy is to plan for future growth in the Bunbury-Geographe sub region to the year 2050. The Strategy identifies broad strategic directions to guide planning activities for the sub-region.

Applicable to this Amendment is the strategic direction for urban settlement which includes to '*provide for the designation of new rural living areas in locations contiguous with the following settlements: Dardanup.*'

Town Planning Scheme No. 3 (TPS3)

The Amendment proposes to rezone the land to the 'Small Holding' zone and the objective for the zone is 'to provide for residential development within a rural setting, where the predominant land use is residential.'

Clause 3.14.2 of TPS3 also allows for additional requirements for small holding zoned areas as follows:

- The additional requirements and modifications to the provisions contained in the preceding clause and to the Zoning and Development Tables are specified in Appendix VIII and apply to the areas set against those requirements and modification in that Appendix.

The Amendment proposes to introduce the following additional requirements into Appendix VIII of TPS3 as follows:

AREA	ADDITIONAL REQUIREMENTS
Area 19 – Dardanup Park	1. Subdivision and Development Criteria
Lot 2 Harold Douglas Drive and portion of Lot 185 Venn Road, Dardanup West	<p>a) The local government will require the preparation of a local development plan and subdivision shall be generally be in accordance with the local development plan.</p> <p>b) No dwelling, outbuilding, on-site effluent disposal system or other incidental building shall be constructed in the Building Exclusion Zone as shown on the local development plan.</p> <p>c) Notwithstanding clause 3.14.1 r), no tree or shrub within 30 metres of</p>

AREA	ADDITIONAL REQUIREMENTS
	<p>the edge of the proposed drain reserve (Gavin's Gully) shall be removed.</p> <p>d) Sewage is to be discharged via an on-site effluent disposal system which meets the requirements of the <i>Government Sewerage Policy</i>.</p> <p>e) Despite clause 3.14.1 c), each dwelling shall be provided with a minimum 135,000 litre potable water storage tank in addition to any requirements of an approved bushfire management plan.</p> <p>f) At the subdivision stage, suitable arrangements are to be made with the local government for the provision of two (2) fully operational 50,000 litre water tanks for fire-fighting purposes to be located on Reserve 43955, Harold Douglas Drive. As an alternative the local government may accept an equivalent contribution towards strategic bushfire management measures in the Small Holding area of Dardanup West.</p> <p>g) At the subdivision stage, the local government may request that the WAPC impose a condition requiring that satisfactory arrangements be made for the upgrading and/or construction of the local road network (including intersections) to the Shire's standard.</p> <p>2. Land Use Controls</p> <p>a) Stocking rates shall not exceed Department of Primary Industries and Regional Development stocking rate guidelines.</p> <p>b) Despite clause 3.14.1 i), the keeping of horses in accordance with subclause a), is limited to personal use with a maximum of 3 horses.</p>

Dardanup Small Holdings Structure Plan

This Structure Plan encompasses an area west of the Dardanup townsite and has provided a broad overarching framework for the rezoning a, subdivision and development of land for rural residential lots. The Structure Plan provides an indicative road network and the applicant has acknowledged in their submission that the intent is for any future road layout to be consistent with the Structure Plan.

Shire of Dardanup Local Planning Strategy

This Strategy provides a strategic plan for the future of the Shire. The subject site is identified as 'Rural-Residential'. The Strategy also advocates for further subdivision in the 'Dardanup West / Crooked Brook Rural Living' area.

Conclusion

The site is generally suitable for rural living development with suitable ground improvement and appropriate wastewater disposal solutions. Whilst it is acknowledged that the submissions raised the capability of the land as a concern, it is important to note that the matters raised were directly related to the subdivision Concept Plan that accompanied the Amendment report. The Amendment is proposing only the rezoning of the land to 'Small Holding' which will facilitate future rural residential lots that may range in size from 1 ha to 4 ha.

The site has been identified in the Shire's Local Planning Strategy as 'Rural-Residential' and the Strategy also advocates for further subdivision in the 'Dardanup West / Crooked Brook Rural Living' area. This is further reinforced with the site forming part of the Dardanup Small Holdings Structure Plan.

The Amendment is consistent with the future planning context of the area and Officers therefore recommend that Council support the amendment without any modifications.

Officers do not recommend Council defer the matter as the *Planning and Development (Local Planning Schemes) Regulations 2015* states that the local government must pass a resolution on the Amendment and provide it to the WA Planning Commission (WAPC) no later than 60 days after the advertising period (being the 11th of October 2022). The WAPC have agreed to an extension of this time until the 14th of December 2022.

END REPORT

Note: Cr. T G Gardiner returned to the room [5.07pm].

12.2.4 Title: Wells Reserve Change Rooms and Cricket Nets – Project Closure Report

Reporting Department:	<i>Infrastructure Directorate</i>
Responsible Officer	<i>Ms Susan Oosthuizen - Director Special Projects & Community</i>
Reporting Officer	<i>Mr James Reilly - Project Engineer</i>
Legislation	<i>Local Government Act 1995</i>
Council Role	<i>Executive/Strategic.</i>
Voting Requirement	<i>Simple Majority.</i> <i>Absolute Majority.</i>
Attachments	<i>Appendix ORD: 12.2.4A – Risk Assessment Tool</i> <i>Appendix ORD: 12.2.4B – Proposed Sealed Carpark</i>

Overview

This report provides Council with a project closure report on the Wells Reserve Change Room and Cricket Nets Project and also request that Council consider approving the demolition of the toilets block located on Wells reserve, the sealing of the carpark to the west of the new bush fire brigade building (see location on Figure 1 below) and considers options to upgrade the water connection for the Reserve.



Figure 1

OFFICER RECOMMENDED RESOLUTION “A”

THAT Council authorises the 2022/23 Carried Forward Budget for the Wells Recreation Club Rooms (J11639) from an adopted budget of \$1,095,076 to a revised budget of \$746,081, funded by \$659,746 from the Carried Forward Projects Reserve Account and the balance of \$86,335 being grant funding.

AND

OFFICER RECOMMENDED RESOLUTION "B" – Option 1

THAT Council:

1. Returns the savings from the Wells Recreation Reserve Change rooms project (J11639) of \$102,195.00 to the Building Reserve.
2. Notes that this closes out the Wells Recreation Reserve Change Rooms project.

OR

OFFICER RECOMMENDED RESOLUTION "B" – Option 2

THAT Council:

1. Approves the installation of a holding tank and booster pump for the Wells Recreation Reserve Change rooms at an estimated cost of \$10,000.00 from (J11639).
2. Approves the demolition of the existing public toilet block on Wells Reserve at an estimated cost of \$15,000.00 from (J11639).
3. Authorises a 2022/23 Budget amendment to transfer \$60,000 from J11639 (Wells recreation Reserve Change rooms) to J05026 (Dardanup Central BFB carpark).
4. Returns any remaining funds from the Wells Recreation Reserve Club Rooms (J11639) to the Building Reserve.
5. Notes that Completion of holding tank and booster pump installation closes out the Wells Recreation Reserve Change Rooms project.

Note: Cr. J Dow moved Officer recommended resolutions A and B – Option 2.

Change to Officer Recommendation - No Change.

**OFFICER RECOMMENDED RESOLUTION
& COUNCIL RESOLUTION "A"**

292-22

MOVED -

Cr. J Dow

SECONDED -

Cr. S L Gillespie

THAT Council authorises the 2022/23 Carried Forward Budget for the Wells Recreation Club Rooms (J11639) from an adopted budget of \$1,095,076 to a revised budget of \$746,081, funded by \$659,746 from the Carried Forward Projects Reserve Account and the balance of \$86,335 being grant funding.

CARRIED

7/0

By Absolute Majority

AND

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION "B" – Option 2

293-22 MOVED - Cr. J Dow SECONDED - Cr. S L Gillespie

THAT Council:

1. Approves the installation of a holding tank and booster pump for the Wells Recreation Reserve Change rooms at an estimated cost of \$10,000.00 from (J11639);
2. Approves the demolition of the existing public toilet block on Wells Reserve at an estimated cost of \$15,000.00 from (J11639);
3. Authorises a 2022/23 Budget amendment to transfer \$60,000 from J11639 (Wells recreation Reserve Change rooms) to J05026 (Dardanup Central BFB carpark);
4. Returns any remaining funds from the Wells Recreation Reserve Club Rooms (J11639) to the Building Reserve;
5. Notes that Completion of holding tank and booster pump installation closes out the Wells Recreation Reserve Change Rooms project.

CARRIED

7/0

By Absolute Majority

Background

At the Ordinary Council Meeting held on the 15th of December 2021 (Res: 424-21) Council resolved the following;

THAT Council:

1. Allocates the Mr Alexander Poad's bequeathed funds of \$51,000 plus interest to J11639 and increase the expenditure of J11639 with an equivalent amount.
2. Accepts the request for quote submission for RFQ F0245622 Wells Reserve Change Rooms and Cricket Nets as received from Kilmore Group Pty Ltd T/A Timberbuilt Australia, as the most advantageous, for a lump sum value of \$959,806 (Ex GST).
3. Delegates by Absolute Majority, to the Chief Executive Officer in accordance with s.5.42(1) of the Local Government Act 1995, to:
 - a) Negotiate minor variations to the contract for RFQ F0245622 Wells Reserve Change Rooms and Cricket Nets before its execution in accordance Regulations 20 and 21A of the Local Government (Functions and General) Regulations 1996;
 - b) Execute the contract for RFQ F0245622 Wells Reserve Change Rooms and Cricket Nets in accordance with s.9.49A of the Local Government Act 1995; and
 - c) Negotiate variations, after the contract has been entered into, limited to variations which do not change the scope of the contract and which do not increase the contract value beyond 10%, in accordance with Regulation 21A of the Local Government (Functions and General) Regulations 1996.

- d) *Incur expenditure related to utility service upgrades that may be required for this project in addition to the Contract Value of no more than \$100,000.*
4. *Thanks the Dardanup Red Cross and acknowledges Mr Alexander Poad's contribution towards this important community facility, and requests the Chief Executive Officer to ensure that Mr Poad's contribution is appropriately acknowledged within the Wells Recreation Reserve Club Room Facility when it is redeveloped.*

Work on site is now complete and present the Council with project closure report. Further request that Council consider other works to be carried out on Wells Reserve to wrap-up project.

Legal Implications

The officers requested quotes for the sealing of the carpark to the west of the new bush fire brigade building in accordance with Council CnG CP – 034 Procurement Policy .

Council Plan

- 1.1 - Support the community to feel safe while using Shire facilities and public spaces.
- 2.2 - Increase participation in sport, recreation and leisure activities.
- 14.2 - Ensure equitable, inclusive and transparent engagement and decision- making.

Environment

This report recognises the environmental value renewal energy and the design of the new building included 13kW of solar panels on the roof.

Precedents

The Shire of Dardanup has embarked upon previous building works by external contractors;

- Glen Huon Sports Pavilions
- Eaton Bowling Club
- Shire Works Depot

Budget Implications

The original adopted budget in 2021/22 was \$1,131,308 which included the contribution from the Alex Poad funds. With the majority of the project expenditure expected to be completed in 2022/23, a carried forward amount of \$1,095,076 was included in the 2022/23 Annual Budget.

With the 21/22 financial year now fully reconciled, the actual carried forward amount to be updated into the 22/23 revised budget is \$746,081 which is fully funded by grant funds and the Carried Forward Projects Reserve Account. The reason for the variance from the adopted budget is due to invoices being received and paid in late June in the 21/22 financial year.

The Shire has entered into a contract with the Kilmore Group Pty Ltd for the amount of \$959,805 (ex GST) for this project, against Purchase Order 90842. The requested expenditure of \$85,000.00 (ex GST) is within this allocation.

2022/23 Budgeted Carry Forward Expenditure

REVISED BUDGETED CARRIED FORWARD PROJECT				
Details	Budgeted Carry Forward	Reconciled Carry Forward	Expenditure 22/23 Plus Funds Committed 22/23	Forecast Savings on Project
J11639	\$1,095,076.00	\$746,081	\$643,886	\$102,195.00

Construction Expenditure – Kilmore Group

KILMORE GROUP - CONSTRUCTION CONTRACT BUDGET				
Details	Amount	Expenditure Incurred Against Purchase Order (PO)	Variations Approved	Amount Outstanding on PO Issued
Kilmore Group – Building Contract	\$959,805.00	\$641,232.00	\$2870.00 (Incl)	\$318,573.00
Hardhat Media – Time lapse Camera	\$1,805.00	-	-	\$1,805.00
Magic Electrical	\$9,875.00	-	-	\$9,875.00
Aussie Building Specialist	\$5,100.00	-	-	\$5,100.00
Staff Wages	\$10,000.00	\$3,432.67	\$0.00	\$6,567.33
Total	\$986,585.00	\$644,664.67	\$2870.00	\$341,920.33

Budget – Whole of Life Cost

Operations and maintenance cost is estimated at 2% pa of the value of the project, or \$19,436 pa to be carried partly by the club and partly by the Shire as agreed by the lease agreement.

The renewal cost is expressed as an annual average figure and is estimated at 2.5% similar to other club rooms/change rooms in the Shire, or \$24,295 pa. This will be the Council as the owner's responsibility.

Council Policy Compliance

- CnG CP034 Procurement Policy;
- PR045 Procurement Procedure; and
- CNG CP306 Accounting Policy for Capital Works.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to [Appendix ORD: 12.2.4A] for full assessment document.

Tier 1 – No discernible Inherent Risk has been identified (no Risk Theme or Consequence).		
Risk Event	Request for Quote RFQ F0245622 Wells Reserve Change Rooms and Cricket Nets	
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Financial	There is a risk that the project exceeds the allocated budget allowance.
	Service Interruption	Risk that the construction of the new change rooms will impact how clubs can operate on the reserve while construction is occurring.
	Legal and Compliance	Risk of non-compliance to LGA Regulations and Council's procurement Policy.
	Reputational	Risk to the Shires reputation if the construction runs over time and budget.

Officer Comment

There is currently a surplus of \$102,195.00 on J11639 and after project completion, there are other items on the Wells Reserve that require consideration. Officers provide the following options for Councils consideration:

- Option 1 – Improve Water Service Pressure to Wells Reserve

Water pressure to the facilities in Wells Reserve has historically been an issue. The Water Corporation meter connection to the reserve is a 20mm connection which is a domestic level connection and provides a flow rate of 20 lpm. Due to the expansion of building on the Reserve over recent years (Dardanup BFB building and new change rooms) the lack of water supply has been amplified and staff have conversed with the Water Corporation regarding upgrading the service connection to the Reserve. Two options were given by the Water Corporation to upgrade the meter and the costs are shown below;

- Option 1A – Upgrade to 25mm water meter

25mm @ 60 lpm		
Infrastructure contribution – Water supply	\$7,671.00	
Infrastructure Contribution - Wastewater	\$16,745.00	
Connection fees (Country Long Service)	\$5,837.16	
Meter box	\$228.91	
Activation Fee	\$199.93	
less Credit for Existing Connection	-\$5,906.00	
	<u>\$24,776.00</u>	

Officers do not recommend this option at this point in time.

- Option 1B - Upgrade to 40mm water meter

40mm @ 120lpm		
Infrastructure contribution – Water supply	\$15,342.00	
Infrastructure Contribution - Wastewater	\$40,188.00	
Connection fees (Country Long Service)	\$5,837.16	
Meter box	\$228.91	
Activation Fee	\$199.93	
less Credit for Existing Connection	-\$5,906.00	
	<u>\$55,890.00</u>	

Officers do not recommend this option at this point in time.

- Option 1C – Install holding tank and booster pump

With this option a 10,000 litre water tank will be installed within the new clubrooms along with a booster pump. This tank will service the new clubrooms and will alleviate water pressure concerns for the new clubrooms only.

Cost for option 1C is estimated at \$10,000.00 (ex GST) and will only address water pressure issues for the new clubroom. With the proposed upgrade/expansion of the existing Pavilion in the coming

years there will be a need to permanently address the water supply issues and option 1C will not future proof the precinct.

Officers recommend this option.

- Option 2 – Demolish Existing Toilet Block

Two prices have been previously received for the demolition of the existing toilet block (location shown on figure 1) and the cost to demolish including all licences and permits is estimated at \$15,000.00 (ex GST).

Quotes to demolish will need to be confirmed should Council wish to demolish the toilet block but based on previous quotes this can be funded from the project budget. It should be noted that the toilet block is in poor condition and will need major work should it remain in place. There is asbestos throughout the building which will require treatment or removal in any event.

At the Dardanup Advisory Group Meeting held 7 September 2022 the proposal to demolish the existing toilet blocks was discussed and there was no objections raised, however Council should note that the water pressure issue was raised by community.

- Option 3 – Seal Car Park Area to the West of the New BFB Building

At the Ordinary Council Meeting held on the 24th of August 2022 (Res: 221-22) Council resolved the following;

THAT Council:

1. *Accepts the most advantageous tender being that submitted by Sanpoint Pty Ltd T/A LD Total to undertake the Dardanup Civic Precinct Landscaping in accordance with Tender RFT-F0295808/2022 for a total value of \$430,774 (excluding GST);*
2. *Delegates by Absolute Majority in accordance with section 5.42 of the Local Government Act 1995, authority to the Chief Executive Officer to negotiate in regard to the contract for Tender RFT-F0295808/2022 for the Dardanup Civic Precinct Landscaping:*
 - a) *Minor variations before entering into the contract in accordance with Regulation 20 of the Local Government (Functions and General) Regulations 1996, including minor variations to the scope to reduce the overall cost of the contract to the value of \$350,000; and*
 - b) *Variations after the contract has been entered into, limited to variations which do not change the scope of the contract, and which do not increase the contract value beyond 20%, in accordance with Regulation 21A of the Local Government (Functions and General) Regulations 1996.*
3. *Authorise the Chief Executive Officer in accordance with section 9.49A(4) of the Local Government Act 1995 to execute the contract for Tender RFT-F0295808/2022 for the Dardanup Civic Precinct Landscaping;*
4. *Authorises a 2022/23 Budget amendment to transfer \$205,839 from J05026 (Dardanup Central BFB carpark) to J11653 (Dardanup Civic Precinct), to be funded from the Carry Forward Projects Reserve; and*
5. *Defers J05026 (Dardanup Central BFB carpark) to be considered in the 2022/23 mid-year budget review.*

Officers have investigated the options to deliver a smaller carpark between the new BFB building and the sports building, (shown on figure 1 and Attachment 1 – Preliminary Design of Sealed Carpark, Lot 56 Ferguson Road [Appendix ORD: 12.2.4B]).

A preliminary concept drawing of the proposed hardstand area and associated construction costs based on current service contract rates and supported by a quote received for the sealing of the carpark area of 1042m² at an estimated cost \$60,000.00 (ex GST) including a 70m² link road.

Construction of this car park will enable the Dardanup Central BFB members to carry out training drills on the reserve. This was discussed with the brigade members prior to them relocating to the new site and seen as an essential part of their operation.

Council notes that this report is a project close out report for the Wells Club rooms and Cricket nets.

END REPORT

12.2.5 *Title: Request for Financial Contribution for the Dardanup Centenary Celebrations 2023*

Reporting Department	<i>Sustainable Development Directorate</i>
Responsible Officer	<i>Ms Cassandra Budge - Manager Community Development</i>
Reporting Officer	<i>Ms Melanie Ring - Place & Community Officer</i>
Legislation	<i>Local Government Act 1995</i>
Council Role	<i>Executive/Strategic.</i>
Voting Requirement	<i>Absolute Majority.</i>
Attachments	<i>Appendix ORD: 12.2.5A – Exec CP020 – Civic Functions Policy Appendix ORD: 12.2.5B – Risk Assessment Tool</i>

DECLARATIONS OF INTEREST

Cr. E P Lilly declared an Impartiality Interest in this item Please refer to Part 11 'Declaration of Interest' for full details.

Overview

Council is requested to approve a \$10,000 contribution from the 2022/2023 budget surplus to support Dardanup's centenary celebrations in 2023.

OFFICER RECOMMENDED RESOLUTION

THAT Council:

1. Approves the request of \$10,000, to support Dardanup' Centenary Celebrations, noting the forecast budget end of year surplus will be reduced by this amount;
2. Authorises the budget amendment for GL 1119002 (New Job Number) to be increased by \$10,000 accordingly.

Change to Officer Recommendation

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

- *Inserting the words "as an over budget expenditure" for clarification of this expenditure.*

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

294-22 MOVED - Cr. M T Bennett SECONDED - Cr. M R Hutchinson

THAT Council:

1. Approves the request of \$10,000, to support Dardanup's Centenary Celebrations, as an over budget expenditure, noting the forecast budget end of year surplus will be reduced by this amount;
2. Authorises the budget amendment for GL 1119002 (New Job Number) to be increased by \$10,000 accordingly.

CARRIED

7/0

By Absolute Majority

Background

Dardanup was gazetted in April/May 1923 which in turn means Dardanup will be celebrating 100 years in 2023. Amongst locals, Dardanup is much older than 100 years, however it wasn't officially gazetted until 1923.

Legal Implications - None.

Council Plan

- 2.2 - Increase participation in sport, recreation and leisure activities.
- 3.2 - Promote and celebrate diversity.
- 4.3 - Increase involvement in volunteering.
- 2.2 - Increase participation in sport, recreation and leisure activities.

Environment - None.

Precedents - None.

