



CONFIRMED

MINUTES

ORDINARY COUNCIL MEETING

Held

24 June 2020

At

Shire of Dardanup
ADMINISTRATION CENTRE EATON
1 Council Drive - EATON

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VISION STATEMENT

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

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COUNCIL ROLE

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

DISCLAIMER

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

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

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

RISK ASSESSMENT

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

SHIRE OF DARDANUP

MINUTES OF THE SHIRE OF DARDANUP ORDINARY COUNCIL MEETING HELD ON WEDNESDAY, 24 JUNE 2020, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 5.00PM.

1 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

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

Acknowledgement of Country

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

Emergency Procedure

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

Affirmation of Civic Duty and Responsibility

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

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

Cr. Michael Bennett	-	Shire President
Cr. Peter Robinson	-	Deputy Shire President
Cr. Janice Dow	-	Elected Member
Cr. Tyrrell Gardiner	-	Elected Member
Cr. Mark Hutchinson	-	Elected Member
Cr. Carmel Boyce	-	Elected Member
Cr. Patricia Perks	-	Elected Member
Cr. Luke Davies	-	Elected Member
Mr André Schönfeldt	-	Chief Executive Officer
Mr Phil Anastasakis	-	Deputy Chief Executive Officer
Ms Susan Oosthuizen	-	Director Sustainable Development
Mr Luke Botica	-	Director Infrastructure
Ms Cathy Lee	-	Manager Governance & HR
Mrs Ella Rafferty	-	Executive Support Officer
Mrs Kathleen Hoult	-	Governance Officer
Mrs Natalie Hopkins	-	Manager Financial Services
Ms Maddie Darch	-	Executive Assistant
Mr Nathan Ryder	-	Manager Infrastructure & Design
Ms Lucy Owen Conway	-	Manager Place & Community Engagement
Mr Ray Pryce	-	Accountant

2.2 Apologies

Cr. Stacey Gillespie	-	Elected Member
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2.3 Leave of Absence

None.

3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE
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None.

4 PUBLIC QUESTION TIME

Note: Public Question Time commenced at 5.01pm.

4.1 Mr Geoff Brookes Regarding Item 12.1 – Change in Basis of Valuation for Rates

Mr Brookes referred to the Change in Basis of Valuation for Rates as his property would be affected by the changes. Mr Brookes advised that he understood that rates need to be reviewed, however under this change, the increase for his property would be increased from approximately \$5,500 per year to \$37,000 per year.

Question 1 - *Could council consider offering a concession given we use less than half of our land for our operations, most being for stockpiles?*

Question 2 - *Are the rate increases frozen this year?*

Response:

Shire President, Cr. M T Bennett advised that this matter would be considered shortly by Council and answers to his questions would likely be discussed during that item.

4.2 Mr David Birch Regarding Stockpiled Material at Marginata Close Dardanup

Background: I refer to a large amount of what appears to be stockpiled material being stored at Lot 81 Marginata Close, Dardanup.

Question 1 - *Does the stockpiling of what appears to be overburden from lot 2 Banksia Road require a development application?*

Officer Comment –

It appears that the stockpiling of material requires Development Approval. It also appears that the material has been used to construct a hardstand area on Lot 81, which also requires Development Approval.

Question 2 - *If so has a development application been approved & when was it approved?*

Officer Comment –

Officers sent a letter to the owner of the land on Monday 23 June 2020, regarding what appears to be unauthorised development. The letter requests that the landowner provide details of any approvals from the Shire in relation to the development.

The landowner is required to provide a written response to the Shire by 30 June 2020.

Question 3 - *Is the material being stockpiled contaminated?*

Officer Comment –

Officers are not aware of what the stockpiled material consists of or where it has come from. Further investigation will need to be conducted to determine this.

Question 4 - *Does the stockpile interfere with the natural watercourse on the property? If so, what controls are in place to manage the runoff?*

Officer Comment –

It appears that a watercourse runs from the westerly direction to a dam north of the works, and continues around the dam and to the west of the dam. The works do not appear to interfere with that specific watercourse based on the aerial photography available to officers, however further investigation would be required to confirm this is the case.

Question 5 - *Has the stockpile interfered with any Black cockatoo nesting sites known to be on the property?*

Officer Comment –

Officers do not have details of the size of the trees that remain on the property or whether they were nesting sites.

Question 6 - *Has the stockpile interfered with any rare or endangered flora species in the vicinity?*

Officer Comment –

Further investigation would need to be conducted to determine this, however it appears that the works have been undertaken on a largely clear part of the land and do not extend into any of the heavily vegetated area.

Question 7 - *What dust & noise management plans are in place?*

Officer Comment –

There is no approved dust or noise management plans for the works, as it does not appear that any approvals were sought from the Shire.

Question 8 - *What actions will the Shire of Dardanup take if this is illegal stockpile of material?*

Officer Comment –

As outlined in question 1 and 2 above, officers are investigating the matter presently and have required the landowner to provide evidence of an approval. If this direction is not complied with, the Shire may take further enforcement action.

4.3 Mr David Birch Regarding Proposed Waste Precinct Community Meetings

Background: I refer to the recent community meetings on the proposed waste precinct held at Dardanup.

Question 1 - When will the UrbanAqua report & recommendations to the Shire be made public & will the public be able to have further input before the plan is submitted to the State Planning Minister for approval?

Officer Comment –

The UrbanAqua report and recommendations will form part a report to Council in July 2020, if the draft Local Planning Scheme No 9 is adopted for public advertising by the Council and the Western Australian Planning Commissions consents to this, the Scheme will be publically advertised for a 90 day period and the public can make submissions before the WAPC and the Minister for Planning considers it for approval.

Note: Public Question Time finished at 5.03pm.

5 APPLICATIONS FOR LEAVE OF ABSENCE

None.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

6.1 Mr Graham Teede Regarding Item 12.10 - Project Delivery Framework – Intersection Treatments on Eaton Drive / Hands Avenue

On behalf of the Residents of Culling Grove, please find our comments and items for consideration with reference to; Project Delivery Framework – Intersection Treatments on Eaton Drive / Hands Avenue .Appendix; ORD: 12.10 page 68.

- 1. We are concerned that there are direct implications for the outstanding issues with regard to future Applications for any Developments to Lot 500 which are not yet resolved.*
- 2. It would appear and evidenced that development by stealth is being implemented here to satisfy the Developers interests for the proposed acquisition of Lot 500. This includes the Shires interests in the development of the new Shire Office and the closure of Council Drive.*

3. *In relation to Agenda item 12:10 page 68 and Appendix; ORD: 12.10 we wish to lodge our combined opposition to any proposal which sees the installation of Signalised intersection at a new intersection of Eaton Drive and Cudliss Street and Signalised intersection at a new intersection of Watson Ave / Eaton Drive as this will seriously impact on our properties, namely Option 2 and 3 of the Appendix ORD 12.10A.*
4. *There are a number of options that can be implemented to reduced traffic issues along Eaton Drive and these can be simple and far cheaper than what has been proposed.*
5. *We wish to request that Council considers the installation of a Traffic Counting Device/s on Council Drive as these traffic volumes will directly impact our properties and makes these finding publicly available.*
6. *Any development of any proposed Intersections off Eaton Drive into Lot 500 will have direct detrimental impact to the Environment namely the substantial Woodlands to the Damp Land that boundary our properties as well loss of habitat to the Birdlife , Frogs and Possums. This area also has Stands of the very few remaining Paperbarks that once filled this area.*
7. *There will also be direct detrimental impact to the Environment namely the substantial Woodlands to the Damp Land and Drain that are adjacent to Cudliss Street as well loss of habitat to the Birdlife, Frogs, Freshwater Animals and Possums.*

In order for the Shire to seek approval Council has to first endorse such a request. This is why the item is presented to Council for determination.

RECEIVED

6.2 *Mr Matthew Gordon of Austral Bricks WA Regarding Item 12.5 Application for Development Approval ('Industry – Extractive') and Extractive Industry Licence Application*

The following information was provided to Councillors at the meeting:

*Deputation to the Shire of Dardanup Council Meeting – 24th June 2020
Deputation made by Austral Bricks -Item 12.5*

Thank you for the opportunity to provide this written deputation to you.

Austral Bricks lodged an application with the Shire in late 2018, with an updated version provided mid- 2019. It is acknowledged that the application is complex, and we have worked with the Shire's Administration to address issues and respond to queries as required.

We are disappointed that, after such considerable time and effort has been applied to the application, the Shire Administration are recommending the application be refused, and therefore Austral Bricks does not support the Officer's Recommendation.

IMPORTANCE OF THE SITE TO THE OPERATIONS OF AUSTRAL BRICKS

Austral Bricks has owned this site for many years as part of the company's strategic clay resources in Western Australia. The clay found on the site is extremely important to the company as a long-term source of red firing alluvial clay, critical for extrusion and colour, and feeds into the existing factories in Cardup and Bellevue.

Lot 50 (adjoining Lot 51) has been used for extractive industry purposes for over 60 years (since the 1950's). Previous excavation has been recontoured and part of it has been filled by the Shire as a refuse/landfill site. The site has not been used for refuse/landfill for many years. A previous approval for extractive industry was issued in April 2005 and expired in 2010 for Lot 50 Waterloo Road. Extractive industry operations have not been required on the site since the previous approval expired as a result of a slowing housing market and subsequent decline in demand for brick products. It is now anticipated that the clay present on this site will again be required as a component to the Austral Bricks overall clay brick operations.

The site has also been identified for many years as a priority clay resource in many of the Shire's strategic planning documents. The site is also identified in the WAPC's draft Strategic Minerals and Basic Raw Materials Resource Policy. Austral Bricks has relied on the long-term recognition of the site as a key clay resource area to ensure confidence of quality raw material supply.

IMPORTANCE TO THE SHIRE OF DARDANUP

Securing long-term approvals for the extraction of clay from this site will provide Austral Bricks with a secure and reliable source of clay for up to 20 years. The development of the resource will result in the direct local employment and will also utilise local contractors and suppliers.

It is envisaged that the clay extracted from the site will initially be used to feed factories in Bellevue and Cardup. There is however a strong possibility that a new factory could be established to produce brick and masonry products on adjoining Lot 50. This factory would result in a cheaper product being delivered to the south-west (including into the future urban and industrial developments within the Shire) due to a combination of a closer market and reduced clay cartage costs. The development of the factory would also create a significant number of jobs during both the construction and operational phases.

ADDRESSING THE REASONS FOR RECOMMENDED REFUSAL

The refusal is premised on three main points, namely:

- 1. There has been no groundwater assessment completed*
- 2. It is thought there may be nearby residences affected by noise*
- 3. The recent gazettal of the Planning Control Area by the WAPC for the Bunbury Outer Ring Road (BORR).*

These are addressed below.

Groundwater

Austral Bricks has advised the Shire Administration that they will commit to undertaking a detailed groundwater investigation. This will need to be done to comply with other legislation and to the approval of DWER and can only occur late Winter or early Spring. The Shire Administration has previously indicated that the need for the groundwater investigation could be conditioned, or that an 'approval in principal' could be provided.

Noise

An Acoustic Assessment has been provided. The assessment was forwarded to the DWER for comment. Austral Bricks disputes some of the findings in the DWER comment and are currently providing a written response to the Shire in this regard to show that noise levels can be managed appropriately.

Planning Control Area

The Planning Control Area affects only a portion of the site. This requires the application to be determined by the WAPC. It is noted that the Officer's recommendation refers to 'orderly and proper planning'. It is an accepted State Government policy position (via SPP2.4) that identified, significant basic raw materials should be extracted from a site prior to that site being used for other purposes.

In this instance, it is our contention that either:

- *Clay could be removed from the land affected by the BORR prior to the road being constructed, OR*
- *The application area being amended by condition to exclude the BORR alignment (should construction be imminent).*

Conclusion

The application for clay extraction is considered an appropriate activity on the site, as recognised by the Shire's Local Planning Framework, State Government Policy SPP2.4, and the WAPC Strategic Minerals and Basic Raw Materials Resource Policy for the Greater Bunbury Region.

In concluding: 1. Austral Bricks is seeking Council's support for the proposed clay extraction at the 24th June 2020 meeting subject to the conditions outlined in Point 4 of the officer's recommendation.

RECEIVED

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Ordinary Meeting Held 27 May 2020

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

153-20 MOVED - Cr. T G Gardiner SECONDED - Cr. L Davies

THAT the Minutes of the Ordinary Meeting of Council held on 27 May 2020, be confirmed as true and correct subject to no corrections.

CARRIED
8/0

7.2 Special Meeting Held 10 June 2020

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

154-20 MOVED - Cr. L Davies SECONDED - Cr. P R Perks

THAT the Minutes of the Special Meeting of Council held on 10 June 2020, be confirmed as true and correct subject to no corrections.

CARRIED
8/0

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.1 Staff Acknowledgement – Kathleen Hoult – Automation of Delegation Register

Shire President, Cr. M T Bennett asked Governance Officer, Mrs Kathleen Hoult to provide Council with an overview of the new delegation process.

Chief Executive Officer, Mr André Schönfeldt introduced Mrs Hoult advising that she had been responsible for the implementation of the new automated process for recording Delegations and reporting executed delegations to Council.

Governance Officer, Mrs Kathleen Hoult - "I have been working on an online system called Attain by Integrity for the last six months, in order to move our paper based method into an automated and online tracking and reporting system. I have provided a brief note for you to review. Attain is a Compliance management system run by a Western Australian company whose purpose is to create a system that allows local governments to better manage their compliance requirements. This system allows us to manage our Delegations and Executed delegations, Primary and Annual Returns, Related Party Disclosures, Compliance Calendar and Gift and Travel register. Due to the COVID-19 pandemic, Attain has offered the Shire of Dardanup a 6 month free trial of the software, as there is a need to move away from manual, paper based documentation and allow for ease of submission of documents to ensure corporate compliance."

Manager Governance & HR, Ms Cathy Lee acknowledged the considerable amount of work that was involved in having the delegations transferred from the manual system to the Attain Automated system. The work had been undertaken over a period of six months and involved Kathleen coordinating several meetings and input with many officers, Managers and the Executive. Many other local governments would have employed a consultant to undertake the automation, however Kathleen's work in carrying this out without a consultant has saved the Shire over approximately ten thousand dollars.

Shire President, Cr. M T Bennett also acknowledged the amount of work that Shire staff are undertaking and would like to bring Council's attention some of the achievements.

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

9.1 Title: Minutes of the CEO Review Committee & Chief Executive Officer Annual Review Process

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

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

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

Note: *Shire President, Cr. M T Bennett advised that the meeting will go behind closed doors toward the end of the meeting to discuss "a matter affecting an employee or employees".*

10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

None.

11 DECLARATION OF INTEREST

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

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

Note: Chief Executive Officer, Mr André Schönfeldt has declared the following Declarations of Interest:

- *Mr. André Schönfeldt has declared an Impartiality Interest in “2020/21 Budget Adoption” as his family attends and are patrons of the Eaton Family Centre and Toy Library.*
- *Mr. André Schönfeldt has declared a Proximity Interest in “2020/21 Budget Adoption” in relation to the Annual Budget under Parks and Reserves includes maintenance to a reserve that adjoins his property.*
- *Mr André Schönfeldt has declared a Financial Interest in 16.1 “Minutes of the CEO Review Committee” as he is the Chief Executive Officer of the Shire of Dardanup.*
- *Mr André Schönfeldt has declared a Financial Interest in 16.2 “ Chief Executive Officer Annual Performance Review” as he is the Chief Executive Officer of the Shire of Dardanup.*

Discussion:

Shire President, M T Bennett noted the Chief Executive Officer declarations and requested that the Chief Executive Officer read aloud the following Declarations of Interest provided prior to the commencement of the meeting:

- *Cr. C N Boyce declared a Proximity Interest in item “12.10 Project Delivery Framework – Intersection Treatments on Eaton Drive / Hands Avenue” as she owns property close to the proposed intersection.*
- *Cr. C N Boyce declared a Proximity Interest in 12.13 “2020/21 Budget Adoption” Resolution A as she owns property with a common boundary with development planned for the end of Watson Street, Eaton.*
- *Cr. M Bennett declared a Proximity Interest in 12.13 “2020/21 Budget Adoption” Resolution A as he owns property adjacent to the Millar’s Creek pathway.*
- *Cr. M Bennett declared an Impartiality Interest in 12.13 “2020/21 Budget Adoption” Resolution B as he is a patron of the Eaton Bowling Club.*
- *Cr. M Bennett declared an Impartiality Interest in 12.13 “2020/21 Budget Adoption” Resolution B as he is a life member of the Eaton Junior Football Club.*
- *Cr. M Bennett declared a Proximity Interest in 12.13 “2020/21 Budget Adoption” Resolution C as he owns property adjacent to the Pratt Road car park.*

- *Cr. M Bennett declared a Proximity Interest in 12.11 “12.11 Endorsement of Draft Greater Bunbury Regional Park Management Plan 2020” as his property adjoins Millars Creek Reserve – Lot 15.*
- *Cr P Robinson declared an Impartiality Interest in 12.13 “2020/21 Budget Adoption” as he is a volunteer member of the Crooked Brook Forest Assn committee. Schedule 8 Education and Welfare contains an annual grant of \$2,000 to the CBFA.*
- *Cr P Robinson declared an Impartiality Interest in 12.13 “2020/21 Budget Adoption” as he is a volunteer member of the Joshua Crooked Brook Volunteer Bush Fire Brigade. Schedule 5 Law, Order and Public Safety contains an allocation under recurrent expenditure for brigade support. A share of \$131,700.*
- *Cr P Robinson declared a Financial Interest in 12.13 “2020/21 Budget Adoption” as he is a volunteer Fire Control Officer for the Joshua Crooked Brook Volunteer Bush Fire Brigade. Schedule 5 Law, Order and Public Safety contains an allocation for the FCOs. As a consequence, he has a financial interest in the matter. He has a letter of participation approval from the Deputy Director General – Regulation dated 23 August 2019 for a one year period. Cr. P S Robinson advises he will be able to remain in the room and participate.*
- *Cr. T G Gardiner declared a Proximity Interest in Item “12.1 Change in Basis of Valuation for Rates” as his property adjoins the two Nyleeta Close, Ferguson properties (Refer Index No. 5 & 6).*
- *Cr. T G Gardiner declared a Proximity Interest in Item “12.11 Endorsement of Draft Greater Bunbury Regional Park Management Plan 2020” as he is an adjoining landholder (leasehold) on a property Willinge Dve Picton.*

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

There were no further Declarations of Interest.

Periodically, Council's Rates Officers conduct reviews of the use of land within the Shire of Dardanup to identify existing or new land use that changes the predominant use from rural to non-rural and vice versa. Where changes in predominant use are identified, a Council resolution is required prior to requesting Ministerial approval for changes to the valuation basis of affected properties.

This current review identified the following 13 properties valued on Unimproved Value that Officer's consider should be valued on Gross Rental Value:

LOT / PLAN-DIAGRAM	ADDRESS	ZONING	LAND USE
1D35883	2 Charlotte St, Dardanup	Development	Veterinary hospital & residence
2D65861	Lot 2 Banksia Rd, Crooked Brook	General Farming	Waste disposal / landfill
81P403943	Lot 81 Marginata Road, Crooked Brook	General Farming	Waste transfer station / composting facility / vacant land
500P64565	Lot 500 Moore Road, Dardanup West	Special	Log / chip storage & processing & vacant land
1P47937	74 Nyleeta Close, Ferguson	Small Holding	Rural residential lifestyle
2P47937	70 Nyleeta Close, Ferguson	Small Holding	Rural residential lifestyle
1D22496	14799 South Western Hwy, Picton East	General Industry	Residence, storage / hardstand & vacant land
11D61841	14743 South Western Hwy, Picton East	General Industry	Residence, caravan storage & vacant land
8D57557	Lot 8 South Western Hwy, Picton East	General Industry	Residence
6D43420	14723 South Western Hwy, Picton East	General Industry	Residence
5D22496	14707 South Western Hwy, Picton East	General Industry	Residence
12D60055	14677 South Western Hwy, Picton East	General Industry	Residence / hobby farm
78D60055	14675 South Western Hwy, Picton East	General Industry	Residence & storage yard

Legal Implications

Local Government Act 1995

6.28 Basis of Rates

- (1) *The Minister is to –*
 - (a) *determine the method of valuation of land to be used by a local government as the basis for a rate; and*
 - (b) *publish a notice of the determination in the Government Gazette.*
- (2) *In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be –*
 - (a) *where the land is used predominantly for rural purposes, the unimproved value of the land; and*
 - (b) *where the land is used predominantly for non-rural purposes, the gross rental value of the land.*
- (3) *The unimproved value or gross rental value, as the case requires, of rateable land in the district of a local government is to be recorded in the rate record of that local government.*

- (4) *Where during a financial year –*
- (a) *an interim valuation is made under the valuation of Land Act 1978; or*
 - (b) *a valuation comes into force under the Valuation of Land Act 1978 as a result of an amendment of a valuation under that Act; or*
 - (c) *a new valuation is made under the Valuation of Land Act 1978 in the course of completing a general valuation that has previously come into force,*

The interim valuation, amended valuation or new valuation, as the case requires, is to be used by the local government for the purposes of this section.

6.31 Phasing in of certain valuations

Schedule 6.1 which deals with the phasing in of valuations has effect.

Schedule 6.1 – Provisions relating to the phasing in of valuations

2. Phasing in of rating based on gross rental values

- (1) *Where, in respect of a financial year, a local government is required by a determination made by the Minister under section 6.28 to change in respect of the whole or a part of its district, from valuations on unimproved value to valuations on gross rental value, the local government may, when imposing the general rate for that financial year, resolve that the change to rating on the basis of valuations on gross rental value, in relation to rateable land in the district or that part of the district, is to be phased in over a 3 year period and effect is to be given to that resolution over that period by the local government –*
- (a) *when imposing a general rate on the land in the first year of assessment for which rating would otherwise be wholly on the basis of valuations on gross rental value, rating the land on the basis of valuations on gross rental value in order to yield 1/3 of the estimated revenue from the rate and rating the same land on the basis of original valuations in order to yield 2/3 of the estimated revenue from the rate; and*
 - (b) *when imposing a general rate on the land in the second year, rating the land on the first mentioned basis in order to yield 2/3 of the estimated revenue from the rate and rating the same land on the second mentioned basis in order to yield 1/3 of the estimated revenue from the rate; and*
 - (c) *when imposing a general rate on such land in the third year, rating the land on the first mentioned basis in order to yield the whole of the estimated revenue from the rate.*
- (2) *In subclause (1) –*
- original valuations** *means the valuations on unimproved value last used by the local government for rating purposes in respect of the financial year immediately preceding the year mentioned in subclause (1)(a) and in relation to rateable land where an interim valuation of the land under the Valuation of Land Act 1978 comes into force, means the valuation determined for the purposes of this clause in accordance with subclause (6).*
- (3) *Where, during the phasing in of a change to rating on the basis of valuations on gross rental value in a district or part of a district under subclause (1), a general valuation under the Valuation of Land Act 1978 in respect of gross rental values comes into force in that district or part of a district, subclause (1) is to cease to apply to that change in the basis of rating.*
- (4) *Where an interim valuation of rateable land in a district or part of a district comes into force during the period when a change to rating on the basis of valuation on gross rental value in that district or portion of a district is being phased in under this clause, subclause (1) is to be construed so that the interim valuation is phased in in a like manner under this clause for the remainder of the phasing in period.*
- (5) *Where the local government resolves under subclause (1) that a change to rating on the basis of valuation on gross rental value in a district or part of a district is to be phased in over a 3 year period, it is to immediately request the Valuer-General, at the same time as the Valuer-General determines an interim valuation of rateable land that will come into force in that district or part of a district during the first 2 years of the phasing in period, to determine a valuation of that land in accordance with subclause (6) and is to give notice in writing immediately to the Valuer-General when such last-mentioned valuations are no longer required for the purposes of this clause.*

(6) A valuation of land that is requested to be made by the Valuer-General for the purposes of this clause under subclause (5) is to be determined as a valuation on unimproved value in accordance with the level of values prevailing in relation to land of the same or a similar character as the level of valuations on unimproved value used for the valuations that were last used by the local government for rating purposes in respect of the financial year immediately preceding the year of assessment for which rating would otherwise be wholly on the basis of valuation on gross rental value.

6.47 Concessions

Subject to the Rates and Charges (Rebates and Deferments) Act 1992 a local government may at the time of imposing a rate or service charge or at a later date resolve to waive* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

*Absolute majority required

Strategic Community Plan

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

Strategy 1.1.2 - Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High)

Environment - None.

Precedents

In July 2017, the valuation basis for an industrial site at lot 11 Temple Road, Picton East (J & P Corporation Pty Ltd) was gazetted to change from Unimproved Value to Gross Rental Value after a review by Council’s Rates section following extensive development of the property. Subsequent to the change in valuation basis, the Council resolved to write-off a portion of the rates [320-18] on 10 October 2018 (Appendix ORD 12.1A).

Numerous instances of changes in valuation basis from Unimproved Value to Gross Rental Value have been instigated by Council’s Rates section since GRV was introduced – usually in circumstances of subdivision of previously rural land into smaller lots used for rural-residential, residential or industrial purposes.

Budget Implications

The impact of these changes on the budget will depend on how they are introduced.

- a) If the changes are adopted for all of the subject land parcels with no concession or phase-in, the increase in rates revenue will be in the vicinity of \$50,000.
- b) If the changes are adopted for all of the subject land parcels and phased in over a three year period, the annual increase in revenue for each of the years is approximately \$16,500.
- c) If the net increase in rates due to these changes in valuation is to be offset by reductions in rates on all other properties within the Shire, there is no change in total rates yield.

• *Table of Properties Affected:*

Index No.	Lot	Plan/Diag	Size (ha)	UV Rates	Estimated GRV Rates	Change	% Change
1	1	D35883	0.5	\$1,547.50	\$2,617.21	\$1,069.71	69%
2	2	D65861	121.7	\$3,110.72	\$18,119.16	\$15,008.44	482%
3	81	P403943	86.6	\$2,922.95	\$15,099.30	\$12,176.35	417%
4	500	P64565	30.4	\$5,489.41	\$37,244.94	\$31,755.53	578%

Index No.	Lot	Plan/Diag	Size (ha)	UV Rates	Estimated GRV Rates	Change	% Change
5	1	P47937	2.9	\$1,708.71	\$2,164.23	\$455.52	27%
6	2	P47937	2.9	\$1,708.71	\$2,164.23	\$455.52	27%
7	1	D22496	3.9	\$4,231.08	\$1,547.50	-\$2,683.58	-63%
8	11	D61841	3.2	\$3,899.36	\$1,547.50	-\$2,351.86	-60%
9	8	D57557	2.5	\$2,847.85	\$1,547.50	-\$1,300.35	-46%
10	6	D43420	2.2	\$3,217.13	\$1,596.50	-\$1,620.63	-50%
11	5	D22496	4.1	\$3,242.16	\$1,547.50	-\$1,694.66	-52%
12	12	D60055	2.9	\$2,973.03	\$2,695.73	-\$277.30	-9%
13	78	P72250	1.0	\$2,128.06	\$1,936.74	-\$191.32	-9%
Total						\$50,801.37	

Budget – Whole of Life Cost

As mentioned above, if the changes to valuation basis are phased in over a three year period, there is potentially an increase in rates revenue of approximately \$16,500 in each of the three years and subsequently a higher rate revenue base for budgets beyond this period.