Budget Implications

The Civic Functions budget (GL 0412502) for 2022/2023 has an allocation of \$2,000. These funds are used for functions such as Citizenship Ceremonies and covering the costs of the Citizen of the Year Award plaques. The Donations Expense budget (GL 0817010) has an allocation of \$28,350 which has a small sundry component of \$1,500 available.

However, the expenditure should be captured under 'Other Culture' (i.e. Schedule 11, Program Recreation and Culture) as this area provides for the provision and operation of activities including centenary celebrations. If endorsed, a new Job Number would be created to allow for the tracking of the expenditure within this section of the budget.

There is no allocation from the 2022/2023 budget to allow for the community to celebrate and showcase Dardanup's 100 year birthday. A milestone for a town whose history should be acknowledged.

Budget – Whole of Life Cost - None.

Council Policy Compliance

Exec CP020 – Civic Functions [Appendix ORD: 12.2.5A]

As per abovementioned policy;

“Civic functions may be conducted for; commemorative events that celebrate significant occasions of importance to the local community.”

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to [Appendix ORD: 12.2.5B] for full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Request for financial contribution for the Dardanup Centenary Celebrations 2023
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Reputational Council’s reputation could be impacted dependant on their decision to not provide a suitable financial contribution to celebrate Dardanup’s centenary celebration event.

Officer Comment

The residents of the Dardanup town-site have requested the Shire’s support to hold a celebratory family fair event at Carramar Park and the new town site precinct on Saturday 13th of May 2023. The event will be a collaborative celebration event being organised primarily by the Dardanup community groups (such as the Dardanup & Residents Association and Dardanup Heritage Collective) with a financial contribution from the Shire of Dardanup and in-kind support provided by the Shire. The individuals and PACE team members planning and delivering the event have considerable experience in events.

To assist with the financial component of the event, a grant application is to be submitted to the Heritage Council of WA. For the grant application to be looked upon favourably, and that Council support the application, a financial contribution from Council is requested.

The event will include a display of artwork utilising different mediums showcasing the heritage and history of Dardanup, entertainment and music, Dardanup’s favourite long term residents sharing their stories, and a cake to mark the occasion. It is requested that the financial contribution requested from Council will cover the costs to deliver and promote the event. There will be many volunteer hours contributed towards the planning and delivering of the event by those who wish to be involved in the significant celebration of Dardanup’s 100 years.

END REPORT

12.2.6 Title: Unbudgeted Expenditure – DFES Funded BFB Vehicle Appliance for Waterloo Bushfire Brigade

Reporting Department	<i>Sustainable Development Directorate</i>
Responsible Officer	<i>Mr Murray Connell - Executive Manager Development Services</i>
Reporting Officer	<i>Mrs Erin Hutchins - Coordinator - Emergency & Ranger Services</i>
Legislation	<i>Local Government Act 1995</i>
Council Role	<i>Executive/Strategic.</i>
Voting Requirement	<i>Absolute Majority.</i>
Attachments	<i>Appendix ORD: 12.2.6 – Risk Assessment Tool</i>

Overview

This report recommends that Council approves unbudgeted expenditure for the Waterloo Bushfire Brigade 3.4 Urban Tanker Appliance (1WATERLOO) changeover which is fully funded by DFES through the Local Government Grant Scheme (LGGS).

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

295-22 MOVED - Cr. T G Gardiner SECONDED - Cr. M R Hutchinson

THAT Council:

- 1. Endorses the change-over of the Waterloo Bushfire Brigade 3.4 Urban Tanker Vehicle Appliance (1WATERLOO);**
- 2. Acknowledges the non-cash capital acquisition and disposal of the Urban Tanker Vehicle Appliance (1WATERLOO) for the Waterloo Bushfire Brigade as unbudgeted expenditure and unbudgeted revenue;**
- 3. Approves budget amendments to recognise the financial transactions to incorporate the acquisition of the new Bushfire Appliance (\$499,000.00), and disposal of the traded Vehicle Appliance (value provided on disposal).**

CARRIED

7/0

By Absolute Majority

Background

The replacement of the Waterloo 3.4 Urban Tanker (1WATERLOO) was approved for changeover by DFES in 2021/22, however delivery through the DFES State-wide Resource Replacement Program was delayed.

Legal Implications

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

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

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

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

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

Council Plan

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

13.2 - Manage the Shire’s resources responsibly.

Environment - None.

Precedents

At its 23rd of February 2022 OCM, Council endorsed [35-22] the following by absolute majority:

THAT Council:

1. *Endorses the change-over of Ferguson Bushfire Brigade Light Tanker Vehicle Appliance (DA689);*
2. *Acknowledges the non-cash capital acquisition and disposal of the Light Tanker Vehicle Appliance (DA689) for the Ferguson Bushfire Brigade as unbudgeted expenditure and unbudgeted revenue;*
3. *Approves budget amendments to recognise the financial transactions to incorporate the acquisition of the new Bushfire Appliance (\$235,383.29), and disposal of the traded Vehicle Appliance (value provided on disposal).*

Council has previously approved unbudgeted expenditure.

Budget Implications

The 2022/23 Annual Budget does not currently recognise the unbudgeted expenditure for the changeover of the Waterloo Bushfire Brigade 3.4 Urban Tanker (1WATERLOO). Although the acquisition and disposal costs associated with the changeover are non-cash as they are funded by DFES under the LGGs, the financial transaction is to be acknowledged in the current budget through Vehicle Acquisition General Ledger (GL) 05 3 1002 Vehicles – BFB Appliance DFES Funded of \$499,000.00 (GST Exclusive), and Sale of Asset GL 05 4 1002.

Budget – Whole of Life Cost

Costs associated with the insurance, running and maintenance of the Ferguson BFB LT (DA689) are eligible and covered under the LGGs.

Council Policy Compliance

- CP034 – Procurement Policy
- Manual for Capital and Operating Grants

Risk Assessment

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

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
Risk Event	Unbudgeted Expenditure - DFES Funded BFB Vehicle Appliance for Waterloo Bushfire Brigade	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Legal and Compliance	Failure to seek Council approval for unbudgeted expenditure in accordance with the Local Government Act 1995.
	Reputational	Failure to seek Council approval for unbudgeted expenditure could be seen in a negative light by the community.

Officer Comment

DFES has a State-wide Resource Replacement Program for LGGs funded emergency services in Western Australia such as Bushfire Brigades (BFBs). The program allows for the standardisation of assets, reviews of asset suitability and provides equipment appropriate with the risk faced by local communities and is continuously reviewed and updated. It includes a risk assessment of the Local Government's district and identifies the location of the BFBs, volunteers and assets required to match those needs. DFES apply the established replacement programs for fleet assets e.g. appliances, vehicles, boats and trailers. Scheduled replacements of appliances will be offered to the Local Government in the year the appliance is due for replacement.

In 2014, DFES commenced the “Operational Fleet’ project which aimed to bring the emergency service fleet in WA, to a ‘best of class’ standard. Because of the Operational Fleet project’s timelines which includes ‘first of type’ acceptance and user validation testing, delivery of fleet projects offered in the 2021/22 appliance/vehicle replacement program has been delayed.

The replacement schedules on which the DFES replacement programs have been developed are based on optimal life cycle terms as listed below.

- Light Tanker (LT) - New - 10 years
- Tanker (1.4, 2.4, 3.4, 4.4) - New - 16 years

The replacement of the Waterloo 3.4 Urban Tanker (1WATERLOO) was approved for changeover by DFES in 2021/22, however delivery through the DFES State-wide Resource Replacement Program was delayed.

Officers have only recently been informed that the Waterloo 3.4 Urban Tanker (1WATERLOO) replacement was to be undertaken by DFES with the previous 3.4 Urban Tanker to be swapped out later in 2022. Due to the short notice received from DFES with regards to this replacement Officers were not able to prepare a report to Council prior to this expense being incurred.

Officers recommend that Council acknowledges the unbudgeted expenditure for the replacement of the Waterloo 3.4 Urban Tanker (1WATERLOO) and amends the 2022-23 Annual Budget accordingly.

END REPORT

12.2.7 Title: Unbudgeted Expenditure 2022-23 Mitigation Activity Fund Grant Program (MAFGP)

Reporting Department	<i>Sustainable Development Directorate</i>
Responsible Officer	<i>Mr Murray Connell - Executive Manager Development Services</i>
Reporting Officer	<i>Mrs Erin Hutchins - Coordinator - Emergency & Ranger Services</i>
Legislation	<i>Local Government Act 1995</i>
Council Role	<i>Executive/Strategic.</i>
Voting Requirement	<i>Absolute Majority.</i>
Attachments	<i>Appendix ORD: 12.2.7A – MAFGP2223R2 Grant Agreement Appendix ORD: 12.2.7B – Risk Assessment Tool Appendix ORD: 12.2.7C – MAFGP2223R2 Treatment Options</i>

DECLARATION OF INTEREST

Cr. M T Bennett declared a Proximity Interest in this item.
Please refer to Part 11 'Declaration of Interest' for full details.
Cr. M T Bennett left the room [5.12pm].
Deputy Shire President, Cr. T G Gardiner assumed the Chair.

Overview

The Shire has been successful in its application for Round 2 of the 2022-23 Mitigation Activity Fund Grants Program (MAFGP) of \$195,370.00 (exclusive of GST) to continue mitigation activities to identified eligible areas at risk of bushfire and vested in the Shire throughout the 2022-2023 and 2023-2024 financial year.

Officers present this offer to Council for consideration and request the Chief Executive Officer be authorised to sign the 2022-2023 MAFGP Agreement as found at [Appendix ORD: 12.2.7A] from the Department of Fire and Emergency Services to enable the Shire to continue to reduce its bushfire risk to eligible areas identified in the Bushfire Risk Management System (BRMS).

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

296-22 MOVED - Cr. J Dow SECONDED - Cr. M R Hutchinson

THAT Council:

- 1. Acknowledges and accepts the successful application of the 2022-2023 Mitigation Activity Fund Grants Program of \$195,370.00 (exclusive of GST) from the Department of Fire and Emergency Services;**
- 2. Receives the list of proposed treatment options to identified eligible areas at risk and approved by the Department of Fire and Emergency Services as part of the 2022-2023 Mitigation Activity Fund Grants Program;**

3. **Authorises the Chief Executive Officer to accept and sign the 2022-2023 Mitigation Activity Fund Grants Program Agreement from the Department of Fire and Emergency Services to enable the Shire to continue to reduce its bushfire risk to eligible areas identified in the Bushfire Risk Management System;**
4. **Authorises unbudgeted grant income (Ref GL 05 2 1502) in the 2022-2023 and 2023-2024 Annual Budget of \$195,370.00 (exclusive of GST) from the Department of Fire and Emergency Services to enable the Shire to continue to reduce its bushfire risk to eligible areas identified in the Bushfire Risk Management System;**
5. **Authorises unbudgeted expenditure (Ref Job J05021) in the 2022-2023 and 2023-2024 Annual Budget of \$195,370.00 (exclusive of GST) to enable the Shire to complete the 11 proposed treatment options as contained in [Appendix ORD: 12.2.7C] while awaiting final grant payment upon acquittal submission.**

CARRIED

6/0

*By Absolute Majority***Background**

The MAFGP has been established to proactively treat extreme, very high and high bushfire risks in combination with the progressive rollout of the Bushfire Risk Management (BRM) Planning framework.

The Shire has been successful in its previous applications for MAFGP throughout the 2019-2020, 2020-2021 and 2021-2022 financial years. The successful application of the 2022-2023 MAFGP will allow the Shire to continue mitigation works to reduce its bushfire risk to areas identified in the Shires Bushfire Risk Management System (BRMS).

Legal Implications

Council may approve unbudgeted expenditure under Section 6.8 of the *Local Government Act (2005)*.

Council Plan

7.1 - Minimise risks and impacts from fires, floods, heat waves, and other natural disasters.

Environment - None.

Precedents

Council has supported previous MAFGP applications to assist with the reduction of bushfire risk throughout the Shire.

Further, the Shire currently receives funding through the Local Government Grants Scheme (LGGS) to support the Shire of Dardanup Volunteer Bushfire Brigades. Similarly, funding is not received upfront and requires the Shire to allocate a general ledger to track expenditure, as well as cover costs until payment is received quarterly and the balance upon acquittal submission at the end of the financial year.

Budget Implications

Currently, the 2022-2023 MAFGP revenue and expenditure is not recognised in the 2022-2023 or 2023 and 2024 Annual Budget. In line with the grant agreement, the Shire will receive the first 50% instalment, with the balance paid against the final acquittal submission in November 2023. A general ledger has previously been allocated to track expenditure. The Shire will be required to cover costs until the balance is paid upon the above mentioned acquittal submission.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to [Appendix ORD: 12.2.7B] for full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
Risk Event	Unbudgeted Expenditure 2022-23 Mitigation Activity Fund Grant Program (MAFGP)	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Financial	Failure to comply with the conditions of the Mitigation Activity Fund Grant Agreement will cause payment of grant funding to be declined resulting in financial losses.
	Legal and Compliance	Failure to comply with the conditions of the Mitigation Activity Fund Grant Agreement will cause the termination of the agreement for default.
	Reputational	Failure to comply with the conditions of the Mitigation Activity Fund Grant Agreement will cause the grantor to decline future grant applications made by the Shire.

Officer Comment

Through the 2022-2023 MAFGP application to the Department of Fire and Emergency Services (DFES), the Shire was successful in securing \$195,370.00 (exclusive of GST) worth of funding. The funding will be used on the below 11 proposed eligible treatment areas vested in the Shire, as per the MAFGP Guidelines, to continue to reduce the areas at risk of bushfire throughout the financial year. Please refer to [Appendix ORD: 12.2.7C] for further details.

LOCATION	PROPOSED TREATMENT
MILLBRIDGE	
Castlereagh Vista x 2	Create Hazard Separation & Asset Protection Zone
Alice Court x 2	Create Asset Protection Zone

LOCATION	PROPOSED TREATMENT
MILLBRIDGE	
Hunter Circle	Create Asset Protection Zone
Millbridge Boulevard	Create Asset Protection Zone
HENTY	
Gardincourt Drive x 2	Create Asset Protection Zone
The Dress Circle	Create Asset Protection Zone
Ferguson BFB	Create Asset Protection Zone
CROOKED BROOK	
Warburton Road	Create Asset Protection Zone

Upon the issuing of an invoice, the Shire will receive the first 50% instalment, with the balance paid against the final acquittal submission (November 2023). To accept the funding, a signed grant agreement and invoice is required to be submitted to DFES.

END REPORT

Note: Cr. M T Bennett returned to the room and resumed the Chair [5.13pm].

12.3 INFRASTRUCTURE DIRECTORATE REPORTS

12.3.1 Title: Determine Tender RFT F0256499 – Bituminous and Asphalt Surfacing

Reporting Department	Corporate & Governance Directorate
Responsible Officer	M Theo Naudé - Director Infrastructure Mr Phil Anastasakis - Deputy CEO
Reporting Officer	Mrs Natalie Hopkins - Manager Financial Services Mr Jason Gick – Manager Operations Mr Allan Hutcheon – Procurement Officer
Legislation	Local Government Act 1995
Council Role	Executive/Strategic.
Voting Requirement	Absolute Majority.
Attachments	Appendix ORD: 12.3.1 – Risk Assessment Tool Confidential attachments: <ul style="list-style-type: none"> Item 12.3.1 - Confidential Attachment [RFT-R1291508]- Evaluation Panel Report circulated as separate confidential attachment as per s.5.23(2)(e)(ii)(iii) Item 12.3.1 - Confidential Attachment [RFT-R1263997] Comparison Table of Schedules of Rates circulated as separate confidential attachment as per s.5.23(2)(e)(ii)(iii)

Overview

This report provides Council with the results of the evaluation of tenders for RFT F0256499 Bituminous and Asphalt Surfacing, and recommends that Council award a contract for this service to the preferred Tenderer, for a term of five years, being an initial term of three (3) years, with extension options of one (1) + one (1) years.

The value of the contract exceeds the purchasing and contract threshold for the Chief Executive Officer and is therefore presented to Council for approval.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

297-22 MOVED - Cr. M T Bennett SECONDED - Cr. J Dow

THAT Council:

1. Accepts the tender submission for RFT-F0256499, received from Malatesta Group Holdings P/L named as 'Respondent X' in the Evaluation Panel Report recommendation detailed in Confidential Attachment Item 12.3.1 Confidential Attachment [RFT-R1291508] as the most advantageous, with the Schedule of Rates detailed in Item 12.3.1 Confidential Attachment [RFT-R1263997] applicable for a contract term of three (3) years commencing on execution of the contract, plus discretionary options for two (2) x one (1) year extensions, possible making the contracted term five (5) years subject to CPI and Contractor performance;

2. **Delegates to the Chief Executive Officer in accordance with s.5.42(1) of the *Local Government Act 1995*, by Absolute Majority, authority to negotiate minor variations to the contract for RFT-F0256499 Bituminous and Asphalt Surfacing's before and / or after its execution in accordance with Regulations 20 and 21A of the Local Government (Functions and General) Regulations 1996;**
- 3 **Authorises the Chief Executive Officer to execute the contract for awarding RFT-F0256499 Bituminous and Asphalt Surfacing's in accordance with s.9.49A of the *Local Government Act 1995*.**

CARRIED

7/0

By Absolute Majority

Background

The Shire uses a range of bituminous and asphalt products in a range of civil infrastructure works including roads, carparks, paths and maintenance. Procurement of these products is necessary under a contract arrangement to provide efficient supply, continuity of service and reliability of project costing.

The current tender expired on the 28th of September 2022 and the new contract is required to service the capital works program for the next three years.

TENDER DETAILS		
RFT Number	RFT F0256499	
RFT Title	Bituminous and Asphalt Surfacing	
Recommended Tenderer(s)	Malatesta Group Holdings P/L	
Contract Term	Initial:	3 Years
	Extension Options:	One + One Years
	Defects Liability Period:	N/A
Tendered Rates/Cost	Refer to Item 12.3.1 Confidential Attachment – Comparison Table of Schedules of Rates [RFT-R1263997]	
Advertising:	30 th of July 2022	West Australian
	4 th of August 2022	South West Times
Tender Deadline:	15 th of August 2022	14:00AWST
Tender Opening:	15 th of August 2022	14:05AWST
Tender Observers:	Two Shire of Dardanup Employees were present	
	Nil members of the public were present	

CONTRACT	
Commencement Date of New Contract:	December 2022
Completion Date of New Contract:	November 2025
Upfront Capital Expenditure:	Varies within the annual Capital Works and maintenance programs.
Total Cost of Ownership Considerations:	
▪ Holding Cost	No Holding Costs applicable
▪ Consumables	No Consumables Costs applicable

CONTRACT	
<ul style="list-style-type: none"> ▪ Deployment ▪ Training ▪ Maintenance ▪ Insurance ▪ Disposal <p>Estimated value of New Contract:</p> <p>Price Basis of New Contract:</p>	<p>No Deployment Costs applicable</p> <p>No Training Costs applicable</p> <p>No Maintenance Costs applicable</p> <p>Suppliers Responsibility</p> <p>No Disposal Costs Applicable</p> <p>\$2,250,000 (GST Excl)</p> <p>This price is based on the Procurement Plan, which was used for Tendering purposes. The actual Contract Value will be based on Infrastructure Works and Maintenance Programs.</p> <p>Rates subject to CPI annual increase</p>

VALUE FOR MONEY
The appointment of the preferred contractor represents Value for Money as the bid offers the most competitive prices for a wide range of products and services, which has been market tested.

Legal Implications

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

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

The compliance requirements applicable to this report and Officer Recommendation is in accordance with the Local Government (Functions and General) Regulations 1996:

Local Government (Functions and General) Regulation 1996

R18 (4) Rejecting and accepting tenders

Tenders that have not been rejected under subregulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them (if any) it thinks it would be most advantageous to the local government to accept.

Council Plan

9.3 - Provide quality community facilities.

10.1 - Provide a safe active transport network to encourage more walking and cycling.

10.3 - Improve road safety, connectivity and traffic flow.

10.4 - Provide sufficient parking.

Environment - None.

Precedents

The Shire of Dardanup has previously entered into contracts for the supply of bituminous and asphalt surfacing materials.

Budget Implications

The use of bituminous and asphalt materials for infrastructure projects is included in project costings and project budget allocations. The cost for materials and services for maintenance works is captured under asset maintenance budgets. The adoption of this contract provides Council with a Schedule Price List of products and services that can be within the contract term.

Budget – Whole of Life Cost - None.

Council Policy Compliance

CnG CP034 Procurement Policy;
PR045 Procurement Procedure; and
Infr CP074 – Asset Management.

Risk Assessment

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

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
Risk Event	RFT F0256499 – Bituminous and Asphalt Surfacing	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	Low (1 - 4)	
Risk Category Assessed Against	Health	Employee/Contractor injury on site
	Financial	Project cost management
	Service Interruption	Traffic management during works
	Legal and Compliance	Contract disputes
	Reputational	Poor product quality or workmanship
	Environment	Incorrect waste disposal

Officer Comment

Tender Submissions

Three (3) tender submissions were received; all tenders submitted were conforming Tenders: -

- Asphatech Pty Ltd;
- Fulton Hogan Industries Pty Ltd; and
- Malatesta Group Holdings Pty Ltd.

Each submission was recorded in the Tenders Register at close of tenders [F&G.r.17].