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: 12.1B) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Change in Basis of Valuation for Rates
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 Utilising the correct valuation basis impacts on the Shire’s rate revenue dependent on the valuations.
	Legal and Compliance Non-compliance with legislation that leads to qualified audit or external investigation.
	Reputational Inconsistent or non-compliance can lead ratepayers to question Council’s ability to manage finances effectively.

Officer Comment

The Department of Local Government Operational Guideline No 2 ‘*Changing Methods of Valuation of Land*’ provides the principle to observe when reviewing the method of valuing land.

Principles to Observe

In implementing suitable systems and procedures, local governments should observe the principles of:

- *objectivity;*
- *fairness and equity;*
- *consistency;*
- *transparency; and*
- *administrative efficiency.*

The guideline also outlines the process steps to be taken for changing the method of valuation:

- *Step 1 – identifying land use changes that may affect predominant use*
- *Step 2 – reviewing predominant use*
- *Step 3 – consulting affected parties*
- *Step 4 – changing the method of valuation*

- *Step 1 – identifying land use changes that may affect predominant use*

Officer's researched multiple sources to identify properties, including:

- Aerial photography;
- Discussions with Landgate valuations staff;
- Review of development approvals;
- Review of property zoning and re-zoning applications;
- Comparison with neighbouring properties; and
- Comparison with similar land use properties.

- *Step 2 – reviewing predominant use*

Review of predominant use was undertaken via:

- Assessment of whether the land use was sufficient to change the predominant use of the lot;
- Comparison of the land use of neighbouring properties within the same subdivision area;
- Checking properties of a similar type within the district for equitable and consistent rating; and
- Land use declarations from owners to confirm predominant use (Appendix ORD: 12.1C).

- *Step 3 – consulting affected parties*

To determine the impact of the proposed changes, officers initially liaised with Landgate Valuers to obtain an indication of the 'notional' values for affected properties. The notional values were used to calculate proposed rates and the quantum of change in rates on the specified properties.

Affected landowners were advised in writing of the Council's reasons for the proposed changes to their valuation basis and the potential financial impact of those changes. To confirm the current predominant land use, owners were also requested to complete and submit a land-use declaration which included questions about the types of land uses carried out on the property and whether or not they were income producing. Owners were also asked to submit any comments and/or questions they may have regarding the proposed changes.

An objection and comment was received from one landowner related to:

- The amount and percentage of the increase in rates being excessive; and

- The extent of development being on less than 50% of the land.

A copy of the objection is at provided for in (Appendix ORD: 12.1D).

- *Step 4 – changing the method of valuation*

In addition to that provided earlier in this report, the following information has specific reference to the circumstances of each property.

1. *2 (lot 1) Charlotte Street, Dardanup*



This property is 4,640 square metres in area and contains the business operations of the Dardanup Veterinary Centre. The site is within the Dardanup townsite and is zoned Development. It has substantial buildings and no rural use.

The only similar business activity within the Shire is a veterinary pet care in the Millard Street commercial centre in Eaton which is valued on GRV.

The proposed change in valuation basis will significantly increase the rates on the land by an estimated \$1,070 (69%).

2. *Lot 2 Banksia Road, Crooked Brook*



This property is 121.7 hectares and is used for waste disposal landfill. The site is zoned General Farming but has approval for the current use. No rural use exists on the property.

There are no other same use properties within the Shire, however the activities are similar to those conducted on Lot 81 Marginata Close which is another property within this report.

The proposed change in valuation basis will significantly increase the rates on the land by an estimated \$15,008 (482%).

3. *Lot 81 Marginata Close, Crooked Brook*



This property is 86.6 hectares in area and is used for the Shire's waste transfer station and Bunbury Harvey Regional Council composting facility. The site is zoned General Farming, however, no rural use exists on the property.

The activities are similar to that taking place at the previous mentioned property – Lot 2 Banksia Road.

The proposed change in valuation basis will significantly increase the rates on the land by an estimated \$12,176 (417%).

4. *Lot 500 Moore Road, Dardanup West*



This property is 30.4 hectares in area and is used for wood chipping, log and chip storage and farming. The site is zoned Special – Restricted Use Zone R11 for timber related industry subject to compliance with the General Industry Zone Standards.

The industrial activities are similar but on a smaller scale to an adjoining property that is zoned General Industry and used entirely for timber processing. This adjoining property is valued according to GRV. Officers' opinion is that the zoning together with the extent of the timber storage and processing constitutes the predominant use as being non-rural.

The proposed change in valuation basis will significantly increase the rates on the land by an estimated \$31,755 (578%).

The property owner has lodged objection to the proposal on grounds that the timber related industry use occupies less than 50% of the land, the majority being used for farming. He has also objected to the extent of the increase and the impact it may have on his business.

5. *74 (lot 1) Nyleeta Close, Ferguson*



This property has an area of 2.9 hectares and is used for Rural/Residential housing. The site is zoned Small Holding whose objective is described as providing residential development within a rural setting, where the predominant land use is residential.

All other 'small holding' subdivided lots within the Shire of Dardanup are valued according to GRV. This lot and also the adjoining Lot 2 were inadvertently omitted from the change from UV to GRV at the time of subdivision.

The proposed change in valuation basis to be consistent with all other small holding lots will increase the rates on the land by an estimated \$455 (27%).

6. 70 (lot 2) Nyleeta Close, Ferguson



This property has an area of 2.9 hectares and is used for Rural/Residential housing. The site is zoned Small Holding whose objective is described as providing residential development within a rural setting, where the predominant land use is residential.

All other 'small holding' subdivided lots within the Shire of Dardanup are valued according to GRV. This lot and also the adjoining Lot 1 were inadvertently omitted from the change from UV to GRV at the time of subdivision.

The proposed change in valuation basis to be consistent with all other small holding lots will increase the rates on the land by an estimated \$455 (27%).

7. *14799 (lot 1) South Western Highway, Picton East*



This property has an area of 3.9 hectares and is used mainly for residential purposes. There is also some hardstand area/truck depot. The site is zoned General Industry but is relatively undeveloped for industrial use. There is no rural use of the property.

All other land zoned General Industry – apart from 6 lots within this precinct – are valued on GRV basis. The proposed change in valuation basis to be consistent with industrial lots will decrease the rates on the land by an estimated \$2,683 (-63%).

8. *14743 (Lot 11) South Western Highway, Picton East*



This property has an area of 3.2 hectares and is used for residential purposes and caravan sales yard. The site is zoned General Industry but is relatively undeveloped for industrial use. There is no rural use of the property.

All other land zoned General Industry – apart from 6 lots within this precinct – are valued on GRV basis.

The proposed change in valuation basis to be consistent with industrial lots will decrease the rates on the land by an estimated \$2,350 (-60%).

9. *Lot 8 South Western Highway, Picton East*



This property has an area of 2.5 hectares and is used for residential purposes. The site is zoned General Industry but is undeveloped for industrial use. There is no rural use of the property.

All other land zoned General Industry – apart from 6 lots within this precinct – are valued on GRV basis. The proposed change in valuation basis to be consistent with industrial lots will decrease the rates on the land by an estimated \$1,300 (-46%).

10. 14723 (Lot 6) South Western Highway, Picton East



This property has an area of 2.2 hectares and is used for residential purposes. The site is zoned General Industry but is undeveloped for industrial use. There appears to be hobby farm use of the property.

All other land zoned General Industry – apart from 6 lots within this precinct – are valued on GRV basis.

The proposed change in valuation basis to be consistent with industrial lots will decrease the rates on the land by an estimated \$1,620 (-50%).

11. 14707 (Lot 5 South Western Highway, Picton East



This property has an area of 4.1 hectares and is used for residential purposes. The site is zoned General Industry but is undeveloped for industrial use. There appears to be hobby farm use of the property.

All other land zoned General Industry – apart from 6 lots within this precinct – are valued on GRV basis. The proposed change in valuation basis to be consistent with industrial lots will decrease the rates on the land by an estimated \$1,695 (-52%).

12. 14677 (lot 12) South Western Highway, Picton East



This property has an area of 2.9 hectares and is used for residential purposes and hobby farm with domestic livestock and recreation horses. The site is zoned General Industry but is undeveloped for industrial use. Rural use is limited to the hobby farm activities.

All other land zoned General Industry – apart from 6 lots within this precinct – are valued on GRV basis.

The proposed change in valuation basis to be consistent with industrial lots will decrease the rates on the land by an estimated \$277 (-9%).

13. Lot 78 South Western Highway, Picton East



This property has an area of 0.95 hectares and is used for residential purposes and on-ground storage. The site is zoned General Industry but is generally undeveloped for industrial use. There appears to be no rural use.

All other land zoned General Industry – apart from 6 lots within this precinct – are valued on GRV basis.

The proposed change in valuation basis to be consistent with industrial lots will decrease the rates on the land by an estimated \$191 (-9%).

This proposal to change the valuation basis from UV to GRV will result in significant increases in rates on some of the abovementioned properties. The Council should take account of the financial impact of this on the respective landowners and consider options to assist them by either:

- a) Offering a concession or partial write-off of rates in accordance with the Local Government Act. This requires a resolution at the same time of imposing rates - i.e. as part of adopting the annual budget, or may be at a later date; or
- b) Phasing in the change of valuation basis over a three year period in accordance with the Local Government Act. A decision to phase-in the change in valuation basis requires a resolution at the same time of imposing the general rate for that year – i.e. as part of the annual budget adoption and will automatically apply to all properties that are approved for change of valuation basis in that year.

Council Role - Quasi-Judicial.

Voting Requirements - Absolute Majority.

Note: As Cr. T G Gardiner had declared a Proximity Interest in this item and was allowed to remain in the room for the discussion, but not to vote on the matter; Cr. T G Gardiner left the room [5.18pm] in order for the vote to be taken.

OFFICER RECOMMENDED RESOLUTION

THAT Council:

1. Request the Minister for Local Government to approve the change to the method of valuation of the land areas referred to in this report from Unimproved Values to Gross Rental Values, in accordance with section 6.28 of the Local Government act 1995.
2. Resolve to offer a rate concession to phase-in the financial impact of the change to the method of valuation of the land areas referred to in this report from Unimproved Values to Gross Rental Values over a period of three years in accordance with Schedule 6.1 of the Local Government Act 1995, based on a 66% concession in 2020/21, a 33% concession in 2021/22, and a 0% concession in 2022/23.

Discussion:

Shire President, Cr. M T Bennett put forward an alternate motion to spread the increase of rates over four years to reduce the impact on ratepayers.

Change to Officer Recommendation

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

- *Amendment to part 2 of the resolution to spread the increase of rates over four years to reduce the impact on ratepayers.*

**ELECTED MEMBER ALTERNATE MOTION
& COUNCIL RESOLUTION**

156-20 MOVED - Cr. M T Bennett SECONDED - Cr. P R Perks

THAT Council:

1. **Request the Minister for Local Government to approve the change to the method of valuation of the land areas referred to in this report from Unimproved Values to Gross Rental Values, in accordance with section 6.28 of the Local Government Act 1995.**
2. **Resolve to offer a rate concession to phase-in the financial impact of the change to the method of valuation of the land areas referred to in this report from Unimproved Values to Gross Rental Values over a period of four years in accordance with Schedule 6.1 of the Local Government Act 1995, based on an 80% concession in 2020/21, a 60% concession in 2021/22, a 40% concession in 2022/23, a 20% concession in 2023/24 and a 0% concession in 2024/25.**

CARRIED
6/1

By Absolute Majority

Note: Cr. T G Gardiner returned to the room [5.19pm].

12.2 Title: Annual Review of Delegations 2020

Reporting Department:	<i>Corporate & Governance Directorate</i>
Reporting Officer:	<i>Mrs Kathleen Hoult – Governance Officer</i> <i>Ms Cathy Lee - Manager Governance & HR</i>
Legislation:	<i>Local Government Act 1995</i>

Overview

An annual review of Delegations has been undertaken with the 2020-2021 Delegations Register provided for Council consideration and endorsement.

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.

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.]

5.43. *Limits on delegations to CEO*²⁸

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.]

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.

Strategic Community Plan

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

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

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

Environment - None.

Precedents

Council consider delegations annually in accordance with the Local Government Act 1995.

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: 12.2A) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Annual Review of Delegations 2020
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

Attached in (Appendix ORD: 12.2B – Under Separate Cover) is the full document of the delegations made for the 2020/21 financial year for Council’s review, consideration and adoption. Also attached in (Appendix ORD: 12.2C) is an extract of the delegations where some changes were made since the 2019 delegation review by Council.

The following delegations have had some changes. Those delegations are attached in full, with the changes highlighted for ease of reference:

- 1.2.2 Performing Function Outside the District
- 1.2.4 Powers of Entry
- 1.2.8 Close Thoroughfare to Vehicles
- 1.2.18 Granting Subdivision Clearances
- 1.2.23 Tenders for Goods and Services
- 1.2.24 Over Length Vehicles
- 1.2.27 Approval of Subdivisional Engineering Drawings
- 1.2.34 Speak on Behalf of Local Government
- 9.1.4 Amendments to Building Envelopes and Building Exclusion Areas
- 9.1.6 Landscape Buffer to Australind Bypass Road (Forrest Highway)
- 9.2.2 Variations under the Residential Design Codes
- 9.2.4 Variation to Site and Development Standards and Requirements

The following delegations have been removed or replaced:

PREVIOUS DELEGATION	NAME OF DELEGATION	REASON FOR REMOVAL
1.2.7	Remove and Impound Goods	Authorised person under the Local Government Act 1995.
1.3.1	Social Media – CP026	Not a delegation but an authorisation. To be tracked in the Statutory Authorisation Register
1.3.2	Mobile Traders on Eaton Foreshore - CP033	Not a delegation but an authorisation. To be tracked in the Statutory Authorisation Register
1.3.3	Directional Signage Policy for Fixed Signs within Road Reserves - CP040	Not a delegation but an authorisation. To be tracked in the Statutory Authorisation Register
1.3.4	Directional Signage Policy for Public Events and Activities – Temporary Signs within road Reserves - CP041	Not a delegation but an authorisation. To be tracked in the Statutory Authorisation Register

PREVIOUS DELEGATION	NAME OF DELEGATION	REASON FOR REMOVAL
1.3.5	Donations and Grants - CP044	Not a delegation but an authorisation. To be tracked in the Statutory Authorisation Register
1.3.6	Bus Shelter Approval - CP045	Not a delegation but an authorisation. To be tracked in the Statutory Authorisation Register
1.3.7	Events Requiring Temporary Road Closure - CP046	Not a delegation but an authorisation. To be tracked in the Statutory Authorisation Register
1.3.8	Residential Road Verge - CP057	Not a delegation but an authorisation. To be tracked in the Statutory Authorisation Register
1.3.9	Roadside Vegetation - CP058	Not a delegation but an authorisation. To be tracked in the Statutory Authorisation Register
1.3.10	Powers of Entry – Determine if an Emergency	This is a duplication of Powers of Entry Delegation.
1.3.21	Use of Unmanned Aerial Vehicle (UAV) - Drone	Not a delegation but an authorisation. To be tracked in the Statutory Authorisation Register
9.1.7	Respond to Town Planning Correspondence	No longer required as it is covered under new delegation 'Determination of Development Applications'.
9.1.9	Advertising and Referrals of Planning Proposal	No longer required as it is covered under new delegation 'Determination of Development Applications'.
9.1.10	Extractive Industry Contravention	No longer required as it is covered under new delegation 'Determination of Development Applications'.
9.1.11	Direction Notice	No longer required as it is covered under new delegation 'Illegal Development'
9.1.12	Development in Bushfire Prone Areas	No longer required as it is covered under new delegation 'Determination of Development Applications'.
9.1.14	Temporary Works and Uses	No longer required as it is covered under new delegation 'Determination of Development Applications'.
9.2.1	Development that is noted with a 'P' in Appendix 1 of Shire of Dardanup Town Planning Scheme No.3	No longer required as it is covered under new delegation 'Determination of Development Applications'.
9.2.2	Development that is shown as a 'D' or 'A' in Appendix 1 of Shire of Dardanup Town Planning Scheme No.3	No longer required as it is covered under new delegation 'Determination of Development Applications'.
9.2.5	Development of Land	No longer required as it is covered under new delegation 'Determination of Development Applications'.
9.2.6	Amendments to a Development Approval	No longer required as it is covered under new delegation 'Determination of Development Applications'.
9.2.9	Unauthorised Existing Developments	No longer required as it is covered under new delegation 'Determination of Development Applications'.

The following Delegations are new to the register and can be referenced as follows:

- 9.1.1 Determination of Development Applications
- 9.1.8 Greater Bunbury Region Scheme
- 9.1.9 Strata Title Act 1985

Each delegation was 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.

Council Role - Executive/Strategic

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION 'A'

157-20 MOVED - Cr. J Dow SECONDED - Cr. C N Boyce

THAT Council delegate powers and duties to the Chief Executive Officer as empowered by the Local Government Act 1995, Regulations, the Shire of Dardanup Town Planning Scheme No. 3, and other relevant statutes as provided for in the Delegation Register 2020/21 (Appendix ORD: 12.2B – Under Separate Cover).

CARRIED

8/0

By Absolute Majority

Note: Governance Officer, Mrs Kathleen Hoult left the meeting [5.22pm].

12.3 Title: Proposed Road Names (Parkridge Estate – South Stage) – Lot 9004 Robusta Road, Eaton (McNullen Nolan Group Pty Ltd)

Reporting Department: Sustainable Development Directorate
 Reporting Officer: Mr Gareth Webber - Planning Officer
 Legislation: Land Administration Act 1997

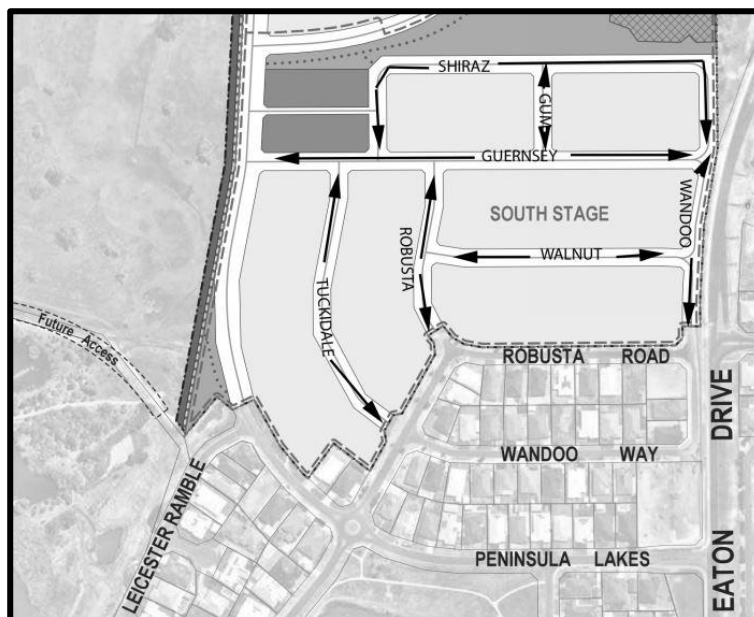
Overview

Council has received a request from the McNullen Nolan Group Pty Ltd seeking approval for five road names and the extension of two road names to be applied within the South Stage of the Parkridge Estate Structure Plan at Lot 9004 Robusta Road, Eaton.

Location Plan



Road Name Plan



Background

A request has been received from McNullen Nolan Group Pty Ltd seeking Council approval for the following road names to be applied within the first stage of Parkridge Estate Structure Plan:

- Shiraz Street;
- Guernsey Street;
- Tukidale Street;
- Walnut Street; and
- Gum Street.

A full copy of the request and Road Name Plan is provided in (Appendix ORD: 12.3A).

The 'Parkridge Estate' Structure Plan was endorsed by the Western Australian Planning Commission on 1 October 2019 to provide future detailed area planning for subdivision and development stages.

The Western Australian Planning Commission granted conditional subdivision approval on 11 October 2019 for the creation of 18 residential lots. The applicant was advised by Shire officers to provide proposed street names for all other streets in the proposed 'South Stage' identified on the Parkridge Structure Plan to avoid the requirement to seek further approval for future subdivision stages.

The relevance of each name is as follows:

- Shiraz – type of wine produced locally.
- Guernsey – named in recognition of the pastoral industry.
- Tukidale – named in recognition of the pastoral industry.
- Walnut – tree name.
- Gum – tree name.

A preliminary review of the names with Landgate indicated that the names 'Shiraz', 'Guernsey' and 'Tukidale' may be suitable for use in the proposed location however, will be subject to a formal assessment by Landgate. The names 'Walnut' and 'Gum' were deemed unacceptable by Landgate upon preliminary review, due to similar road names located within 50km.

In accordance with Section 26A of the *Land Administration Act 1997*, the Local Government is required to approve road name(s), prior to Geographic Names (Landgate) endorsing the proposed name(s). For the purpose of this report, each road has been assigned the road type 'Street' however this may change to a more appropriate road type upon assessment by Landgate.

Legal Implications - None.

Strategic Community Plan

Strategy 3.1.4 - To recognise and support the rich and varied heritage of the Shire.
(Service Priority: Moderate)

Strategy 5.1.6 - To encourage urban developments that foster connectivity between residents.
(Service Priority: Moderate)

Environment - None.

Precedents

Council has previously supported road names that have been pre-approved by Landgate for use in the Shire of Dardanup, at the request of developers.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Local Planning Policy CP072 – Naming of Parks, Reserves and Roads

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.3B) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.					
Risk Event	Proposed Road Names (Parkridge Estate – South Stage)				
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	<table border="0"> <tr> <td>Legal and Compliance</td> <td>Developer may not use approved road names.</td> </tr> <tr> <td>Reputational</td> <td>Members of the public may disapprove of the proposed road names.</td> </tr> </table>	Legal and Compliance	Developer may not use approved road names.	Reputational	Members of the public may disapprove of the proposed road names.
Legal and Compliance	Developer may not use approved road names.				
Reputational	Members of the public may disapprove of the proposed road names.				

Officer Comment

The applicant was provided with a list of road names and the applicant selected a number of road names. The names ‘Shiraz’, ‘Guernsey’ and ‘Tukidale’ being used within the South Stage of the Parkridge Structure Plan received preliminary validation from Landgate.

It is recommended Council endorse the proposed road names ‘Shiraz’, ‘Guernsey’ and ‘Tukidale’ in their proposed locations as per the provided ‘Road Name Mark Up’ dated 14 May 2020 and request approval of the road names by Geographic Names (Landgate).

The names ‘Walnut’ and ‘Gum’ were deemed unacceptable upon preliminary review by Landgate due to similar road names located within 50km. Officers have reviewed the Shire’s register of road names and recommend the following alternatives that have received preliminary approval by Landgate be used instead:

- ‘Carmague’ instead of ‘Walnut’; and
- ‘Haflinger’ instead of ‘Gum’.

Both ‘Carmague’ and ‘Haflinger’ are names taken from the book ‘Horses of the World’ by Daphne Machin Goodall. The two names were verified by the applicant as acceptable.

It is recommended Council endorse the proposed road name 'Carmague Street' in the proposed location of 'Walnut' and 'Haflinger Street' in the proposed location of 'Gum' as per the provided 'Road Name Plan' dated 14 May 2020 and request approval of the road names by Geographic Names (Landgate).

In the instance that Council resolves not to support one or more of the proposed road names, it is recommended that Council resolves to endorse suitable alternatives which can be referred to Geographic Names (Landgate) for endorsement.

Council Role - Quasi-Judicial.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

158-20 MOVED - Cr. P R Perks SECONDED - Cr. P S Robinson

THAT Council:

1. **Approve the road names 'Shiraz Street', 'Guernsey Street' and 'Tukidale Street' in the locations identified in the 'Road Name Plan' dated 14 May 2020.**
2. **Approve the extension of the road names 'Robusta Road' and 'Wandoo' Way' in the locations identified in the 'Road Name Plan' dated 14 May 2020.**
3. **Approves the use of the road name 'Carmague Street' in the location identified as 'Walnut' in the 'Road Name Plan' dated 14 May 2020.**
4. **Approves the use of the road name 'Haflinger Street' in the location identified as 'Gum' in the 'Road Name Plan' dated 14 May 2020.**
5. **Advises Landgate of Council's Resolution and requests formal approval of the road names.**

CARRIED
8/0

12.4 Title: Dedication of the Bunbury Outer Ring Road - Consent to Surrender Drainage Easement

Reporting Department: Infrastructure Directorate
Reporting Officer: Mr Nathan Ryder - Manager Infrastructure Planning & Design
Legislation: Local Government Act 1995
Land Administration Act 1997

Overview

The matter of excision and dedication of land, as well as dedication of various roads and road widening in order for construction of the Bunbury Outer Ring Road by Main Roads, was brought to Council at the Ordinary Council Meeting held on 25 March 2020.

Council is requested to endorse the following:

1. A drainage easement registered over one of the lots that was proposed to be dedicated for this purpose was omitted from Main Roads' original request, having been received at a later date.
2. The marked up drawings that accompany point 6 of Council Resolution 50-20.

Staff do not have delegated authority to approve this request and therefore the matter is brought to Council for formal resolution.

Background

At the Ordinary Council Meeting held on 25 March 2020, Council resolved the following [Res 50-20]:

THAT Council:

1. *Consents to the excision and dedication of land required for road purposes from Reserve 35582, as depicted on Main Roads drawing 201902-0020-2;*
2. *Supports the excision and dedication of the land required for road purposes from Reserve 46073, as depicted on Main Roads drawing 201902-0018-3;*
3. *Supports the dedication of the roads and road widening within the Shire of Dardanup depicted on Main Roads drawings 201902-0012-5, 201902-0016-2, 201902-0017-4, 201902-0018-3, 201902-0019-3, 201902-0020-2, and 201902-0021 pursuant to section 56 of the Land Administration Act 1997 (LAA);*
4. *Indemnifies the Minister for Lands against any costs or claims for compensation in association with the dedication of roads and road widening, in accordance with section 56(4) of the LAA. The indemnity is provided on the basis that Main Roads Western Australia is the acquiring authority, and they indemnify the Shire of Dardanup;*
5. *Consents to Main Roads Western Australia and its contractors to enter onto land under the Shire of Dardanup's control or management, to carry out any works in association with the BORR project. Entry to be permitted prior to the excision and dedication of the road or road widening from the Shire of Dardanup's reserves;*
6. *Agrees to accept the roads and road widening highlighted green on the attached copy of Main Roads drawing 201902-0012-5 under its care, control, and maintenance following dedication; with the additional requirement that the areas marked in red be agreed to by Main Roads to also be included in the road widening and construction project at Main Roads' cost; and*

7. *Requests the Department of Planning, Lands and Heritage (on behalf of the Minister for Lands), to amend Reserves 35582 and 46073, and dedicate the roads as depicted on the Main Roads drawings listed above.*

As per Item 3 of the above Resolution, Council supported the dedication of the roads and road widening as depicted on a number of Main Roads drawings, including drawing 201902-0021 (Land Dealings Plan, Sheet 9 of 10).

Lot 201 on DP 74957 held in CT 2812/366 is part of the land proposed to be dedicated and appears on drawing 201902-0021. Drainage easement D503044 is registered in favour of the Shire over Lot 201. This additional request from Main Roads was not considered by Council previously, however, in order to facilitate dedication, the drainage easement D503044 needs to be extinguished.

Correspondence from Main Roads WA, which includes the various maps of land requirements, is provided with the agenda (Appendix ORD: 12.4A).

An extract from drawing 201902-0021 showing drainage easement D503044 in green is below.



Since Lot 201 will be included in the dedication of roads and road widening, as per Council Resolution [RES: 50-20], drainage easement D503044 will no longer be required by the Shire. The area covered by the easement will fall within the road reserve to be created for the project. This road reserve will be a local road under the care, control and management of the Shire. Therefore, the Council is requested to consent to the surrender or cancellation of the whole of easement D503044 contained within Lot 201.

The marked up drawing that is referred to in point 6 of Council Resolution 50-20 was not provided with the resolution at the time the report was presented to Council. A copy of the marked up drawing is provided in the Appendices. Council is requested to endorse the marked up drawings which will then be officially sent to Main Roads WA and the BORR team.

Legal Implications

In order to carry out this task, Main Roads requires formal resolution of Council in accordance with Section 56 of the Land Administration Act 1997. The excision, acquisition and dedication processes need to be in accordance with the requirements of the Land Administration Act 1997.

Strategic Community Plan

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

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

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

Environment - None.

Precedents

Council has previously supported similar road dedications.

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: 12.4B) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Approval not provided for the surrender of drainage easement.
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Council will need to provide consent to surrender of the drainage easement to facilitate the road dedication as per Council Resolution 50-20.
Residual Risk Rating (after treatment or controls)	Low (1 - 4)
Risk Category Assessed Against	Legal and Compliance

Officer Comment

These land processes are required to enable the BORR project to be undertaken. It is recommended that Council support the easement changes as requested.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

159-20 MOVED - Cr. T G Gardiner SECONDED - Cr. P S Robinson

THAT Council:

- 1. Consents to the surrender or cancellation of the whole of easement D503044 contained within Lot 201 on DP 74957 held in CT 2812/366, as shown labelled 'A' on DP 74957;**
- 2. Requests the Department of Planning, Lands and Heritage (on behalf of the Minister for Lands), to extinguish drainage easement D503044 as depicted on DP 74957; and**
- 3. Agrees to accept the roads and road widening highlighted green on the attached copy of Main Roads drawing 201902-0012-5 under its care, control, and maintenance following dedication; with the additional requirement that the areas marked in red be agreed to by Main Roads to also be included in the road widening and construction project at Main Roads' cost;**

CARRIED
8/0

12.5 Title: Application for Development Approval ('Industry – Extractive') and Extractive Industry Licence application – Lot 5 Waterloo Road and Lot 51 Railway Road, Waterloo

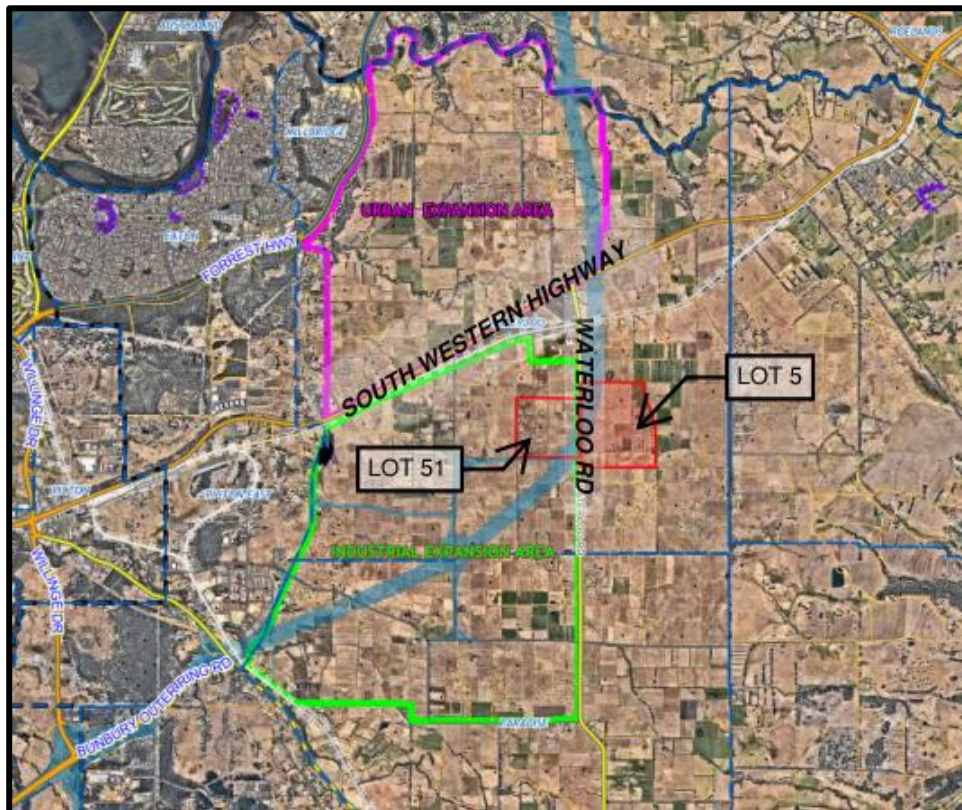
Reporting Department: Sustainable Development Directorate
 Reporting Officer: Mrs Suzanne Occhipinti - Senior Planning Officer
 Legislation: Local Government Act 1995

Overview

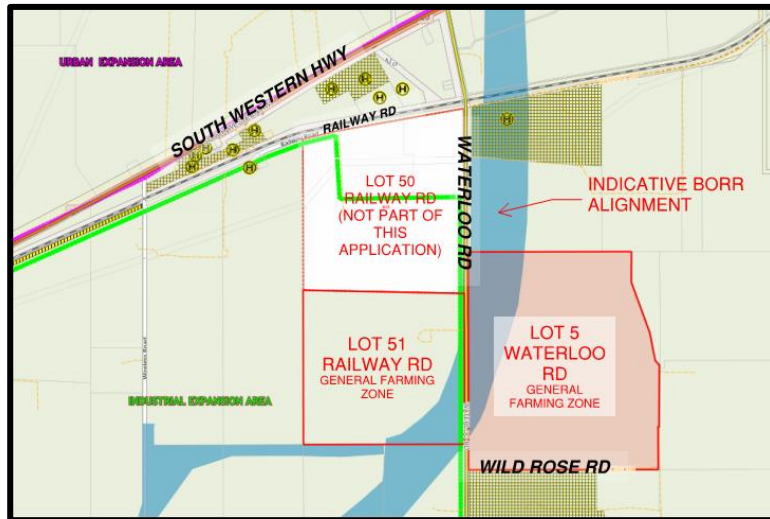
The Shire received an application for Development Approval (DA) for Industry – Extractive (Clay Extraction), and an associated Extractive Industry Licence (EIL) application, on 21 December 2018. As the lots are now included in the 'Planning Control Area #1' (PCA), the Shire no longer has authority to determine the DA application, and it will need to be determined by the Western Australian Planning Commission (WAPC).

Officers are recommending that Council advises the WAPC that it does not support the DA, as insufficient information has been provided to assess the likely impacts of the proposal. Officers also recommend that Council refuses the EIL application for the same reason and as no DA has been granted.

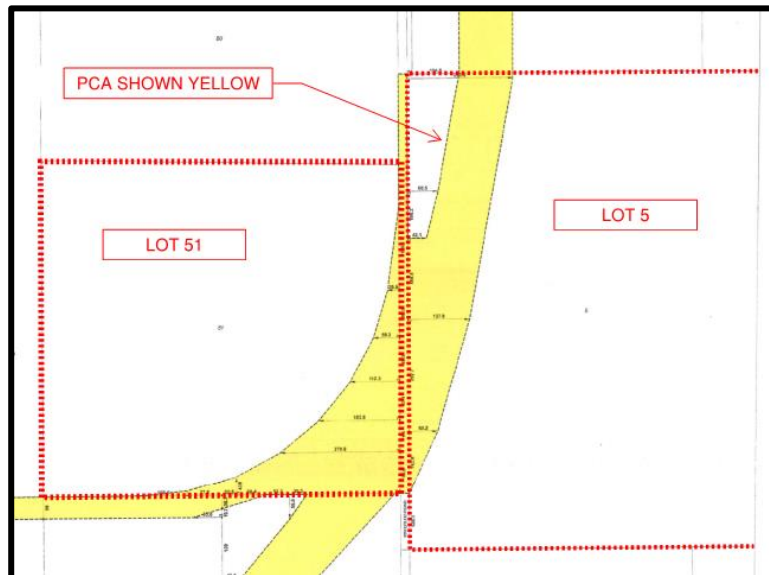
Location Plan



Scheme Map



Planning Control Area Map (subject lots in red)



Background

The subject lots are Lot 51 which lies west of Waterloo Rd, and Lot 5 which lies on the opposite side of Waterloo Rd. Lot 5 contains a 20m wide carriageway easement along its southern boundary, named Wild Rose Rd (being a private road), which benefits Lot 303 (622) Waterloo Rd to the south. A Water Corporation drain runs along Waterloo Rd between Lot 51 and Lot 5, and provides drainage for upstream properties.

In 2005, DA was granted for an extractive industry (clay extraction) on a number of lots which lie to the north of Lot 51. The lots have since been amalgamated to form Lot 50 and Lot 51. The extractive industry DA related the land in Lot 50 only and expired in 2010.

On 16 March 2010, Lot 50 was rezoned from General Industry zone and General Farming zone, to Lot 50 is now on the plans Restricted Use zone, to permit the use of a 'Brick Manufacturing Plant' as of right.

No DAs have been issued previously for the two subject lots.

The current DA and EIL applications have been assessed by Shire officers, with the intention that Council would determine the applications. However, on 15 May 2020, the Minister for Planning gazetted a 'Planning Control Area' (PCA) to allow the possible future reservation of land for the Bunbury Outer Ring Road. The declared PCA applies to the subject lots as shown above, and in (Appendix ORD: 12.5A). In accordance with Section 115 (3) of the *Planning and Development Act 2005* (the Act), the application will now need to be forwarded to the WAPC for determination, along with a recommendation from the Shire. The full application is contained in (Appendix ORD: 12.5B).

- *Advertising*

As part of the officers' assessment, the application was advertised as follows:

- By postal notice to the owners of properties within 1km of the proposed development site, for a period of 21 days, from 27 September 2019 to 24 October 2019;
- Public notice published in the South Western Times on 3 October 2019;
- Signs placed on the fences to the sites abutting Waterloo Rd;
- Public notice published on the Shire's website.

The proposal was also referred to relevant agencies, being:

- Department of Mines and Industry Regulation (DMIRS)
- Water Corporation
- Main Roads Western Australia (MRWA)
- Department of Planning, Lands and Heritage (DPLH)

Two public submissions and seven agency submissions were received. A copy of the full submissions are contained in (Appendix ORD: 12.5C).

The main areas of concern raised in the submissions were:

- the potential for unacceptable noise emissions, and dust emissions, from extraction operations as well as from truck movements on the road; and
- Likelihood of groundwater interception and risk of groundwater contamination.

The submissions are summarised in the Schedule of Submissions included in (Appendix ORD: 12.5D).

Legal Implications

The Western Australian Planning Commission has resolved to declare a planning control area under the provisions of the *Planning and Development Act 2005*. The Minister for Planning has granted approval and a declaration notice has been published in the *Government Gazette* on Friday 15 May 2020. The planning control area provisions prevail over every other provision of the Act, the region planning scheme and the local planning scheme to the extent of any inconsistency with those provisions and schemes. Any applications for development approval in the planning control area are to be forwarded to the WAPC for determination. The Act requires the local government to submit the application with its recommendation, to the Commission for determination within 30 days.

The applicant has a right of appeal against the determination of the WAPC through the State Administrative Tribunal (SAT).

Shire of Dardanup *Dust Local Law 2011* - A Dust Management Plan is included in the Clay Extraction Management Plan (July 2019). It is recommended that a condition be imposed that requires the

upgrading of the Dust Management Plan, and implementation of the plan for the duration of the extractive operations.

Shire of Dardanup *Extractive Industry Local Law 2014* – this Local Law provides the statutory requirements relevant to extractive industries within the Shire of Dardanup. It is a prerequisite that a Development Approval be considered and approved prior to Council granting an Extractive Industry Licence (EIL). The Shire will not be able to approve the EIL, if it intends to do so, unless the DA is approved by the WAPC.

Strategic Community Plan

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

Strategy 2.2.1 - To conserve natural resources. (Service Priority: High)

Strategy 2.3.1 - Continue to implement integrated environmental, social and land use planning which meets diverse community needs. (Service Priority: Very High)

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

Environment

Officers are unable to assess the likelihood of environmental impacts as no ground water assessment has been provided by the applicant.

Precedents

- DA P102/15 approved by Council on 9 March 2016, for sand and gravel extraction at Lot 2 Banksia Rd, Crooked Brook [38-16].
- DA P33/17 approved by Council on 9 August 2017, for gravel extraction at Lot 1(927) Crooked Brook Rd, Crooked Brook [201-17];
- DA P33/17 amended by Council on 28 March 2018 (amend one condition and delete another condition) [77-18].

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - CP055 – *Extractive Industries (Site Rehabilitation)*.

The policy requires, amongst other things, that “the dust and noise impacts of an operating site will be minimised through the establishment of buffers between the pit and neighbours”. The Noise Management Plan and acoustic assessment is discussed in further detail in the officer comments section of this report. Essentially, Officers are not satisfied that the noise management measures proposed are sufficient to mitigate the impacts to neighbours, and therefore do not consider that proposal complies with CP055 in this regard.

Having regard to site rehabilitation, the policy requires rehabilitation to be undertaken progressively through the life of the pit, and for topsoil to be respread. The rehabilitation plan submitted with the application report (Part 5.9, p.69) states that the rehabilitation will be staged, and that the excavation pits will be re-contoured into ‘farm dams’, and surrounding areas re-contoured with topsoil and planted for pasture. Re-contouring will be undertaken during the summer months, with weed control taking place during autumn.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.5E) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.											
Risk Event	<p>Health: Contamination of ground or surface water, fugitive dust, excessive noise, creation of unmanaged mosquito breeding areas.</p> <p>Environment: Contamination of ground or surface water, fugitive dust emissions.</p>										
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)										
Risk Action Plan (treatment or controls proposed)	<p>Applicant to submit (new or amended as relevant) mosquito management plan, ground water investigation data, acoustic report, dust management plan, and associated management plans, for the Shire, DWER and to review prior to DA approval.</p> <p>Shire to request advice from DWER regarding acceptable mitigation and treatment measures.</p>										
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)										
Risk Category Assessed Against	<table border="1"> <tr> <td>Health</td> <td>Contamination of ground or surface water, fugitive dust, excessive noise, creation of unmanaged mosquito breeding areas.</td> </tr> <tr> <td>Financial</td> <td>Cost to Shire for ongoing enforcement of conditions</td> </tr> <tr> <td>Legal and Compliance</td> <td>Breach of DA conditions</td> </tr> <tr> <td>Reputational</td> <td>Risk of approval without understanding health and environmental risk resulting in reputational damage</td> </tr> <tr> <td>Environment</td> <td>Contamination of ground or surface water; fugitive dust emissions.</td> </tr> </table>	Health	Contamination of ground or surface water, fugitive dust, excessive noise, creation of unmanaged mosquito breeding areas.	Financial	Cost to Shire for ongoing enforcement of conditions	Legal and Compliance	Breach of DA conditions	Reputational	Risk of approval without understanding health and environmental risk resulting in reputational damage	Environment	Contamination of ground or surface water; fugitive dust emissions.
	Health	Contamination of ground or surface water, fugitive dust, excessive noise, creation of unmanaged mosquito breeding areas.									
	Financial	Cost to Shire for ongoing enforcement of conditions									
	Legal and Compliance	Breach of DA conditions									
	Reputational	Risk of approval without understanding health and environmental risk resulting in reputational damage									
Environment	Contamination of ground or surface water; fugitive dust emissions.										

Officer Comment

The main elements of the proposed clay extraction operation are summarised as follows:

- extraction on Lot 51 (west of Waterloo Rd) and Lot 5 (east of Waterloo Rd);
- combined ‘operating’ area of 163.6Ha, and total extraction area is 128.7Ha (as measured by officers and not including buffers and landscaped bunds);
- expiry period - 20 years;
- hours proposed: 7am - 6pm Monday to Saturday, no Sundays or Public Holidays;
- 80,000 tonnes per annum to be extracted and stockpiled;
- 40,000 tonnes per annum of the stockpiled material to be carted off-site;
- 2,000 truck movements per annum;
- extraction pits 4-5m deep;
- staged operation: lot 51- six stages, Lot 5- four stages;
- topsoil and overburden to be stockpiled/bunded adjacent to pit areas, 10m wide, 0.5m high and landscaped; and
- extraction pits to be progressively rehabilitated into ‘farm dams’.

The application has been assessed against the relevant planning legislation and Scheme provisions, being:

- Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, Clause 67 – Matters to be considered by Local Government

- Greater Bunbury Structure Plan 2013
- Greater Bunbury Region Scheme – Clause 27 - Development of State or Regional Significance
- Draft Waterloo Industrial Park District Structure Plan
- Shire of Dardanup Local Planning Strategy
- Town Planning Scheme No .3 (TPS3)
 - Part 2.2 - Objectives of the zone (General Farming zone)
 - Appendix II – Development Standards
- Local Planning Policies:
 - CP055 – Extractive Industries (Site Rehabilitation)
- State Planning Policies:
 - SPP 2.0 - Environment and Natural Resources
 - SPP2.4 - Basic Raw Materials (draft 2018)
 - SPP 2.5 - Rural Planning
 - SPP 2.9 - Water Resources
- EPA Guidance Statement 3 – Guidance for the Assessment of Environmental Factors: Separation Distances between Industrial and Sensitive Land Uses
- Water Quality Protection Note No.15 ‘Basic raw materials extraction, 2019’ (DWER)

Each of the relevant provisions are discussed in turn below.

- *Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, Clause 67 – Matters to be considered by Local Government*

Clause 67 of the Planning Regulations contains a list of matters to be considered by Local Government when determining an application for Development Approval. The relevant matters in Clause 67 that have been considered with regard to this application include but are not limited to traffic impacts, orderly planning, risk to human and environmental health. The assessment against Clause 67 is included in (Appendix ORD: 12.5F).

- *Greater Bunbury Structure Plan 2013*

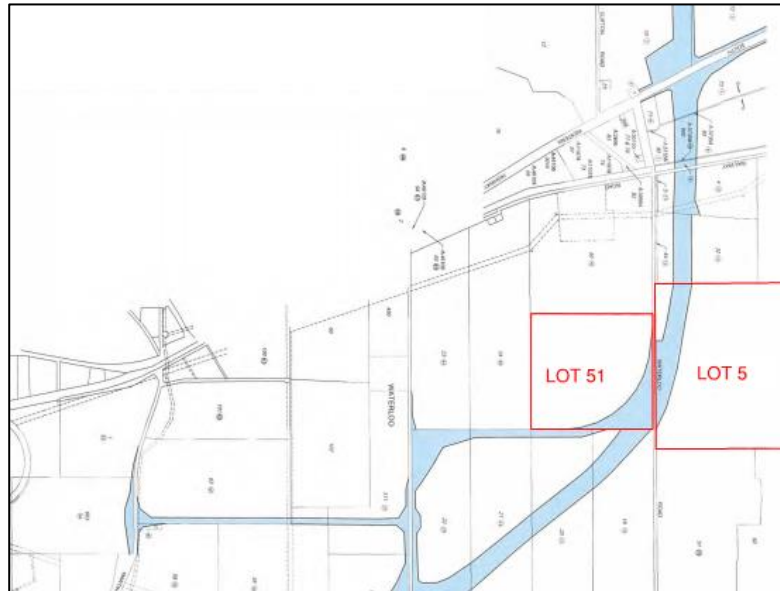
Lot 51 is within the Industrial Expansion Area. There are no relevant requirements.

- *Greater Bunbury Region Scheme (GBRS) – Clause 27 - Development of State or Regional Significance*

Shire officers requested advice from the Department of Planning, Lands and Heritage (DPLH) as to whether it considers the proposal to be of ‘State or Regional Significance’, having regard to the proposed Bunbury Outer Ring Road (BORR) alignment. DPLH advised that if the Shire’s decision on the application is contrary to advice received from Main Roads WA (MRWA), the proposal could be ‘called in’ by the Western Australian Planning Commission (WAPC) for an application and decision under the GBRS.

MRWA advised that it was liaising with the property owners to acquire part of the land for the BORR, and recommended the proposal be modified to exclude the areas to be acquired for the BORR. The applicant was provided with a schedule of submissions on 26 November 2019 (all submissions received to that date), including the MRWA comments. The proposal has not revised to comply with the requirements/request of MRWA.

The plan provided by MRWA with its submission shows the BORR impacting both Lot 5 and Lot 51 (shown in red) below.



This is generally consistent with the 'Planning Control Area' recently gazetted, shown on the first page of this report.

- *Draft Waterloo Industrial Park District Structure Plan*

The Draft Waterloo District Structure Plan (DWDSP) aims to “provide for a diversity of industrial space to give future industries the opportunity to develop and grow” and “complement existing industrial and business parks in the rest of the sub-region, while bringing additional development opportunities”.

Lot 51 is within an area identified as a regionally significant clay deposit. Part 4.11 of the DWDSP prevents any permanent development of the clay deposit area that would prejudice future extraction of clay. The proposal complies with the DWDSP.

- *Shire of Dardanup Local Planning Strategy*

The Local Planning Strategy (LPS) identifies Lot 51 as being 'Industrial' and Lot 5 as 'Priority Agriculture' on the Land Use Change Map. Part 3.5.2 notes that most of the land in the future industrial area (Waterloo/Paradise Industrial Area) is cleared farmland with few environmental constraints. The proposal complies with the intent of the LPS.

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

Part 2.2 - Objectives of the zone (General Farming zone)

Lot 5 is 97.89ha and Lot 51 is 61.9 Ha in size, and both are zoned 'General Farming'. The objectives of the zone are:

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

Whilst extractive industries can be considered in the zone, it is unclear how compatible the proposal will be with nearby farming activities. Despite numerous request to do so over a period of 18 months, the applicant has not provided any data necessary for officers (or DWER) to ascertain the likely impacts to groundwater, which adjoining and nearby farms rely on for agricultural production. Neighbouring properties may also be impacted by noise, and this issue is discussed in more detail further in this report.

Officers also consider that the proposed 0.5m high topsoil and overburden stockpiles/bunds are insufficient to provide visual screening, particularly given that vegetation planted on the bunds will take a number of years to establish and mature before it provides any effective screening. Therefore, Officers are recommending that if the proposal is supported, vegetated bunding that is a minimum of 2m high is required.

- *Appendix II – Development Standards*

TPS3 Appendix II requires all development to be setback 20m from all lot boundaries. The proposed Extraction Plan (including the Clay Extraction Management Plan report as ‘Appendix B’) shows a 10m wide landscaped bund surrounding the extraction areas, which is setback 20m setback from boundaries. The proposal complies with the development standards in TPS3.



- *CP055 – Extractive Industries (Site Rehabilitation)*

- *Noise*

A General Condition in CP055 is that noise impacts be minimised. The Noise Management Plan states that as excavation progresses, the working level will be below ground level, and that together with resultant overburden piles (as they also develop over time) will reduce noise impacts. However, there are no control measures proposed for ensuring that noise levels comply with the Noise Regulations until the excavation reaches final depth, or while overburden is being excavated and banded.

Officers note that the noise levels shown in the noise modelling appear to be underestimated, as modelling has only been shown for removal of topsoil and overburden to approximately 0.5m deep, and extraction at 4m below NGL (and behind resulting ‘bundings’). There is no noise modelling for the extraction between 0.5m and 4m below NGL. Therefore the report is considered to be incomplete.

The Shire’s Environmental Health officers have advised that it is likely that noise levels will exceed assigned levels during topsoil stripping and bund construction. Further, officers advised that noise generated during extraction activities between ground level and 4m depth are likely to exceed the levels predicted in the modelling, as there will be less shielding from excavation walls and bunds. The maximum bund/stockpile height proposed is only 0.5m above natural ground level (NGL). The

noise modelling in the acoustic assessment shows exceedances will occur at several receivers throughout the life of the site.

The acoustic assessment was referred to DWER for review, which raised similar concerns to those outlined above. DWER stated that the “modelling indicated that noise emissions from the proposed operation will exceed the assigned noise levels at or more of the neighbouring residences in all 10 operation states, when the noise is tonal”.

Noise impacts have been raised in public submissions. Officers are not satisfied that, based on the information provided, no noise impacts to nearby dwellings will result. Therefore, if the proposal is supported Officers recommend conditions to monitor and manage noise emissions more effectively, including:

- An amended acoustic report which includes noise modelling noise for excavation between 0.5m and 4m below natural ground level;
- An amended overall Noise Management Plan that addresses the recommendations in the amended acoustic report for all activities (including for topsoil stripping and bund construction), and which includes measures for restructuring of noise mitigation over the lifetime of the proposed operation to minimise offsite noise impacts.

➤ *Dust*

The Dust Management Plan requires additional information before it is considered to be acceptable to officers. On advice from the Shire’s Environmental Health Department, Officers recommend that if the proposal is supported, a condition be included in the approval requiring the Dust Management Plan to be amended to include:

- the operator to notify adjoining landowners a minimum of 48hrs before dust generating activities are commenced on site;
- alerts on dust monitoring equipment when results are approaching the maximum 1 day average;
- alerts being recorded along with investigation of the reasons for the high particulate level;
- the results of particulate monitoring, alerts received, and actions taken after alerts must be available to the Shire Officers on request; and
- the location of the monitoring equipment to be relocated if requested by the Shire’s Environmental Health Department.