Tender Evaluation Panel

The Tender Evaluation Panel (the Panel) comprised of the following members:

- Allan Hutcheon - Procurement Officer/Tender Evaluation Chair;

- Jason Gick - Manager Operations; and
- Mick Jeffery - Principal Supervisor Works.

Probity Oversight

Process and probity advice during evaluation was provided by the Procurement Officer who also acted as Panel Chair. All members of the Panel have made a conflict of interest declaration in writing confirming they have no relationships with any of the Respondents. This evidences the probity and integrity considerations within the process.

The Panel have compiled an Evaluation Panel Report which includes the consensus analysis (not individual Panel Member analysis) of the content of each tender submission against the required selection criteria. In some instances this may result in commentary or scoring that may be critical or a negative reflection on an individual tender submission. It is this aspect of the Evaluation Panel Report, which is considered to be confidential in accordance with s.5.23(2)(e)(ii) information that has a commercial value to a person, or (iii) information about the business, professional, commercial or financial affairs of a person. The ranking of tender submissions and recommended tenderer in the Evaluation Panel Report is therefore referenced by non-identifying methods.

Evaluation of Tenders

The objective of the Tender Evaluation Panel is to recommend a suitably qualified and experienced Contractor to satisfy the requirements of the abovementioned RFT.

Based on evaluation of the received submissions and subsequent compliance assessments, the Tender Evaluation Panel recommends that the Respondent recommended in this report be accepted at the estimated Contract Value and Contract term provided, from the anticipated commencement date.

Submissions were deemed compliant and progressed for assessment against the following predetermined qualitative and price criteria:

CRITERIA	PERCENTAGE
(a) Sustainable Procurement and Corporate Social Responsibility (as per CnG CP034) <ul style="list-style-type: none"> • Local Economic Benefit • Purchasing from Disability Enterprises • Purchasing from Aboriginal Businesses • Purchasing from Environmentally Sustainable Business 	5%
(b) Tendered Price (upfront and ongoing costs)	50%
(c) Relevant Experience, Skill and Key Personnel	25%
(d) Demonstrated Understanding and Resources	20%
TOTAL	100%

Evaluation Justification

The Tender Evaluation Panel recommends Malatesta Group Holdings P/L based on an assessment of submissions against the predetermined qualitative and price criteria shown above. The submission provided by Malatesta Group Holdings P/L performed well across all of the aspects and was a complete and detailed representation of the services offered.

In determining Malatesta Group Holdings P/L as the preferred Tenderer, officers have undertaken the following Due Diligence checks:

DUE DILIGENCE CHECKS	YES/NO
Has the recommended Tenderer(s) undergone Reference Checks successfully? <i>Referees submitted as part of the RFT process. Preferred Tenderer is the current supplier.</i>	Yes
Has the recommended Tenderer(s) undergone Financial Viability assessment and been deemed acceptable? <i>Financial information submitted as part of the RFT process. Preferred Tenderer is the current supplier.</i>	Yes
Was a Conflict of Interest declared? If yes, please specify how it was managed?	No
Has the recommended Tenderer(s) undergone Occupational Safety and Health assessment and been deemed acceptable?	Yes

END REPORT

12.3.2 Title: Ferguson Road and Hayward Street Traffic Management

Reporting Department:	<i>Infrastructure Directorate</i>
Responsible Officer	<i>M Theo Naudé - Director Infrastructure</i>
Reporting Officer	<i>Mr James Reilly - Project Engineer</i>
Legislation	<i>Local Government Act 1995</i>
Council Role	<i>Executive/Strategic.</i>
Voting Requirement	<i>Simple Majority.</i>
Attachments	<i>Appendix ORD: 12.3.2A – Risk Assessment Tool Appendix ORD: 12.3.2B – Traffic Counter Report</i>

Overview

This report addresses a petition from residents on Hayward Street, Dardanup and investigates the necessity to install traffic calming devices on Hayward Street.

OFFICER RECOMMENDED RESOLUTION

THAT Council:

1. Receives the results of the traffic counts carried out on Hayward Street and Ferguson Road;
2. Supports the installation of a Speed Indication Device (SID) for a period of 3 months on Hayward Street;
3. Supports the installation of a Speed Indication Device (SID) for a period of 3 months on Ferguson Road within the townsite;
4. Includes for consideration in the budget deliberations that an amount of \$15,000 be provided in the 2023/24 Annual Budget to purchase two mobile Speed Indication Devices.

Note: Cr. J Dow moved an alternate resolution.

Change to Officer Recommendation

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

- *Removal of consideration for future budget deliberation for the purchase of two mobile Speed Indication Devices; and including a request to have the speed limit along Ferguson Road be reduced to 50km in the area.*

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

298-22 MOVED - Cr. J P Dow SECONDED - Cr. M R Hutchinson

THAT Council:

1. **Receives the results of the traffic counts carried out on Hayward Street and Ferguson Road;**
2. **Supports the installation of a Speed Indication Device (SID) for a period of 3 months on Hayward Street;**
3. **Supports the installation of a Speed Indication Device (SID) for a period of 3 months on Ferguson Road within the townsite;**
4. **Requests the Chief Executive Officer formally writes to Main Roads WA and requests the speed limit along Ferguson Road be reduced to 50km an hour within the built up areas from Boyanup Picton Road in the West up to Hayward Street in the East.**

CARRIED
7/0

Background

On the 29th of March 2022 a petition with the following wording was presented to Council at its meeting on 27th April 2022.

“Road Safety Proposal to Dardanup Shire Council

We the undersigned, submit this proposal to Dardanup Shire Council, in the interests of road safety, requesting consideration in placing a sign and rubber speed humps, on the road in Hayward Street, Dardanup Township.”

There were 23 signatories all of which noted their residence was on Hayward Street in Dardanup.

Council resolved (Res: 80-22) the following:

THAT Council:

1. *Receives the Petition “Road Safety Proposal to Dardanup Shire Council” [Appendix ORD: 6.1].*
2. *Requests that a report be brought to Council regarding the installation of appropriate speed mitigation in the Dardanup Townsite and the associated costs including;*
 - a) *Costing for appropriate treatment addressing the issues on Hayward Street in Dardanup.*
 - b) *Investigate a 50km zone up to the last residential property along Ferguson Road.*
 - c) *Change speed limit along Ferguson Road to 80kms from where the 50kms zone stops.*
 - d) *Options for interactive speed monitor to be installed along Ferguson Road near Wells Recreation Grounds.*

After the 27th of April 2022 Council meeting, staff arranged for traffic counters to be placed on Hayward Street and Ferguson Road. These devices are used to collect traffic data in terms of type, number and speed of vehicles using these roads, which enables the Shire to determine what type of issues are present on these roads. Staff also liaised with Main Roads to discuss the proposed posted speed limit changes along Ferguson Road.

Legal Implications - None.

Council Plan

1.1 - Support the community to feel safe while using Shire facilities and public spaces.

10.3 - Improve road safety, connectivity and traffic flow.

Environment - None.

Precedents

The Shire has organised traffic counts to investigate complaints of speeding on Shire roads on past occasions.

Budget Implications

Any works required on Hayward Street will be unbudgeted and funds will need to be allocated in the Shires annual budget.

The Shire often receive queries and requests from residents to address speeding issues throughout the Shire and in particular within the town sites. This report contains a recommendation for Council to consider a budget allocation in the 2023/24 Annual Budget to purchase two mobile Speed Indication Devices. These will be in addition to the two devices that the Shire purchased in 2019.

In an effort to effectively assist community safety, an ongoing program could be developed to install the devices at different locations (hot spots) identified where speeding is occurring. It would be a rolling program where the signs remain at a particular location for three months and then be relocated to another location. Having four of the devices will mean the Shire can target four locations at any one time, which is an effective way of addressing road safety.

Budget – Whole of Life Cost

Any option chosen will have cost implications and require regular maintenance and eventually renewal.

Council Policy Compliance - None.

Risk Assessment

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

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Installation of Speed Indication Devices
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Health Failure to investigate community concerns of speeding.
	Reputational

Officer Comment

On Monday 8th of August 2022 Traffic counters were installed on Hayward Street (SLK 0.25) and at two locations on Ferguson Road (SLK 0.28 and SLK 0.52) for a period of 2 weeks to get data on the traffic in these locations [Appendix ORD: 12.3.2B].

The average speed by users on Hayward Street (SLK 0.25) for the 2 week period was 45.9km/h and the 85th percentile speed was 54.7km/h. The posted speed along Hayward Street is 50km/h.

The average speed by users on Ferguson Road (SLK 0.28) for the 2 week period was 48.6km/h and the 85th percentile speed was 57.2km/h. and Ferguson Road (SLK 0.52) for the 2 week period was 56.2km/h and the 85th percentile speed was 63.4km/h. The posted speed along Ferguson Road is 60km/h.

85th Percentile Speed means the speed at or below which 85% of all vehicles are observed to travel under free-flowing conditions past a nominated point.

Discussions were held with officers from MRWA to investigate the possibility of reducing the speed limit along Ferguson Road to 50km/h up to the last residential property along Ferguson Road. MRWA reviewed the traffic count data and indicated they would not be supportive of the proposed reduction in speed limit along this section of road. The reason stated was that Ferguson Road is a Regional Distributor Road in an urban or semi-urban area, for which the speed zoning range for roads of this nature is 60-80 km/hr. The current speed limit is already at the lower end of this range and, given that the 85th percentile speeds support the current speed zoning, there is no scope to change it.

It should be noted that the Shire’s Draft Place Plan for Dardanup does include provision for the introduction of traffic calming measures along Ferguson Road. These include suggestions such as artful/decorative rumble strips and/or large stone country pavers as carriageway in the high pedestrianised areas. It could be complemented with street trees of dense bright foliage interspersed with car parking, creating visual cues into a public realm that traffic has entered the town area.

Speed humps or speed cushions increase noise levels which can become problematic in residential streets such as Hayward Street. Based on the data collected by the Shire, it is not recommended that any traffic calming devices are installed. Installing traffic calming devices to control isolated users creates an unnecessary inconvenience to the majority of road users. These kinds of speed treatment options vary in cost, in the ball park of \$10,000 to \$15,000, depending on the particular treatment option selected. Detailed costings have not been pursued as the treatments are not recommended.

Staff recommend that a Speed Indication Device (SID) be installed for a period of 3 months on Hayward Street and 3 months on Ferguson Road. These signs indicate the speed of the approaching vehicle and then indicate to a driver if the need to slow down. The SID signs are mobile and can be rotated between locations as required.

The Shire purchased two of these devices in early 2019 (refer Council Resolution 337-18 from the Ordinary Council Meeting held on the 31st of October 2018) and are considered an effective method of improving road safety. The devices purchased were the same as the ones the Shire borrowed in May 2018 through WALGA Roadwise. The units require mounting on a post. Two such posts were installed on Pratt Road adjacent to Eaton Oval and the Eaton Foreshore.

For placing the SIDs on smaller urban streets such as Hayward Street, the installation of posts in the front verges of private properties is not recommended. For these cases, the installation of mobile SIDs is recommended, which is essentially the same unit mounted on a concrete base and post. The City of Bunbury currently uses such units. Therefore, it is recommended that the Shire purchases two additional mobile SID signs with bases that allows the units to be easily moved from location to location.

END REPORT

12.3.3 Title: Eaton Skate Park and Pump Track – Project Closure Report

Reporting Department:	<i>Infrastructure Directorate</i>
Responsible Officer	<i>M Theo Naudé - Director Infrastructure</i>
Reporting Officer	<i>Mr James Reilly - Project Engineer</i>
Legislation	<i>Local Government Act 1995</i>
Council Role	<i>Executive/Strategic.</i>
Voting Requirement	<i>Simple Majority.</i>
Attachments	<i>Appendix ORD: 12.3.3 – Risk Assessment Tool</i>

Overview

This report provides Council with an update on the Eaton Skate Park project and proposes a number of options for the project surplus.

OFFICER RECOMMENDED RESOLUTION “A”

THAT Council authorises the 2022/23 Carried Forward Budget for Eaton Skate Park (J11576) from an adopted budget of \$77,871 to a revised budget of \$81,282 and corresponding Transfer from the Carried Forward Projects Reserve Account.

AND

OFFICER RECOMMENDED RESOLUTION “B” – Option 1

THAT Council:

1. Returns the savings from the Eaton Skate Park (J11576) of \$73,707 to the Building Reserve;
2. Notes that future investigation works to the stormwater infrastructure that traverses under the Skate Park will be carried out every 2 years from the Operational / Maintenance Budget;
3. Notes that this closes out the Eaton Skate Park project.

OR

OFFICER RECOMMENDED RESOLUTION “A” – Option 2

THAT Council:

1. Authorises additional expenditure for the installation of CCTV at the Eaton Skate Park, and to install permanent fencing at the children’s playground, within the remaining budget for the Eaton Skate Park project (J11576).
2. Notes that future investigation works to the stormwater infrastructure that traverses under the Skate Park will be carried out every 2 years from the Operational / Maintenance Budget;
3. Notes that this closes out the Eaton Skate Park project.

Note: Cr. J Dow moved officer recommended resolution "A" and "B – Option 1".

OFFICER RECOMMENDED RESOLUTION "A"

MOTION MOVED - Cr. J Dow SECONDED - Cr. M R Hutchinson
LOST

THAT Council authorises the 2022/23 Carried Forward Budget for Eaton Skate Park (J11576) from an adopted budget of \$77,871 to a revised budget of \$81,282 and corresponding Transfer from the Carried Forward Projects Reserve Account.

And;

THAT Council:

1. Returns the savings from the Eaton Skate Park (J11576) of \$73,707 to the Building Reserve;
2. Notes that future investigation works to the stormwater infrastructure that traverses under the Skate Park will be carried out every 2 years from the Operational / Maintenance Budget;
3. Notes that this closes out the Eaton Skate Park project.

MOTION LOST
1/6

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

Note: As the previous motion was lost, Shire President, Cr. M T Bennett moved Officer Recommended Resolution A and B – Option 2.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION "A" & "B – Option 2"

299-22 MOVED - Cr. M T Bennett SECONDED - Cr. E P Lilly

THAT Council authorises the 2022/23 Carried Forward Budget for Eaton Skate Park (J11576) from an adopted budget of \$77,871 to a revised budget of \$81,282 and corresponding Transfer from the Carried Forward Projects Reserve Account.

And;

THAT Council:

1. Authorises additional expenditure for the installation of CCTV at the Eaton Skate Park, and to install permanent fencing at the children's playground, within the remaining budget for the Eaton Skate Park project (J11576);

2. Notes that future investigation works to the stormwater infrastructure that traverses under the Skate Park will be carried out every 2 years from the Operational / Maintenance Budget;
3. Notes that this closes out the Eaton Skate Park project.

CARRIED
7/0

Background

Council budgeted \$1,106,121 for the Skate Park construction stage 1 and 2. The 22/23 adopted annual budget includes a carried forward amount of \$77,871. With the 21/22 financial year now fully reconciled, the actual carried forward amount to be updated into the 22/23 revised budget is \$81,282. With all works now complete there is a projected surplus of \$73,707. Council officers have identified options that would enhance the skate park precinct for Council's consideration to allocate the remaining funds.

Legal Implications - None.

Council Plan

- 1.1 - Support the community to feel safe while using Shire facilities and public spaces.
- 2.2 - Increase participation in sport, recreation and leisure activities.
- 14.2 - Ensure equitable, inclusive and transparent engagement and decision- making.

Environment - None.

Precedents

The Shire of Dardanup has embarked upon previous building works by external contractors;

- Glen Huon Sports Pavilions
- Eaton Bowling Club
- Shire Works Depot

Budget Implications

The 2020/21 Annual Budget contains the following allocations:

- J11576 – Eaton Skate Park - \$984,580 – Stage 1
- J11644 - Pump Track - \$60,000

The 2021/22 Annual Budget contains the following allocations:

- J11576 - \$181,752 – Stage 2 (as per BAMP)

Carried Forward Component:

- J11576 – Eaton Skate Park - \$924,369 – Stage 1 (Carried Forward)
- J11644 - Pump Track - \$60,000 (Carried Forward)

Total Project Expenditure

TOTAL PROJECT BUDGET			
DETAILS	AMOUNT	FUNDS COMMITTED	BALANCE
J11576 / J11644	\$1,226,332	\$1,152,625	\$73,707

DETAILS	AMOUNT
Total POs raised	\$1,131,633
Staff Wages	\$20,992
Total	\$1,152,625

Budget – Whole of Life Cost

Operations and maintenance cost is estimated at 2% pa of the value of the project, or \$22,000 pa to be carried partly by the Shire as agreed by the lease agreement.

The renewal cost is expressed as an annual average figure and is estimated at 2.5% similar to other club rooms /change rooms in the Shire, or \$27,500 pa. This will be the Council as the owner's responsibility.

Council Policy Compliance

- CnG CP034 Procurement Policy;
- PR045 Procurement Procedure; and
- CNG CP306 Accounting Policy for Capital Works.

Risk Assessment

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

Tier 2 – 'Low' or 'Moderate' Inherent Risk.		
Risk Event	Eaton Skate Park and Pump Track – Project Closure Report	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Financial	Risk of CCTV and Playground Fencing exceeding budget
	Reputational	Failure to investigate community concerns of antisocial behaviour at the skate park and vandalism in the playground.

Officer Comment

There is currently a surplus of \$73,707 on J11576 and after the project is completed there are other items in the Skate Park vicinity that require consideration. Staff proposes the following options regarding the surplus funds.

Option 1 – Building Reserve

Council could return the funds to the Building Reserve.

Option 2 – Install Heavy Duty Fencing at the Playground.

There have been ongoing issues with vandalism to the current fencing at the Glen Huon Playground. The fencing installed is lightweight and can be easily damage. Staff have considered several options to install a more durable type of fencing to reduce vandalism and constant repairs.

Option 2A – Install Moddex balustrading

Install Moddex balustrading to match Skate Park balustrade. The balustrade at the Skate Park is Black Powder Coated and heavy duty and more suited to this environment.

The cost per linear meter for \$431.50 (supply only) and the perimeter of the playground is 110m. Total cost for supply and delivery is expected to be \$50,000. Cost to install is estimate to be approximately \$10,000 taking the total cost for option 2a to approximately \$60,000.

Whilst an expensive option this will match with the Skate Park balustrade and is the recommended option. This option is also recommended as priority over option 3 installing CCTV cameras.

Option 2B – Install Perforated Screen Fence Panels

Install perforated screen fencing panels. The proposed option is pool fencing compliant, made from perforated aluminium, and the panels are durable and corrosion resistant. Note that the panels are 2000mm wide, which are smaller than the existing fencing panels (2400mm wide). As such, most fence posts would need to be removed, although some posts can be kept. Old posts that can't be re-used would be cut off and the hole filled with cream coloured cement. This option is approximately \$40,000.

Whilst this option is a reduced cost option, it is not the recommended option as it will not match in with the Skate Park and may be more susceptible to vandalism than the Moddex balustrading.

Option 3 – Install CCTV

Two vendors have been approached to provide proposals on CCTV solutions to cover the skate park and play ground. All systems are record and store based for later retrieval and live monitoring has not been requested. All systems are able to be expanded for the new building to some level. The number of cameras in the proposals range from 4 to 12 with varying equipment specification and quality. The options range between \$20,000 and \$32,000.

It is recommended that this option be exercised with the remaining funds after the balustrading has been installed.

Stormwater pipe under the Skate Park

A detailed investigation of the Stormwater pipe under the Skate Park was carried out in April 2022. The investigation was carried out by B&B Sweeping and no major issues were identified.

The recommendation from B&B Sweeping is to set aside funds to carry out the condition review of the stormwater pipe every 2 years. Reviewing the pipe work every 2 years will identify changes and if remediation works need to be carried out.

END REPORT

12.4 CORPORATE & GOVERNANCE DIRECTORATE REPORTS

12.4.1 Title: Annual Review of Delegations 2022

Reporting Department:	Corporate & Governance Directorate
Responsible Officer	Ms Cathy Lee - Manager Governance & HR
Reporting Officer	Ms Cathy Lee - Manager Governance & HR
Legislation	Local Government Act 1995
Council Role	Legislative.
Voting Requirement	Absolute Majority.
Attachments	Appendix ORD: 12.4.1A – Risk Assessment Tool Appendix ORD: 12.4.1B – Amended Delegations Booklet e-Appendix ORD: 12.4.1C – November 2022- November 2023 Delegations Register

Overview

An annual review of Delegations has been undertaken with the November 2022 - November 2023 Delegations Register provided for Council consideration and endorsement.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

300-22 MOVED - Cr. M R Hutchinson SECONDED - Cr. S L Gillespie

THAT Council:

1. Deletes the following Delegations:

NO. #	DELEGATION FOR DELETION
10.1.9	Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974
12.1.2	Liquor Control Act Delegations

2. Notes that the following Delegations have been amended from the previously adopted in November 2021 Delegation Manual:

#	DELEGATION
1.2.16	To purchase goods and services to a specified value.
1.2.20	Local Laws
1.3.11	Health (Public Buildings) Regulations 1992
1.4.4	Shire of Dardanup Health Local Laws Delegations
9.1.1	Powers or Duties Under The Local Planning Scheme
10.1.1	Septic Installations

#	DELEGATION
10.1.6	Public Buildings

3. In accordance with Section 5.46(2) of the Local Government Act 1995, records confirms that it adopts; having completed its annual review of delegations and duties to the Chief Executive Officer as empowered by the Local Government Act 1995, Regulations, the Shire of Dardanup Town Planning Scheme No. 3, and other relevant statutes as provided for in [e-Appendix ORD: 12.4.1C].