● *State Planning Policies:*

➤ *SPP 2.0 - Environment and Natural Resources*

SPP2.0 is the overarching State Planning Policy for protection of the environment and natural resources. Amongst other measures, SPP2.0 aims to:

- avoid development that may result in unacceptable environmental damage;
- actively seek opportunities for improved environmental outcomes including support for development which provides for environmental restoration or enhancement;
- take account of the availability and condition of natural resources, based on best available information at the time; and
- take account of the potential for on-site and off-site impacts of land use on the environment, natural resources and natural systems.

SPP2.4 and SPP2.5, discussed below, build on the objectives of SPP2.0 in more detail.

➤ SPP2.4 - Basic Raw Materials

SPP2.4 aims to identify and protect areas of basic raw material resources from incompatible development, and ensure that extraction doesn't result in adverse environmental or amenity impacts in the locality. The onus is on the applicant to demonstrate that adverse impacts will not result.

Despite numerous requests from officers for groundwater assessment, this has not been provided to date. Therefore, officers are unable to determine whether adverse environmental impacts will result. Given the likelihood that groundwater will be intercepted and the impacts of doing so are unable to be assessed at this time, officers do not consider it appropriate to give conditional support to the proposal.

SPP2.4 recommends compliance with the EPA requirements for separation distances from industry to sensitive land uses, which is discussed later in this report. The EPA guideline suggests a smaller, 500m separation distance. The proposal does not achieve a 500m separation distance.

Officers consider that the proposal does not demonstrate compliance with the objectives of SPP2.4, and are unable to foresee with any certainty that compliance could be achieved.

➤ SPP 2.5 - Rural Planning

The policy applies to all development proposals on rural zoned land, and aims to "protect and preserve Western Australia's rural land assets due to the importance of their economic, natural resource, food production, environmental and landscape values". Part 5.9 of the policy states

"Identification of basic raw material sites does not presume that extraction would be environmentally acceptable or that subsequent approval for extraction would be guaranteed. Nor does it remove the requirement of local government authorities or proponents to meet their obligations to identify those environmental constraints which may determine the extent and/or manner in which a proposal may be implemented".

The policy asks that planning decisions "support the protection of water resources and their dependent environments in order to maintain or improve water quality". Without any groundwater investigation of the highest groundwater level, flow and quality, and a consequent Groundwater Management Plan, officers are unable to properly consider off-site impacts, and are not satisfied that proposal will protect water quality.

Part 5.12.1(b) of the policy states that separation distances in environmental policy and health legislation should be met, where off-site impacts will occur. Typically, proposals need to demonstrate that reduced separation distances are justified, if proposed, by meeting assigned (maximum) noise levels. The required 500m separation distance is not met in this proposal, and the acoustic report does not demonstrate that maximum assigned noise levels will be met for all operational activities.

➤ SPP 2.9 - Water Resources

The policy provides guidance on the planning, protection and management of surface and groundwater catchments, expanding the guidance of SPP2.0. Specifically, SPP2.9 aims to prevent any adverse effects to ground and surface water quality and quantity, by such things as increased acidity and salinity, leaching of acid sulphate soils, erosion, sedimentation, turbidity, pollution, and contamination, amongst other things.

The policy aims to protect and manage water resources through adoption of stated policy measures, including when considering and determining planning proposals. Policy measure 5.1(iv) includes

“Inform planning actions by identifying all water resources above and below ground in the subject area, and mapping and prioritising them in terms of state, regional or local significance. Water resources to be identified include ... groundwater and surface water catchments”.

Policy measure 5.2(ii) goes further still, aiming to

“Protect, manage, conserve and enhance surface and groundwater catchments and recharge areas supporting significant ecological features or having identified environmental values, by ensuring, where possible, appropriate management or limiting inappropriate land use/s to maintain water quality and quantity for existing and future environmental and human uses”.

DWER has noted that the proposal is almost certain to intercept ground water, and has the capacity to interfere with the viability of rural land on the subject land and surrounding land. However, as no groundwater data or investigation has been provided by the applicant, neither Shire officers nor DWER are in a position to assess the potential impacts of the proposal to groundwater, or assess compliance with SPP2.0 and more specifically SPP2.9. It is critical for the application to demonstrate that the proposal will not impact either ground water or surface water at the subject land or in the local area. This has not been demonstrated.

Mapping provided by DWER on its web mapping service shows that the land has a low to moderate risk of acid sulphate soils (ASS) within 3m of natural ground level, and a moderate to high risk of ASS beyond 3m of natural ground level. Given the proposed excavation depths of 4-5m, officers recommend a condition requiring an ASS investigation of the proposed excavation sites and other any areas that will be disturbed, and an Acid Sulphate Soil Management Plan (ASSMP) if any ASS is identified, prior to works commencing if the proposal is supported. DWER has also recommended an ASSMP.

Officers consider that the proposal does not demonstrate compliance with the objectives of SPP2.9.

- *EPA Guidance Statement No.3 – Guidance for the Assessment of Environmental Factors: Separation Distances between Industrial and Sensitive Land Uses*

The Environmental Protection Authority (EPA) ‘Guidance Statement No 3’ includes recommendations for separation distances from sensitive land uses such as dwellings, for noise, dust, odour and gas emissions. The required minimum buffer distance for clay extraction is 500m. There are existing dwellings on both of the subject lots, which are proposed to be removed, however the land at Lot 19 (687) Waterloo Rd, which lies immediately south of Lot 51, contains a dwelling that is within 500m of the excavation areas on both of the subject lots.

The proposal does not comply with the EPA guidelines for separation from sensitive receptors, and does not demonstrate that noise can be reduced to an acceptable level throughout the life of the operation.

- *Water Quality Protection Note No.15 ‘Basic raw materials extraction, 2019’ (DWER)*

DWER’s Water Quality Protection Note No.15 (WQPN15) requires adequate separation between highest seasonal groundwater and the base of extractive industry pits. As no groundwater assessment

has been provided, neither Shire officers nor DWER are able to assess the risk to groundwater. The proposal therefore does not demonstrate that it complies with the policy.

DWER has recommended that the applicant provides a groundwater investigation including the highest groundwater level, groundwater flow and quality, and an accurate water balance for the sites related to the dimensions and locations of stormwater detention basins, drainage channels, bunds and the like.

- *Extractive Industry Local Law*

- *Security for Restoration and Reinstatement*

Pursuant to the *Shire of Dardanup Extractive Industries Local Law 2014*, the Council can ensure that an excavation site is properly restored or reinstated by requiring a bond or bank guarantee for a value determined by the Shire, prior to the issuance of an Extractive Industry Licence. The subject application proposes to create 'farm dams' in the extraction pits, and re-contour the remainder of the sites to gentle sloping pasture land.

At present, Council does not have an endorsed rate to which a rehabilitation bond applies however, it is recommended that the rate of \$5,000 per hectare be used to calculate the required rehabilitation bond, which is consistent with the rate used by adjoining local governments for extractive industries of a similar nature. This is also the rate used by Council for an extractive industry approval issued in 2016 on Lot 2 Banksia Road, Crooked Brook.

Officers have measured the excavation areas proposed on the Extraction Plan in Appendix B of the Clay Extraction Management Plan, which are:

- Lot 51: 61.7Ha
- Lot 5: 67 Ha

The total excavation area is 128.7 ha in total not including any buffer areas or landscaped bunds. Using the above rate, a rehabilitation bond/bank guarantee of \$643,500 would be required to be provided prior to the issuance of an Extractive Industry Licence.

As no DA has been granted at this time for the Extractive Industry, the Shire is not able to approve the Extractive Industry Licence application.

Officer Recommendation

The application has been considered having regard to all relevant planning legislation and provisions. Officers consider that there is insufficient information to support the proposal, given the potential noise impacts and risk to water quality, and therefore officers consider that the proposal should not be approved at this time, and are recommending that the Shire advises the WAPC that it does not support the application.

Council Role - Quasi-Judicial.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

160-20 MOVED - Cr. P S Robinson SECONDED - Cr. M R Hutchinson

THAT Council:

1. Pursuant to Section 115(2) of the Planning and Development Act 2005, recommends to the Western Australian Planning Commission that the Development Approval for the use and development of Lot 5 Waterloo Road and Lot 51 Railway Road, Waterloo, for 'Industry – Extractive' (Clay Extraction) be refused for the following reasons:

(a) The application does not demonstrate compliance with:

- i) SPP 2.0 – 'Environment and Natural Resources', as no ground water assessment has been submitted, and therefore the proposal does not take into account the potential off-site impacts on the environment;
- ii) SPP2.4 – 'Basic Raw Materials', as the acoustic assessment does not demonstrate that no impact to dwellings in the area will result;
- iii) SPP 2.5 – 'Rural Planning', as no ground water assessment has been submitted, and therefore the proposal does not take into account the potential off-site impacts on the environment;
- iv) SPP 2.9 – 'Water Resources', as no ground water assessment has been submitted;
- v) The Shire of Dardanup Town Planning Scheme No. 3 (TPS3), Clause 2.2, as it does not demonstrate that areas of significant agricultural value are protected from conflicting land uses, as no ground water assessment has been submitted;
- vi) EPA Guidance Statement 3 – 'Guidance for the Assessment of Environmental Factors: Separation Distances between Industrial and Sensitive Land Uses', as the separation distances do not comply, and it is considered likely that nearby dwellings will be impacted by noise;
- vii) Council Policy CP055 'Extractive Industries (Site Rehabilitation)', as the acoustic assessment does not demonstrate that no impacts to dwellings in the area will result;

(b) The application does not detail the probable impacts from noise to properties and people in the locality, as the acoustic assessment does

not model noise emissions from excavation between 0.5m and 4m below natural ground level.

- (c) The application does not detail the probable impacts to ground water and how this can be minimised as no groundwater assessment or Groundwater Management Plan has been provided. Therefore, the Shire cannot be satisfied that the land use will maintain water quality for the subject land and/or other land uses in the vicinity.
 - (d) Having regard to proper and orderly planning, the application does not demonstrate compatibility with the proposed alignment of the Bunbury Outer Ring Road (BORR), being a seriously entertained proposal for a primary regional road reservation.
2. In accordance with Section 115 (3) of the Planning and Development Act 2005 (the Act), forwards the application, supporting documents and Council's recommendation to the WAPC for determination.
3. Refuses to grant an Extractive Industry Licence for Clay Extraction Lot 5 Waterloo Road and Lot 51 Railway Road, Waterloo, for the following reasons:
- (a) An application for Development Approval for extractive industry (clay extraction) at the subject lots is required prior to approval of an Extractive Industry Licence; and
 - (b) The application does not demonstrate compliance with:
 - i) SPP 2.0 – 'Environment and Natural Resources', as no ground water assessment has been submitted, and therefore the proposal does not take into account the potential off-site impacts on the environment;
 - ii) SPP2.4 – 'Basic Raw Materials', as the acoustic assessment does not demonstrate that no impact to dwellings in the area will result;
 - iii) SPP 2.5 – 'Rural Planning', as no ground water assessment has been submitted, and therefore the proposal does not take into account the potential off-site impacts on the environment;
 - iv) SPP 2.9 – 'Water Resources', as no ground water assessment has been submitted;
 - v) The Shire of Dardanup Town Planning Scheme No. 3 (TPS3), Clause 2.2, as it does not demonstrate that areas of significant agricultural value are protected from conflicting land uses, as no ground water assessment has been submitted;

- vi) EPA Guidance Statement 3 – ‘Guidance for the Assessment of Environmental Factors: Separation Distances between Industrial and Sensitive Land Uses’, as the separation distances do not comply, and it is considered likely that nearby dwellings will be impacted by noise;
 - vii) Council Policy CP055 ‘Extractive Industries (Site Rehabilitation), as the acoustic assessment does not demonstrate that no impacts to dwellings in the area will result;
- (c) The application does not detail the probable impacts from noise to properties and people in the locality, as the acoustic assessment only models noise from sources at or greater than 4m below natural ground level.
- (d) The application does not detail the probable impacts to ground water and how this can be minimised as no groundwater assessment or Groundwater Management Plan has been provided. Therefore, the Shire cannot be satisfied that the land use will maintain water quality for the subject land and/or other land uses in the vicinity.
4. Requests WAPC to apply the following conditions, if WAPC is of a mind to approve the application:
- (a) The development is to be carried out in compliance with the plans and documentation listed below and endorsed with the Western Australian Planning Commission stamp, except where amended by other conditions of this approval.

P1 – Clay Management Extraction Plan July 2019, received at the Shire offices on 7 August 2019

P2 – Acoustic Assessment February 2020, received at the Shire offices on 28 February 2020
 - (b) The extractive operation shall comply with the Shire of Dardanup Extractive Industries Local Law 2014 and the Shire of Dardanup Dust Control Local Law at all times.
 - (c) Prior to works commencing, the following must be submitted to and approved by the Western Australian Planning Commission in consultation with the Shire any other agencies specified):
 - i) An amended Clay Extraction Management Plan and Extraction Plan which:
 - (1) removes the land identified for the BORR alignment from the proposed extraction areas;
 - (2) amends the extraction areas to create a 500m separation distance to the dwelling on Lot 19 (687) Waterloo Rd; and

- (3) shows the locations proposed for stockpiling excavated material.**
- ii) An amended Acoustic Assessment report which includes noise modelling for excavation between 0.5m and 4m below natural ground level;**
- iii) An amended Noise Management Plan that addresses the recommendations in the amended acoustic report for all activities (including for topsoil stripping and bund construction), and which includes measures for restructuring of noise mitigation over the lifetime of the proposed operation to minimise offsite noise impacts;**
- iv) An amended Rehabilitation Plan demonstrating that the visual amenity of the area will be protected by re-contouring and rehabilitation of excavation pits in accordance with the following requirements:**
 - (1) Up to two stages on a lot may be excavated at the same time, provided that all previously excavated stages on that lot are completely rehabilitated prior to the completion of any subsequent stage on that lot, to enable two stages to progress together with the gradual progression of rehabilitation across the lot; and**
 - (2) rehabilitation of any all excavated stage must be completed within 12 months of the final excavation of that stage.**
- v) An amended Dust Management Plan to include the following:**
 - (1) the operator to notify adjoining landowners a minimum of 48hrs before dust generating activities are commenced on site;**
 - (2) alerts on dust monitoring equipment when results are approaching the maximum 1 day average;**
 - (3) alerts being recorded along with investigation of the reasons for the high particulate level;**
 - (4) the results of particulate monitoring, alerts received, and actions taken after alerts must be available to the Shire Officers on request; and**
 - (5) the location of the monitoring equipment to be relocated if requested by the Shire's Environmental Health Department.**
- vi) An amended Weed Management Plan that includes weed management during the extraction phase, as well as during the rehabilitation;**

- vii) A Groundwater Investigation report, and a Ground Water Management Plan that demonstrates that groundwater quality will be protected from extraction and any other associated activities, at all times. The Ground Water Management Plan is to be approved by the Shire and Department of Water and Environmental Regulation (DWER) prior to works commencing;
 - viii) An investigation of the lots for Acid Sulfate Soils (ASS), and an Acid Sulfate Soil Management Plan (ASSMP) if any ASS is identified;
 - ix) A Mosquito Management Plan for management of mosquitos and mosquito breeding areas during the extraction phase, as well as part of the rehabilitation;
 - x) A Stormwater Management Plan that includes an accurate water balance for the site, related to the dimensions and locations of stormwater detention basins, drainage channels, bunds and the like, to the satisfaction of the Shire and Department of Water and Environmental Regulation (DWER). Stormwater detention must be designed and constructed to accommodate a 2 hour, 1% AEP event, and all stormwater must be detained on site to pre-development flows, unless otherwise approved in writing by the Shire.
 - xi) All proposed crossovers and any crossovers to be upgraded must be constructed to the satisfaction of the Shire, Main Roads WA and Water Corp, and must comply with the following:
 - (1) Be designed and constructed to accommodate the swept paths of RAV 3 vehicles;
 - (2) 'Truck Entering' signs are placed on the approaches to the access on Waterloo Road to advise other drivers, subject to the consent of Main Roads WA; and
 - (3) Signs must be erected at all entrances to both subject lots facing both internally and externally, to notify drivers of heavy haulage vehicles of all road restrictions imposed by this Development Approval.
 - xii) The applicant is to lodge a bond or unconditional bank guarantee for rehabilitation of the extraction sites in the favour of Council, for the amount of \$643,500.
- (d) The site must not be operated for clay extraction activities, including cartage or any associated works, other than within the following times:
- Monday to Saturday from 7am to 6pm inclusive; and
 - No operations and cartage are permitted on Sundays and Public Holidays.

- (e) Prior to extraction of any stage, vegetated bunds that are a minimum of 2m high must be constructed adjoining the excavation areas for that stage, to provide a visual screen from adjoining properties and the road. The vegetation must consist of local endemic species comprising a range of story's and must include ground covers, understory and canopy trees.
- (f) The extractive operations including all stockpiles, batters and bunds, and internal access roads associated with the development must be setback a minimum of 20 metres from the boundaries of the subject lots at all times.
- (g) Heavy haulage vehicles associated with the operation are restricted to using the section of Waterloo Road from the extraction sites to South Western Highway only, unless otherwise authorised by the Shire.
- (h) Vehicles associated with the approved Extractive Industry (clay extraction) are not permitted to use Wild Rose Road to access or exit from Lot 5 Waterloo Road.
- (i) No processing, crushing, screening or blasting is permitted on the subject lots unless with the written consent of the Shire.
- (j) The on-site refuelling of plant and equipment associated with the approved extractive industry shall be restricted to a mobile service vehicle carrying appropriate spill prevention and clean up equipment.
- (k) All stormwater must be detained on site to pre-development flows at all times, in accordance with the approved Stormwater Management Plan.
- (l) Compliance with the approved Stormwater Management Plan and any recommendations contained therein at all times during the life of the extractive industry to the satisfaction of the Shire.
- (m) Compliance with the approved Dust Management Plan and any recommendations contained therein at all times during the life of the extractive industry to the satisfaction of the Shire.
- (n) Compliance with the approved Weed Management Plan and any recommendations contained therein at all times during the life of the extractive industry to the satisfaction of the Shire.
- (o) Compliance with the approved Mosquito Management Plan and any recommendations contained therein at all times during the life of the extractive industry to the satisfaction of the Shire.
- (p) Compliance with the approved Stormwater Management Plan and any recommendations contained therein at all times during the life of the extractive industry to the satisfaction of the Shire.

- (q) **Compliance with the approved Noise Management Plan and any recommendations contained therein at all times during the life of the extractive industry to the satisfaction of the Shire.**
 - (r) **Compliance with the approved Ground Water Management Plan and any recommendations contained therein at all times during the life of the extractive industry to the satisfaction of the Shire and Department of Water and Environmental Regulation.**
 - (s) **This approval is valid for a period of 20 years from the date of development approval.**
5. **Defers the determination of the Application for an Extractive Industry Licence (clay extraction) on Lot 5 Waterloo Road and Lot 51 Railway Road, Waterloo, until Development Approval has been granted for the same proposal.**

CARRIED
8/0

12.6 Title: Waterloo Volunteer Bushfire Brigade Redevelopment – Alternative Concept Plan

Reporting Department: Infrastructure Directorate
Reporting Officer: Mr Nathan Ryder - Manager Infrastructure Planning & Design
Legislation: Local Government Act 1995

Overview

Council is requested to approve an alternative concept plan for the proposed Waterloo Bushfire Brigade redevelopment.

Background

Under the 2018/19 Local Government Grant Scheme (LGGS) administered by the Department of Fire and Emergency Services (DFES), the Shire of Dardanup was issued a capital grant of \$393,909 to replace the existing Waterloo station with a new facility.

On 21 November 2018, Council resolved to request the Department of Planning Lands and Heritage (DPLH) to amend the boundaries of Reserves 46108 and 43011 to facilitate the construction of the new Waterloo Volunteer Bushfire Brigade (Waterloo VBFB) building.

In considering feedback from the brigade and the design of the building it was established that the current site was too small to rebuild the new facility. In order to create an increased land area to accommodate the new station the Shire sought to gain ownership/management of neighbouring Reserve 46108.

At the Ordinary Council Meeting held on 25 March 2020, Council resolved the following [Res: 49-20]:

“THAT Council:

- 1. Approve the execution of the lease for Waterloo Bushfire Brigade Site (Part of Reserve No.46108) from the Conservation and Land Management Executive Body.*
- 2. Authorise the Chief Executive Officer and Shire President to negotiate and execute the lease.”*

Since 2000, the Waterloo Diggers Club held a lease over the Waterloo Hall (Reserve 5567). On 11 March 2020, the Shire received correspondence from the Diggers Club advising that the Club had agreed to dissolve and as such terminate the lease with the Shire. Council acknowledged the termination of the lease agreement at the Council meeting held on 27 May 2020 (CR 124-20).

Since the Waterloo Hall is no longer leased, and through subsequent discussions between Councillors and Shire Executive Staff, the Chief Executive Officer directed Shire staff to investigate the feasibility of constructing the new Bush Fire Brigade Building on the Waterloo Hall site as a possible alternative to the previously proposed sites (Reserves 43011 and 46108). The idea was to utilise the existing Waterloo Hall building as part of the Bush Fire Brigades facilities, supplemented with other facilities such as vehicle bays, as required.

The sites are as follows:



Shire staff have now prepared a number of comparative concepts, as well as order of magnitude estimates, and they are summarised in the following table:

Option	Description	Order of Magnitude Cost	Comments
-	Redevelopment on existing site (new building and demolish existing)	\$428,000	Requires leasing of Reserve 46108
1	Separate vehicle shed south east of Waterloo Hall with partitioning inside Waterloo Hall.	\$376,000	161m2 new building area. Accessibility of existing building not improved.
2	Separate vehicle shed south east of Waterloo Hall, partitioning inside Waterloo Hall, and new toilet block.	\$420,000	184m2 of new building area. Accessibility of existing building not improved.
3	Separate vehicle shed east of Waterloo Hall, partitioning inside Waterloo Hall.	\$318,000	110m2 new building area. Accessibility of existing building not improved.
4	Vehicle shed, toilets and ramps south of Waterloo Hall, limited partitioning inside Waterloo Hall	\$425,000	207m2 of new building area. Addresses accessibility of existing building. Bush Fire Brigade Preferred option.

The above-listed options and plans have been workshopped with key members of the Waterloo Bush Fire Brigade, including an on-site meeting to confirm the preferred option (Option 4).

Should an option to utilise Waterloo Hall for the Bush Fire Brigade prove feasible, and subject to approval by Council, the existing Bush Fire Brigade building on Reserve 43011 would be used by the Shire for storage purposes. Also, the leasing of Reserve 46108 would not be required.

Project Information Sheets, which include plans of the concepts, are included in (Appendix ORD: 12.6A).

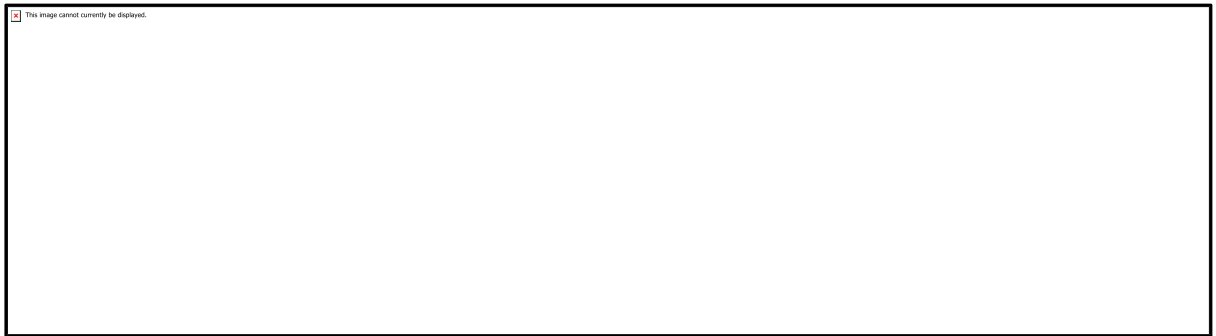
Legal Implications

Regarding the use of the Waterloo Hall on R5567, the Shire of Dardanup holds a Management Order over the lot for the designated purpose of "Agricultural Hall". A copy of the Management Order is

included in (Appendix ORD: 12.6B). For Council to consider the use of the Hall for Bushfire Brigade purposes, officers would need to seek clarification from DPLH as to whether the Management Order needs to be changed to reflect the use of the land for the purpose of Emergency Services. DPLH has, in the past, requested a formal resolution from Council prior to amending a Management Order.

It is to be noted that Reserve 5567 is in a gazetted Bushfire Prone Area and the intensification of the land use would require consideration under SPP 3.7. A Bushfire Attack Level (BAL) assessment would be required under the regulations if the development result in intensification of land use.

The Waterloo Hall is listed on the Shire Heritage Survey, place 56 with some/moderate significance as stated here:



A Development Application (DA) is not triggered as the structure is not listed in a heritage list under TPS3. With works happening at the rear of the building it may not have such a detrimental impact. A DA is not required for public works, such as buildings and structures required for brigade purposes. There are exemptions under the Greater Bunbury Regional Scheme (GBRS) that apply and therefore GBRS approval is not required.

However, Council has in the past prepared DAs for buildings notwithstanding the fact that such an approval was not required. Due to this approach and also the heritage and community importance of this building it is recommended that a DA be submitted and advertised for community comment as soon as possible.

Strategic Community Plan

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

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

Strategy 3.4.2 - Maintain appropriate emergency services and planning. (Service Priority: Very High)

Environment - None.

Precedents - None.

Budget Implications

The budgeted allowance for the new Waterloo Bush Fire Brigade, as per the 2019/2020 Annual Budget, is \$426,107 (J05006), which includes \$393,909 via DFES. This will be carried over to the 2020/2021 Annual Budget.

Since the site of the works is proposed to be changed, approval from the funding body is required. Shire staff consulted with DFES and approval has been given to reallocate the approved funds, \$393,909, towards the refurbishment and garage extension of the Waterloo Community Hall.

Budget – Whole of Life Cost

The ongoing maintenance of the new building will be the responsibility of the Shire, however works may be eligible for capital grant funding under the LGGs.

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: 12.6C) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Management Order Issue
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 Issue if Waterloo Hall is developed not strictly in accordance with the Management Order
	Legal and Compliance Council might be seen in a negative light if it developed an area not in accordance with the Management Order

Officer Comment - None.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

SUSPEND STANDING ORDERS

COUNCIL RESOLUTION

161-20 MOVED - Cr. P S Robinson SECONDED - Cr. C N Boyce

THAT Council Suspend Standing Orders [5.28pm] in order to hear from Chief Bush Fire Control Officer, Mr Chris Hynes.

CARRIED
8/0

COUNCIL RESOLUTION

162-20 MOVED - Cr. P S Robinson SECONDED - Cr. P R Perks

THAT Council resume Standing Orders [5.29pm].

CARRIED
8/0

RESUME STANDING ORDERS

OFFICER RECOMMENDED RESOLUTION

THAT Council:

1. Acknowledges Option 4 as the option that is preferred by the Waterloo Bush Fire Brigade;
2. Supports Option 4 for the extension of the Waterloo Hall to incorporate the Waterloo Bushfire Brigade as the preferred option for the Waterloo Bush Fire Brigade Building;
3. Authorises the Chief Executive Officer to write to the Department of Planning, Lands and Heritage (DPLH) in order to seek that the Management Order be changed (if required), to reflect the use of the land for the purpose of Emergency Services; and
4. Authorises the Chief Executive Officer to prepare tender documentation as per Option 4 and call tenders subject to resolution of Items 2 and 3.
5. Authorises the Chief Executive Officer to submit a Development Application on behalf of the Shire of Dardanup for the proposed development.

Discussion:

Cr. J Dow moved the officer recommended resolution with an additional point 6 to include an asphalt sealed apron from the South West Highway to the new fire station vehicle area and back to the South West Highway.

Change to Officer Recommendation

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

- *Addition of point 6 to include asphalt sealed apron from the South West Highway to the new fire station vehicle area and back to the South West Highway.*

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

163-20 MOVED - Cr. J Dow SECONDED - Cr. P S Robinson

THAT Council:

- 1. Acknowledges Option 4 as the option that is preferred by the Waterloo Bush Fire Brigade;**
- 2. Supports Option 4 for the extension of the Waterloo Hall to incorporate the Waterloo Bushfire Brigade as the preferred option for the Waterloo Bush Fire Brigade Building;**
- 3. Authorises the Chief Executive Officer to write to the Department of Planning, Lands and Heritage (DPLH) in order to seek that the Management Order be changed (if required), to reflect the use of the land for the purpose of Emergency Services; and**

- 4. Authorises the Chief Executive Officer to prepare tender documentation as per Option 4 and call tenders subject to resolution of Items 2 and 3.**
- 5. Authorises the Chief Executive Officer to submit a Development Application on behalf of the Shire of Dardanup for the proposed development.**
- 6. Supports the inclusion of an asphalt sealed apron from the South West Highway to the new fire station vehicle area and back to the South West Highway, to be considered for funding in the 2021/22 financial year.**

CARRIED
8/0

12.7 Title: Regional Economic Development Grant Application

<i>Reporting Department:</i>	<i>Sustainable Development Directorate</i>
<i>Reporting Officer:</i>	<i>Ms Lucy Owen-Conway – Manager Place & Community Engagement</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>

Overview

The purpose of this report is for Council to consider the submission of an application to the Regional Economic Development (RED) grant program toward the implementation of the Gnomesville Master Plan.

Background

The RED grant program is a State Government initiative that invests in projects which will contribute to economic growth and development in regional Western Australia. Supported by the Royalties for Regions program, this round (Round 3) is investing up to \$6 million to fund locally driven projects that will contribute to economic growth in regional communities. A maximum \$200,000 is available for individual projects and a minimum 30% cash contribution is required, noting that applications exceeding the minimum required cash contribution will receive a higher weighting in the assessment process. Applications close 7 July 2020.

The objectives of the RED Grants Program include:

- Sustainable jobs;
- Expanding or diversifying industry;
- Developing skills or capabilities;
- Attracting new investment in the region;
- Maximising recovery from the COVID-19 pandemic impacts.

In the South-West Region priorities include:

- Investing in innovation or value-adding in one or more of the following key industry areas of mining; tourism and events; manufacturing/advanced manufacturing; agriculture; or energy.
- Maximising international and interstate markets or exports.
- Aboriginal small business development.

Shire Officers have identified that works to further progress the Gnomesville Master Plan (endorsed 15 May 2019, Council resolution [RES: 94-19]) (Appendix ORD: 12.7A) could meet the priorities of the RED Grant Funding Program. All works identified in the Gnomesville Masterplan form part of an overall staged implementation program to proceed according to defined priorities and as funding becomes available. Detailed design for priority one works were complete in 2019/20 with construction underway including the installation of a pedestrian access way, bus pull-in bay and kerbing. The installation of toilets is scheduled for 2020/21.

Legal Implications - None.

Strategic Community Plan

Strategy 4.2.1 - To be a visitor destination: Become a choice destination for tourists, visitors and our own residents. (Service Priority: Very High)

Strategy 4.2.2 - Develop and grow the tourism potential of Gnomesville. (Service Priority: Very High)

Strategy 4.2.3 - Foster and promote the Ferguson Valley as a tourism destination. (Service Priority: Very High)

Environment

Environmental concerns were addressed in the creation of the Master Plan to protect and enhance the site’s environmental qualities.

Precedents - None.

Budget Implications

The RED grant program requires a minimum 30% cash contribution by the proponent.

The installation of public toilets at Gnomesville is scheduled for 2020/21, and is funded from Tourism WA grant funding of \$81,602 currently held in trust. \$25,000 from J11636 Gnomesville Master Plan is being carried forward to the draft 2020/21 budget. It is proposed that this allocation be leveraged to apply for an additional \$50,000 in RED grant funding. Therefore there will be no additional cost to Council.

Budget – Whole of Life Cost - None.

Council Policy Compliance

CP090 – Community Engagement Policy. The Gnomesville Master Plan has undergone public consultation.

CP011 – Tourism Policy

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the Officer recommendation. Please refer to (Appendix ORD: 12.7B) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Regional Economic Development Grant Application
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 No additional funding is required from Council to support this application.
	Environment Environmental concerns were addressed in the creation of the Master Plan.

Officer Comment

The RED grant program offers an opportunity for Council to attract external funding to progress a key strategic project while contributing to tourism growth potential.

Council's Strategic Community Plan places high priority on Strategy 4.2.2 - Develop and grow the tourism potential of Gnomesville. The RED grant program is an opportunity to bring forward future stages of the Gnomesville Master Plan to the 2020/21 financial year, allowing an expansion of the path and boardwalk network to improve accessibility and safety.

This project is also in-line with the Shire's Disability Access and Inclusion Plan 2018 – 2023, particularly outcome two: *People with disability have the same opportunities as other people to access the buildings and other facilities of the Shire of Dardanup.*

An application to the RED grant program is consistent with Council resolution 395-18 to *continue to seek external funding as it becomes available to progress the implementation of the Gnomesville Master Plan.*

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

164-20 MOVED - Cr. C N Boyce SECONDED - Cr. T G Gardiner

THAT Council supports an application being submitted to the Regional Economic Development grant program to progress implementation of the Gnomesville Master Plan.

CARRIED
8/0

12.8 Title: Ferguson Valley Marketing Inc. – End of Trial Relocation

Reporting Department: Executive
 Reporting Officer: Mr Phil Anastasakis - Deputy CEO
 Mrs Donna Bailye – PA – Deputy CEO
 Legislation: Local Government Act 1995

Overview

This report provides an update on the trial relocation of the Ferguson Valley Marketing group from the Don Hewison Centre in Dardanup to the Council offices in Dardanup, and recommends that Ferguson Valley Marketing relocate their operations back to the Don Hewison Centre.

Background

The Ferguson Valley Marketing Inc. (FVM) group have leased the Don Hewison Centre since 2008. Negotiations for the renewal of the lease commenced in October 2018 and negotiations were ongoing for the 2019 period. Road works performed on Ferguson Road during December 2019 and January 2020 resulted in the relocation of the FVM group operations from the Don Hewison Centre to the Shire of Dardanup office located at 3 Little Street, Dardanup.

At the Ordinary Council meeting of the 27 November 2019, Council endorsed [RES: 331-19] the relocation of the Ferguson Valley Marketing Inc. from the Don Hewison Centre to the Dardanup Council office at 3 Little Street for a trial period commencing 6 December 2019 to 30 June 2020.

THAT Council:

1. *Endorse the relocation of Ferguson Valley Marketing Inc. from the Don Hewison Centre to the Dardanup Council offices for an initial trial period commencing December 2019 to 30 June 2020, and the associated relocation of signage, equipment and services; and*
2. *Authorise the Chief Executive Officer and Shire President to negotiate and execute a Lease between Ferguson Valley Marketing Inc. and the Shire of Dardanup for the above arrangements identified in Item 1.*

The FVM group signed a new lease agreement in December 2019 to occupy the Council offices, and have been operating from the Shire of Dardanup office during this period.

Legal Implications

Local Government Act 1995

2.7. *Role of Council*

- (1) *The Council —*
 - (a) *governs the local government's affairs; and*
 - (b) *is responsible for the performance of the local government's functions.*
- (2) *Without limiting subsection (1), the Council is to —*
 - (a) *oversee the allocation of the local government's finances and resources; and*
 - (b) *determine the local government's policies.*

The Don Hewison Centre, located at 5 Ferguson Road, Dardanup is the former Dardanup State School. It is listed on the Shire of Dardanup Municipal Heritage Inventory and was included in the Local Heritage Survey (2016) place number 25:

https://www.dardanup.wa.gov.au/wp-content/uploads/sites/105/2014/05/LHS_2016_final-issue_November_2016.pdf.

The building is also heritage listed as Place Number P4628 on the State Register of Heritage Places.

Strategic Community Plan

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

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

Strategy 4.2.3 - Foster and promote the Ferguson Valley as a tourism destination. (Service Priority: Very High)

Environment - None.

Precedents

Council recognises the benefits of co-location of facilities and shared services when possible, which is reflected in many grant applications, community projects and the Strategic Community Plan.

Budget Implications

Costs were incurred by the Shire of Dardanup for the relocation of three signs outside the Don Hewison Centre to the Little Street office. Costs were under \$1,500 in staff time and equipment. It is anticipated the same or lower cost would be incurred for the relocation back to the Don Hewison Centre and these costs would come from the Maintenance budget.

Budget – Whole of Life Cost

As no new assets are created, there are no direct whole of life or ongoing cost implications.

The operating costs associated with moving back to the Don Hewison Centre will be the responsibility of FVM, however it is anticipated that Council staff will be able to provide some in-kind support to assist in the relocation and assist in relocating signage back to the Centre. FVM will resume the payment of electricity costs when their occupation of the Don Hewison centre is established. Water costs and Insurance will be incurred by the Shire of Dardanup under the new standard lease conditions.

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: 12.8) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Ferguson Valley Marketing Inc. – End of Trial Relocation
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
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 minimal risk of financial cost beyond what is projected.
	Service Interruption Loss of visitor service.
	Reputational Lack of support for tourist operators.

Officer Comment

The relocation of the FVM group to the Council office on Little Street, Dardanup was undertaken as an initial seven month trial. This was to determine whether it was a better location for the group to operate from and service the public and tourists, and to assist in reducing operating costs for the group through a co-location arrangement.

While the logistics and operating costs associated with operating from the Council office have proven to be cost effective, feedback from the FVM committee members, volunteers and chair has been that the location has not been as successful as hoped. FVM have indicated that they have lost visitor and tourist patronage due to the location change, as the location within the Council office does not have the same level of exposure and visibility as the Don Hewison Centre. While fixed and temporary signage has been installed to try and overcome this issue, it has not overcome their concern.

Council officers have liaised with FVM regarding these matters and discussed future opportunities in tourism. As an outcome of these discussions, FVM have requested that they re-locate their operations back to the Don Hewison Centre.

It is recommended that the Shire of Dardanup enter into a new lease Agreement with the FVM for the Don Hewison Centre, for a period of 5 years from the 1 July 2020 to 30 June 2025, with the following amendment to the previously negotiated lease agreement.

- Insurance to be paid by the Shire of Dardanup, as per Resolution [RES: 59-20] provided below.

THAT Council

1. *Support a change to the standard lease conditions for all not-for-profit sporting and community groups within the Shire of Dardanup to not require the Lessee to reimburse Council the cost of insuring buildings and structures within their lease area.*

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

165-20 MOVED - Cr. J Dow SECONDED - Cr. P S Robinson

THAT Council:

1. **Acknowledge that the trial relocation of Ferguson Valley Marketing Inc. ends on the 30 June 2020.**
2. **Based on the request of Ferguson Valley Marketing, support the relocation of the Ferguson Valley Marketing Inc. from the Dardanup Council offices back to the Don Hewison Centre.**
3. **Authorise the Chief Executive Officer and Shire President to execute a Lease Agreement between the Ferguson Valley Marketing Inc. and the Shire of Dardanup for the lease of the Don Hewison Centre for the period 1 July 2020 to 30 June 2025, based on Council's template lease agreement and terms and conditions.**

CARRIED
8/0

12.9 Title: Scheduling of Advisory Group Meetings

<i>Reporting Department:</i>	<i>Executive</i>
<i>Reporting Officer:</i>	<i>Mr André Schönfeldt – Chief Executive Officer</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>

Overview

This report to Council provides for the consideration of scheduling of the Shire of Dardanup Advisory Groups post July 2020 Advisory Committee requests Council authorises the CEO and Shire President to appoint members to the Advisory groups. Council is also requested to endorse the rescheduling of the May 2020 Bush Fire Advisory Committee meeting to August 2020.

Background

It was recommended at the Ordinary Council meeting of the 23 October 2019, that all Townscape Committees and Working Groups be dissolved and replaced with Advisory Groups, with the matter to be further workshopped and brought back to Council by the end of November 2019.

A Community Engagement Forum was held with Councillors on 13 November 2019 wherein the above matter was further discussed and workshopped.

At the Ordinary Council Meeting on 27 November 2019 Council adopted a new Community Engagement Policy and Framework, established the following place-based and topic-based Advisory Groups and endorsed the 2019 Terms of Reference:

- Eaton Advisory Group
- Dardanup Advisory Group
- Burekup Advisory Group
- Ferguson Valley Advisory Group
- Wanju & Waterloo Advisory Group
- Sustainable Development Advisory Group
- Economic Development Advisory Group
- Community Advisory Group
- Roadwise Advisory Group
- Sport & Recreation Advisory Group.

In January 2020, the Shire sent out letters to relevant parties and undertook community notices and advertising to attract as many people as possible to nominate to be a member of an Advisory Group. The nominations closed on 14 February with the following number of nominations:

- 8 x community representatives nominated for the Sustainable Development Advisory Group;
- 5 x community representatives nominated for the Community Advisory Group; and
- 3 x community representatives nominated for the Roadwise Advisory Group.

At the Ordinary Council meeting of 26 February 2020 Council endorsed the appointment of community members to the Roadwise, Sustainable Development and Community Development Advisory Groups and noted the representatives from groups or agencies to those advisory groups, and that terms will expire in October 2021. Council agreed to keep the membership for the respective Advisory Groups

open until desired membership numbers were met and any further nominations would be brought back to Council for endorsement.

In addition, Council noted that the Place Based Advisory Groups had already started to attract nominations, with advertising due to take place in March 2020 to seek further public interest.

The five Place-Based Workshops that the Shire had planned to hold in the week of 16 to 20 March 2020 were cancelled on Monday 16 March 2020 in response to Department of Health concerns about the Corona Virus.

At the 25 March 2020 Ordinary Meeting of Council, Council resolved [RES: 63-20] as follows:

THAT Council:

1. *Reschedule any Place-Based or Topic-Based Advisory Group meetings for the next three months of April, May and June 2020; and*
2. *Delegate to the Chief Executive Officer the ability to call Advisory Group meetings within the months of April, May and June 2020 if the Chief Executive Officer deems it appropriate to do so.*

Council had previously endorsed a scheduled Bush Fire Advisory Committee meeting on the 13 May 2020. As a result of COVID-19 this meeting was cancelled.

With restrictions under the COVID 19 directions from State and Federal Government now starting to ease in regards to public gatherings, it is recommended that Council support the establishment of Advisory Groups as intended under Council's Community Engagement Policy and Framework

Legal Implications - None.

Strategic Community Plan

Strategy 1.1.2 - Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High)

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

Environment - None.

Precedents -

Council previously endorsed the schedule of meetings for the Advisory Groups in November 2019 when adopting the Community Engagement Policy and Framework and setting Ordinary Council Meeting dates.

Budget Implications

The administration of Committees, Working Groups and Advisory Groups requires significant resources to prepare Agendas, Notes, Report and Minutes. In addition to the administration, staff time is also taken up with queries from committee members, attendance to meetings and workshops.

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: 12.9A) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Scheduling of Advisory Group Meetings
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Reputational Not enabling community input into Council decisions

Officer Comment

Since March, the Federal and State Governments issued directives have restricted the number of attendees to public meetings. With these directives and restrictions now easing it may be possible for the Shire to return to having Advisory Group meetings from July 2020. As per the schedule adopted by Council in November 2019 the following place-based advisory group meetings is supposed to be scheduled:

- Burekup Advisory Group on Wednesday 8 July 2020;
- Dardanup Advisory Group on Wednesday 15 July 2020;
- Eaton Advisory Group on Wednesday 22 July 2020;
- Ferguson Valley Advisory Group on Wednesday 12 August 2020; and
- Wanju and Waterloo Advisory Group on Wednesday 19 August 2020.

However, as these groups were placed on hold in March, the groups have not yet been formed. It is therefore recommended that these meetings be held as general public meetings for anyone interested in these areas to participate. The meetings will be scheduled to commence at 5pm and finish by 7pm.

During these meetings the Shire’s Community Engagement Framework and the intent of the Advisory groups will be further explained and the public will be encouraged to nominate to be a part of the advisory groups. The meetings will also be an opportunity to discuss with the community the relevant Community Facilities Plans, and provide updates in relation to projects adopted in the Annual Budget. The longer term intent of the Advisory Groups will be to develop Place Plans for each area, as per the adopted Corporate Business Plan. These Place Plans will focus on the following:

1. Facilities
2. Activities
3. Character
4. Technology
5. Services

For now, Council is requested to support the Advisory Group Meetings Scheduled in November 2019, be used as public meetings to discuss the relevant Community Facilities Plans, relevant projects included in the 20/21 Annual Budget and provide opportunity for people to nominate to be on the Advisory Groups.

Council is also now requested to endorse the rescheduling of the 13 May 2020 Bush Fire Advisory Committee meeting to Wednesday, 5 August 2020 at the Eaton Administration Centre.

Council Role - Legislative.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

166-20 MOVED - Cr. J Dow SECONDED - Cr. C N Boyce

THAT Council:

1. **Acknowledge that due to COVID 19 Place Based Advisory Groups have not yet been formed and support the following Place Based Advisory Group meetings, be open to the general public:**
 - a) **Burekup Advisory Group on Wednesday 8 July 2020 – 5pm;**
 - b) **Dardanup Advisory Group on Wednesday 15 July 2020 – 5pm;**
 - c) **Eaton Advisory Group on Wednesday 22 July 2020 – 5pm; and**
 - d) **Ferguson Valley Advisory Group on Wednesday 12 August 2020 – 5pm.**

2. **Acknowledge that the Wanju and Waterloo Advisory Group on Wednesday 19 August 2020 – 5pm will be open to all landowners within the relevant development areas.**

3. **Authorise the Chief Executive Officer and Shire President to appoint persons onto any relevant Advisory Group in accordance with the relevant terms of Reference.**

4. **Authorise the rescheduling of the 13 May 2020 Bushfire Advisory Committee meeting to now be held on Wednesday, 5 August 2020 commencing at 7.00pm at the Shire of Dardanup Administration Centre.**

CARRIED

8/0

By Absolute Majority

12.10 Title: Project Delivery Framework – Intersection Treatments on Eaton Drive / Hands Avenue

Reporting Department: Infrastructure Directorate
 Reporting Officer: Mr Nathan Ryder - Manager Infrastructure Planning & Design
 Legislation: Local Government Act 1995

DECLARATION OF INTEREST

Cr. C N Boyce declared a Proximity Interest in this item as her property is close the proposed intersection.

Cr. C N Boyce asked Councillors if they would consider allowing her to remain in the room for the discussion regarding the intersection.

Cr. C N Boyce left the room (5.34pm) so that Councillors could consider if Cr. C N Boyce could remain in the room for discussion on the item.

COUNCIL RESOLUTION

167-20 MOVED - Cr. P R Perks SECONDED - Cr. P S Robinson

THAT Council in accordance with Section 5.68 (1)(a) of the Local Government Act 1995 agree to allow Cr. C N Boyce to be present during discussion on the matter of 'Project Delivery Framework - Intersection Treatments on Eaton Drive Hands Avenue'.

CARRIED
7/0

Note: Cr. C N Boyce returned to the room [5.34pm].

Overview

This item is seeking Council's endorsement of the framework for delivery of intersection treatments for Eaton Drive and Hands Avenue. It also requests changes in the programming of the construction works.

Background

With the growth of Eaton shopping and recreation precinct, and the opening of the bridge over the Collie River on Eaton Drive, it is important to continually support the safe development of the central Eaton area. To stay ahead of this development, Shire staff have conducted a detailed traffic study of the Pratt Road / Eaton Drive transport corridor. This study provides the Shire with an understanding of the future road network requirements for the Eaton Area.

\$278,896 was allocated in the 2019/2020 Annual Budget to examine the feasibility of installing traffic lights on Eaton Drive, as well as possible alternatives (J12586 and J12594). Engineering consultant WML Consultants was engaged by the Shire to provide traffic modelling and design services for network changes and intersection improvements (Feasibility Study).

The creation of a new intersection of Watson Street with Eaton Drive was considered the best option (geometrically) to effectively replace the problematic Hands Avenue intersection. Hands Avenue is problematic in its current form due to its close proximity to the Eaton Drive/Hamilton Road/Council Drive roundabout. The connection of either Cudliss Street or Watson Street to Eaton Drive would replace the Hands Avenue intersection and would move the new intersection further away from the existing roundabout. A connection using Watson Street would achieve the greatest separation from the roundabout and afford the most vehicle queuing space.

Main Roads WA generally advocate roundabouts as the preferred solution over signalisation. The Shire explored the option of a possible roundabout treatment and came to the conclusion that signalisation was the preferred option. The following summarises the reasoning:

- A roundabout option was assessed, however, it was found that the minimum size for a roundabout could not be accommodated. The land requirements for a roundabout would impact on existing properties in the vicinity.
- Traffic lights will assist in right turns from Watson Street to the southbound carriageway of Eaton Drive.
- Traffic lights are expected to assist in the operation of the nearby Eaton Drive / Hamilton Road / Council Drive roundabout by providing breaks in the traffic flows, particularly during peak times.
- There is a current condition on the Development Approval for the last expansion (circa 2014) of Eaton Fair that requires the Eaton Drive / Hamilton Road / Council Drive roundabout to be replaced by traffic lights. There is a legal agreement that exists between the Shire of Dardanup and Citygate Properties Pty Ltd (Eaton Fair Shopping Centre) requiring joint funding of the modifications with its implementation linked to the completion of the Collie River Bridge. The bridge was completed in March 2018, therefore, the traffic light requirement is now pending. Citygate Properties Pty Ltd have indicated that they agree in principle to the new traffic lights being located at Watson Street and the existing roundabout remaining (but specifics have not yet been determined). This includes the transfer of funds under the agreement to the new location.
- The Development Approval condition requiring the installation of the traffic lights was based on advice to the Joint Development Assessment Panel from the Department of Planning who had identified the need to safely accommodate pedestrians crossing Eaton Drive to access the Eaton Fair Shopping Centre. The relocation of the traffic light requirement to the Watson Street and Eaton Drive intersection will still address this requirement. When considering pedestrians crossing Eaton Drive in the vicinity of Eaton Fair shopping centre, preference is given to traffic signals over a roundabout.

Due to Main Roads WA preference for roundabouts, Shire staff sought confirmation from Main Roads WA as to whether they would support a signalised intersection. The above information was presented to Main Roads WA, however, after approximately six months since the matter was raised, formal confirmation has still not been received. Although, recent informal discussions with Main Roads WA indicated that the traffic signals option would most likely be supported. This process has delayed the study and designs required to be completed for the construction of the intersection, intended to be undertaken in the 2020-2021 financial year.

During a recent staff presentation to Councillors regarding the proposed intersection changes along Eaton Drive, Councillors expressed a desire to look at further options instead of just the Watson Street option.

The work to be undertaken by WML Consultants requires a feasibility to be prepared to demonstrate that the selected treatment is the best option. Based on the feedback received from the Councillor workshop, the study is now proposed to be further defined to specifically consider three concepts discussed at the Workshop for investigation to treat the Eaton Drive and Hands Avenue intersection. Shire Staff have prepared the concepts for detailed investigation by the engineering consultant:

1. Five-Leg roundabout at the intersection of Hamilton Road and Eaton Drive;
2. Signalised intersection at a new intersection of Eaton Drive and Cudliss Street; and
3. Signalised intersection at a new intersection of Eaton Drive and Watson Street.

The three concepts are included in (Appendix ORD: 12.10A).

Community speculation about the specific intersection treatment that may be implemented by Council has increased recently due to plans released by Citygate Properties of their proposed shopping centre expansion that included a signalised intersection at Watson Street. A consultation strategy was prepared for the design stage of the project; however, has not been implemented due to the delays experienced with this project. A new Consultation Strategy is being prepared to appropriately engage with the Community about the project as it develops. Refer to the Officer Comments section of this report for more information on this process.

The proposed way forward for the project delivery is summarised as follows:

- Complete the Feasibility Study, including the three above-mentioned concepts, which will rule out any options that are flawed. The outcomes of this study will include traffic modelling, indicative costs (order of magnitude) and the pros and cons of each option;
- Complete the Consultation Strategy;
- Seek feedback from Main Roads;
- Report to Council and seek endorsement to consult with the Community;
- Carry out Community consultation as per the Consultation Strategy;
- Report to Council and seek endorsement on the preferred option;
- Complete the design and seek formal Main Roads approval

Council endorsement is requested of the above-proposed framework for delivery.

Legal Implications

There is a history of accidents on the Eaton Drive / Hamilton Road roundabout, possibly contributed to by vehicles trying to change lanes to access Hands Avenue. Once aware of an accident pattern the Shire could be held liable if action is not taken to treat these accidents.

Strategic Community Plan

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

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

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

Strategy 5.1.5 - A series of interconnected walkways, pathways and cycle ways that meets community needs and expectations. (Service Priority: High)

Environment

It is likely that any intersection treatment in this area will have an impact on the vegetation and open drain area between Cudliss Street and Hands Avenue, some options more than others.

Precedents

The Council has previously endorsed road projects that have been listed in the Annual Budget, which are likely to attract a high level of public comment.