CARRIED

7/0

By Absolute Majority

Background

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

Legal Implications

- *Local Government Act 1995*

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

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

Section 5.42 –

5.42. Delegation of some powers and duties to CEO

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

* Absolute majority required.

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

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

Section 5.43 –

5.43. Limits on delegations to CEO²⁸

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

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

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

Section 5.44 –

5.44. CEO may delegate powers and duties to other employees

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

conditions includes qualifications, limitations or exceptions.

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

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

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

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

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

Section 9.10 - Appointment of authorised persons - The local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions. The local government is to issue the authorised person with a certificate stating the person is so authorised.

- *Bush Fires Act 1954*

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

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

- *Graffiti Vandalism Act 2016*

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

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

- *Food Act 2008*

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

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

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

- *Cat Act 2011*

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

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

- *Dog Act 1976*

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

- *Litter Act 1979 Appointment of Authorised Officers*

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

- *Town Planning*

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

- *Building Act 2011*

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

- *Principal Environmental Health Officer*

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

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

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

Council Plan

13.1 - Adopt best practice governance.

Environment - None.

Precedents

Council consider delegations annually in accordance with the *Local Government Act 1995*. The last review was undertaken on the 24th of November, when Council resolved (Res: 382-21) to adopt the reviewed delegations.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

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

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
Risk Event	Annual Review of Delegations 2022	
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Legal and Compliance	Local Government Act 1995 compliance requirement to review delegations annually.
	Reputational	Notification from Dept. Local Government Non Compliance.

Officer Comment

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

Amendments are outlined in the below table and highlighted in [Appendix ORD: 12.4.1B] – Amended Delegations Only Booklet.

EXPLANATION TO AMENDED DELEGATIONS [APPENDIX ORD: 12.4.1B]			
NO.	NAME	CHANGE/AMENDMENT/DELETION/ADDITION	REASON FOR ACTION
1.2.16	To purchase goods and services to a specified value.	Value of Chief Executive Officer delegation to be increased.	The Local Government (Functions and General) Regulations 1996 have been amended to increase the tender threshold to \$250,000. Therefore it is recommended that the condition of this delegation be consistent with the regulations allowing the Chief Executive Officer and operations take all procurement under this threshold.
1.2.20	Local Laws	Amendments of local law names under 'Function'	Updating current and transitioning local laws as adopted by Council. E.g. Bush Fire Brigades Local Law has addition of '2021'.
1.3.11	Health (Public Buildings) Regulations 1992	Minor amendments of clauses under 'Function'	Item 1: "Authority to determine an application to vary a Certificate of Approval (R. 9A)" Item 4: "Authority to determine an application for manually operating sliding doors for a public building (R. 14)" Updated wording in line with legislation.
1.4.4	Shire of Dardanup Health Local Laws Delegations	Amendments of names under 'Function' "Determine all applications (in accordance with relevant Council policies where applicable), and make any direction or requirement specified under the Shire of Dardanup Health Local Laws 2000 (As Amended)."	Wording was broadened to cover matters that are covered under the adopted Shire of Dardanup Health Local Laws and Council policies. Officer's to act in line with all council Policies in enacting the delegation. Matters that still require Council consideration will be brought back to Council with a report.
9.1.1	Powers or Duties Under The Local Planning Scheme	Additional wording added to 'Function' and 'Conditions'	Delegation broadened to include the submission of responsible authority reports to the Development Assessment Panel. Wording of Conditions to ensure Development Applications relating to Lot 2 Banksia Road, Crooked Brook are set by Council.
10.1.1	Septic Installations	Amendment to wording under 'Function' "Authority to: 1. Determine applications to construct or install an apparatus for the treatment of sewage (R. 4) 2. Issue "Permit to Use an Apparatus" for the treatment of sewage (R. 10)	Change to wording gives greater clarity and direction to staff in accordance with legislation.

EXPLANATION TO AMENDED DELEGATIONS [APPENDIX ORD: 12.4.1B]			
NO.	NAME	CHANGE/AMENDMENT/DELETION/ADDITION	REASON FOR ACTION
		3. Submit a local government report for applications referred to the Department of Health. 4. Service notices requiring rectification for non-complying systems”	
10.1.6	Public Buildings	Minor amendment to wording under ‘Function’ 1. Determination Authority to determine (subject to conditions) applications to construct, extend or alter a public building (S.177)”	Minor amendment to wording from Approval to Determination.
10.1.9	Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974	Recommended for deletion	Recommend deleting as is covered by proposed changes to delegation 10.1.1
12.1.2	Liquor Control Act Delegations	Recommended for deletion	Recommend deleting as it is covered by Delegation 12.1.1

Attached [e-Appendix ORD: 12.4.1C] is the full document “November 2022 –November 2023 Delegations Register” that includes all the amendments referred to in the Officer Report.

END REPORT

12.4.2 Title: Adoption of Cemeteries Local Law 2022

Reporting Department	Corporate & Governance Directorate
Responsible Officer	Ms Cathy Lee - Manager Governance & HR
Reporting Officer	Ms Cathy Lee - Manager Governance & HR
Legislation	Local Government Act 1995
Council Role	Legislative.
Voting Requirement	Absolute Majority.
Attachments	Appendix ORD: 12.4.2A – Risk Assessment Tool Appendix ORD: 12.4.2B – Submission from DLGSC Appendix ORD: 12.4.2C – Marked Up Amendments to Local Law Clauses Appendix ORD: 12.4.2D – Final Cemeteries Local Law 2022

Overview

Proposed adoption of *Shire of Dardanup Cemeteries Local Law 2022* with minor amendments, for gazettal.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

301-22 MOVED - Cr. T G Gardiner SECONDED - Cr. M R Hutchinson

THAT Council:

1. Receives the submission received from the Department of Local Government, Sport and Cultural Industries in respect of the *Shire of Dardanup Cemeteries Local Law 2022*;
2. Notes that there were no public submissions received in respect of the *Shire of Dardanup Cemeteries Local Law 2022*;
3. By Absolute Majority decision, adopts the *Shire of Dardanup Cemeteries Local Law 2022* [Appendix ORD: 12.4.2B] inclusive of the following minor amendments:
 - **1.2 Application - be amended to read:**
This local law applies to the Dardanup Cemetery and Ferguson Cemetery.
 - **1.6 Repeal**
The *Busselton Cemeteries By-Law* published in the *Government Gazette* on 14 October 1994 is repealed.

Be replaced with the words:

The *Shire of Dardanup Cemeteries Local Law 2014* published in the *Government Gazette* on 27 June 2014 is repealed.

Part 6 – Burials

- **Clause 6.4 Vaults and Mausoleums - be amended by**
 - i) **Renumber clauses 6.4(3) to 6.4(10) inclusive to be 6.4(4) to 6.4(11) respectively.**
 - ii) **inserting new subclause (3) that reads:**
 - (3) *A person may construct a vault or mausoleum if authorised by the Board.*
 - iii) **Amending Subclause (10)(c) to read**
 - (c) *in accordance with subclause (11).*

Part 7 - Division 2**7.13 Determination of types of memorials permitted in different areas of a cemetery**

- **Clause 7.13(1) - Change to read:**
 - (1) *The Board may by resolution determine the types of memorials permitted in a cemetery and may impose different requirements for different areas of a cemetery.”*
- **Renumber clauses 7.13(2) to 7.13(5) inclusive to be 7.13(3) to 7.13(6) respectively.**
- **New Clause 7.13(2) – be inserted to read:**
 - (2) *Prior to a proposed determination under this clause 7.13 being made*
 -
 - (a) *there will be a public submission period of at least 21 days; and*
 - (b) *all submissions will be duly considered.*
- **Clause 7.13(7) – Addition of clause that reads:**
 - (7) *Notwithstanding clause 2.1, any determination made under this clause must be made by the Board and not delegated.*
- **Clause 7.15(2) Amendment or revocation of determination**
Amend Clause 7.15(2) to read
 - (2) *The provisions of clauses 7.13(2), (3) and (4) are to apply to an amendment of a determination as if the amendment were a proposed determination.*
 - (2) *The provisions of clauses 7.13(3), (4) and (5) are to apply to an amendment of a determination as if the amendment were a proposed determination.*
- **Clause 7.24(1)**
 - i) **Add the word ‘or’ following the semicolon at the end of subclause (a).**
 - ii) **Delete subclause (b)**
 - iii) **Renumber subclause (c) to be subclause (b).**

Part 8 - General

- **Clause 8.7 Board may close a cemetery**
 - i) Delete subclauses (d) to (h) inclusive in their entirety; and
 - ii) Insert new subclause (d) to read:

(d) direct persons to leave a cemetery or any part of it, for purposes of –
 (i) a funeral or public convenience;
 (ii) maintenance, redevelopment or extension of the cemetery;
 (iii) public safety; or
 (iv) other operational reasons.

4. Publishes a copy of the adopted local law in the Government Gazette;
5. Gives a copy of the adopted gazette ready Local Law to the Minister for Local Governments;
6. After the local law has been published in the Gazette, gives local public notice as per section 1.7 of the *Local Government Act 1995* advising:
 - The title of the local law;
 - Summarizing the purpose and effect of the local law;
 - Specifying the day on which the local law comes into operation; and
 - Advising the location of copies of where the local law may be inspected or obtained.
7. Supplies copies of the local law, Explanatory Memorandum, Statutory Procedures Checklist and other supporting material in accordance with Ministerial Directions, to the WA Parliament's Joint Standing Committee on Delegated Legislation within 10 working days of the gazettal publication date of the local law.

CARRIED

7/0

By Absolute Majority

Background

At its meeting held on the 27th of July 2022 Council resolved (Res: 202-22) as follows:

"THAT Council:

1. *In accordance with Section 3.12 of the Local Government Act 1995 approves the advertising of the proposed 'Shire of Dardanup Cemeteries Local Law 2022' [Appendix ORD: 12.4.2C] in order to seek community comment.*
2. *Provides a copy of the proposed Local Law and public notice to the Minister for Local Government.*
3. *After the close of the public consultation period, requests the Chief Executive Officer to submit a report on any submissions received on the proposed Local Law to enable Council to consider the submissions made and to determine whether to make the Local Law in accordance with section 3.12(4)."*

Legal Implications

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

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

** Absolute majority required.*

- (5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*

- (6) *After the local law has been published in the Gazette the local government is to give local public notice —*

- (a) stating the title of the local law; and*
- (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
- (c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.*

- (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*

- (8) *In this section —*

making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

Council Plan

13.1 - Adopt best practice governance.

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

Environment - None.

Precedents

The Shire of Dardanup Cemeteries Local Law was last reviewed and gazetted in 2014.

Budget Implications

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

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

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

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Adoption of Cemeteries Local Law 2022
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Legal and Compliance Council has a statutory obligation to make laws which are clear and effective.
	Reputational Council would be seen in a negative light if we failed in our legislative requirements.

Officer Comment

The Minister for Local Government was provided with a copy of the local law for comment on the 4th of August 2022. Advertising inviting submissions concluded on the 20th of September 2022.

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

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

DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES COMMENTS	OFFICER RECOMMENDATION
<p>Determination device – memorials</p> <p><i>Part 7 Division 2 of the local law provides for the Board to make determinations in relation to what kind of monuments can be permitted in the cemetery. These determinations will presumably add to or overwrite the rules already provided in Schedule 3.</i></p> <p><i>The Parliament’s Delegated Legislation Committee generally disapproves of “determination devices” since it allows the local government to change parts of the local law in a manner other than the process provided by the Cemeteries Act.</i></p> <p><i>While the Committee has permitted determination devices in parking laws and public places local laws, this has been subject to the condition that sufficient consultation occur, all submissions being duly considered and the determination power not being delegated to staff.</i></p> <p><i>If the Shire retains these clauses, it is suggested that the following modifications occur:</i></p>	<p>Part 7 Division 2,</p> <p>Clause 7.13(1) - Change to read: “(1) The Board may by resolution determine the types of memorials permitted in a cemetery and may impose different requirements for different areas of a cemetery.”</p> <p>Clause 7.13(2) – Insert new clause 7.13(2) that reads: “(2) Prior to a proposed determination under this clause 7.13 being made – (a) there will be a public submission period of at least 21 days; and (b) all submissions will be duly considered by the Board.”</p> <p>Clause 7.13 - Renumber clauses 7.13(2) to 7.13(5) inclusive to be 7.13(3) to 7.13(6)</p>

DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES COMMENTS	OFFICER RECOMMENDATION
<p>(a) In clause 7.13(1) after “Board may” insert “by resolution”.</p> <p>(b) In clause 7.13 add a subclause stating that notwithstanding clause 2.1, any determination made under this clause must be made by the Board and not delegated.</p> <p>(c) Insert provisions which provide for a minimum submission period of at least 21 days and require all submissions to be duly considered.</p>	<p>Clause 7.13(7) – Insert new clause that reads: “(7) Notwithstanding clause 2.1, any determination made under this clause must be made by the Board and not delegated.”</p> <p>Changes to Clause 7.13 will result in a change being required for Clause 7.15(2) from:</p> <p>(2) The provisions of clauses 7.13(2), (3) and (4) are to apply to an amendment of a determination as if the amendment were a proposed determination.</p> <p>To read:</p> <p>(2) The provisions of clauses 7.13(3), (4) and (5) are to apply to an amendment of a determination as if the amendment were a proposed determination.</p>
<p>Clause 7.24 – Conduct of mason and mason’s staff</p> <p>Clause (1)(b) provides that a licence may be cancelled if the mason or their staff act in a manner which is “inappropriate or unbecoming”.</p> <p>The Parliament’s Delegated Legislation Committee has previously objected to this provision. Presumably this is because the phrase “inappropriate or unbecoming” is vague and can potentially interpreted in various ways.</p> <p>It is suggested that paragraph (b) be deleted. If necessary, the Shire can impose similar controls via the conditions of the licence itself.</p>	<p>Clause 7.24(1) Add the word ‘or’ following the semicolon at the end of subclause (a). Delete subclause (b) Re-number subclause (c) to be subclause (b).</p>
<p>Minor edits</p> <p>The following minor edits are suggested:</p> <p>Clause 1.2 – Change “cemetaries” to “Dardanup Cemetery and Ferguson Cemetery”.</p>	<p>1.2 Application be amended to read: This local law applies to the Dardanup Cemetery and Ferguson Cemetery.</p>
<p>Clause 1.6: This clause is attempting to repeal a local law made by the Shire of Busselton. The references should be corrected to refer to the Shire’s current cemeteries local law.</p>	<p>1.6 Repeal</p> <p>The Busselton Cemeteries By-Law published in the Government Gazette on 14 October 1994 is repealed.</p> <p>Be replaced with the words:</p> <p>The Shire of Dardanup Cemeteries Local Law 2014 published in the Government Gazette on 27 June 2014 is repealed.</p>

DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES COMMENTS	OFFICER RECOMMENDATION
Clause 6.4: Amend the clause to account for the fact that a person may construct a vault or mausoleum if authorised by the Board, since this is likely to be done by either employees or independent contractors.	<p>Clause 6.4 Vaults and Mausoleums Be amended by</p> <p>Inserting new subclause (3) that reads: (3) A person may construct a vault or mausoleum if authorised by the Board.</p> <p>Renumbering remaining clauses; and</p> <p>Amending Subclause (10)(c) to read (c) in accordance with subclause (11).</p>

OFFICER COMMENTS	OFFICER RECOMMENDATION
Clause 8.7 : It is noted that Clause 8.7(d) should have had four sub clauses (i) to (iv) – instead of clauses 8.7(e) to 8.7(h) inclusive. This was a formatting error that staff have picked up following return of LL by DLGSC.	<p>Clause 8.7 Board may close a cemetery Be amended by deleting subclauses (d) to (h) inclusive in their entirety and inserting new subclause (d) to read:</p> <p>(d) direct persons to leave a cemetery or any part of it, for purposes of –</p> <ul style="list-style-type: none"> (i) a funeral or public convenience; (ii) maintenance, redevelopment or extension of the cemetery; (iii) public safety; or (iv) other operational reasons.

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

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

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

A copy of the proposed '*Shire of Dardanup Cemeteries Local Law 2022*' inclusive of the amendments for adoption and gazettal is attached [Appendix ORD: 12.4.2D].

END REPORT

12.4.3 Title: Adoption of Extractive Industries Local Law 2022

Reporting Department	Corporate & Governance Directorate
Responsible Officer	Ms Cathy Lee - Manager Governance & HR
Reporting Officer	Ms Cathy Lee - Manager Governance & HR
Legislation	Local Government Act 1995
Council Role	Legislative.
Voting Requirement	Absolute Majority.
Attachments	Appendix ORD: 12.4.3A – Risk Assessment Tool Appendix ORD: 12.4.3B – Submission from DLGSC Appendix ORD: 12.4.3C – Marked Up Amendments to Local Law Clauses Appendix ORD: 12.4.3D – Final Extractive Industries Local Law 2022

Overview

Proposed adoption of *Shire of Dardanup Extractive Industries Local Law 2022* with minor amendment, for gazettal.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

302-22 MOVED - Cr. M T Bennett SECONDED - Cr. T G Gardiner

THAT Council:

1. Receives the submission received from the Department of Local Government, Sport and Cultural Industries in respect of the *Shire of Dardanup Extractive Industries Local Law 2022*;
2. Notes that there were no public submissions received in respect of the *Shire of Dardanup Extractive Industries Local Law 2022*;
3. By Absolute Majority decision, adopts the *Shire of Dardanup Extractive Industries Local Law 2022* [Appendix ORD: 12.4.3D] inclusive of the following minor amendments:

Part 1 Preliminary**1.4 Application**

- Clause 1.4(1) subclause (1)(e) be amended by deleting the numbers '1.5' and replacing them with 1.6.

Part 2—Licensing Requirements For An Extractive Industry**2.3 Application for licence**

- Clause 2.3(2) – Change to read:

(2) All survey data supplied by an applicant for the purpose of subclause (1) shall comply with the Australian Height Datum and the Map Grid of Australia.

Part 6—Limitations, Obligations of the Licensee and Prohibitions**6.4 Blasting**

- Subclause (1)(c) – amend by deleting the words:
Delete the words ‘AS2187 SAA Explosives Code’; and replace with
‘AS2187.2-2006 Explosives – Storage and Use - Use of Explosives’

4. Publishes a copy of the adopted local law in the Government Gazette;
5. Gives a copy of the adopted gazette ready Local Law to the Minister for Local Government;
6. After the local law has been published in the Gazette, gives local public notice as per section 1.7 of the *Local Government Act 1995* advising:
 - The title of the local law;
 - Summarizing the purpose and effect of the local law;
 - Specifying the day on which the local law comes into operation; and
 - Advising the location of copies of where the local law may be inspected or obtained.
7. Supplies copies of the local law, Explanatory Memorandum, Statutory Procedures Checklist and other supporting material in accordance with Ministerial Directions, to the WA Parliament’s Joint Standing Committee on Delegated Legislation within 10 working days of the gazettal publication date of the local law.

CARRIED

7/0

By Absolute Majority

Background

At its meeting held on the 27th of July 2022 Council resolved (Res: 202-22) as follows:

“THAT Council:

1. *In accordance with Section 3.12 of the Local Government Act 1995 approves the advertising of the proposed ‘Shire of Dardanup Extractive Industries Local Law 2022’ [Appendix ORD: 12.4.3C] in order to seek community comment.*
2. *Provides a copy of the proposed Local Law and public notice to the Minister for Local Government.*
3. *After the close of the public consultation period, requests the Chief Executive Officer to submit a report on any submissions received on the proposed Local Law to enable Council to consider the submissions made and to determine whether to make the Local Law in accordance with section 3.12(4).”*

Legal Implications

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

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

** Absolute majority required.*

- (5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
- (6) *After the local law has been published in the Gazette the local government is to give local public notice —*
- (a) *stating the title of the local law; and*
 - (b) *summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - (c) *advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.*
- (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*
- (8) *In this section —*
- making** *in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.*

Council Plan

13.1 - Adopt best practice governance.

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

Environment - None.

Precedents

The Principal Extractive Industries Local Law was adopted in October 1996. There have been three amendments to the local law since that time, being March 1998, February 2008 and April 2014.

Budget Implications

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

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

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

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
Risk Event	Adoption of Extractive Industries Local Law 2022	
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Legal and Compliance	Council has a statutory obligation to make laws which are clear and effective.
	Reputational	Council would be seen in a negative light if we failed in our legislative requirements.

Officer Comment

The Minister for Local Government was provided with a copy of the local law for comment on the 4th of August 2022. Advertising inviting submissions concluded on the 20th of September 2022.

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

The Department of Local Government, Sport and Cultural Industries [Appendix ORD: 12.4.3B] made the below comments on the Local Law.

DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES COMMENTS	OFFICER RECOMMENDATION
<p>Minor edits:</p> <ul style="list-style-type: none"> The local law refers to Australian Standards. The Shire should ensure that the citations are accurate and the complete citation is used at least once, either in the applicable clause or in the interpretation area. The Shire should also ensure that they have information on their website indicating where the Standard can be accessed (presuming a copy isn't available at the Shire's office). 	<p>Clause 2.3(2) has the word 'standards' used incorrectly.</p> <p>It states 'Australian Height Datum and Australian Map Grid <u>standards</u>.' The Australian Height Datum is not an Australian Standard, nor are there Australian Map Grid Standards. The Department of Mines, Industry Regulation and Safety (DMIRS) has confirmed that the correct wording in this context is 'the Australian Height Datum and the Map Grid of Australia.'</p> <p>Clause 2.3(2) Be amended from:</p> <p>(2) All survey data supplied by an applicant for the purpose of subclause (1) shall comply with Australian Height Datum and Australian Map Grid standards.</p> <p>To read:</p> <p>(2) All survey data supplied by an applicant for the purpose of subclause (1) shall comply with the Australian Height Datum and the Map Grid of Australia.</p>

DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES COMMENTS	OFFICER RECOMMENDATION
	<p>Clause 6.4(1) Subclause (1)(c)</p> <p>Be amended by removing the words:</p> <p>AS2187 SAA Explosives Code</p> <p>And replacing them with:</p> <p>AS2187.2-2006 Explosives – Storage and Use - Use of Explosives</p>
<ul style="list-style-type: none"> Legislative citations should be in italics. 	<p>Legislation:</p> <p>All references to legislation are now in italics. These changes are highlighted in the attachment.</p>
<ul style="list-style-type: none"> The Shire should ensure all citations and cross references are accurate. 	<p>Citations & Cross Referencing:</p> <p>Clause 1.4(1) subclause (1)(e) Be amended by deleting the numbers 1.5 and replacing them with 1.6.</p>

The above amendments to the clauses in question are shown as marked [Appendix ORD: 12.4.3C].

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

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

A copy of the proposed '*Shire of Dardanup Extractive Industries Local Law 2022*' inclusive of the amendments for adoption and gazettal is attached [Appendix ORD: 12.4.3D].

END REPORT

12.4.4 Title: Adoption of Parking Local Law 2023

Reporting Department	Corporate & Governance Directorate
Responsible Officer	Ms Cathy Lee - Manager Governance & HR
Reporting Officer	Ms Cathy Lee - Manager Governance & HR
Legislation	Local Government Act 1995
Council Role	Legislative.
Voting Requirement	Absolute Majority.
Attachments	Appendix ORD: 12.4.4A – Risk Assessment Tool Appendix ORD: 12.4.3B – Submission from DLGSC Appendix ORD: 12.4.4C – Marked Up Amendments to Local Law Clauses Appendix ORD: 12.4.4D – Final Parking Local Law 2023

Overview

Proposed adoption of Shire of Dardanup Parking Local Law 2023 with minor amendment, for gazettal.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

303-22 MOVED - Cr. M T Bennett SECONDED - Cr. E P Lilly

THAT Council:

1. Receives the submission received from the Department of Local Government, Sport and Cultural Industries in respect of the *Shire of Dardanup Parking Local Law 2023*;
2. Notes that there were no public submissions received in respect of the n respect of the *Shire of Dardanup Parking Local Law 2023*;
3. By Absolute Majority decision, adopts the *Shire of Dardanup Parking Local Law 2023* [Appendix ORD: 12.4.4D] inclusive of the following minor amendments:

Contents Page - Be amended by changing:

“1.3 Terms used” to read “1.3 Repeal”; and

“1.4 Repeal” to read “1.4 Terms Used”.

4. Publishes a copy of the adopted local law in the Government Gazette;
5. Gives a copy of the adopted gazette ready Local Law to the Minister for Local Government;
6. After the local law has been published in the Gazette, gives local public notice as per section 1.7 of the *Local Government Act 1995* advising:
 - The title of the local law;

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

CARRIED

7/0

By Absolute Majority

Background

At its meeting of 25 of August 2022, the Shire of Dardanup resolved (Res: 225-22) as follows:

THAT Council:

1. *In accordance with Section 3.12 of the Local Government Act 1995 approves the advertising of the proposed 'Shire of Dardanup Parking Local Law 2023' [Appendix ORD: 12.4.1C] in order to seek community comment.*
2. *Provides a copy of the proposed Local Law and public notice to the Minister for Local Government.*
3. *After the close of the public consultation period, requests the Chief Executive Officer to submit a report on any submissions received on the proposed Local Law to enable Council to consider the submissions made and to determine whether to make the Local Law in accordance with section 3.12(4).*

Legal Implications

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

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

** Absolute majority required.*

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

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

Council Plan

13.1 - Adopt best practice governance.

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

Environment - None.

Precedents

The Shire of Dardanup made the current Parking and Parking Facilities Local Law in 2009. The local law was reviewed and amended in 2014.

Budget Implications

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

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

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

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

Officer Comment

The Minister for Local Government was provided with a copy of the local law for comment on the 4th of August 2022. Advertising inviting submissions concluded on the 20th of September 2022.

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

The Department of Local Government, Sport and Cultural Industries [Appendix ORD: 12.4.4B] made the below comments on the Local Law.

DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES COMMENTS	OFFICER RECOMMENDATION
<p>Minor edits:</p> <ul style="list-style-type: none"> Contents page: the items for clause 1.3 and 1.4 should be in reverse order. 	<p>Contents Page Clause 1.3 changed to read Repeal Clause 1.4 changed to read Terms Used</p>
<ul style="list-style-type: none"> The local law includes references to taxis. State taxi legislation has recently been amended and the Shire should ensure that the new statutory definitions still meet the Shire's requirements. 	<p>Local Law states: taxi has the meaning given to it by the Code ; Code means the Road Traffic Code 2000;</p> <p>Road Traffic Code 2000 Definition: <i>Taxi means a vehicle used or intended to be used in providing an <u>on-demand rank or hail passenger transport service</u> (as defined in the Transport (Road Passenger Services) Act 2018 section 4(1)</i></p> <p>Transport (Road Passenger Services) Act 2018 section 4(1) Definition: <i><u>on-demand rank or hail passenger transport service</u> means an <u>on-demand passenger transport service</u> that includes a rank or hail service;</i></p> <p><i><u>on-demand passenger transport service</u> has the meaning given in section 5;</i></p> <p>Section 5 states: <i>(1) In this Act, an <u>on-demand passenger transport service</u> is —</i> <i>(a) a service —</i> <i>(i) for the transport of passengers by vehicle within, or partly within, the State for hire or reward; and</i> <i>(ii) in which the passenger or hirer determines or substantially determines the locations for the beginning and end of the journey and the time of travel;</i> <i>or</i> <i>(b) a service or other thing that the regulations provide is an on-demand passenger transport service.</i></p>

DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES COMMENTS	OFFICER RECOMMENDATION
	<p><i>Officer comment</i></p> <p>No change required in the definitions of the local law in relation to Taxis.</p> <p>Although the word 'Taxi' is likely to be phased out of local laws in the future and replaced with the words 'On-demand Passenger Transport Service' now that there are other services such as Uber; the definition of taxi remains correct.</p>
<ul style="list-style-type: none"> The Shire should ensure all citations and cross references are accurate. 	<p><i>Citations & Cross Referencing:</i></p> <p>Citations and cross referencing has been checked. There are no amendments to be made.</p>

The above amendments to the clauses in question are shown as marked [Appendix ORD: 12.4.4C].

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

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

A copy of the proposed '*Shire of Dardanup Parking Local Law 2023*' inclusive of the amendments for adoption and gazettal is attached [Appendix ORD: 12.4.4D].

END REPORT

12.4.5 Title: Collie River Foreshore – Heritage Walk Trail – Expenditure Report

Reporting Department	Corporate & Governance Directorate
Responsible Officer	Mrs Natalie Hopkins - Manager Financial Services
Reporting Officer	Ms Vicki Pretorius - Landscape Designer
Legislation	Local Government Act 1995
Council Role	Executive/Strategic.
Voting Requirement	Absolute Majority.
Attachments	Appendix ORD: 12.4.5 – Risk Assessment Tool

DECLARATIONS OF INTEREST

Cr. S L Gillespie declared a Proximity Interest in this item as her place of residence is on Pratt Road which is in close proximity of the Collie River foreshore.
Cr. S L Gillespie left the room [5.33pm].

Overview

This report is provided to Council as an update to the project expenditure on the Collie River Foreshore – Heritage Walk Trail Project and requests Council to authorise the remaining unspent grant funding expenditure of \$3,761.27 for additional works associated with the project. The grant funding body, Department Primary Industries and Regional Develop (DPIRD), has advised they would prefer the Shire to expend all the grant funds, rather than returning the funds back to DPIRD. The funds are held in the Unspent Grants Reserve; there is no impact to the forecast end of year budget surplus.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

304-22 MOVED - Cr. J Dow SECONDED - Cr. M R Hutchinson

THAT Council:

- 1. Authorises the remaining grant funds of \$3,761.27 to be spent on the Collie River Foreshore – Heritage Walk Trail (J12666) for erosion mitigation works;**
- 2. Increases the budget for Job Number J12666 Collie River Foreshore – Heritage Walk Trail by \$3,761.27, and increase the Transfer from the Unspent Grants Reserve of \$3,761.27.**

CARRIED

6/0

By Absolute Majority

Background

In June 2019 Council was successful in securing Royalties for Regions grant funding of \$250,000 for the Leschenault Historic Walk Trail, administered through DPIRD and the project funding was included in the 2019/20 adopted budget (J12629 and J12666). The pathway construction commenced in September

2020 with further works continuing into the 2021/22 financial year. During this time heritage interpretive signage, seating and other works which improved accessibility were completed.

The following table contains the budgeted expenditure and revenue:

YEAR	GRANT FUNDS OPENING BALANCE	INTEREST EARNT	ACTUAL EXPENDITURE (NET)	GRANT FUNDS CLOSING BALANCE
2018/19	\$250,000	\$0	\$0	\$250,000
2019/20	\$250,000	\$2,631	\$0	\$252,631
2020/21	\$252,631	\$0	\$197,945	\$54,686
2021/22	\$54,686	\$0	\$50,925	\$3,761

As at the 30th of June 2022, \$3,761.27 of the grant funds remained unspent and held in the Unspent Grants Reserve. It is proposed the remaining funds be spent on erosion mitigation works with no additional cost to Council. Once finalised, the grant can be fully acquitted as part of the audited report to DPIRD.

Legal Implications

Amending a budget is provided for by the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* as follows:

Local Government Act 1995

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 (Financial Management) Regulations 1996

12. 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.

Council Plan

- 2.2 - Increase participation in sport, recreation and leisure activities.
 9.5 - Provide safe and accessible access to waterways for recreational activities.
 13.2 - Manage the Shire's resources responsibly.

Environment - None.

Precedents

Unbudgeted expenditure is often funded by other sources. In this instance, the amendment to the budget expenditure is offset by a grant held in Council's Reserve Account. Similar to carried forward projects, when predicting year end budgets in May, it can be difficult to ascertain when project completion will be finalised, and hence, a budget amendment may be required.

Budget Implications

Unspent Grant Funding is held as a Contract Grant Liability and an Unspent Grant in Council's Unspent Grants Reserve. Utilising the funds provides for expenditure and revenues to be recognised accordingly. An increase to the Job Number J12666 will be offset with a Transfer from Unspent Grants Reserve; nil impact on Council's predicted end of year surplus.

Budget – Whole of Life Cost - None.

Council Policy Compliance

CnG CP034 – Procurement Policy

Risk Assessment

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

TIER 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Risk that the budget is not amended to reflect anticipated expenditure for unspent grant funds
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Financial Risk that the budget is not updated to reflect the grant funding expenditure to complete the project.
	Legal and Compliance Risk of non-compliance to LGA 1995 Regulation 6.8 – Expenditure from Municipal Fund not included in the Annual Budget.

Officer Comment

It is recommended the unspent portion of the grant funds be allocated to the original Job Number J12666 for the Collie River Foreshore – Heritage Walk Trail. The proposed use of the remaining grant funds of \$3,761.27 has been approved by DPIRD as the mitigation erosion works are in line with the original grant agreement. If not adopted, Council would be required to return the unspent grant funds back to DPIRD.

END REPORT

Note: Cr. S L Gillespie returned to the room [5.34pm].

12.4.6 Title: Monthly Statement of Financial Activity for the Period Ended on the 31st of October 2022

Reporting Department:	Corporate & Governance Directorate
Responsible Officer	Mrs Natalie Hopkins - Manager Financial Services
Reporting Officer	Mr Ray Pryce - Accountant
Legislation	Local Government Act 1995
Council Role	Executive/Strategic.
Voting Requirement	Simple Majority.
Attachments	12.4.6A – Risk Assessment Tool 12.4.6B – Monthly Financial Report – 31 st of October 2022

Overview

This report presents the monthly Financial Statements for the period ended on the 31st of October 2022 for Council adoption.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

305-22 MOVED - Cr. T G Gardiner SECONDED - Cr. E P Lilly

THAT Council receives the Monthly Statement of Financial Activity [Appendix ORD: 12.4.6B] for the period ended on the 31st of October 2022.

CARRIED
7/0

Background

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

Legal Implications

Local Government Act 1995 – Section 6.4

6.4. Financial Report

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

Local Government (Financial Management) Regulations 1996 r. 34

Part 4 — Financial Reports — s. 6.4

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

(1A) *In this regulation—*

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

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

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

Council Plan - 13.1 - Adopt best practice governance.

Environment - None.

Precedents

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

Budget Implications

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

Budget – Whole of Life Cost - None.

Council Policy Compliance

- CnG CP036 Investment Policy
- CnG CP128 Significant Accounting Policies
- CnG CP306 – Accounting Policy for Capital Works.

Risk Assessment

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

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
Risk Event	Monthly Statement of Financial Activity for the Period Ended 31 st of October 2022	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Legal and Compliance	Non-compliance with the legislative requirements that results in a qualified audit.
	Reputational	Non-compliance that results in a qualified audit can lead stakeholders to question the Council's ability to manage finances effectively.
	Financial	Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position.

Officer Comment

The Monthly Financial Report for the period ended on the 30th of October 2022 is contained in [Appendix ORD: 12.4.6B] and consists of:

- Statement of Financial Activity by Nature and Type – including Net Current Assets (liquidity)
- Statement of Comprehensive Income by Program
- Notes to the Statement of Financial Activity:
 - * Note 1 Statement of Objectives
 - * Note 2 Explanation of Material Variances

- * Note 3 Trust Funds
- * Note 4 Reserve Funds
- * Note 5 Statement of Investments
- * Note 6 Accounts Receivable (Rates and Sundry Debtors)
- * Note 7 Salaries and Wages
- * Note 8 Rating Information
- * Note 9 Borrowings
- * Note 10 Budget Amendments

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

The Statement of Financial Activity includes the end-of-year surplus brought forward from 2021/22 of \$175,393. This surplus is an estimate based on officer forecast and is subject to change depending on the outcome of the annual audit review.

As at the reporting date, officers forecast the surplus at the 30th of June 2023 at \$340,150 compared to the budgeted surplus of \$137,167.

Note 2 – Contains explanations for items with a material variance. Actual values for the year-to-date are compared to the year-to-date budget to present a percentage variance as well as the variance amount. The minimum level adopted by Council to be used in the Statement of Financial Activity in 2022/23 for reporting material variances is 5% or \$25,000, whichever is greater.

At this early stage of the year, most reported variances between actual costs and the corresponding budget allocations are considered to be due to timing. Officers have continued to improve the seasonality factors associated with monthly budgets, however, there will be occasions when actual revenues and expenses do not follow historical or anticipated patterns.

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

The total investment portfolio is currently \$12,500,000 in Reserve Account term deposit funds. 100% of the portfolio is invested with AA rated banks. 60% of this holding is held with Commonwealth Bank. This exceeds the policy maximum exposure limit of 50% due to a delay in lodgement of additional deposits with other banks. This delay is due to additional bank requirements related anti-money laundering and customer identification. These issues have since been resolved early in November 2022.

Yield return on term deposit investments have improved with the changing economic conditions and recent Reserve Bank decisions to raise interest rates. Some major banks now offer rates around 3.5% p.a. for a 3 month term and over 4% p.a. for 6 month deposits. At the same time last year, interest rates for comparable deposits were less than 0.5% for all terms up to 12 months. Officers are reviewing the impact of the changing interest rate environment on Council's interest revenue and borrowing costs and will include this in the next monthly report.

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

END REPORT

12.4.7 Title: Schedule of Paid Accounts as at the 31st October 2022

Reporting Department	<i>Corporate & Governance Directorate</i>
Responsible Officer	<i>Mrs Natalie Hopkins - Manager Financial Services</i>
Reporting Officer	<i>Ms Joanna Hanson</i>
Council Role	<i>Local Government (Financial Management) Regulations 1996</i>
Voting Requirement	<i>Executive/Strategic.</i>
Attachments	<i>Appendix ORD: 12.4.7 – Risk Assessment Tool</i>

Overview

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

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

306-22 MOVED - Cr. T G Gardiner SECONDED - Cr. E P Lilly

THAT Council receives the Schedule of Paid Accounts report from 1/10/2022 to 31/10/2022 as follows:

SHIRE of DARDANUP
31-10-2022 Schedule of Paid Accounts

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
ELECTRONIC FUNDS TRANSFER					
EFT49154	07/10/2022	Abby Murray Photography	Enlighten - 3 Hrs of Event Photography, Post Event Editing & Event Digital Images	MUNI	1,155.00
EFT49155	07/10/2022	Advanced Traffic Management WA P/L	Traffic Management for Road Works - Pile Road	MUNI	6,791.53
EFT49156	07/10/2022	Alyson Smith	Reimburse Uniform Purchase	MUNI	59.00
EFT49157	07/10/2022	Artref Pty Ltd	Printing & Stationery Expense - Eaton Admin	MUNI	126.08
EFT49158	07/10/2022	Australia Post	Monthly Invoice of Postage and Mail - September 2022	MUNI	2,374.78
EFT49159	07/10/2022	Australian Tax Office	PAYG - Payrun: 30/09/2022	MUNI	88,093.00
EFT49160	07/10/2022	Australind Glass	Replacement of CEO Office Shattered Window	MUNI	225.00
EFT49161	07/10/2022	B & B Street Sweeping Pty Ltd	Sweep Kerb Line and Intersections - 8 x Shire Locations	MUNI	3,910.50
EFT49162	07/10/2022	BCE Surveying Pty Limited	Establishment of Three Additional Control Points for Dardanup Civic Precinct	MUNI	781.00
EFT49163	07/10/2022	Bluesteel Enterprises Pty Ltd	Flagging Tape 25mm x 75m - Pink	MUNI	363.44
EFT49164	07/10/2022	Boyles Plumbing and Gas	Replace Faulty Isolation Valve on Standpipe	MUNI	466.73
EFT49165	07/10/2022	Brownes Foods Operations Pty Ltd	ERC - Cafe Goods	MUNI	254.52
EFT49166	07/10/2022	Bunbury Towing	September 2022 - Tow of Abandoned Vehicles to Vehicle Impound Facility	MUNI	240.00
EFT49167	07/10/2022	Bunnings Group Limited	Maintenance/Repair Items 2 x Shire Locations & Grave Preparation Items	MUNI	1,799.93
EFT49168	07/10/2022	Buswest	ERC- Bus Service to SW Sports Centre for Excursion - 05/10/2022	MUNI	225.50