Budget Implications

Council 2020 / 2021 budget has allowance for the following funding arrangement for this project:

JOB NO	DESCRIPTION	TOTAL EXPENDITURE	RRG FUNDS	OTHER GRANTS	SHIRE FUNDS
J12586	Eaton Drive – Traffic Signals - Intersection Modifications – design, prelims	\$194,542	\$32,000	-	\$162,542*
J12594	Eaton Drive – Intersection Modifications	\$75,000	\$30,000	-	\$45,000*
TBA	Eaton Drive Intersection Upgrades – Watson Street Traffic Signals	\$779,063	\$500,000	-	\$279,063
TBA	Watson Street Pathway – Eaton Drive to Pratt Road	\$60,474	\$12,095	\$18,319	\$30,060

* These funds also include RRG funds received in the previous year. Overall RRG contribution is approximately two-thirds of the total project cost

The above project budgets for J12586 and J12594 are for feasibility, design and community consultation only. J12594 also consists some design work for the proposed future roundabout at Eaton Drive and Glenhuon Boulevard.

Due to the delays in this project, the additional feasibility work and community consultation process, it is expected that the project will not be ready for possible construction in the 2020-2021 financial year. Therefore, it is proposed to amend the Budget to remove the \$779,063 construction project and possibly the Watson Street pathway. Construction will be rescheduled into a future year.

Budget – Whole of Life Cost - None.

Council Policy Compliance -

The Community Engagement Policy is applicable to this project and will be a critical part in the delivery of the overall project.

There are many definitions used in Consultation strategies. For this Consultation Strategy, the Shire will be using the Inform (Level 1), and Involve (Level 2) as defined below:

- Inform: Level 1

Level 1 process is information distribution only. Participants are given no power or influence over the decision making process.

- Involve: Level 2

Level 2 process involves Council officers on behalf of Council actively seeking out community views, opinions and feedback on particular issues. It enables key stakeholders to provide input into the decision making process without necessarily shaping the outcome.

This type of process may also involve key stakeholders providing comment on existing Council projects or services and in some cases, their views and recommendations may comprise part of the decision making process.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.10B) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Intersection Treatments on Eaton Drive – Project Delivery
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	Financial The loss of external funding should the project not continue.
	Legal and Compliance The potential of legal action against Council for mitigating the risk of accidents.
	Reputational Not mitigating risk of accidents and poor communication and Community consultation.

Officer Comment

At the Workshop held on 27 May 2020, the following map was presented which indicates the currently proposed improvement projects for the stretch of Eaton Drive from the Forrest Highway to Glenhuon Boulevard. The map indicates the intersection locations and the proposed timing of construction.



Due to the delays to the Watson Street signalisation project, the additional feasibility work and community consultation process, it is proposed to amend the order of project delivery. The following changes are proposed:

INTERSECTION PROJECT	CURRENT CONSTRUCTION TIMING	PROPOSED CONSTRUCTION TIMING
Forrest Highway Extra Turn Lane	TBA – this is a Main Roads Project	
Blue Wren Drive Roundabout	2020-2021	No change
Lofthouse Avenue traffic Signals	TBA – requires further modelling to determine trigger for need.	No change
Hands Avenue Alternative Solution (Cudliss/Watson signals or 5-leg roundabout)	2020-2021	2022-2023
Glenhuon Boulevard Roundabout	2021-2022	No change

In regards to the Hands Avenue Alternative Solution, it is proposed to:

- Continue with the analysis, design and consultation in 2020-2021.
- Have a shovel-ready project by the end of financial year 2020/2021.
- Amend the timing of the construction through the Regional Road Group to 2020-2023, which will be after the construction of a roundabout at Glenhuon Boulevard.

The Shire of Dardanup has engaged an engineering consultant (WML Consultants) to provide traffic modelling and design services for network changes and intersection improvements associated with Hands Avenue and some preliminary design tasks for the Glenhuon Boulevard intersection. The Consultant will carry out a feasibility study and concept designs. The ability for pedestrians and cyclists to cross Eaton Drive safely and conveniently is also very important. Additionally, modifications to the surrounding road network may also be required. The overall requirement is to provide proven and robust traffic solutions for changes to the surrounding network.

At the time of this report, Shire Staff have prepared three concepts for investigation:

1. Five-leg roundabout at the intersection of Hamilton Road and Eaton Drive;
2. Signalised intersection at a new intersection of Eaton Drive and Cudliss Street; and
3. Signalised intersection at a new intersection of Eaton Drive and Watson Street.

As with any major changes to public infrastructure, there will be support and there will be objection to the proposed design. The key to negotiating a satisfactory middle ground to ensure success is communication. The manner by which the known issues and perceived issues are handled is very important to the success of a public project.

The common issues encountered are:

- Misunderstanding of technical details;
- Information not communicated within a timely and professional/polite manner;
- Over promise / under deliver;
- Incorrect “word of mouth” or gossip; and
- Feeling of “missed out on information”.

The preparation of a Communication Strategy will show the frame for delivering the consultation for this project. The key messages will be:

Why do anything?

- To improve access to the Eaton shopping and recreation areas;
- To improve pedestrian safety on surrounding road network;
- It will reduce the risk of accidents.

What are the benefits?

- Safer access and egress from the Hamilton Street Roundabout;
- Safer access onto Eaton Drive from Hands Avenue;
- Improved treatment of surrounding residential streets;
- Reduced speeds on the surrounding network.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Note: Manager Place & Community Engagement, Mrs Lucy Owen-Conway left the room [5.41pm] and returned [5.43pm].

Note: As Cr. C N Boyce had declared a Proximity Interest in this item and was allowed to remain in the room for the discussion, but not vote on the matter; Cr. C N Boyce left the room [5.48pm] in order for the vote to be taken.

OFFICER RECOMMENDED RESOLUTION

THAT Council in regards to the project to improve the Hands Avenue intersection with Eaton Drive (including possible new intersection of Watson Street or Cudliss Street):

1. Endorses the following concepts for inclusion in the Feasibility Study:
 - a) Five-Leg roundabout at the intersection of Hamilton Road and Eaton Drive;
 - b) Signalised intersection at a new intersection of Eaton Drive and Cudliss Street; and
 - c) Signalised intersection at a new intersection of Eaton Drive and Watson Street.
2. Endorses the proposed project delivery of the design and consultation for this project to be undertaken in the 2020-2021 financial year:
 - a) Complete the Feasibility Study, including the three above-mentioned concepts. The outcomes of this study will include traffic modelling, indicative costs (order of magnitude) and the pros and cons of each option;
 - b) Complete the Consultation Strategy;
 - c) Seek feedback from Main Roads;
 - d) Report to Council and seek endorsement to consult with the Community;
 - e) Carry out Community consultation as per the Consultation Strategy;
 - f) Report to Council and seek endorsement on the preferred option;
 - g) Complete the design and seek formal Main Roads approval
3. Defers the construction of the intersection scheduled in the 2020-2021 Budget to 2022-2023 and amends the 2020-2021 to reflect these changes at the Mid-Year Budget Review.
4. Advises the Regional Road Group of the program changes and that the program is amended accordingly.

Discussion:

Cr. J Dow moved an alternate motion to remove Part 1b) 'Signalised intersection at a new intersection of Eaton Drive and Cudliss Street'; remove Part 4 and amend part 3 to have the construction of the intersection to remain scheduled in the 2020-2021 Budget. In addition Part 4 was to be removed.

FORESHADOWED MOTION – CR. P R PERKS

Cr. P R Perks foreshadowed a motion to put forward the Officer Recommended Resolution should Cr. J Dow's motion not be carried.

ELECTED MEMBER ALTERNATIVE MOTION

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

THAT Council in regards to the project to improve the Hands Avenue Intersection with Eaton Drive (including possible new intersection of Watson Street or Cudliss Street):

1. Endorses the following concepts for inclusion in the Feasibility Study:
 - a) Signalised intersection at a new intersection of Eaton Drive and Cudliss Street; and
 - b) Five-Leg roundabout at the intersection of Hamilton Road and Eaton Drive.
2. Endorses the proposed project delivery of the design and consultation for this project to be undertaken within the next 6 months by January 2021;
 - a) Complete the Feasibility Study, including the two above-mentioned concepts. The outcomes of this study will include traffic modelling, indicative costs (order of magnitude) and the pros and cons of each option by January 2021;
 - b) Complete the Consultation Strategy;
 - c) Seek feedback from Main Roads;
 - d) Report to Council and seek endorsement to consult with the Community;
 - e) Carry out Community consultation as per the Consultation Strategy;
 - f) Report to Council and seek endorsement on the preferred option;
 - g) Complete the design and seek formal Main Roads approval
3. Resolves to have the construction of the intersection to remain scheduled in the 2020-2021 Budget.

MOTION LOST
3/4

Process:

As the previous motion was lost, the foreshadowed officer recommended resolution was now put.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

168-20 MOVED - Cr. P R Perks SECONDED - Cr. T G Gardiner

THAT Council in regards to the project to improve the Hands Avenue intersection with Eaton Drive (including possible new intersection of Watson Street or Cudliss Street):

- 1. Endorses the following concepts for inclusion in the Feasibility Study:**
 - a) Five-Leg roundabout at the intersection of Hamilton Road and Eaton Drive;**
 - b) Signalised intersection at a new intersection of Eaton Drive and Cudliss Street; and**
 - c) Signalised intersection at a new intersection of Eaton Drive and Watson Street.**

- 2. Endorses the proposed project delivery of the design and consultation for this project to be undertaken in the 2020-2021 financial year:**
 - a) Complete the Feasibility Study, including the three above-mentioned concepts. The outcomes of this study will include traffic modelling, indicative costs (order of magnitude) and the pros and cons of each option;**
 - b) Complete the Consultation Strategy;**
 - c) Seek feedback from Main Roads;**
 - d) Report to Council and seek endorsement to consult with the Community;**
 - e) Carry out Community consultation as per the Consultation Strategy;**
 - f) Report to Council and seek endorsement on the preferred option;**
 - g) Complete the design and seek formal Main Roads approval**

- 3. Defers the construction of the intersection scheduled in the 2020-2021 Budget to 2022-2023 and amends the 2020-2021 to reflect these changes at the Mid-Year Budget Review.**

- 4. Advises the Regional Road Group of the program changes and that the program is amended accordingly.**

CARRIED
7/0

Note: Cr. C N Boyce returned to the room [5.48pm].

12.11 Title: (Re-presented) Endorsement of Draft Greater Bunbury Regional Park Management Plan 2020

Reporting Department: Infrastructure Directorate
Reporting Officer: Ms Jackie Nichol – Environmental Officer
 Mr Nathan Ryder - Manager Infrastructure Planning & Design
Legislation: Local Government Act 1995

DECLARATIONS OF INTEREST

Cr. T G Gardiner declared a Proximity Interest in Item “12.11 Endorsement of Draft Greater Bunbury Regional Park Management Plan 2020” as he is an adjoining landholder (leasehold) on a property Willinge Dve Picton.

Cr. T G Gardiner left the room [5.51pm]

DECLARATIONS OF INTEREST

Cr. M T Bennett declared a Proximity Interest in “(Re-presented) Endorsement of Draft Greater Bunbury Regional Park Management Plan 2020” as she is a resident on Pratt Road, Eaton which is adjacent to the Eaton Foreshore which is mentioned in the Greater Bunbury Regional Park Management Plan.

Cr. M T Bennett left the room [5.51pm]

Cr. P S Robinson assumed the Chair.

Overview

The Shire of Dardanup has received a request from Department of Biodiversity, Conservation and Attractions (DBCA) for formal Council Endorsement of the Draft Greater Bunbury Regional Park Management Plan 2020.

At the Ordinary Council Meeting held on 27 May 2020, Council resolved the following [–RES: 122-20]:

THAT Council defer making a decision on the Endorsement of the Draft Greater Bunbury Regional Park Management Plan 2020 until a workshop on the plan could be undertaken on 10 June 2020, with the item to be re-presented at the 24 June 2020 Ordinary Council Meeting.

Item 12.6 from the Ordinary Council Meeting held on 27 May 2020 is herewith re-presented largely unchanged, however, with some additional detail provided on the proposed land tenure changes. Councillors participated in a workshop held on 10 June 2020, also attended by Shire staff, to discuss the Draft Greater Bunbury Regional Park Plan as a whole, and in particular, the proposed land tenure changes that appear in the Draft Plan. On 16 June 2020, Officers met with the relevant DBCA officer to discuss the outcomes of the Councillor workshop and suggested way forward. The outcomes of this discussion are reflected in the alternative resolution added to this report, that would see the Shire of

Dardanup retaining management of all parcels of land apart from what is commonly referred to as the elbow and an appropriate buffer surrounding this area.

During the discussions it was highlighted that in future once more clarity on the intended uses of other parts managed by the Shire has been reached, further discussions could be held with DBCA, if it is considered more appropriate for DBCA to be the management authority for any of those parcels of land.

Background

The DBCA has been coordinating the preparation of a draft management plan for the proposed Regional Park, with assistance and input from relevant State and local government agencies, including the Shire of Dardanup. Shire staff represented on an inter-agency Working Group and Community Engagement working group, assisting with the preparation of the Draft Plan.

The regional park names (Preston River to Ocean Regional Park and Leschenault Regional Park) identified in the establishment plans for the parks were intended to be indicative. The draft management plan for the regional park, formally submitted for endorsement to the Shire of Dardanup on 27 March 2020, utilised 'Greater Bunbury' as a temporary name. DBCA undertook consultation with representatives from the Gnaala Karla Booja Native Title Working Group to identify a Noongar name for the regional park.

Council endorsed the name of the Regional Park to be changed to 'Kalgulup Regional Park' at its meeting held on 29 April 2020 (Resolution 89-20).

DBCA proposed a Memorandum of Understanding (MOU) that aimed to provide an interim management agreement for DBCA to access and undertake specific management activities on Crown Reserves vested and managed by the Shire (Shire's land) to complement the Shire's current objectives. The intention was that the MOU would be in place until the land tenure arrangements have been identified through the planning process and the agreed Crown Reserves are formally vested in the Conservation and Parks Commission, unless alternative arrangements are made.

Council endorsed the MOU at its meeting held on 26 February 2020 (Resolution 20-20) and the Shire and DBCA entered into this agreement in March 2020.

Following agency approvals, including the Shire of Dardanup, the Draft Greater Bunbury Regional Park Management Plan 2020 will be forwarded to DBCA's executive, the Conservation and Parks Commission and the Minister for Environment for endorsement and approval to release the plan for a minimum two-month public submissions period before being finalised.

The final management plan will be prepared based on comments received on the draft and will be referred to the Shire again for endorsement. The final plan will guide the management of the proposed regional park for 10 years. Note that the proposed land transfers detailed within the plan will ultimately require a Council resolution at some stage to take effect.

The formal request and the Draft Greater Bunbury Regional Park Management Plan 2020 are included in (Appendix ORD: 12.11A).

Legal Implications

There are no legal implications for endorsing the draft management plan.

Strategic Community Plan

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

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

Strategy 2.3.1 - Continue to implement integrated environmental, social and land use planning which meets diverse community needs. (Service Priority: Very High)

Environment

Once the management plan has received feedback from the general public and been finally endorsed, the Shire will continue to work with DBCA to undertake environmental management projects in the region. Shire staff are expecting these projects to provide benefit to these areas and the opportunity to undertake some projects that perhaps may not have been able to be undertaken by the Shire.

The *draft* plan proposes to jointly manage a number of key nature reserves within the Shire for recreation and environmental purposes. These reserves include the southern foreshore and bank of the Collie River, Pratt Road Reserve, Watson Reserve, Leicester Wetlands and Eelup Wetlands (The Elbow).

The management plan proposes changes for recreation and ecological management in these areas. As the plan is not approved as yet, the type of works proposed are:

- Controlling access in important areas of high ecological value, such as Eelup wetlands. This may include upgrading signage, pathways, considering ways to access views of the wetland as well as protecting habitat, such as installing bird hides and viewing platforms.
- Undertaking consultation to implement modifications to recreation and public use in different ways across the region, by connecting Dardanup reserves to other parts of the Regional Park. For example, upgrading pathways for different community uses like cycling, dog walking, etc.
- Undertaking weed control and pest management including trapping or baiting foxes and rabbits. This would be in accordance with state legislation and involve appropriate community engagement if undertaken in any public areas.
- Providing controls in some locations for domestic pets, such as installing fencing in high value areas and using gates and signage. The Plan proposes changes to parts of the existing off-lead areas in Watson reserve and Leicester Reserve to on-lead areas. These areas mainly relate to the non-landscaped natural and/or revegetated areas, although these areas have limestone walk-trails and boardwalks that are used by the general public.
- Undertake revegetation works in high value reserves as necessary, including replanting, seed collection, direct seeding, etc. to improve environmental values and assets and protect flora and endangered species in the area.
- Consideration of fire access and mitigation works as per state government requirements, which the Shire already complies with.
- Community engagement including assistance with rubbish collection, revegetation and other activities to empower the local community to become more interested in protecting and conserving these areas.

Precedents

Council has been requested to endorse regional strategies and management plans on a regular basis, most recently the Bunbury-Wellington Cycling Strategy 2050.

Budget Implications - None.

Budget – Whole of Life Cost - None.

The relinquishment in management of some of the lands may result in cost savings for the Shire in the future as DBCA will take on responsibility for most associated management activities. It is difficult to quantify these cost savings due to the often reactive nature of the management tasks and their diffuse nature across multiple internal work areas and locations.

Council Policy Compliance - CP120 Environment.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.11B) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Endorsement of Draft Greater Bunbury Regional Park Management Plan 2020
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 Failure to support State Government election promises that may result in positive outcomes for the Shire.
	Environment Missing out on possible long term environmental benefits to the Shire by not endorsing the draft plan.

Officer Comment

Regional parks are areas of Regional Open Space (ROS) identified by statutory planning processes as having regionally significant conservation, landscape or recreation values, as specified under section 8E of the CALM Act. The Greater Bunbury Region Scheme (GBRS) is the statutory document that provides for the creation of the Greater Bunbury Regional Park, through the reservation of ROS.

Regional parks are important conservation and recreation areas that have been set aside under the planning system for the benefit of the local and regional community. Regional parks across the state are managed jointly across state government, local government and other land managers. The Kalgulup Regional Park is an important proposal for the greater Bunbury region and has direct consequences for the Shire and community.

The draft management plan is intended to be a non-binding strategic guide for the Shire that allows for DBCA to work with the Shire to manage these areas for the wider benefit of the region, both for improving the environment of these areas but also to allow for greater recreational opportunities for all of the community. The Greater Bunbury Regional Park comprises a mosaic of lands around Bunbury and the Leschenault Estuary within the local government areas of the City of Bunbury, the Shire of Capel, the Shire of Dardanup and the Shire of Harvey (Map 1).

The Park covers an area of about 3,180ha and is fragmented into three general parts, being Leschenault, Preston River to Ocean and the Preston River link. The area within Dardanup falls with the Leschenault part, defined as:

- East and northeast of Bunbury mainly along the foreshores of the Leschenault Estuary and Inlet.
- *The Collie and Brunswick rivers including the lands within the Leschenault Peninsula.*

The park extends about 11km inland and eastwards up the Collie River from its mouth into the Leschenault Estuary, and another 7km northwards along the Brunswick River from where it meets the Collie River. It forms an almost continuous link along the foreshores of the estuary and the rivers, and includes land tenures; Crown reserves, unallocated crown reserve, Crown owned freehold land, road reserves, private property and local government lands.

The draft park plan is divided into nine chapters, with strategies and objectives listed at the end of each chapter.

The Shire Parks and Environment teams already undertake work across Shire reserves and waterways in line with the values and objectives of the Draft plan. With the implementation of the final Regional Park plan, the Shire will have more opportunities for funding and resourcing to continue such work. Once endorsed, the final plan will allow the Shire to work with state government to deliver projects that will benefit the whole environment, not just within arbitrary borders. For example, the Regional Park addresses all of the Collie River foreshore reserve, so the Shire will have greater opportunity to work with the Shire of Harvey on recreational trails and cycling paths and conservation of Threatened Ringtail Possum habitat around the whole of the Lower Collie not just Shire foreshore.

Working with the State government, who has a strong focus on community engagement, also provides opportunities for the Shire to better engage with recreational projects across the region that will benefit the Shire long-term. The relationship provided by the adopted plan will allow the Shire to potentially engage with community better and encourage greater tourism and recreational projects within Shire lands. The networks and agencies involved with the future regional park will allow for Best Practice environmental management activities to be implemented, and for Shire staff to seek funding and grants for future conservation projects.

The Draft plan therefore gives the Shire staff a chance to work with local and state agencies across the wider Bunbury region in a coordinated and strategic manner. It will provide the Shire community with greater links to regional activities, values and opportunities to volunteer and be part of this vibrant greater Bunbury project in future.

DBCA has been coordinating the creation of this draft management plan since 2018. Shire staff have been actively involved in this process, including meeting in 2019 to consider land tenure amendments in light of the future management of the lands that are within Shire jurisdiction as well as the proposed Regional Park. These proposed future land tenure arrangements have not been formally endorsed by Council. In the interim, the Shire and DBCA formally signed a Memorandum of Understanding to enable both stakeholders to undertake management works on those Shire lands that may in future be relinquished. This arrangement allows the Shire to work with DBCA on protecting the flora and fauna values listed above, controlling feral animals, weeds, and providing recreation and education opportunities for the community until the final management plan can be endorsed.

DBCA have now concluded the preparation of the draft management plan, which proposes that the old Greater Bunbury Regional Park areas be amalgamated into the Kalgulup Regional Park, and the Shire continue to work with DBCA to manage this regional asset. Maps of the regional park are included in the draft plan.

- *Proposed Land Tenure Changes*

The draft management plan proposes the Shire relinquishes the management of a number of Crown reserves to DBCA, whilst retaining the remainder of reserves within the regional park for ongoing management. Some parcels of Unallocated Crown Land that lie within the regional park are also addressed. The land proposals that appear in the draft management plan reflect recent discussions between DBCA and Shire staff, including executive staff, which have resulted in a position based on balance and trade-offs and consideration of each organisation's roles, capability and capacity.

Appendix 2 of the Draft Management Plan lists the intended future vesting and management of most parts of the park that are managed by State government agencies or local government authorities. There are some lands in the park where identification of future management is dependent on future land-use planning processes and assessments.

Lands to be vested in the Conservation and Parks Commission will be afforded the purpose of 'conservation park' or 'conservation of flora and fauna' (for a nature reserve), depending on their natural values, connections to other DBCA-managed lands and current use.

The proposed tenure changes that appear in the Draft Management Plan are summarised below. Maps of the areas are included in (Appendix ORD: 12.11C).

Name	Lot	Proposed Future Tenure as per the Draft Plan	Potential Impacts
Watson Reserve (Reserve 25417)	5536	Shire of Dardanup to retain cleared recreation site & access road, remaining area to be vested in Conservation and Parks Commission	<p>Environmental: Landscaped area: Nil.</p> <p>Bush area: DBCA to manage weeds, repair pathways, improve drainage, protect native flora and fauna, fire management, formalising public access, signage, revegetation, litter.</p> <p>Social / Community: Landscaped area: Nil.</p> <p>Bush area: This area is proposed to change from a Dog off-lead area to a Dog on-lead area.</p> <p>Health: Bush area: Shire would need to work with DBCA for mosquito control</p> <p>Financial: Bush area: Reduced resources expended by Shire in managing weeds, upgrading pathways and drainage, signage, revegetation.</p>
Lot 500 (Reserve 43939)	500	To be vested in Conservation and Parks Commission	<p>Environmental: DBCA to manage weeds, fire management, formalising public access, signage, revegetation, litter.</p> <p>Social / Community: DBCA to formalise public access, signage, manage litter. Dog exclusion area.</p>

Name	Lot	Proposed Future Tenure as per the Draft Plan	Potential Impacts
			<p>Health Nil.</p> <p>Financial Nil.</p>
Lot 501 (Reserve 43939)	501	To be vested in Conservation and Parks Commission	<p>Environmental: DBCA to manage weeds, fire management, formalising public access, signage, revegetation, litter.</p> <p>Social / Community: DBCA to formalise public access, signage, manage litter.</p> <p>Health Nil.</p> <p>Financial Nil.</p>
Leicester Reserve, Eelup / Elbow Wetland	UCL (495732)	To be vested in Conservation and Parks Commission	<p>Environmental: DBCA to manage weeds, fire management, formalising public access, signage, revegetation, litter.</p> <p>Social / Community: DBCA to formalise public access, signage, manage litter.</p> <p>Health Nil.</p> <p>Financial The area is not vested with the Shire and no Shire resources are currently expended in this area.</p>
	5679 (Reserve 43641)	Shire of Dardanup to retain strip along Charolaise Mews & landscaped areas, remainder to be vested in Conservation and Parks Commission.	<p>Environmental: Leicester Reserve, Landscaped area: Nil.</p> <p>Leicester Reserve, Wetland area: DBCA to manage weeds, protect native flora and fauna (in particular, nesting black swans, migratory birds, possums, long-necked tortoise), fire management, formalising public access, signage, revegetation, litter.</p> <p>Eelup/Elbow wetland: DBCA to manage weeds, protect native flora and fauna (in particular, nesting black swans, migratory birds, possums, long-necked tortoise), fire management, formalising public</p>

Name	Lot	Proposed Future Tenure as per the Draft Plan	Potential Impacts
			<p>access, signage, revegetation, litter.</p> <p>Social / Community: Leicester Reserve, Landscaped area: Nil.</p> <p>Leicester Reserve, Wetland area: This area is proposed to change from a Dog off-lead area to a Dog on-lead area.</p> <p>Eelup/Elbow wetland and river foreshore: This area is proposed to change to a Dog exclusion area.</p> <p>Health Bush/wetland area: Shire would need to work with DBCA for mosquito control</p> <p>Financial Reduced resources expended by Shire in managing weeds, upgrading pathways and drainage, signage, revegetation.</p>
Millars Creeks UCL	2011 2012 2061	To be vested in Shire of Dardanup To be vested in Shire of Dardanup To be vested in Shire of Dardanup	<p>Environmental: Shire to manage weeds, fire management, signage, revegetation, litter management.</p> <p>Social / Community: Nil.</p> <p>Health Mosquito control as required.</p> <p>Financial Nil.</p>
Lot 9535	9535	To be vested in Shire of Dardanup following implementation of developer commitments	<p>Environmental: Nil.</p> <p>Social / Community: Nil.</p> <p>Health Nil.</p> <p>Financial Nil.</p>

* UCL = Unallocated Crown Land

- Councillor Workshop 10 June 2020

Councillors participated in a workshop held on 10 June 2020, also attended by Shire staff, to discuss the Draft Greater Bunbury Regional Park Plan as a whole, and in particular, the proposed land tenure changes that appear in the Draft Plan.

The following points summarise the outcomes of the workshop:

1) Watson Reserve:

- General support of DBCA looking after natural areas as per the Draft Plan;
- A fence between natural areas and landscaped area is not desirable;
- Condition that, within natural area (to be vested with DBCA), dogs off-lead to be allowed and limited to designated paths.

2) Lot 500 R43939:

- To remain vested with the Shire

3) Lot 501 R43939:

- To be vested with DBCA as per the Draft Plan but subject to DBCA agreeing to construct a pathway along the foreshore.
- Condition that, within natural area (to be vested with DBCA), dogs off-lead to be allowed and limited to designated paths.

4) Lot 5679 Leicester Reserve, Eelup / Elbow Wetlands

- To be vested with DBCA as per the Draft Plan, however, with dogs off-lead to be allowed and limited to designated paths.
- The area that forms Part of Eelup / Elbow Wetlands was agreed should be a dog exclusion zone.

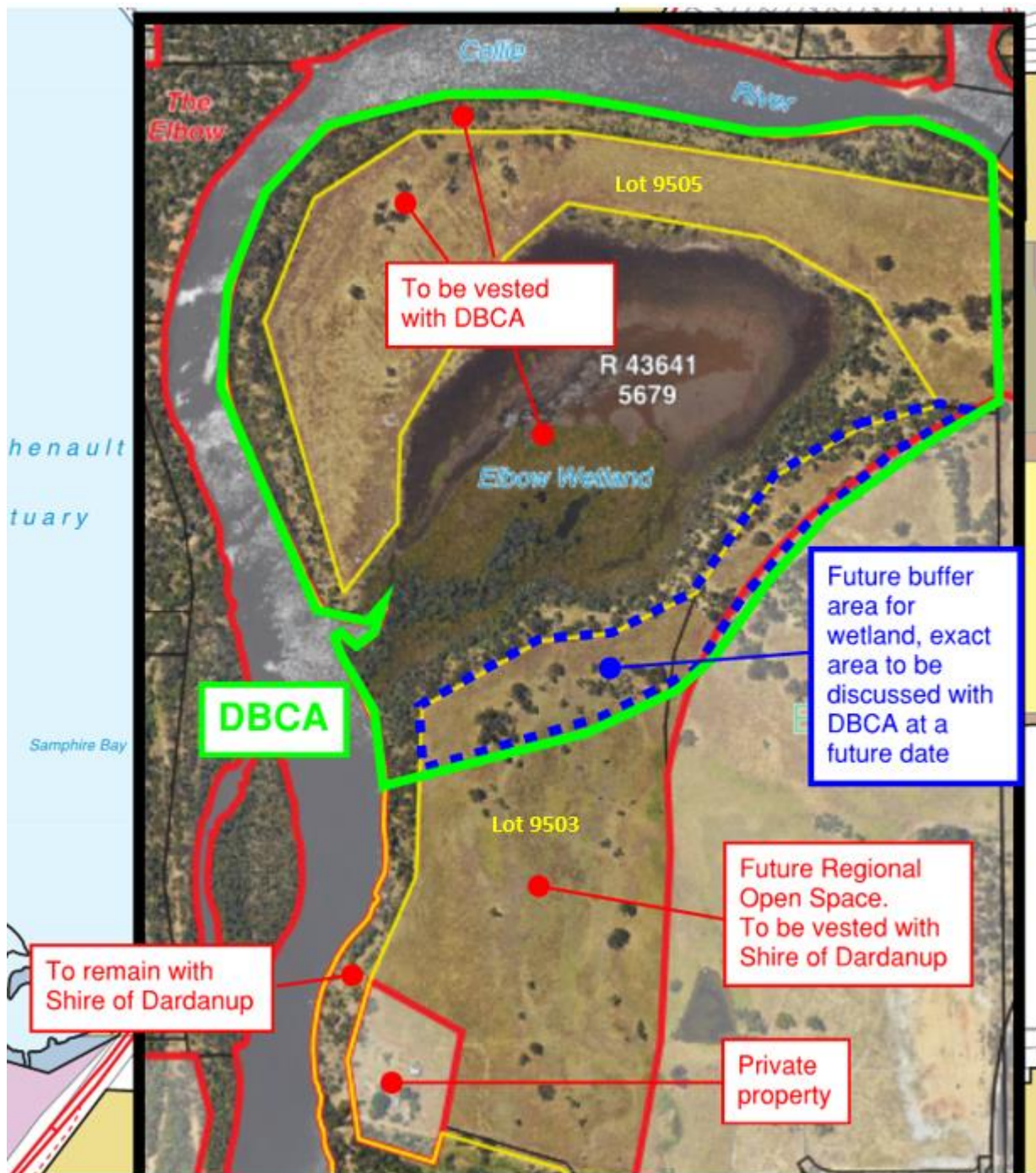
On 16 June 2020, Officers met with the relevant DBCA officer to discuss the outcomes of the Councillor workshop and suggested way forward. The DBCA officer indicated that the outcomes from the Workshop as per items 1, 3 and 4 above would not be supported by the agency. DBCA have advised that those areas in which the Shire currently allows dogs off-lead should remain with the Shire if the Shire wishes for those areas to remain as dog off-lead areas. It was further agreed that the elbow wetland is best managed by DBCA, including Lot 9505 (currently privately owned and to become ROS in future). DBCA have also sought a buffer around the southside of the wetland, suggested at 50 metres, that will result in the northern portion of Lot 9503 being managed by DBCA. Note that Lot 9503 is currently private land but will be created into ROS to be vested into the Shire except for the northern 50 metre buffer portion. It should be noted that the Collie Rive foreshore reserve immediately adjacent to the elbow area to be managed by DBCA will also be included as part of the area to be managed by DBCA.

In summary, DBCA have indicated that the following arrangement would be supported by them:

- Elbow wetland portion of R43641 to be managed by DBCA.
- Lot 9505 when created as ROS to be managed by DBCA.

- Northern portion of Lot 9503 that is within 50 metres of the wetland reserve when created as ROS to be managed by DBCA.
- Collie River foreshore portion of R43641 adjacent to the Elbow Wetland, Lot 9505, and the northern buffer portion of Lot 9503, to be managed by DBCA.
- All other reserve areas in the Regional Park area within the Shire of Dardanup to remain in the management of the Shire of Dardanup.

The following map depicts the area to be managed by DBCA:



As such, Alternative Resolution 'B' is provided that would see the Shire of Dardanup retaining management of all parcels of land apart from what is commonly referred to as the elbow and an appropriate buffer surrounding this area.

During the discussions it was highlighted that in future once more clarity on the intended uses of other parts managed by the Shire has been reached, further discussions could be held with DBCA, if it is considered more appropriate for DBCA to be the management authority. Maps of the areas as per Alternative Resolution 'B' are included in (Appendix ORD: 12.11D).

Council Role - Review.

Voting Requirements - Simple Majority.
OFFICER RECOMMENDED RESOLUTION 'A'

THAT Council:

1. Endorses the Draft Greater Bunbury Regional Park Management Plan 2020 with no changes to proceed to the public consultation phase.
2. Continues to work with the Department of Biodiversity, Conservation and Attractions through the current Memorandum of Understanding to implement environmental management in the Regional Park area within Shire of Dardanup boundaries.

OR

ALTERNATIVE OFFICER RECOMMENDED RESOLUTION 'B'

THAT Council:

1. Endorses the Draft Greater Bunbury Regional Park Management Plan 2020 to proceed to the public consultation phase subject to the following changes:
 - a) That the section of the proposal on page 34 with regards to Leicester Reserve and Watson Reserve to read as follows:

"It is proposed to change the off-leash areas of ~~Leicester Reserve (outside of eastern landscaped areas), bushland areas of Watson Reserve and bushland areas of Clifton Community Reserve~~ to on-leash dog areas."
 - b) That on page 66, in Appendix 2, on the line in the table that corresponds to Unallocated Crown Land "(495732)" the column "Comments/proposal" to read as follows:

"To be vested in ~~Conservation and Parks Commission~~ Shire of Dardanup"
 - c) That on page 66, in Appendix 2, on the line in the table that corresponds to Watson Reserve, "5536 on P15906 (11036318)" the column "Comments/proposal" to be deleted and replaced with:

"To remain with Shire of Dardanup"
 - d) That on page 66, in Appendix 2, on the line in the table that corresponds to "Lot 500 on P405484 (12180397)" the column "Comments/proposal" to read as follows:

“To be vested in Conservation and Parks Commission remain with Shire of Dardanup”

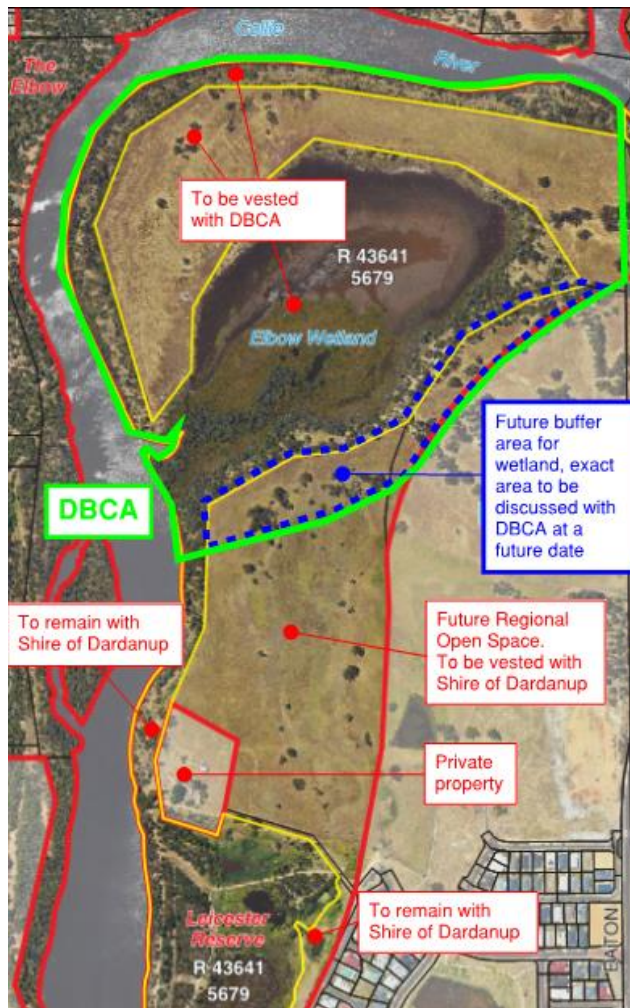
- e) That on page 66, in Appendix 2, on the line in the table that corresponds to “Lot 501 on P405484 (12180398)” the column “Comments/proposal” to read as follows:

“To be vested in Conservation and Parks Commission remain with Shire of Dardanup”

- f) That on pages 66 and 67, in Appendix 2, on the line in the table that corresponds to Leicester Reserve “5679 on P19531 (1093320)” the column “Comments/proposal” to read as follows:

“Shire of Dardanup to retain strip along Charolais Mews & landscaped areas the area south of a 50 metre buffer from the Elbow Wetland. The areas north of the 50 metre buffer, including the Elbow Wetland to be vested in Conservation and Parks Commission”

And as depicted in the following map:



- 2. Continues to work with the Department of Biodiversity, Conservation and Attractions through the current Memorandum of Understanding to implement environmental management in the Regional Park area within Shire of Dardanup boundaries.

Discussion:

Cr. C N Boyce moved officer recommended resolution 'A'.

FORESHADOWED MOTION – CR. J DOW

Cr. J Dow foreshadowed a motion to put forward the Officer Recommended Resolution 'B' should Cr. C N Boyce's motion not be carried.

OFFICER RECOMMENDED RESOLUTION 'A'

MOTION MOVED - Cr. C N Boyce SECONDED - Cr. P S Robinson
LOST

THAT Council:

1. Endorses the Draft Greater Bunbury Regional Park Management Plan 2020 with no changes to proceed to the public consultation phase.
2. Continues to work with the Department of Biodiversity, Conservation and Attractions through the current Memorandum of Understanding to implement environmental management in the Regional Park area within Shire of Dardanup boundaries.

MOTION LOST
2/4

Process:

As the previous motion was lost, the foreshadowed officer recommended resolution was to be put.

Cr. P R Perks asked Cr. J Dow if she would be willing to add a further Point 3 to the motion to request the Chief Executive Officer to provide a report on the resourcing required to maintain the land retained by Shire of Dardanup, which Cr Dow agreed. The report should include the effect on the Memorandum of Understanding with the Department of Biodiversity, Conservation and Attractions.

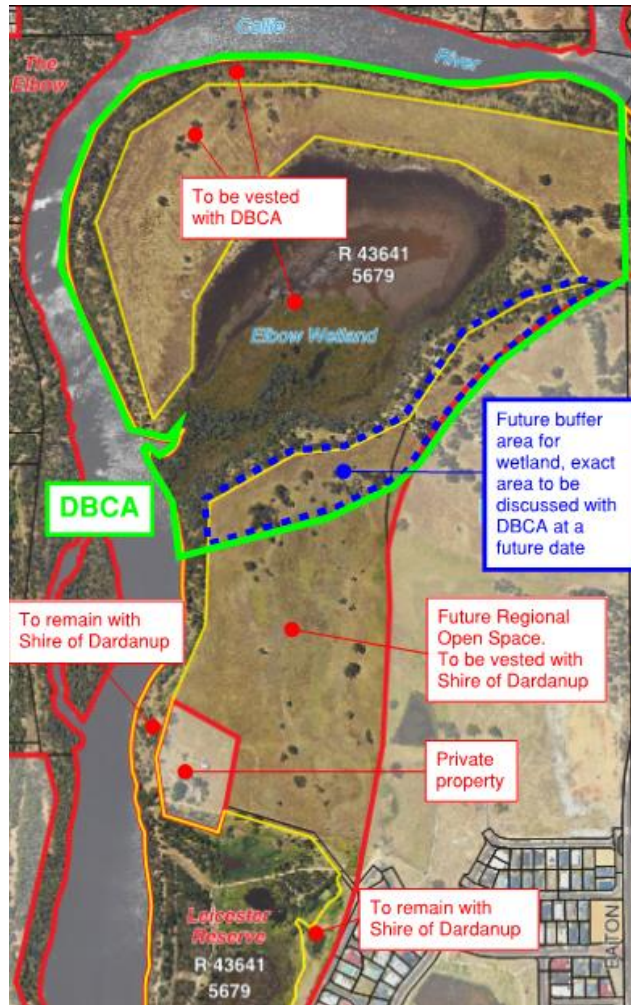
Change to Officer Recommendation

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

- f) That on pages 66 and 67, in Appendix 2, on the line in the table that corresponds to Leicester Reserve “5679 on P19531 (1093320)” the column “Comments/proposal” to read as follows:

“Shire of Dardanup to retain strip along Charolais Mews & landscaped areas the area south of a 50 metre buffer from the Elbow Wetland. The areas north of the 50 metre buffer, including the Elbow Wetland to be vested in Conservation and Parks Commission”

And as depicted in the following map:



2. Continues to work with the Department of Biodiversity, Conservation and Attractions through the current Memorandum of Understanding to implement environmental management in the Regional Park area within Shire of Dardanup boundaries.
3. Requests that the Chief Executive Officer provide a report on the resourcing required to maintain the land retained by Shire of Dardanup as part of this report and the effect on the Memorandum of Understanding with the Department of Biodiversity, Conservation and Attractions.

CARRIED
6/0

**FURTHER INFORMATION TO ITEM 12.11 - DRAFT GREATER BUNBURY REGION
PARK MANAGEMENT PLAN**

Note: The following information was provided via email on 23 June 2020 to Elected Members.

DECLARATION OF INTEREST

Cr. C N Boyce declared a Financial Interest in this item as she works for the Leschenault Catchment Council.

Cr. C N Boyce left the room [6.00pm].

Officer Comment**Successful Grant for Dardanup and Leschenault Catchments Council**

The Leschenault Catchment Council (LCC) has been successful in receiving funding in partnership with the Shire of Dardanup, for a possum sanctuary area in Leicester wetlands. The grant is funded nationally by WIRES (NSW Wildlife Information, Rescue and Education Service Inc.) and Landcare Australia, in support of the recovery of wildlife habitats impacted by bushfire and drought across Australia.

The project site consists of:

- 1.3 hectares;
- An old revegetation area that contains native Eucalyptus and exotic Acacias; and
- An impenetrable monoculture of vegetation containing no understory species that is very difficult to access.



The project aims to:

- Reduce the fuel load at the site by thinning existing vegetation, removing weeds and exotic species;
- Increase floral species diversity by planting native understorey species;
- Reintroduce native fauna, including the Critically Endangered Western Ringtail Possum; and
- Fence the site to create a Possum 'Sanctuary' where Western Ringtail Possums and other native fauna will be safe but accessible to the community through small gates that will be closed but not locked.

The project has been funded by the Landcare Australia Grant for \$20,000. The Shire will provide in-kind contributions up to \$10,000 (this is already available through normal maintenance in that area).

The Construction of the Sanctuary will involve the following scope of works.

Project budget:

Item description Include the quantity (with units) and rates (price per unit) for each budget item	Column A: Funding Requested (ex GST)	Column B: In-Kind Contributions (ex GST)	Total Cost (A + B)
Fencing (520m), including access gates	\$ 11,500.00		\$ 11,500.00
Tree thinning	\$ 5,000.00		\$ 5,000.00
Weed control	\$ 2,000.00	\$ 1,000.00	\$ 3,000.00
Site preparation	\$ -	\$ 2,000.00	\$ 2,000.00
Seedlings	\$ -	\$ 5,000.00	\$ 5,000.00

Signage (\$150/sign)	\$ 400.00	\$ 200.00	\$ 600.00
Community day x 1	\$ -	\$ 300.00	\$ 300.00
Presentations x 2	\$ 500.00	\$ -	\$ 500.00
Opening of Possum Sanctuary event x 1	\$ 500.00	\$ -	\$ 500.00
Social media promotions (Boost post x 4 on Facebook at \$25/post)	\$ 100.00	\$ -	\$ 100.00
Admin costs (Project management, Reporting, PPE, consumables)	\$ -	\$ 1,500.00	\$ 1,500.00
Total	\$ 20,000.00	\$ 10,000.00	\$ 30,000.00

Further information:

- *The existing walk trails will remain outside the fence and will not be impeded.*
- *Tracks will be maintained within the Sanctuary following tree thinning and replanting.*
- *The fence will be located around the outside of the area that is surrounded on all 4 sides by existing pathways that will remain unaffected by the sanctuary area.*
- *On completion of the 12-month project, the Shire will be required to continue to manage weeds and revegetation site, maintain the fence and gates, and clean/maintain signage. This is similar to such works in other natural areas as per the ongoing operational plan for natural reserves.*
- *The Sanctuary will provide an educational outdoor 'classroom' for visitors and residents, where they can learn about native fauna in its natural habitat via guided night stalks and informative signage to be installed around and inside the Sanctuary itself.*
- *This project will raise community awareness of the Western Ringtail Possum, why it is critically endangered, what we can do to help protect the species.*
- *Interpretive signage and fencing will highlight to the community the importance of this area for wildlife, which will in turn get them thinking about refuges for fauna and why remnant riparian vegetation is so important to so many species.*
- *The Shire will share the objectives, progress and results of this project with the community via events, presentations, on-ground activities such as night stalks, social media and communications will increase community awareness and hopefully will reinvigorate this under-appreciated part of the Collie River.*

The Recovery Plan for the Western Ringtail Possum (DPaW 2017) suggests without protection of existing populations and habitat, the possum is likely to become locally extinct within 10-15 years, due to vegetation and habitat loss, drought, and decline of habitat quality. Other threats include the need to 'come to ground' during summer heat waves to escape the heat, and to provide protection from predators if movement through the tree canopy is not possible. If no understorey vegetation is present, the species is very vulnerable to these threats. This sanctuary will provide this habitat and allow greater access to the community for this endangered species that is found in some parts of the Shire already, but is not protected.

Discussion: Cr. P R Perks moved the officer recommended resolution.

FORESHADOWED MOTION – CR. J DOW

THAT Council do not endorse the Leschenault Catchments Council to undertake the on-ground works to create the Western Ringtail Possum Sanctuary on a portion of Leicester Reserve.

**OFFICER RECOMMENDED RESOLUTION ‘C’
& COUNCIL RESOLUTION**

170-20 MOVED - Cr. P R Perks SECONDED - Cr. P S Robinson

THAT Council endorses the Leschenault Catchments Council to undertake the on-ground works to create the Western Ringtail Possum Sanctuary on a portion of Leicester Reserve, and provide in-kind support for the project and subsequent ongoing maintenance while the reserve is under the management of the Shire.

CARRIED
3/2

FOR THE MOTION	AGAINST THE MOTION
Cr. P S Robinson Cr. L Davies Cr. P R Perks	Cr. J Dow Cr. M Hutchinson

Note: Cr. M T Bennett, Cr. T G Gardiner and Cr. C N Boyce returned to the room [6.05pm] and Cr. M T Bennett resumed the Chair [6.05pm].

12.12 Title: Draft Shire of Dardanup Waste Management Plan

Reporting Department: Infrastructure Directorate
Reporting Officer: Mr Luke Botica - Director Infrastructure
Legislation: Local Government Act 1995

Overview

Council Resolution [OCM 347-19] from the Ordinary Council Meeting held on 27 November 2019 required the Chief Executive Officer to prepare a report to Council for further consideration of the three-container system. This report is hereby provided to Council in accordance with the resolution and presents for Council consideration a draft Waste Management Plan for the Shire of Dardanup. Please refer to (Appendix ORD: 12.12A)

The report seeks the endorsement of Council for the draft Waste Management Plan to inform a public tender and to seek Better Bins Plus Program funding from the Waste Authority for the possible implementation of a FOGO service from 1 July 2021. Pending the outcomes of the tender and grant application it is intended that the Waste Management Plan be updated to reflect the potential cost impacts and to then seek public comment in relation to the updated options that will be contained within the Plan.

Background

At the Ordinary Meeting of Council held on 27 November 2019 it was resolved [RES: 347-19]:

THAT Council:

1. *Receives this report addressing the items raised in Council Resolution [301-19] from the Ordinary Meeting of Council held on 16 October 2019.*
2. *Instructs the Chief Executive Officer to include, where possible, the option to supply recycled goods and/or services into the specifications for the Shire's tenders and quotations.*
3. *Authorises the Chief Executive Officer to seek the assistance of the Regional Waste Education Officers to develop a program to address the contamination issue in the Shire's recyclables collection service.*
4. *Requests the Chief Executive Officer to prepare a report to Council for further consideration of the three bin system, reporting on:*
 - a. *Funding opportunities, the financial impact of the proposal and recommended action;*
 - b. *Outcomes of community engagement undertaken to seek feedback about whether or not the community wants the service and if so how the service would be delivered;*
 - c. *The review of the rollout of intensive community education programs on recycling;*
 - d. *The completion and review of another recycling rubbish audit to see if rates of contamination have improved; and*
 - e. *Investigate options for dealing with alternative waste services for large unit developments, for example Bethanie Retirement Village.*

The items raised in the resolution have been investigated by Shire staff and is hereby reported back to Council.

In regard to Item 2 of Council Resolution 347-19, this matter has been addressed through the Shire's procurement processes by including a sustainability consideration on quotation and tenders.

In regard to Item 3 of Council Resolution 347-19, Council adopted at the Ordinary Council Meeting held in May 2020 to implement a comprehensive waste education and media campaign to tackle the issue of contaminants in recyclables. This campaign has commenced and will continue to be rolled out over the coming months.

In regard to Item 4 of Council Resolution 347-19, Shire staff have now prepared a draft Waste Management Plan for the Shire of Dardanup. The Waste Management Plan examines the overall waste services provided by the Shire and provides strategies for improvements that will bring the Shire's waste services and its waste avoidance and recovery performance closer to the targets adopted by the State in the State's Waste Avoidance and Resource Recovery Strategy 2030 (the Waste Strategy).


Items 4b, 4c and 4d of Council Resolution 347-19 are unable to be reported on at this stage. This is due to the waste education and media campaign only commencing recently. Further information will be provided to Council once the campaign is complete and a further recycling audit is undertaken.

The Waste Management Plan contains ten strategies that cover the full range of services that are, or could be, provided by the Shire. The Waste Management Plan identifies the introduction of a three-container service (i.e. addition of a FOGO service) as a strategy and explores the options associated with this in more detail.

The Waste Authority recently announced the Better Bins Plus Program which provides funding to eligible local governments for the implementation of a three-container (FOGO) service. The Shire of Dardanup would be eligible for funding under the program.

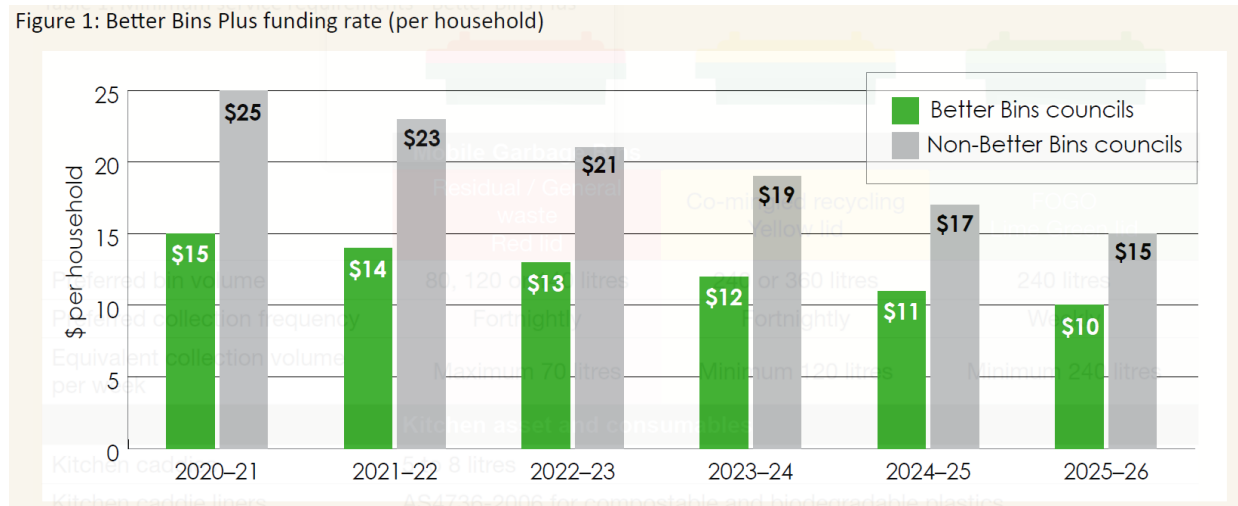
The Better Bins Plus Program requires the introduction of a three-container service to meet what is considered best practice. The best practice service has been established through the successes of FOGO services already implemented in the Perth Metropolitan Area and the greater Bunbury area. The following are the minimum service requirements required under the Program (Table 1 sourced from the Program Guidelines):

Table 1: Minimum service requirements - Better Bins Plus



	Mobile Garbage Bins		
	Residual / General waste Red lid	Co-mingled recycling Yellow lid	FOGO Lime Green lid
Preferred bin volume	80, 120 or 140 litres	240 or 360 litres	240 litres
Preferred collection frequency	Fortnightly	Fortnightly	Weekly
Equivalent collection volume per week	Maximum 70 litres	Minimum 120 litres	Minimum 240 litres
Kitchen asset and consumables			
Kitchen caddies	5 to 8 litres		
Kitchen caddie liners	AS4736-2006 for compostable and biodegradable plastics		

The amount of funding available is based on the number of services provided with a FOGO service and when it is implemented (Figure 1 sourced from the Program Guidelines). Note that the Shire of Dardanup is considered a Non-Better Bins Council.