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49169	07/10/2022	Caroline Mears	Chair Yoga Workshops: September 2022	MUNI	195.00
EFT49170	07/10/2022	Chadson Engineering Pty Ltd	Chlorine, Test Tablets & Postage	MUNI	61.05
EFT49171	07/10/2022	Charlee Jones	Enlighten - Musical Performance	MUNI	125.00
EFT49172	07/10/2022	Civil Projects Southwest	Bobcat Hire 2 x Shire Locations	MUNI	4,510.00
EFT49173	07/10/2022	Cleanaway Solid Waste Pty Ltd	General Waste Disposal: 22-27/09/2022	MUNI	2,044.39
EFT49174	07/10/2022	Cleanaway Xtra Cleaning Services	ERC - Cleaning Contract - 13 - 30 September 2022	MUNI	2,376.00
EFT49175	07/10/2022	Country Water Solutions	Reticulation Maintenance - Illawarra Park	MUNI	89.56
EFT49176	07/10/2022	Craven Foods	ERC - Cafe Glen Huon Canteen	MUNI	132.23
EFT49177	07/10/2022	Data #3 Limited	Microsoft CSP Azure Consumption Charges 2022-2023	MUNI	7.15
EFT49178	07/10/2022	David Lanigan	Reimburse Cost for Uniform Alterations	MUNI	30.00
EFT49179	07/10/2022	Diesel force	90 Km Service - DA9513	MUNI	1,080.01
EFT49180	07/10/2022	Dormakaba Australia Pty Ltd	Maintenance on Dormakaba Auto Doors - Eaton Administration Office.	MUNI	198.00
EFT49181	07/10/2022	Eaton Bowling & Social Club Inc	Shire Presidents Councillor Networking Function - 15/09/2022 - Beverage Allowance	MUNI	278.20
EFT49182	07/10/2022	Eaton Pet Vet	5 Litres of F10 Disinfectant - Ranger Vehicles	MUNI	417.44
EFT49183	07/10/2022	Ella Rafferty	Refund Farewell Gift for Peta Nolan - Council Contribution	MUNI	100.00
EFT49184	07/10/2022	Ellen Patricia Lilly	Meeting Allowance	MUNI	1,267.25
EFT49185	07/10/2022	Eve Yoga	Eaton Recreation Centre Contracted Yoga Classes: September 2022	MUNI	420.00
EFT49186	07/10/2022	Exetel Pty Ltd	Exetel 200/200Mbit Data Communications - September 2022	MUNI	1,250.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49187	07/10/2022	Ferguson Hall Management Committee Inc	Ferguson Hall Management Committee Donation for 2022/23 - Council Resolution: 195-22	MUNI	3,015.00
EFT49188	07/10/2022	Fit2Work	Monthly Invoice for Police Checks: September 2022	MUNI	318.23
EFT49189	07/10/2022	Fulton Hogan Industries WA	Premix - 3 x Shire Locations	MUNI	1,552.76
EFT49190	07/10/2022	Georgia Carbone	Enlighten Set Performance	MUNI	100.00
EFT49191	07/10/2022	GHD Pty Ltd	Feasibility Study of Forrest Highway Cycle Route	MUNI	7,000.00
EFT49192	07/10/2022	Integran Pty Ltd	Wanju and Waterloo DCP Awarded Consultant Contract - July 2022	MUNI	61,460.03
EFT49193	07/10/2022	Janice Patricia Dow	Meeting Allowance	MUNI	1,267.25
EFT49194	07/10/2022	K's Home Kitchen	Catering - Councillor Networking Function - 15/09/2022 - Eaton Bowling Club	MUNI	400.00
EFT49195	07/10/2022	Kite Kinetics	Enlighten - 3 Hrs of Kite Based Entertainment	MUNI	710.00
EFT49196	07/10/2022	KR & DR Bennell	Enlighten: Welcome to Country	MUNI	500.00
EFT49197	07/10/2022	Laurence Noel Battaglia	Rates Refund for Assessment A9552	MUNI	714.62
EFT49198	07/10/2022	Les Mills Asia Pacific	Eaton Recreation Centre Monthly Les Mills License October 2022	MUNI	1,440.88
EFT49199	07/10/2022	Lions Club of Eaton	Enlighten - Donation for Providing Volunteers to Support Enlighten Event	MUNI	500.00
EFT49200	07/10/2022	Luke William Davies	Meeting Allowance	MUNI	1,267.25
EFT49201	07/10/2022	M & J Essential Solutions Pty Ltd	Employee Assistance Program Consultations	MUNI	140.00
EFT49202	07/10/2022	Mark Richard Hutchinson	Meeting Allowance	MUNI	1,267.25
EFT49203	07/10/2022	Michael Bennett	Local Government Allowance	MUNI	1,209.83
EFT49204	07/10/2022	MJ Goods	ERC - 5 x Catering Boxes	MUNI	23.75

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49205	07/10/2022	Naomi Pearce	Enlighten - Event MC	MUNI	350.00
EFT49206	07/10/2022	Patricia Rose Perks	Meeting Allowance	MUNI	1,267.25
EFT49207	07/10/2022	Perfect Landscapes	Lawn Mowing - Week Commencing 27-09-2022	MUNI	4,698.05
EFT49208	07/10/2022	Peter Robinson	Meeting Allowance	MUNI	1,267.25
EFT49209	07/10/2022	PFI Supplies	Cleaning Supplies - Eaton Admin	MUNI	1,483.85
EFT49210	07/10/2022	Pixiewood Creations	Enlighten Entertainment - 2 x Glitter/Bling Artists	MUNI	600.00
EFT49211	07/10/2022	Poolwerx Bunbury	Pool Chlorine & Drum Disposal	MUNI	37.50
EFT49212	07/10/2022	Perkins WA Pty Ltd	Design & Construct Contract - New Shire of Dardanup Admin, Library & Community Building - Progress Payment	MUNI	204,574.70
EFT49213	07/10/2022	Rachel Amanda Spalding	Rates Refund for Assessment A11189 12 Hatfield Way Millbridge WA 6232	MUNI	139.30
EFT49214	07/10/2022	Redback Security	Enlighten - 2 x Pre & Post Event Security Guards & 3 x Event Guards Required as Per Conditions of Illuminart Contract	MUNI	4,658.50
EFT49215	07/10/2022	Regional Media Specialists P/L	Enlighten - South Western Times - Print Advertising - 22 & 29/09/2022	MUNI	1,320.00
EFT49216	07/10/2022	Renata Wilson	Personal Development Grant 2022-2023 (Wairenna Pohe)	MUNI	400.00
EFT49217	07/10/2022	Rhodes Mechanical	New Starter Motor Repairs - Toro DA9429	MUNI	1,085.44
EFT49218	07/10/2022	Schweppes Australia Pty Ltd	ERC - Cafe Wildcats	MUNI	3,810.67
EFT49219	07/10/2022	Securepay Pty Ltd	Bank Fees - September 2022 Securepay Web & IVR	MUNI	90.99
EFT49220	07/10/2022	Simeon Nathaniel Healey	Winner of The Rates Notice Prize Draw	MUNI	1,500.00
EFT49221	07/10/2022	South West Septics	Pumping Out of Gnomesville Toilets & Tipping Fee	MUNI	650.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49222	07/10/2022	Synergy	Townsite Street Lights: 25/07-24/09/2022	MUNI	31,466.60
EFT49223	07/10/2022	Telair Pty Ltd	Library NBN Enterprise Ethernet Services - Data Network Connection: September 2022	MUNI	658.90
EFT49224	07/10/2022	Telstra	Telephone Use for West Dardanup BFB	MUNI	40.00
EFT49225	07/10/2022	The Health Hub at Eaton Fair	Pre Employment Medical Lavinia Huriwai-Brown - ERC Cleaner - 4/10/2022	MUNI	165.00
EFT49226	07/10/2022	Toll Transport - Ipec Pty Ltd	2022-2023 Postage & Freight - Parts DA9781	MUNI	202.71
EFT49227	07/10/2022	Total Hygiene	ERC - Sanitary Bin Disposal Bin Service - 03-10-2022 - 02-10-2023	MUNI	1,485.00
EFT49228	07/10/2022	Tutt Bryant Hire	Hire of Water Cart for Pile Road Renewal: 14-30/09/2022	MUNI	14,523.22
EFT49229	07/10/2022	Tyrrell Gardiner	Meeting Allowance	MUNI	1,859.17
EFT49230	07/10/2022	Veolia Recycling & Recovery Pty Ltd	Bin Collection/Supply/Repair - July 2022	MUNI	84,374.50
EFT49231	07/10/2022	Vestone Capital Pty Limited	Lease 20 Contract # Dar01072020: 03-Oct-2022 to 31-Dec-2022	MUNI	1,505.24
EFT49232	07/10/2022	Warrick Welding	Installation of Artwork Frames Into Location at Gnomesville Toilet Block	MUNI	1,869.00
EFT49233	07/10/2022	West Australian Newspapers Ltd	Subscription to West Australian Newspapers 7/9-30/11/2022	MUNI	164.34
EFT49234	07/10/2022	Winc Australia Pty Ltd	Printing & Stationery Expense - Eaton Admin	MUNI	729.99
EFT49235	07/10/2022	Woolworths Group Limited - Online Order Only	Stock for Staff Kitchen	MUNI	295.90
EFT49236	07/10/2022	Work Clobber	ERC, Rangers & Public works Uniforms	MUNI	1,820.25
EFT49237	13/10/2022	A1 Sign Shop	Supply & Install 6 x Jetty Licence Numbers Plates as Requested By DOT	MUNI	198.00
EFT49238	13/10/2022	Advanced Traffic Management WA P/L	Traffic Management for Pile Rd Road Works: 02-04/10/2022	MUNI	3,617.66

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49239	13/10/2022	All The Lights	Enlighten - All The Lights Roving Performance and Hula Hoop Workshop	MUNI	2,046.00
EFT49240	13/10/2022	Amity Signs	Banding Tool	MUNI	423.50
EFT49241	13/10/2022	BCE Surveying Pty Limited	Survey Set Out for Drawing Series & Reinstatement of Survey Pegs x 3 Visits	MUNI	5,837.15
EFT49242	13/10/2022	Brandit Tech	Programmed Wristbands	MUNI	2,739.00
EFT49243	13/10/2022	Bunbury Auto One	My Cat Triton MQ1/15-16 Seat Covers	MUNI	472.02
EFT49244	13/10/2022	Bunbury Harvey Regional Council	Disposal of Kerbside Collected FOGO - Sep 2022	MUNI	11,214.68
EFT49245	13/10/2022	Bunnings Group Limited	Enlighten - Event Items & Parks & Gardens Maintenance Items	MUNI	743.14
EFT49246	13/10/2022	Cameron Baker	Umpire Recoup 11-10-2022	MUNI	66.00
EFT49247	13/10/2022	Chloe Scott	Umpire Recoup 12-10-2022	MUNI	88.00
EFT49248	13/10/2022	Christine Worsfold	Umpire Recoup 11-10-2022	MUNI	45.00
EFT49249	13/10/2022	Ciphertel Pty Ltd T/A Gateway Internet Services	Monthly Account for Point to Point Microwave Service Depot and Dardanup - September 2022	MUNI	2,893.00
EFT49250	13/10/2022	Civil Projects Southwest	Bobcat and Roller Hire for Batter Work: 03-07/10/2022	MUNI	4,840.00
EFT49251	13/10/2022	Cleanaway Solid Waste Pty Ltd	Banksia Rd - General Waste Disposal - 3 x Shire Locations	MUNI	4,118.48
EFT49252	13/10/2022	Cleanaway Xtra Cleaning Services	ERC - Cleaner Required 03-07/10/2022	MUNI	990.00
EFT49253	13/10/2022	Comet Services Pty Ltd	Removal of Out of Service Gas Cylinders - Banksia Road Transfer Station	MUNI	5,491.20
EFT49254	13/10/2022	Craven Foods	ERC - Cafe Goods	MUNI	828.35
EFT49255	13/10/2022	David Lovett	Reimburse Purchase of Replacement Roller Kit Fujitsu FI7480 Scanner - IDS Office	MUNI	92.75
EFT49256	13/10/2022	Deanna Mosca	Enlighten - Art Based Installation	MUNI	600.41

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49257	13/10/2022	Denis Hynes	Personal Development Grant Payment 2022-2023	MUNI	400.00
EFT49258	13/10/2022	Deputec Pty Ltd	ERC - Deputy Roster Schedule Software - September 2022	MUNI	104.89
EFT49259	13/10/2022	Digital First Consulting Pty Ltd	Valo Fresh Subscription Renewal for Period 09/2022 -08/2023	MUNI	2,304.50
EFT49260	13/10/2022	Donna Bastow	Umpire Recoup 12-10-2022	MUNI	154.00
EFT49261	13/10/2022	Elliotts Irrigation Pty Ltd	Iron Filter Services - Millbridge Lakes - September 2022	MUNI	640.20
EFT49262	13/10/2022	Emerge Associates	Ferguson Road - Spring Targeted Flora Survey and Hollows Inspection	MUNI	1,980.00
EFT49263	13/10/2022	Garvey Road Pty Ltd	Return of 12 Month Landscape Maintenance Bond for WAPC 151949	MUNI	25,953.17
EFT49264	13/10/2022	Geotechnical Laboratory Services Pty	Pile Rd Testing	MUNI	1,493.91
EFT49265	13/10/2022	Glen Huon Primary School	Budget Allocation for 2022 School EoYear Award - Glen Huon Primary	MUNI	150.00
EFT49266	13/10/2022	Harvey Norman AV/IT Bunbury	ERC- DVD Player for Vacation Care	MUNI	39.95
EFT49267	13/10/2022	Harvey Water	Annual Charges - Martin Pelusey Rd	MUNI	154.10
EFT49268	13/10/2022	Herbert Smith Freehill	Legal Review and Update of Land Exchange Deed Between SOD and Eaton Fair - Matter # 82734046	MUNI	17,600.00
EFT49269	13/10/2022	Hire King	Enlighten - Event Equipment Hire (Glo Furniture , Tables , Chairs , Bollards)	MUNI	1,450.00
EFT49270	13/10/2022	Intown Centre Inc	Annual Budget Allocation - Donation to In Town Centre 2022-23	MUNI	2,500.00
EFT49271	13/10/2022	IT Vision Australia Pty Ltd	Synergysoft System Administration - Full Day 19-09-22	MUNI	825.00
EFT49272	13/10/2022	JCW Electrical Pty Ltd	Electrical Repairs - 2 x Shire Locations	MUNI	1,903.00
EFT49273	13/10/2022	Jo Jingles South West	Jo Jingles Sessions for The Eaton Community Library - September 2022	MUNI	1,826.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49274	13/10/2022	John Thompson	Umpire Recoup 12-10-2022	MUNI	44.00
EFT49275	13/10/2022	Kenny Pomare	Umpire Recoup 12-10-2022	MUNI	88.00
EFT49276	13/10/2022	Kiara Shaddick	Reimburse Milk Purchased for ERC Cafe	MUNI	38.19
EFT49277	13/10/2022	Kings Tree Care	Tree Pruning & Removal 2 x Shire Locations	MUNI	2,541.00
EFT49278	13/10/2022	Lonsdale Party Hire	Enlighten: Marquee Weights Hire & Delivery	MUNI	200.00
EFT49279	13/10/2022	Luke Wilkinson	Umpire Recoup 12-10-2022	MUNI	110.00
EFT49280	13/10/2022	Machinery West	600 Hr Service - DA9781	MUNI	1,448.36
EFT49281	13/10/2022	Mantrac	Slash Area at Golding Cres Drainage Basin	MUNI	715.00
EFT49282	13/10/2022	Margery Ann Stevens	Umpire Recoup 11-10-2022	MUNI	44.00
EFT49283	13/10/2022	Marketforce	3 x Public Notices	MUNI	909.48
EFT49284	13/10/2022	Meter Australia Pty Ltd	450mm Non Adhesive Book Covering Plastic	MUNI	71.50
EFT49285	13/10/2022	MJ Goods	ERC - Cafe Goods	MUNI	25.25
EFT49286	13/10/2022	Nathan Gardiner	Artist Activation - On-Promotion of Word Up Project	MUNI	609.00
EFT49287	13/10/2022	Naturaliste Hygiene	Sharps Disposal Service 2 x Shire Locations - October 2022	MUNI	165.00
EFT49288	13/10/2022	Nightguard Security Service	Monitoring 0025-14 Eaton Boomers Pavilion	MUNI	3,344.00
EFT49289	13/10/2022	Nita Kiewiet	Refund 3 x Teenfit Unused Passes	MUNI	24.30
EFT49290	13/10/2022	Nutrien Ag Solutions	Galstar Extreme Posts 180cm	MUNI	541.75
EFT49291	13/10/2022	Officeworks Superstores Pty Ltd	Enlighten - Event Items: Hand Torches , Batteries , Chalk , Markers, Display Signs	MUNI	207.67

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49292	13/10/2022	Outside Creative	Children's Book Week Author Per Grant 2022	MUNI	3,200.00
EFT49293	13/10/2022	Patricia Ann Wilkins	Rates Refund for Assessment A1905	MUNI	70.57
EFT49294	13/10/2022	Peel Resource Recovery P/L	Medium Grade Mulch Delivered to Depot	MUNI	957.00
EFT49295	13/10/2022	Perfect Landscapes	Weekly Reserves Mowing - Week Commencing 03/10/2022	MUNI	2,678.50
EFT49296	13/10/2022	Rachael Hardwicke	Umpire Recoup 11-10-2022	MUNI	44.00
EFT49297	13/10/2022	Retro Booth	Enlighten - Photo booth	MUNI	600.00
EFT49298	13/10/2022	Roldan Tomas	Umpire Recoup 12-10-2022	MUNI	44.00
EFT49299	13/10/2022	Roy George Brace	Personal Development Grant Payment 2022-2023: Lewis Brace	MUNI	400.00
EFT49300	13/10/2022	Safestart Test & Tag	Test & Tag Audit at Various Shire Locations	MUNI	1,980.00
EFT49301	13/10/2022	Sage Consulting Engineers Pty Ltd	Cost to Redesign to Allow for Light Dimming	MUNI	1,199.00
EFT49302	13/10/2022	Scope Rentals Pty Ltd	Managed Print Service Contract Costs for October 2022	MUNI	2,675.20
EFT49303	13/10/2022	South West Fire	Waterloo 3.4 - B Service	MUNI	32,532.22
EFT49304	13/10/2022	Southwest Ventures T/A Geographe Ford/Bunbury Hyundai	Purchase New Ford Ranger - DA993 Less Trade-In	MUNI	30,061.79
EFT49305	13/10/2022	Spraymow Services	Remove & Replace 330Sqm Lawn	MUNI	9,619.50
EFT49306	13/10/2022	Stewart and Heaton Clothing Company Pty Ltd	Brigade Uniforms	MUNI	821.58
EFT49307	13/10/2022	Sushiru	ERC- 8 x Platters for Wildcats	MUNI	400.00
EFT49308	13/10/2022	Synergy	Electricity 3 x Shire Locations	MUNI	734.61
EFT49309	13/10/2022	Te Wairimu Elinor Pomare	Umpire Recoup 12-10-2022	MUNI	66.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49310	13/10/2022	Telstra	Iridium 9555 Satellite Telephone & Dardanup Office Fax	MUNI	169.95
EFT49311	13/10/2022	The Workwear Group	Jarrad Leaver Uniform Order	MUNI	109.90
EFT49312	13/10/2022	Tiana Fraser	Umpire Recoup 11-10-2022	MUNI	44.00
EFT49313	13/10/2022	Toll Transport - Ipec Pty Ltd	Postage & Freight - 2 x Shire Locations	MUNI	198.35
EFT49314	13/10/2022	Totally Sound	Enlighten - AV and Stage Equipment & Operator	MUNI	3,286.25
EFT49315	13/10/2022	Tutt Bryant Hire	Multi Tyred Roller & Smooth Drum Hire	MUNI	5,699.93
EFT49316	13/10/2022	Veolia Recycling & Recovery Pty Ltd	Weekly Bin Collection of Cardboard: September 2022	MUNI	163.91
EFT49317	13/10/2022	Warrick Welding	Custom Hose Reel for Dardanup RV Dump Point Installation	MUNI	3,239.58
EFT49318	13/10/2022	West Coast Waste	15m3 Hook Bin Hire for Used Tyres - Waste Transfer Station	MUNI	1,525.50
EFT49319	13/10/2022	Woolworths Group - Openpay Portal	ERC & Eaton Admin General Supplies	MUNI	837.80
EFT49320	13/10/2022	Work Clobber	Protective Clothing - Public Works	MUNI	1,068.30
EFT49321	13/10/2022	Zipform Pty Ltd	2022-2023 Dog & Cat Registration Renewal Artwork and Mail Out	MUNI	1,719.82
EFT49322	13/10/2022	Higgins Lane Motel	3 Rooms, 1 x Night Accommodation to Attend Training Course	MUNI	390.00
EFT49323	20/10/2022	Advanced Traffic Management WA P/L	Traffic Management - Enlighten Event & 2 x Shire Locations	MUNI	14,083.82
EFT49324	20/10/2022	Alina Gribble	Reimburse Purchase of Plants & Pots for ERC Foyer	MUNI	300.00
EFT49325	20/10/2022	Amanda Tuberes	Refund Staff Leaving Gift Card Purchase	MUNI	100.00
EFT49326	20/10/2022	Amity Signs	Rural Street Number Signs 22/23	MUNI	53.90
EFT49327	20/10/2022	Ampol Australia Petroleum Pty Ltd	Shire Vehicles Fuel Usage - September 2022	MUNI	21,682.65

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49328	20/10/2022	Aquila Food forest	Sustainable Living Workshop: 13-10-2022	MUNI	300.00
EFT49329	20/10/2022	Ausmic Pest Control	Dardanup Central - Spider Treatment	MUNI	330.00
EFT49330	20/10/2022	Australian Tax Office	PAYG - Payrun: 14/10/2022	MUNI	93,569.00
EFT49331	20/10/2022	Australind/Eaton Medical Centre	Isabel Cody Flu Vaccination	MUNI	25.00
EFT49332	20/10/2022	Barefoot Entertainment and Events	Enlighten: Hire Festoon Lights, 2 x Generators & 1 x \$100 Dinner at Dusk Voucher - Post Survey Competition Winner	MUNI	3,325.74
EFT49333	20/10/2022	Brett James England	Refund of Gym Membership Fees Due to Cancellation Date Error	MUNI	20.00
EFT49334	20/10/2022	Brownes Foods Operations Pty Ltd	ERC - Cafe Goods	MUNI	137.88
EFT49335	20/10/2022	Bunbury Harvey Regional Council	Hook Bin Hire, Green waste & Cardboard Collection - September 2022	MUNI	869.00
EFT49336	20/10/2022	Bunbury Mower Service	6 x Air Filters for Whipper snippers & Starter Assembly for Pole Saw	MUNI	468.40
EFT49337	20/10/2022	Bunbury Plumbing Service	Inspections /Repairs - 3 x Shire Locations	MUNI	1,471.02
EFT49338	20/10/2022	Bunbury Regional Entertain Centre	2022 Donation - Annual Budget Allocation	MUNI	13,750.00
EFT49339	20/10/2022	Bunbury Repertory Club	Reimbursement of 50% Water Accounts From 06/05/2021 to 14/05/2022 - Sub-Meter Not Read Pelican Garden	MUNI	677.23
EFT49340	20/10/2022	Bunbury Retravision	Samsung TV & Wall Bracket	MUNI	1,180.00
EFT49341	20/10/2022	Bunbury Subaru	Service DA955 - 62,000Km	MUNI	318.97
EFT49342	20/10/2022	Bunbury Towing	2022-2023 Tow of Abandoned Vehicles to Vehicle Impound Facility	MUNI	120.00
EFT49343	20/10/2022	Bunnings Group Limited	Maintenance/Repair Items 3 x Shire Locations	MUNI	1,137.47
EFT49344	20/10/2022	Cameron Baker	Umpire Recoup 19-10-2022	MUNI	44.00
EFT49345	20/10/2022	Capegemini Australia Pty Ltd	Oneplace Annual Support/Maintenance Renewal - 21/08/2022 - 30/06/2023	MUNI	2,379.30

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49346	20/10/2022	Cassandra Budge	Reimburse Uniform Purchase	MUNI	234.70
EFT49347	20/10/2022	Castledine Gregory	Sat Mediation Process - Lot 2 Banksia Rd - Amended LDP Refusal. Matter # 0463-0005	MUNI	7,893.60
EFT49348	20/10/2022	Catholic Parish of Dardanup/Boyanup	Hire of Thomas Little Hall - Dardanup Advisory Group Meeting	MUNI	200.00
EFT49349	20/10/2022	Christine Worsfold	Umpire Recoup 18-10-2022	MUNI	45.00
EFT49350	20/10/2022	Citygate Properties Pty Ltd	Event Application Refund - International Food Day 2022 Due to Free Entry	MUNI	250.00
EFT49351	20/10/2022	Cleanaway Solid Waste Pty Ltd	General Waste Disposal - 06-12/10/2022	MUNI	3,149.28
EFT49352	20/10/2022	Connect Call Centre Services	September 2022 - After Hours Call Centre Service for The Shire of Dardanup - All Services	MUNI	587.02
EFT49353	20/10/2022	Construction Training Fund : BCITF	BCITF Remittance - September 2022	MUNI	5,964.78
EFT49354	20/10/2022	Crooked Brook Forest Association	2022-23 Annual Donation - Budget Allocation	MUNI	1,000.00
EFT49355	20/10/2022	Cross Security Services	Line 0024-14 Eaton Boomers Sportsground Change Rooms Monitoring	MUNI	2,002.00
EFT49356	20/10/2022	Daniel Gomez	Crossover Rebate - A11541	MUNI	249.10
EFT49357	20/10/2022	Daniel White	Enlighten - 1 x Set Performance	MUNI	600.00
EFT49358	20/10/2022	Dardanup & Districts Residents Assoc	2022 Annual Donation - Budget Allocation	MUNI	1,100.00
EFT49359	20/10/2022	Dardanup Art Spectacular	Refund of Dardanup Hall Hire Fee - Dardanup Arts Spectacular	MUNI	1,239.00
EFT49360	20/10/2022	Dardanup Community Playgroup	Quick Response Event Grant - First 1000 Days Program	MUNI	500.00
EFT49361	20/10/2022	Dardanup Senior Citizens	Shire of Dardanup Community Donation Towards The Dardanup Senior Citizens Christmas Dinner 2022	MUNI	2,000.00
EFT49362	20/10/2022	Department of Mines, Industry, Regulations & Safety (DMIRS) - BSL	BSL Remittance - September 2022	MUNI	10,597.67

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49363	20/10/2022	Donna Bastow	Umpire Recoup 19-10-2022	MUNI	198.00
EFT49364	20/10/2022	Duxton Hotel Perth	2022 WALGA Convention - Cr. Stacey Gillespie	MUNI	3,238.00
EFT49365	20/10/2022	Eaton Australind Volunteer Fire Brigade	Shire President (And Wife) Attendance at Eaton Fire Station 50 Yr Anniversary Dinner	MUNI	210.00
EFT49366	20/10/2022	Eaton Community College	2022 Annual School Award - Budget Allocation	MUNI	300.00
EFT49367	20/10/2022	Eaton Family Centre	2022-23 Annual Budget Allocation	MUNI	9,900.00
EFT49368	20/10/2022	Eaton Primary School P & C Association	2022-23 Annual Budget Allocation - Donation to Eaton Primary School P & C for The 2022 Eaton Foreshore Festival	MUNI	3,000.00
EFT49369	20/10/2022	Ferguson Building Pty Ltd	Ferguson BFB - Samsung 635L Fridge	MUNI	1,320.00
EFT49370	20/10/2022	Grace Records Management	Records Management External - Storage, Destruction and Consumables	MUNI	513.16
EFT49371	20/10/2022	Hannah Rose Stallard-Shepherd	Refund of Fees Due to Cancellation Date Error	MUNI	7.50
EFT49372	20/10/2022	Hanson Construction Materials Pty Ltd	13/10/22 90 Tonne of Scalps	MUNI	1,781.46
EFT49373	20/10/2022	Harvey Norman AV/IT Bunbury	HP Pavilion Laptop, Bag, Speakers, Mouse	MUNI	1,510.00
EFT49374	20/10/2022	Illuminart Productions Pty Ltd	Enlighten 22: Delivery of Community Engagement , Community Workshop and Skate Park Projection	MUNI	13,115.03
EFT49375	20/10/2022	Inspired Development Solutions	Ignite Program - Day 2 - 08/09/2022	MUNI	3,414.62
EFT49376	20/10/2022	J A K Civil Pty Ltd	John Deere 672GP Grader With Final Trim Operator	MUNI	10,521.50
EFT49377	20/10/2022	Jenni Gordon	Error In Payroll Gym Membership Deductions	MUNI	40.00
EFT49378	20/10/2022	John Thompson	Umpire Recoup 19-10-2022	MUNI	154.00
EFT49379	20/10/2022	Kenny Pomare	Umpire Recoup 19-10-2022	MUNI	176.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49380	20/10/2022	LGIS WA	Annual Insurance 2022-23 - Workcare (Second Instalment)	MUNI	290,357.19
EFT49381	20/10/2022	M & J Essential Solutions Pty Ltd	Employee Assistance Program Consultation	MUNI	560.00
EFT49382	20/10/2022	Malatesta Road Paving and Hotmix	Emulsion - Dowdells Line	MUNI	400.00
EFT49383	20/10/2022	Marece Hetaraka	Umpire Recoup 19-10-2022	MUNI	88.00
EFT49384	20/10/2022	Margery Ann Stevens	Umpire Recoup 18-10-2022	MUNI	44.00
EFT49385	20/10/2022	Melanie May Ring	Reimburse Uniform Purchase	MUNI	109.99
EFT49386	20/10/2022	MGM Bulk Pty Ltd	Supply and Delivery of Gravel	MUNI	36,573.86
EFT49387	20/10/2022	MJ Goods	Gym Wipes	MUNI	795.00
EFT49388	20/10/2022	Nathan Gardiner	October School Holiday Program 1 x Half Day Workshop Facilitator Fee Engagement Program Tronox Spring Out "Word Up Art Installation"	MUNI	1,158.84
EFT49389	20/10/2022	Neve Mitchell	Refund of Fees Due to Cancellation Date Error	MUNI	35.00
EFT49390	20/10/2022	Nightguard Security Service	Monitoring Eaton Recreation Centre	MUNI	104.50
EFT49391	20/10/2022	Old Coast Road Brewery	Corporate & Governance - Team Building Day	MUNI	1,393.80
EFT49392	20/10/2022	One Eleven (WA) Pty Ltd - Roofwest	Removal of Graffiti From The West Dardanup Bush Fire Brigade Building	MUNI	660.00
EFT49393	20/10/2022	Onsite Rental Group	Generator, Trailer, 3 x Distribution Board, 4 x Power Lead Hire & Fuel	MUNI	223.30
EFT49394	20/10/2022	Our Lady of Lourdes School	Shire of Dardanup School Awards Donation - 2022/23 Budget Allocation Donation to Graduation Liturgy and Awards Evening 2022 \$150.00 Council Resolution 195-22	MUNI	150.00
EFT49395	20/10/2022	Pav Events	Enlighten - Freight of Perth Based Event Items	MUNI	1,100.00
EFT49396	20/10/2022	PFD Food Services Pty Ltd	ERC - Cafe Goods	MUNI	220.55

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49397	20/10/2022	PFI Supplies	ERC - Cleaning Materials	MUNI	535.00
EFT49398	20/10/2022	Prime Supplies	Drill Sharpener, Hand Cleaner, Air Gun, Hose Clamps - Depot Use	MUNI	1,126.48
EFT49399	20/10/2022	Professionals Dad Realty	Rates Refund for Assessment A3289	MUNI	580.10
EFT49400	20/10/2022	Peter and Roselyn Edmonds	Rates Refund for Assessment A2531	MUNI	796.50
EFT49401	20/10/2022	Rachael Hardwicke	Umpire Recoup 18-10-2022	MUNI	22.00
EFT49402	20/10/2022	Regional Media Specialists P/L	Newspaper Advertising Bunbury Mail & Bunbury Herald - September 2022	MUNI	1,490.50
EFT49403	20/10/2022	Renouf Fitness Equipment	Rec Centre Gym Items	MUNI	102.65
EFT49404	20/10/2022	Roger Gavin Mccutcheon	Rates Refund for Assessment A1460	MUNI	796.50
EFT49405	20/10/2022	Samantha Dixon	Reimburse Woolworths Purchase for August Yag Meeting	MUNI	64.22
EFT49406	20/10/2022	Scope Electrical Contracting Pty Ltd	Repairs - ERC Car Park Light Poles	MUNI	7,973.20
EFT49407	20/10/2022	Security4Transit	ERC - Secure Cash Bags/Event Float Bags	MUNI	267.41
EFT49408	20/10/2022	South West Academy of Sport Inc	2022-23 Annual Sponsorship - Budget Allocation	MUNI	5,610.00
EFT49409	20/10/2022	St John Ambulance Western Australia	First Aid for Mental Health - Alina Gribble 11/10/2022	MUNI	175.00
EFT49410	20/10/2022	Stacey Gillespie	Meeting Attendance	MUNI	1,267.25
EFT49411	20/10/2022	Swanwest Blinds	Supply and Installation Aluminium Venetian Blinds to Membership Officer and Managers Officer at ERC	MUNI	714.00
EFT49412	20/10/2022	Taj Kempe Photography	Enlighten - Find Your Beat Program Event Photography	MUNI	720.00
EFT49413	20/10/2022	Talis Consultants The Talis Unit Trust	Asset Revaluation for 30 June 2022 - Infrastructure Assets - May 2022	MUNI	14,525.50
EFT49414	20/10/2022	Te Wairimu Elinor Pomare	Umpire Recoup 19-10-2022	MUNI	132.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49415	20/10/2022	Telstra	Telephone/lpads/Fax - 4 x Shire Locations	MUNI	7,314.53
EFT49416	20/10/2022	The Cafe Merchant	Catering for Citizenship Ceremony - 20 September 2022	MUNI	160.00
EFT49417	20/10/2022	Tiana Fraser	Umpire Recoup 14 & 18-10-2022	MUNI	126.00
EFT49418	20/10/2022	Toll Transport - Ipec Pty Ltd	2022-2023 Postage & Freight - Upper Ferguson VBFB	MUNI	36.32
EFT49419	20/10/2022	Total Eden Pty Ltd	Reticulation Maintenance and Repairs - Hunter Park - 20421212	MUNI	39.49
EFT49420	20/10/2022	Tutt Bryant Hire	Possi Track, Slasher & Plant Trailer Hire - 19-30/09/2022	MUNI	2,556.06
EFT49421	20/10/2022	Veolia Recycling & Recovery Pty Ltd	Kerbside Collection - FOGO - Weekly	MUNI	87,799.22
EFT49422	20/10/2022	WALGA	2022 WA Local Government Convention - 4 x Councillors	MUNI	5,147.01
EFT49423	20/10/2022	West Australian Newspapers Ltd	Newspapers 28/09/2022 - 27/09/2023	MUNI	821.70
EFT49424	20/10/2022	Westrac Pty Ltd	20L Hydraulic Oil	MUNI	136.07
EFT49425	20/10/2022	Winc Australia Pty Ltd	General Stationery - ECL	MUNI	468.67
EFT49426	20/10/2022	Woolworths Group Limited - Online	ERC - Cafe Goods	MUNI	145.28
EFT49427	20/10/2022	Wren Oil	Collection of Waste Oil and Waste Oil Materials - WTS Banksia Road	MUNI	16.50
EFT49428	27/10/2022	A1 Sign Shop	Supply and Install Additional RV Sign - Burekup Oval	MUNI	186.45
EFT49429	27/10/2022	Advanced Traffic Management WA P/L	Traffic Management for Pile Rd: 12-18/10/2022	MUNI	8,861.42
EFT49430	27/10/2022	All Aussie Truck and Bobcat Services	Yard Maintenance - Waste Transfer Station - Banksia Road	MUNI	1,650.00
EFT49431	27/10/2022	Alyssa Wilson	Refund of Unused Upfront Membership	MUNI	163.07
EFT49432	27/10/2022	Amity Signs	Signs for 9 x Shire Locations	MUNI	2,176.90

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49433	27/10/2022	Antony Harry Worth	Rates Refund for Assessment A1788	MUNI	796.50
EFT49434	27/10/2022	Artref Pty Ltd	Printer Cartridges	MUNI	1,474.13
EFT49435	27/10/2022	Boyanup Botanical	Tray of Juncus Kraussii Plants	MUNI	413.00
EFT49436	27/10/2022	Brownes Foods Operations Pty Ltd	ERC - Cafe Goods	MUNI	323.94
EFT49437	27/10/2022	Bunbury Mower Service	Helmet Kit - Bonnie Graham & Plant Maintenance	MUNI	185.00
EFT49438	27/10/2022	Bunbury Plumbing Service	Repairs - 2 x Shire Locations	MUNI	3,193.34
EFT49439	27/10/2022	Bunnings Group Limited	Karcher Wet and Dry Vacuum - Martin-Pelusey Road Depot & Repair Items - 2 x Shire Locations	MUNI	478.34
EFT49440	27/10/2022	Busselton Civil Pty Ltd	Truck Hire to Cart Green Waste	MUNI	695.75
EFT49441	27/10/2022	Cameron Baker	Umpire Recoup 26/10/2022	MUNI	54.00
EFT49442	27/10/2022	Christine Worsfold	Umpire Recoup 25/10/2022	MUNI	54.00
EFT49443	27/10/2022	Citygate Properties Pty Ltd	Spring Out - 2 x \$50 Vouchers for Post-Event Survey Competition	MUNI	100.00
EFT49444	27/10/2022	Civil Projects Southwest	Bobcat Hire to Remove Walkway and Sand Pad After Festival	MUNI	1,595.00
EFT49445	27/10/2022	Cleanaway Solid Waste Pty Ltd	Pick Up 30M3 Hook Bins From Waste Transfer Station (Banksia Road) - 13-19/10/2022	MUNI	2,723.35
EFT49446	27/10/2022	Country Landscaping Pty Ltd	Repairs - 4 x Shire Locations	MUNI	7,813.45
EFT49447	27/10/2022	Craven Foods	ERC - Cafe Goods	MUNI	919.05
EFT49448	27/10/2022	Dapco Tyre and Auto Centre	Vehicle Service - DA648	MUNI	651.78
EFT49449	27/10/2022	Daryl Fishwick	Umpire Recoup 26/10/2022	MUNI	108.00
EFT49450	27/10/2022	Data #3 Limited	3 Year End Point Detection Security 06/10/2022 - 06/10/2025	MUNI	18,781.49

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49451	27/10/2022	David John Leek T/A Acefire	Oct Servicing Fire Extinguishers - 16 x Shire Locations	MUNI	1,294.15
EFT49452	27/10/2022	David Wells Builder	Pick Up 14 Signs From The Shire Depot and Install	MUNI	4,991.80
EFT49453	27/10/2022	Dell Australia Pty Ltd	Kit - Dell USB Adapter With 1 Meter Power Cord	MUNI	125.40
EFT49454	27/10/2022	Dell Financial Services Pty Ltd	Lease 21 Dell Desktop and Laptop Refresh Contract 009-0141985-003: 01/09/2022 - 30/11/2022	MUNI	1,290.75
EFT49455	27/10/2022	Design Out Crime and Cpted Centre	Certified CPTED Online Training for 1 x Staff Member: 17/10/2022	MUNI	495.00
EFT49456	27/10/2022	Diesel force	Service Mini Excavator	MUNI	1,297.53
EFT49457	27/10/2022	Donna Bailye	Reimburse USB Adaptor Purchase	MUNI	99.00
EFT49458	27/10/2022	Donna Bastow	Umpire Recoup 26/10/2022	MUNI	189.00
EFT49459	27/10/2022	DS Agencies Pty Ltd	Dump Ezy Caravan Dump Point - Dardanup RV Dump Point Boyanup-Picton Road	MUNI	2,239.22
EFT49460	27/10/2022	Ductworks Australia Bunbury & Busselton Air	A/C Deep Clean	MUNI	320.00
EFT49461	27/10/2022	Eaton Environmental Services	External Spider Control - Depot	MUNI	275.00
EFT49462	27/10/2022	Environmental and Agricultural Testing Services	Soil Testing Services - Dardanup Precinct	MUNI	902.00
EFT49463	27/10/2022	Eve Yoga	Eaton Recreation Centre Contracted Yoga Classes : 28/09-01/10/2022	MUNI	360.00
EFT49464	27/10/2022	Faye Hilary Manuel	Rates Refund for Assessment A2026	MUNI	796.50
EFT49465	27/10/2022	Foster Families South West Inc	Reimburse Glass Panel & Quad PowerPoint Repair Costs	MUNI	150.90
EFT49466	27/10/2022	Geographe Excavation and Underground Power	Locate Storm Water Pipe	MUNI	396.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49467	27/10/2022	Glen Huon Primary School P & C Assoc	Glen Huon Breakfast Club - 2022 Budget Allocation	MUNI	3,500.00
EFT49468	27/10/2022	Heatleys	Coverall Disposable - White 3XL	MUNI	2,178.00
EFT49469	27/10/2022	Hooleys Catering Company	26/10/2022 Ordinary Council Meeting Catering	MUNI	742.00
EFT49470	27/10/2022	Hynes Contracting	Bobcat Hire to Install Sand Pads	MUNI	660.00
EFT49471	27/10/2022	Integrated Energy Pty Ltd	Hydrogen Feasibility and Business Case - Stage 1 Payment	MUNI	11,000.00
EFT49472	27/10/2022	John Thompson	Umpire Recoup 26/10/2022	MUNI	108.00
EFT49473	27/10/2022	Jukel Pty Ltd T/As Kelcom	Install Extended HDMI Cable Into Council Chambers for Projector	MUNI	605.00
EFT49474	27/10/2022	Keith Sadler	Refund Cat Cage Hire	MUNI	150.00
EFT49475	27/10/2022	Kenny Pomare	Umpire Recoup 26/10/2022	MUNI	162.00
EFT49476	27/10/2022	Kings Tree Care	Tree Pruning / Removal 6 x Shire Locations	MUNI	13,570.00
EFT49477	27/10/2022	Mantrac	Slashing Area on Picton Dardanup Road	MUNI	1,089.00
EFT49478	27/10/2022	Marece Hetaraka	Umpire Recoup 26/10/2022	MUNI	54.00
EFT49479	27/10/2022	Margery Ann Stevens	Umpire Recoup 24 & 25/10/2022	MUNI	110.00
EFT49480	27/10/2022	Monitored Electronics	Monitoring of Smartlink GSM Medical Alarms 01-10-2022 to 31-12-2022	MUNI	57.20
EFT49481	27/10/2022	Myxplor Pty Ltd	Eaton Recreation Centre Vacation Care Booking System Program License 20/10/2022 - 20/10/2023	MUNI	2,748.90
EFT49482	27/10/2022	Officeworks Superstores Pty Ltd	ERC- Stationary Order	MUNI	227.90
EFT49483	27/10/2022	One Eleven (WA) Pty Ltd - Roofwest	Urgent Graffiti Removal - Dardanup Public Toilets	MUNI	350.00
EFT49484	27/10/2022	Perfect Landscapes	Weekly Lawn Mowing - Week Commencing 10/10/2022	MUNI	17,491.05

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49485	27/10/2022	Peter William Campbell	Refund Cat Cage Hire	MUNI	150.00
EFT49486	27/10/2022	PFD Food Services Pty Ltd	ERC - Cafe Goods	MUNI	1,331.00
EFT49487	27/10/2022	PFI Supplies	Cleaning Products - Eaton Admin	MUNI	1,271.40
EFT49488	27/10/2022	Pirtek Bunbury	Repair Hydraulic Fitting	MUNI	84.22
EFT49489	27/10/2022	Perkins WA Pty Ltd	Design & Construct Contract - New Shire of Dardanup Admin, Library and Community Building - Progress Claim # 4	MUNI	545,263.40
EFT49490	27/10/2022	Rent A Fence	Extension of Temporary Fencing Hire to End of Footy Season	MUNI	1,087.02
EFT49491	27/10/2022	Roldan Tomas	Umpire Recoup 26/10/2022	MUNI	81.00
EFT49492	27/10/2022	Safestart Test & Tag	Electrical Test and Tag 22/23 - 7 x Shire Locations	MUNI	4,172.30
EFT49493	27/10/2022	Shire of Dardanup	Transfer Refundable BSL Application Fee # 2018190233 Freedom Outdoor to Unclaimed Monies. Receipt # 121305 25/02/2019	MUNI	61.65
EFT49494	27/10/2022	SMR Psychology	Employee Assistance Program Consultation	MUNI	187.00
EFT49495	27/10/2022	Sportspower Bunbury	ERC - Sports Equipment	MUNI	672.00
EFT49496	27/10/2022	St John Ambulance Western Australia Ltd	First Aid Provider - Enlighten	MUNI	423.50
EFT49497	27/10/2022	Synergy	Electricity Supply - 3 x Shire Locations	MUNI	9,042.08
EFT49498	27/10/2022	Shop for Shops	Slatwall Panel & Brochure Holders	MUNI	357.25
EFT49499	27/10/2022	Tauri Freeman	Reimburse Working With Children Check	MUNI	87.00
EFT49500	27/10/2022	Te Wairimu Elinor Pomare	Umpire Recoup 26/10/2022	MUNI	162.00
EFT49501	27/10/2022	Telstra	Internet Service for Waterloo Bush Fire Brigade	MUNI	100.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT49502	27/10/2022	Terrence Milton Chapman	Rates Refund for Assessment A3703	MUNI	637.20
EFT49503	27/10/2022	The Print Shop	Spring Out Event - Signage Banners	MUNI	292.00
EFT49504	27/10/2022	Therese Price	Umpire Recoup 25/10/2022	MUNI	54.00
EFT49505	27/10/2022	Tiana Fraser	Umpire Recoup 21, 24 & 25/10/2022	MUNI	170.00
EFT49506	27/10/2022	Topwillow Nominees Pty Ltd	Rates Refund for Assessment A10034	MUNI	189.63
EFT49507	27/10/2022	Total Eden Pty Ltd	Reticulation Maintenance and Repairs - Eaton Library	MUNI	1,001.05
EFT49508	27/10/2022	WALGA	2022 WA Local Government Convention - Shire President & CEO	MUNI	3,225.00
EFT49509	27/10/2022	Western Australia Treasury Corporation	Principal Loan 61 - Lot 4579 Panizza Road	MUNI	14,592.53
EFT49510	27/10/2022	Winc Australia Pty Ltd	Winc Whiteboard Magnetic Eraser With Heavy Duty Pad	MUNI	21.04
EFT49511	27/10/2022	Work Clobber	Protective Clothing - Dennis Newton	MUNI	1,175.10
CHEQUES					
37	21/10/2022	Shire of Dardanup	Petty Cash Recoup Sept/Oct 2022	MUNI	179.10
BPAY					
DD16790.1	07/10/2022	Mine Super	Presidential Allowance	MUNI	3,000.00
DD16811.1	18/10/2022	Alinta	ERC - Quarterly Invoice for Gas Consumption: 13/07-10/10/2022	MUNI	285.85
DD16811.2	18/10/2022	Department of Transport	2022-2023 Department of Transport - Vehicle Licensing Information Searches	MUNI	36.90
DD16811.3	20/10/2022	inet Ltd	Monthly Charge for Nan Wireless 4 & Business Nbn100 - November 2022	MUNI	174.94

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
CREDIT CARD					
DD16833.1	28/10/2022	Facebook Ireland Limited	Events - Social Media Marketing (Enlighten)	MUNI	234.94
DD16833.2	28/10/2022	Mailchimp	Monthly Subscription and Charge for Email Newsletters : October 2022	MUNI	153.88
DD16833.3	28/10/2022	Western Power	Application Fee to Western Power - Eaton Library and Admin Building	MUNI	498.91
DD16833.4	28/10/2022	Department of Transport	Shire of Dardanup - Special Plate Series Number Plate Application: 909DA	MUNI	200.00
DD16833.5	28/10/2022	Australasian Animal Registry	Transfer Pet Ownership Details for M/C Data Base	MUNI	10.00
DD16833.6	28/10/2022	Eventbrite	Youth Mental Health First Aid Course - Sam Dixon & Rachel O'Donoghue	MUNI	165.00
DD16833.7	28/10/2022	Canva Pty Ltd	ERC Subscription 25/10/22 - 24/10/2023	MUNI	164.99
INTERNATIONAL					
DD	28/10/2022	Ispring Solutions Inc	Upgrade Current Licence Ispring Suite 11 (Max) to Ispring Concurrent Licence - Expiry Date 30-Jun-2023	MUNI	392.77
DIRECT DEBIT					
TRUST					
PAYROLL					
DD16800.1	14/10/2022	Aware Super Pty Limited	Payroll Deductions	MUNI	34,318.01
DD16800.2	14/10/2022	Hughes Superannuation Fund	Superannuation Contributions	MUNI	118.45
DD16800.3	14/10/2022	MLC Super Fund	Superannuation Contributions	MUNI	1,429.55
DD16800.4	14/10/2022	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	565.29
DD16800.5	14/10/2022	One Path Masterfund	Superannuation Contributions	MUNI	126.41

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD16800.6	14/10/2022	Hostplus	Payroll Deductions	MUNI	1,463.11
DD16800.7	14/10/2022	Suncorp Brighter Super	Superannuation Contributions	MUNI	248.82
DD16800.8	14/10/2022	AMP Flexible Super - Super Account	Payroll Deductions	MUNI	1,019.68
DD16800.9	14/10/2022	ANZ Australian Staff Superannuation Scheme	Superannuation Contributions	MUNI	179.25
DD16800.10	14/10/2022	Local Government Super	Superannuation Contributions	MUNI	257.06
DD16800.11	14/10/2022	Hesta Super Fund	Payroll Deductions	MUNI	632.00
DD16800.12	14/10/2022	Asgard Infinity E Wrap Super	Payroll Deductions	MUNI	716.02
DD16800.13	14/10/2022	Meat Industry Employees Superannuation Fund	Superannuation Contributions	MUNI	45.40
DD16800.14	14/10/2022	MIML - Macquarie Super Accumulator	Payroll Deductions	MUNI	1,064.62
DD16800.15	14/10/2022	Sunsuper Pty Ltd	Superannuation Contributions	MUNI	153.00
DD16800.16	14/10/2022	IOOF Portfolio Service Superannuation Fund	Superannuation Contributions	MUNI	589.72
DD16800.17	14/10/2022	Australian Ethical Superannuation	Payroll Deductions	MUNI	265.87
DD16800.18	14/10/2022	ANZ Smart Choice Super (Onepath Masterfund)	Superannuation Contributions	MUNI	6.32
DD16800.19	14/10/2022	Australian Super	Superannuation Contributions	MUNI	122.22
DD16800.20	14/10/2022	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	12.64
DD16800.21	14/10/2022	Rest Superannuation	Payroll Deductions	MUNI	2,543.04
DD16800.22	14/10/2022	The Bro Code Super Fund	Superannuation Contributions	MUNI	70.74

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD16800.23	14/10/2022	Media Super	Superannuation Contributions	MUNI	581.61
DD16800.24	14/10/2022	Construction & Building Industry Super	Superannuation Contributions	MUNI	172.94
DD16800.25	14/10/2022	Australiansuper	Payroll Deductions	MUNI	7,121.52
DD16800.26	14/10/2022	The Templeman Family Superannuation Fund	Superannuation Contributions	MUNI	40.64
DD16800.27	14/10/2022	Hub24 Superannuation Fund	Superannuation Contributions	MUNI	293.51
DD16828.1	28/10/2022	Aware Super Pty Limited	Payroll Deductions	MUNI	34,393.39
DD16828.2	28/10/2022	Hughes Superannuation Fund	Superannuation Contributions	MUNI	126.05
DD16828.3	28/10/2022	MLC Super Fund	Superannuation Contributions	MUNI	1,404.56
DD16828.4	28/10/2022	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	541.84
DD16828.5	28/10/2022	One Path Masterfund	Superannuation Contributions	MUNI	145.38
DD16828.6	28/10/2022	Hostplus	Payroll Deductions	MUNI	1,426.66
DD16828.7	28/10/2022	Suncorp Brighter Super	Superannuation Contributions	MUNI	248.82
DD16828.8	28/10/2022	AMP Flexible Super - Super Account	Payroll Deductions	MUNI	532.56
DD16828.9	28/10/2022	ANZ Australian Staff SuperScheme	Superannuation Contributions	MUNI	85.00
DD16828.10	28/10/2022	Local Government Super	Superannuation Contributions	MUNI	257.06
DD16828.11	28/10/2022	Hesta Super Fund	Payroll Deductions	MUNI	626.02
DD16828.12	28/10/2022	Asgard Infinity E Wrap Super	Payroll Deductions	MUNI	1,019.97
DD16828.13	28/10/2022	MIML - Macquarie Super Accumulator	Payroll Deductions	MUNI	1,070.99

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD16828.14	28/10/2022	Sunsuper Pty Ltd	Superannuation Contributions	MUNI	165.52
DD16828.15	28/10/2022	Australian Ethical Superannuation	Payroll Deductions	MUNI	265.87
DD16828.16	28/10/2022	ANZ Smart Choice Super (Onepath Masterfund)	Superannuation Contributions	MUNI	25.28
DD16828.17	28/10/2022	Australian Super	Superannuation Contributions	MUNI	255.46
DD16828.18	28/10/2022	IOOF Portfolio Service Superannuation Fund	Superannuation Contributions	MUNI	461.33
DD16828.19	28/10/2022	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	25.28
DD16828.20	28/10/2022	Mercer Super Trust	Superannuation Contributions	MUNI	143.51
DD16828.21	28/10/2022	Rest Superannuation	Payroll Deductions	MUNI	2,191.42
DD16828.22	28/10/2022	The Bro Code Super Fund	Superannuation Contributions	MUNI	28.29
DD16828.23	28/10/2022	Media Super	Superannuation Contributions	MUNI	581.61
DD16828.24	28/10/2022	Construction & Building Industry Super	Superannuation Contributions	MUNI	157.57
DD16828.25	28/10/2022	Australiansuper	Payroll Deductions	MUNI	7,086.65
DD16828.26	28/10/2022	The Templeman Family Superannuation Fund	Superannuation Contributions	MUNI	40.64
DD16828.27	28/10/2022	Hub24 Superannuation Fund	Superannuation Contributions	MUNI	293.51

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
<u>REPORT TOTALS</u>					2,339,476.86
EFT	2,226,221.90		CERTIFICATE of Chief Executive officer		
Muni Cheque	179.10		This schedule of accounts to be passed for payment, covering vouchers as above which was submitted to each member of Council has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costings and the amounts shown are due for payment		
Trust	0.00				
Payroll	107,757.68				
Credit Card	1,427.72				
Direct Debit	0.00				
International	392.77				
BPAY	3,497.69				
TOTAL	2,339,476.86				



MRANDRÉ SCHÖNFELDT
Chief Executive Officer

CARRIED
7/0

Change to Officer Recommendation - No Change.

Background

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

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

Legal Implications

Local Government Act 1995

S6.5. Accounts and records

Local Government (Financial Management) Regulations 1996

R11. Payments, procedures for making etc.

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

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

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

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

Council Plan

13.1 - Adopt best practice governance.

13.2 - Manage the Shire's resources responsibly.

Environment - None.

Precedents - None.

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

Budget Implications

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

Budget – Whole of Life Cost - None.

Council Policy Compliance

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

Risk Assessment

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

TIER 2 – 'Low' or 'Moderate' Inherent Risk.		
Risk Event	Schedule of Paid Accounts as at the 31 st October 2022	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Financial	Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position.
	Reputational	Non-compliance that results in a qualified audit can lead stakeholders to question the Council's ability to manage finances effectively

Officer Comment

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

END REPORT

12.5 COMMITTEES

12.5 Title: Local Emergency Management Committee Meeting Minutes held on the 9th of November 2022

Reporting Department:	<i>Sustainable Development Directorate</i>
Responsible Officer	<i>Mr Murray Connell - Executive Manager Development Services</i>
Reporting Officer	<i>Ms Amanda Tuberes - Personal Assistant to DSD</i>
Legislation	<i>Local Government Act 1995</i>
Attachments	<i>Appendix ORD: 12.5.1A – 10th of August 2022 Local Emergency Management Committee Meeting Minutes</i> <i>Appendix ORD: 12.5.1B – Shire of Dardanup Local Bush Fire Response Plan</i>

MINUTES OF THE SHIRE OF DARDANUP LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING HELD ON WEDNESDAY, 9th OF NOVEMBER 2022, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 10.00AM.

Officer Comment

The Minutes of the Local Emergency Management Committee Meeting held on the 9th of November 2022 [Appendix ORD: 12.5.1A] are attached.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

307-22 MOVED - Cr. E P Lilly SECONDED - Cr. M R Hutchinson

THAT Council receives the Minutes [Appendix ORD: 12.5.1A] of the Local Emergency Management Committee Meeting held on the 9th of November 2022.

CARRIED
7/0

LOCAL EMERGENCY MANAGEMENT COMMITTEE RECOMMENDED RESOLUTION

308-22 MOVED - Cr. E P Lilly SECONDED - Cr. M R Hutchinson

THAT Council adopts the Shire of Dardanup Local Bush Fire Response Support Plan [Appendix ORD: 12.5.1B].

CARRIED
7/0

13 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

None.

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

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

309-22 MOVED - Cr. J Dow SECONDED - Cr. S L Gillespie

THAT Council accept “Burekup Cricket Club – Transportable Locations” as New Business of an Urgent Nature.

CARRIED
7/0

14.1 Title: *Burekup Cricket Club – Transportable Locations*

Reporting Department	<i>Infrastructure Directorate</i>
Responsible Officer	<i>M Theo Naudé - Director Infrastructure</i>
Reporting Officer	<i>Mr James Reilly - Project Engineer</i>
Legislation	<i>Local Government Act 1995</i>
Council Role	<i>Executive/Strategic.</i>
Voting Requirement	<i>Simple Majority.</i>
Attachments	<i>Appendix ORD: 14.1A – Correspondence from the Burekup Cricket Club</i> <i>Appendix ORD: 14.1B – Risk Assessment Tool</i>

Overview

This reports seeks Councils approval to amend the location of the transportable change room from that previously approved by Council.

The Burekup Cricket have looked in more detail at their previously preferred location and decided they would like to rotate the building 90° and run it adjacent to the tennis court fence.

Further correspondence from the Burekup Cricket Club was received 9th of November 2022 refer [Appendix ORD: 14.1A] - Correspondence from the Burekup Cricket Club. This correspondence details further why they have request the change.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION

310-22 MOVED - Cr. J Dow SECONDED - Cr. S L Gillespie

THAT Council:

1. **Approve the location of the building to be amended as requested by the Burekup Cricket Club [Appendix ORD: 14.1A];**
2. **Advises the Burekup Cricket Club that this approval is subject to the Club covering all costs relating to site works and positioning of the building in the revised location;**
3. **Advises the Burekup Cricket Club that this approval is subject to the Club covering all ongoing associated costs (as previously resolved);**
4. **Advises that no alcohol is to be consumed or stored within the portable building at any time (as previously resolved);**
5. **Advises that the portable building is to be painted a similar colour as the existing shed by the Burekup Cricket Club (as previously resolved).**

CARRIED
7/0

Background

On the 14th of October 2022 a request was received from the Burekup Cricket Club asking for the transportable building that was used as change rooms at Wells Recreation ground in Dardanup, to be relocated to the Burekup Oval to be used by the Cricket Club as change rooms.

At the Ordinary Council meeting held 26th October 2022 Council resolved [268-22] the following

“THAT Council:

1. *Approve for the portable building to be located at the Burekup Oval to be used as change rooms.*
2. *Advises the Burekup Cricket Club that this approval is subject to the Club covering all ongoing associated costs.*
3. *Advises that no alcohol is to be consumed or stored within the portable building at any time.*
4. *Advises that the portable building is to be painted a similar colour as the existing shed by the Burekup Cricket Club.*
5. *The location of the shed be as per Option 1 in Appendix 12.3.2A being directly east of the existing shed [between the shed and the playing field].”*

Further correspondence from the Burekup Cricket Club was received 9th of November 2022 refer [Appendix ORD: 14.1A] - Correspondence from the Burekup Cricket Club requesting that the building location be amended.

Legal Implications

Council may approve unbudgeted expenditure under Section 6.8 of the *Local Government Act (2005)*.

Council Plan

- 1.1 - Support the community to feel safe while using Shire facilities and public spaces.
- 2.2 - Increase participation in sport, recreation and leisure activities.

Environment - None.

Precedents

Council have previously approved use of temporary change rooms at Wells Reserve in Dardanup.

Budget Implications

Additional costs to prepare the site and position the building will be incurred by the Burekup Cricket Club.

Budget – Whole of Life Cost - None.

Council Policy Compliance

The following Policies apply:

- CnG CP034 – Procurement Policy
- CnG CP127 – Asset Capitalisation Threshold Policy
- Infr CP074 – Asset Management

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to [Appendix ORD: 14.1B] for full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Burekup Cricket Club – Transportable Relocation
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	Deliver and set up the Building in Burekup
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Reputational Not meeting community expectations

Officer Comment

Correspondence from the Burekup Cricket Club received on 9th November 2022 the location of the building be changed, highlighting the following reason for the change in their preferred location;

- The approved location restricts direct access to the ablution block

Shire officers conducted a site visit on 17th November 2022 with Nathan king from the Burekup Cricket Club to review the new location.

The proposed location running adjacent to the tennis fence is suitable but will require additional site work compared to the previous location.

- The ground slopes gradually up in this location and encroached into an elevated mound behind the shade structure. Minor works will be required to prepare the ground.
- The previous location allowed for easy delivery and installation of the building onsite. The delivery vehicle proposed to reverse in a place the building adjacent to the shed. The new location will require addition work to position.

Nathan King discussed with club members on the evening of 17th November 2022 where it was confirmed that they want the building placed in the amended location. The Cricket Club accept that there will be additional works to prepare the site and position the building and have confirmed that they will arrange this at the club's cost.

Based on the above and with no additional cost being incurred by the Shire, staff recommend accepting the request from the Burekup Cricket Club to amend the location for the building.

END REPORT

15 PUBLIC QUESTION TIME

None.

16 MATTERS BEHIND CLOSED DOORS

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

Shire of Dardanup Standing Orders & Local Government Act 1995 Section 5.23 - Matters for Which Meeting May Be Closed:

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

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

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

311-22

MOVED -

Cr. S L Gillespie

SECONDED -

Cr. T G Gardiner

THAT in accordance with the Local Government Act 1995, S 5.23, section (2)(b) and (2)(e)(iii) Council goes Behind Closed Doors [Time] to discuss a matter affecting an employee or employees; and information about the business, professional, commercial or financial affairs of a person.

CARRIED

7/0

16.1 Title: Australia Day Citizen of the Year Awards 2023

Reporting Department	<i>Sustainable Development Directorate</i>
Responsible Officer	<i>Ms Cassandra Budge - Manager Community Development</i>
Reporting Officer	<i>Ms Melanie Ring - Place & Community Officer</i>
Legislation	<i>Local Government Act 1995</i>
Council Role	<i>Executive/Strategic.</i>
Voting Requirement	<i>Simple Majority.</i>

REPORT UNDER SEPARATE COVER

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

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

312-22 MOVED - Cr. M T Bennett SECONDED - Cr. S L Gillespie

THAT Council:

1. **Select the following Recipients (as provided for in the Confidential Attachment [OCM-R1298889] under separate cover) for the applicable categories, for the following WA Community Citizen of the Year Awards;**

• Youth Citizen of the Year Award	Recipient "A"
• Community Citizen of the Year Award	Recipient "B"
• Senior Citizen of the Year Award	Not applicable – no nominations received
• Active Citizenship (Group or Event) of the year	Recipient "A"

to be presented on Australia Day 2023;

2. **Impose an embargo on the media for the above item until after the awards are presented at the Australia Day WA Citizen of the Year Awards being 26 January 2023.**

CARRIED
7/0

16.2 Title: Lot 8 Collie River Road Proposed Land Resumption

Reporting Department:	Infrastructure Directorate
Responsible Officer	Mr Nathan Ryder - Manager Infrastructure Planning & Design
Reporting Officer	Mr Nathan Ryder - Manager Infrastructure Planning & Design
Legislation	Local Government Act 1995
Council Role	Executive/Strategic.
Voting Requirement	Simple Majority.

REPORT UNDER SEPARATE COVER

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

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

313-22 MOVED - Cr. E P Lilly SECONDED - Cr. S L Gillespie

THAT Council:

- Acknowledges the land matter issue of there being a portion of Collie River Road and stormwater drainage infrastructure located within private property Lot 8 Collie River Road, as well as some property that is located within the road reserve that should be within Lot 8; and**
- Authorises over budget expenditure in the 2022/23 annual budget to enable resolution of the matter and for this to be funded from the Road Construction and Major Maintenance Reserve.**

CARRIED
7/0

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

314-22 MOVED - Cr. T G Gardiner SECONDED - Cr. S L Gillespie

THAT Council return from Behind Closed Doors [5.50pm].

CARRIED
7/0

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

17 CLOSURE OF MEETING

The Presiding Officer advises that the date of the next:

- Ordinary Meeting of Council will be Wednesday, the 14th of December 2022, 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 5.50pm.

**CONFIRMATION OF MINUTES**

"As the person presiding at the meeting at which these minutes were confirmed on the 14th of December 2022, I certify that these minutes have been confirmed as a true and accurate record of proceedings".

Signature: 

Email: michael.bennett@dardanup.wa.gov.au