The Better Bins Plus Program applications close on 10 July 2020.

Council is requested to consider the draft Waste Management Plan and in light of the pending application deadline, Council is further requested to authorise staff to make an application to the Better Bins Plus Program for funding of a three-container system. The outcomes this application will be considered in an updated Plan to be presented to Council that will consider the introduction of a third bin from 1 July 2021 in accordance with the draft Waste Management Plan.

Legal Implications - None.

Strategic Community Plan

Strategy 2.1.3 - Provide our community with a variety of waste disposal options to minimise the impact of waste disposal on our natural environment. (Service Priority: Very High)
 Strategy 2.2.1 - To conserve natural resources. (Service Priority: High)

Environment

The items raised and discussed in this report have both a direct and indirect effect on the environment. The strategies in the Waste Management Plan will provide a positive benefit to the environment by increasing waste recovery and reducing waste to landfill.

The introduction of a three-container system will improve resource recovery through the collection and processing of FOGO into compost. This would result in a significant diversion of waste from landfill.

Precedents

Council had previously considered the implementation of the three-container system. At the Special Meeting of Council held 15 June 2015, Council resolved as follows [RES: 173-15]:

THAT Council:

1. *Does not pursue the introduction of a third bin system for the collection of organics/green waste at this time and reconsiders the proposal during the 2016 Strategic Planning Process.*
2. *Advises the Waste Authority that it will not accept the Better Bins funding offer of up to \$168,000 for the introduction of an organic/green waste collection service at this stage due to current uncertainties associated with the processing of organic/green waste;*
3. *Review the Waste Strategy if the Waste Levy is introduced into the South West.*

It should be noted that Council decided not to reconsider the proposal in 2016.

Budget Implications

The introduction of a FOGO collection and disposal service has the potential to increase the overall cost of the Shire’s waste services. The following table expresses the expected annual increase in cost as the equivalent increase in waste service levy charged by the Shire per service over and above the current two-container service. These costs are based on current contracted rates and gate fees.

Year	Increase due to purchase of FOGO containers and other materials	Increase due to FOGO operational costs*	Total annual increase above current two - container system	% Increase above current two-container system
1	\$63	\$15	\$78	34.6%
2+	\$0	\$15	\$15	6.6%

* These figures also include an amount for the ongoing replacement and repair of bins, including FOGO bins.

Note: the above figures are not indexed and are expressed in today’s value.

The current two-container service charge is \$225.70 per service per annum. A three-container service is therefore expected to cost in the vicinity of \$241 per service per annum. This figure does not include the bulk purchase of the third containers and materials.

The above table is based on Option 2 as described in the Waste Management Plan and meets the funding guidelines of the Program:

- Purchase and distribute new 140L household refuse containers.
- Replace lids on existing 240L household refuse containers to convert them to FOGO containers.
- 140L household refuse container being collected fortnightly.
- 240L recyclables container being collected fortnightly.
- 240L FOGO containers being collected weekly.
- The inclusion of kitchen caddies and caddie liners at an estimated total of \$56,000.

Option 2 is also based on:

- A change from two bulk green waste collections each year to one each year (bulk waste collections remains at one per year).
- Being eligible for funding of \$23 per service, which equals \$128,000.

It should be noted that the first year consists of the one-off capital cost of bin purchases for the new FOGO service. Even with Better Bins Plus funding applied to the first year, the Shire will need to fund the net cost of the additional containers, caddies and materials estimated at a net cost of \$353,500.

It should be noted that the operational cost increase is the net operational increase derived as the cost of the additional FOGO service less the savings made in the general waste and recycling operations. This is the ongoing annual operational cost which is estimated to cost in the vicinity of \$15 extra per service each year than the two-container system.

As mentioned in the Waste Management Plan, Council has the following options when considering how to fund the purchase of the additional containers and other materials:

- The Shire could consider a once-off additional service charge required in the first year to pay for the new containers. Based on Option 2, the additional levy in the first year would be in the vicinity of \$63 per service. This is in addition to the \$15 per service operational cost increase directly attributable to the collection, processing and disposal of household waste.
- The Shire could consider a loan for the purchase of the new containers with the loan being paid off over a period of 20 years or other period determined by the Council. The cost of servicing the loan could be either absorbed in the budget (i.e. offset by other savings) or covered by an increase in the annual waste service charge. To service a 20-year loan term would be the equivalent of an additional \$4 per service. This is in addition to the \$15 per service operational cost increase directly attributable to the collection, processing and disposal of household waste.

Council has a number of options for the increase in operational costs resulting from a change to a three-container service (increase of \$15 per service):

- The increase in annual costs could be absorbed in the budget (i.e. offset by other savings).
- The increase in annual costs is covered by an increase in the annual waste service charge.

Budget – Whole of Life Cost

The Shire owns the containers supplied to residences and some businesses. These containers have a serviceable life estimated at 20 years. However, the Shire has not undertaken any bulk replacements to

date. Containers have been renewed, however, progressively as they fail, are stolen or are damaged. In many cases, components are replaced, which helps to extend the life of the container. Typically, the Shire allows approximately \$10,000 for repairs and replacements for its current two-container service. This would increase to \$15,000 for a three-container service.

Long term projections of the Shire’s waste services is difficult to make accurately as the waste environment is changing.

Currently there is no state waste levy applied to each tonne of waste that is placed into landfill. Such a charge exists in the Perth Metropolitan Area and has been touted for possible implementation in the regional areas. The Waste Management Plan explores the impact of a \$70 per tonne levy being applied to the existing two-container system and the proposed three-container system.

- Under the current two-container system, it is estimated that there would be a \$56 per service increase.
- Under the proposed three-container system (Option 2), it is estimated that there would be a \$46 increase.

The introduction of a FOGO service although expected to be operationally more expensive to run, would have a lesser impact on the service charge in the case of a state waste levy being applied.

Council Policy Compliance -

The Shire’s Community Consultation Policy is applicable.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.12B) for full assessment document.

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Impact on budget and residents from the purchase of bins and other materials for the roll-out of FOGO
Inherent Risk Rating (prior to treatment or control)	Extreme (20 - 25)
Risk Action Plan (treatment or controls proposed)	Subsidise cost with Better Bins Plus funding, and via savings in other areas of the budget or consider a loan to be paid over a 20 year period or similar
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)
Risk Category Assessed Against	<ul style="list-style-type: none"> • Financial Impact

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Impact on budget and residents from the ongoing annual operation costs of a three-container service
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Advise residents of the benefits of a FOGO service (value for money) and consider possible subsidisation through savings in other areas of the budget

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)
Risk Category Assessed Against	<ul style="list-style-type: none"> Financial Impact

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Council seen as not being progressive if avoidance and recovery is not improved
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Adoption of Waste Management Plan and implementation of strategies in particular FOGO
Residual Risk Rating (after treatment or controls)	Low (1 - 4)
Risk Category Assessed Against	<ul style="list-style-type: none"> Reputational

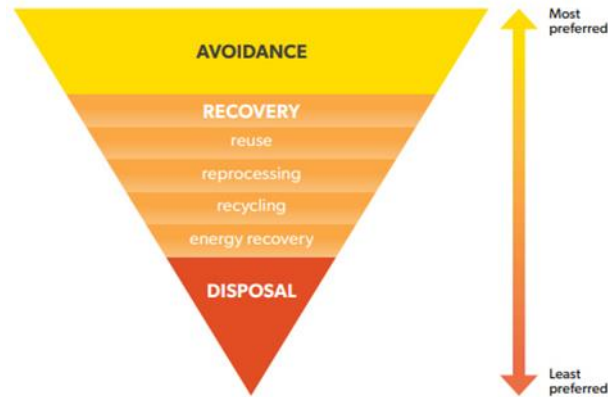
Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Significant amount of material for Shire of Dardanup contributing to landfill
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Adoption of Waste Management Plan and implementation of strategies in particular FOGO to reduce waste going to landfill
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)
Risk Category Assessed Against	<ul style="list-style-type: none"> Environment

Officer Comment

The draft Waste Management Plan takes into consideration the State’s Waste Avoidance and Resource Recovery Strategy 2030 (Waste Strategy) and the Waste Management Plan has been prepared to align the Shire to strategies and targets set for the State.

The Waste Strategy provides clear objectives that reflect the waste hierarchy (shown below), whereby waste avoidance is the most preferred outcome and disposal is the least preferred:

- Avoid – Western Australians generate less waste;
- Recover – Western Australians recover more value and resources from waste; and,
- Protect – Western Australians protect the environment by managing waste responsibly.



The Waste Strategy encourages Local Government to establish their own waste plans. Currently waste plans are only required for Local Governments in the Perth/Peel Region and Regional Centres. The Shire of Dardanup is taking a leadership role in the region and have prepared this Waste Management Plan, without a compulsory requirement to identify how the Shire is proactively managing waste now and into the future.

The Waste Strategy's material recovery targets for municipal solid waste in the major regional centres are 55% by 2025 and 60% by 2030. The Waste Strategy identifies organics, including food organics and garden organics (FOGO), as a focus material.

The Shire of Dardanup's Waste Management Plan acknowledges the State Waste Strategy and aims to change the Shire's overall waste service to reach these material recovery targets.

The Shire of Dardanup currently provides five waste services – household refuse collection and disposal, recyclables collection and processing, bulk collection of hard waste and green waste, a transfer station, and a series of public bins in public places.

The Shire does not own or operate a landfill site for the disposal of household waste or commercial waste. Similarly, the Shire does not own or operate a waste fleet. The collection and disposal of household general waste and recyclables is currently contracted.

The Shire operates a waste transfer station which is situated on a leased site accessed from Banksia Road. The transfer station receives waste from the Shire's rural residents who are not provided with a collection and disposal/processing service. It is also available to any member of the general public for waste disposal, drop-off of particular items, such as oil, green waste, mattresses and batteries, and also provides opportunity for the public to purchase salvaged items such as furniture and other household items.

The Shire has several contracts in place for the delivery of its waste services:

- Collection of waste from 240L containers, both general and recyclables - currently contracted to Cleanaway.
- Supply, delivery and repair of 240L containers - currently contracted to Cleanaway.
- Disposal of household and general waste - currently contracted to Cleanaway.
- Processing of recyclables – currently contracted to Suez.

The Shire uses various contractors for the disposal and collection of salvaged and recycled items from the transfer station.

The Shire provides a bulk verge collection of hard waste and green waste. The Shire currently provides one hard waste collection and two green waste collections per annum. This service is currently contracted to Steann Pty Ltd.

The Shire also accesses a regional waste coordinator for an annual fee to provide waste education and community consultation. This service is shared with a number of other local governments in the region.

The Waste Management Plan examines each of the current waste services offered by the Shire. It explores the strengths, weaknesses, opportunities and threats for each of the services and provides suggestions on changes to improve the services and to increase avoidance and recovery, and decrease landfill.

Ten strategies have been identified in the Waste Management Plan as listed in the following table:

No.	Strategy	Target
1	<i>Council to consider engaging a part-time or casual waste officer or make it a part of any new waste contract (i.e. undertaken by contractor).</i>	<i>Consideration to be given for 2021-22 FY</i>
2	<i>Call tenders with opportunity for multiple contracts or a single contract to cover provision of containers, collection, and disposal of general, recyclables and FOGO waste streams and consider the potential impacts of the tender on current contracts.</i>	<i>Contract to commence 1 July 2021</i>
3	<i>Introduce FOGO Service to divert waste from landfill and change recyclable collection to optimal frequency.</i>	<i>Service to commence 1 July 2021</i>
4	<i>Advocate government to make changes to reduce the use of single use, non-recyclable plastics</i>	<i>Ongoing</i>
5	<i>Improve waste recovery through:</i> <ul style="list-style-type: none"> • <i>Support of business initiatives for recovery of e-waste, batteries, clothing and other materials.</i> • <i>Seeking funding opportunities for recovery initiatives.</i> 	<i>Ongoing</i>
6	<i>Council to continue to explore opportunities with the State, local government and private industry for the establishment of a waste to energy plant in the South West or access to an existing plant.</i>	<i>Ongoing</i>
7	<i>Consider a joint bulk waste collection contract with other local governments in the region to ensure the service is viable and competitive and scope to include increased recycling and salvage of items.</i>	<i>To be arranged with other local governments</i>
8	<i>Develop plans for the relocation of the transfer station to the neighbouring Shire owned site.</i>	<i>Plans prepared by 30 June 2022</i>
9	<i>Consider options for the treatment of green waste on site at the transfer station, such as chipping and mulching or arrangements for efficient transport.</i>	<i>To be determined prior to relocation of composting facility.</i>
10	<i>An option for recyclables be introduced in town centres and CBD locations:</i> <ul style="list-style-type: none"> • <i>As a requirement for new developments.</i> • <i>Retrofits to be included in the Shire's forward plans.</i> 	<i>Ongoing</i>

Strategies 1, 2 and 3 are strategies that are to be considered in the short term and can have significant cost implications. The assessment of the cost implications of a FOGO service as presented in the Waste Management Plan is derived from the current waste collection and disposal contracts and FOGO gate fees.

Strategy 2 is seeking to call tenders for multiple contracts or a single contract to cover the entire collection and disposal services provided by the Shire. The outcome of the tender could have cost implications on Strategy 3 that relates to the introduction of the FOGO service (i.e. three-container service). For example, there is a possibility that a single contract may yield costs savings that

theoretically could result in a three container service costing the same or possibly less than the current two-container service – this could also include the provision of new containers for the additional waste service by the contractor. On the flipside, the tenders could also indicate an increase in contract prices due to the increased risk carried by contractors due to volatility in parts of the waste market.

The calling of tenders could clarify the expected contract waste prices going forward and would allow staff to firm up the figures used in the Waste Management Plan when exploring the three-container service. This will also allow the Shire to better engage with the community on the different options for waste management services and costs associated with those options.

In regards to Strategy 1, the tender would stipulate that the contractor(s) would need to have a waste officer that would undertake community engagement to improve waste practices.

Strategy 6 relating to Waste to Energy is also a strategy that could have an impact. Recent development of waste to energy plants in the Perth Metropolitan Area could introduce new contractors who may be seeking waste for the plant. The tender could provide an opportunity for residual waste being diverted entirely from landfill.

It is therefore suggested that Council:

- Endorses the draft Waste Management Plan as a draft to inform a tender process rather than seeking community feedback in the first instance.
- Call a tender to undertake waste management services including options for a two or three bin service as per the Draft Waste Management Plan. This tender will allow other opportunities such as waste to energy for residual waste. It will also require a waste officer to be included in the contract.
- Seeks funding from the Waste Authority's Better Bins Plus Program for a possible FOGO service being implemented as of 1 July 2021. This could be incorporated as part of the tender, if possible, to reduce overall costs.
- A further report is presented to Council for the consideration of the tender and grant application outcomes, and further consideration of the Draft Waste Management Plan. Public consultation would then be undertaken based on the updated Draft Waste Management Plan.

The Waste Management Plan explores Strategy 3 – the introduction of a FOGO service - in detail due to organics, including food organics and garden organics, being a focus material in the State's Waste Strategy.

The introduction of a FOGO service can have a significant influence on the amount of waste going to landfill. For instance, the Shire's recyclables stream has been affected by a significant amount of contaminated material, which then results in a considerable amount of the recyclables collection ending up in landfill. At the 27 November 2020 meeting, officers reported on the recyclables processing audits undertaken in September 2019. The audit indicated that:

- An average of 63% of the samples comprised recyclable materials;
- An average of 27% was considered contamination; and
- An average of 10% was considered recyclable under the Shire's Contract with Suez, however, Suez alleges that this material is not actually recyclable at its Material Recovery Facility in Bibra Lake and is sent to landfill.
- As such, based on the samples audited, the actual rate of materials sent to landfill may be considered as 37%.

This contaminated material does not only increase the amount of material going to landfill, it also increases the contract processing charge costing the Shire more in processing costs.

This audit and subsequent inspections of the recyclables stream indicated that a proportion of contaminated material in the recyclables was cardboard and paper. This material could be accepted in a FOGO service and have the positive effect of reducing contamination in the recyclables stream, with the flow on effect of less waste going to landfill and a lower processing charge being applied. Note that the gate fee for organic processing is less than the gate fee for recyclables processing.

Similarly, the household refuse stream has a sizeable portion of organic materials which could also be diverted from landfill to a FOGO service. This includes garden organics, such as lawn clippings, leaves and pruning's, as well as food organics generating from the household kitchen. The gate fee for organic processing is also less than the gate fee for disposal of waste into landfill.

The Waste Management Plan assumes that the introduction of a FOGO service would have the following impact on the waste generated in households:

- Household refuse – decrease from an average of 0.80 tonnes per annum per service to 0.45.
- Recyclables – decrease from an average of 0.22 tonnes per annum per service to 0.15.
- FOGO – an average of 0.40 tonnes per annum per service.

Based on mass, the current household collection and disposal services (two-container service) would at best achieve 22% of all material collected diverted from landfill. Using the September rates of contamination, this figure would more likely be 14%.

The introduction of a FOGO service is expected to be able to reach 55% of all household waste being diverted from landfill.

Furthermore, the diversion of materials to the FOGO service also allows the processing of that material at a lower rate. For example, landfill is charged at \$49 per tonne, recyclables is charged on a sliding scale and a typical charge of \$99 per tonne has been adopted for a two-container service, and FOGO processing is charged at \$33 per tonne. It should be further noted that the expected reduction in contamination in the recyclables resulting from diversion of cardboards and paper to the FOGO service, is expected to reduce the processing charge for recyclables – albeit the Waste Management Plan is still based on a conservative rate of \$80 per tonne.

All of the Shire of Dardanup's neighbouring local governments have now implemented a three-container system and a FOGO composting facility operated by the BHRC is located in the Shire of Dardanup immediately adjacent to the Shire of Dardanup's Banksia Road Waster Transfer Station. The Shire of Dardanup's bulk green waste collection is currently disposed of to the BHRC composting facility.

The Waste Management Plan provides four options for a FOGO service, shown as Options 2, 2A, 3 and 4. Option 1 is the status quo two-container system.

The four FOGO service options are based on the following:

Option 2 – this is in accordance with the Better Bins Plus Program funding guidelines:

- Purchase and distribute new 140L household refuse containers.
- Replace lids on existing 240L household refuse containers to convert them to FOGO containers.
- 140L household refuse container collected fortnightly.
- 240L recyclables container collected fortnightly.
- 240L FOGO containers collected weekly.
- One bulk hard waste and one bulk green waste collections each year.

- This option is expected to be eligible for \$128,000 through the Waste Authority's Better Bins Plus Program
- The cost of supply and delivery of new containers, replacement lids, modifications to existing bins and other materials is estimated at a net cost of \$353,500.
- This service is expected to cost \$429,611 more than the current two-container service in the first year.
- The new service arrangement is estimated to cost \$81,296 more than the current two-container service from Year 2 onwards.

Although the household refuse quantities will reduce, the change to fortnightly may initially prove to be difficult and could see impacts on the quality of the items collected through the recyclables and FOGO service – hence Option 2A has been prepared as well.

Option 2A – this is the same service as Option 2 except for the refuse container collection frequency:

- Weekly collection of 140L household refuse container for first six months then collected fortnightly after that.
- This service is expected to cost \$460,229 more than current two-container service in the first year.

Option 3 – Do not seek WA Waste Authority Better Bins Plus funding and implement FOGO service with no other changes to the other containers except the frequency of collection of the household refuse container.

- Purchase and distribute new 240L FOGO containers.
- 240L household refuse container collected fortnightly.
- 240L recyclables container collected fortnightly.
- 240L FOGO containers collected weekly.
- One bulk hard waste and one bulk green waste collections each year.
- The cost of supply and delivery of new containers and other materials is estimated at \$434,534.
- This service is expected to cost \$510,983 more than the current two-container service in the first year.
- The new service arrangement is estimated to cost \$81,296 more than the current two-container service from Year 2 onwards.

This arrangement is not considered as best practice by the Waste Authority.

The use of 240L household refuse containers perhaps does not have the same impact in encouraging households to reduce household refuse generation as 140L containers.

This option has a similar operational cost as Option 2 but has a greater net capital cost due to there being no funding available.

Option 4 – Do not seek WA Waste Authority Better Bins Plus funding and implement FOGO service with no other changes to the other containers except the frequency of collection of the household refuse and recycling containers.

- Purchase and distribute new 240L FOGO containers.
- 240L household refuse container collected fortnightly.
- 240L recyclables container collected once every four weeks.
- 240L FOGO containers collected weekly.
- One bulk hard waste and one bulk green waste collections each year.

- The cost of supply and delivery of new containers and other materials is estimated at \$434,534.
- This service is expected to cost \$435,444 more than the current two-container service in the first year.
- The new service arrangement is expected to cost \$6,000 more than the current two-container service from Year 2 onwards.

This option is similar to Option 3, except that the recyclables service is reduced to a four weekly collection cycle.

This arrangement is not considered as best practice by the Waste Authority, therefore is not eligible for Better Bins Plus Program funding.

Like Option 3, the use of 240L household refuse containers perhaps does not have the same impact in encouraging households to reduce household refuse generation as 140L containers.

This option has a similar Year 1 cost as Option 2 but is operationally the cheapest of the three-container services options, with the operational costs only slightly more than the current two-container service.

The change to a once in every four weeks collection of recyclables may be difficult for some households as their containers may be full before four weeks is achieved.

It should be noted that all four FOGO options include \$56,000 in kitchen caddies and liners in the capital costs for Year 1. The kitchen caddies and liners are a requirement if the FOGO service is funded through the Better Bins Plus Program. The caddies and liners are considered as best practice by the Waste Authority.

The Waste Management Plan provides the following table that compares the options:

		RESIDENTIAL WASTE SERVICE OPTION				
		1	2	2A	3	4
<i>No. of Services</i>		5580	5580	5580	5580	5580
<i>Container Size</i>	<i>Refuse</i>	240L	140L	140L	240L	240L
	<i>Recycling</i>	240L	240L	240L	240L	240L
	<i>FOGO</i>	-	240L	240L	240L	240L
<i>Frequency</i>	<i>Refuse</i>	Weekly	Fortnightly	Weekly / Fortnightly	Fortnightly	Fortnightly
	<i>Recycling</i>	Fortnightly	Fortnightly	Fortnightly	Fortnightly	4-Weekly
	<i>FOGO</i>	-	Weekly	Weekly	Weekly	Weekly
<i>Total Collection Cost</i>		\$505,064	\$672,830	\$759,448	\$672,830	\$597,292
<i>Annual Tonnage</i>	<i>Refuse</i>	4,465	2,511	2,511	2,511	2,511
	<i>Recycling</i>	1,228	837	837	837	837
	<i>FOGO</i>	-	2,245	2,245	2,245	2,245
<i>Total Disposal/Processing Cost</i>		\$332,157	\$262,842	\$262,842	\$262,842	\$262,842
<i>Total Container Cost</i>		\$10,000	\$435,655	\$435,655	\$388,687	\$388,687
<i>Bulk Waste Collections per annum</i>	<i>Hard</i>	1	1	1	1	1
	<i>Green</i>	2	1	1	1	1
<i>Bulk Waste Collection Cost</i>		\$70,318	\$48,163	\$48,163	\$48,163	\$48,163
<i>Kitchen caddies and materials</i>		-	\$56,000	\$56,000	\$56,000	\$56,000
<i>Better Bins Plus Funding</i>		\$ -	\$128,000	\$128,000	\$ -	\$ -
<i>Total Cost - Year 1</i>		\$917,539	\$1,347,150	\$1,377,768	\$1,428,522	\$1,352,983

	RESIDENTIAL WASTE SERVICE OPTION				
	1	2	2A	3	4
Total Cost - Ongoing	\$917,539	\$998,835	\$998,835	\$998,835	\$923,296

Council could consider various options to reduce the cost impact in the first year of introducing the FOGO collection service. This could include taking a loan for the purchase of bins or other means of spreading the initial purchase cost of the bins across several years. This can be explored further by the Shire's finance team in the development of the 2021-2022 Budget.

It should be noted that the waste levies of neighbouring local governments are already higher than the Shire of Dardanup due to the three-container service. The following table compares the Shire of Dardanup with its neighbours using Option 2 (Better Bins Plus funding option) and a loan to purchase the new containers and materials.

Local Government	Container System	2019-2020 Waste Levy (pa)	2020-2021 Projected Waste Levy (pa)	2021-2022 Projected Waste Levy (pa)
Bunbury	Three	\$326.50		
Capel	Three	\$254.00		
Donnybrook-Balingup	Three	\$265.00		
Harvey	Three	\$308.00		
Dardanup	Two	\$225.70	\$225.70	
	Three			\$241 for operational costs \$4 for annual loan costs Total \$245

The Waste Management Plan also contains a strategy related to exploring waste to energy. Council has previously expressed its desire for a waste to energy plant to be established in the region. The Shire President and Chief Executive Officer have been actively promoting this as an alternative to landfill for the future of waste management in the region. Should waste to energy become available to the region, it is expected that this would only be supported by the State if the Shires supplying the waste can demonstrate that the waste is truly residual waste and that all possible avenues of material recovery have been undertaken. Due to FOGO being a proven and effective material recovery option, it would be reasonable to expect that such a service would need to be implemented into the Shire's operations before any waste could be sent to waste for energy.

The Waste Management Plan recommends the following:

1. Option 2 be pursued by the Shire of Dardanup – that is, the introduction of a three-container service including a FOGO service to commence as of 1 July 2021, subject to receiving the Waste Authority's Better Bins Plus funding.
2. The Shire of Dardanup make an application for funding under the Waste Authority's Better Bins Plus Program.
3. The Shire of Dardanup Council to further consider ways to fund the gap of introducing a three-container service, particularly for the purchase of new containers, lids and other items in the first year.
4. The Shire of Dardanup implement the strategies and timeframes as listed in the Plan.

Although the draft Waste Management Plan will need to be advertised for public comment, it is suggested that Council hold off on consultation until tenders are called as discussed earlier in the report. This will allow the draft Waste Management Plan to be further tested using current and future

market prices. It will then allow Council to further consider the draft Waste Management Plan (and adjust it if required) before deciding to consult with the community.

It is further suggested that Council authorise staff to make an application to the Better Bins Plus Program for a FOGO service to be implemented as of 1 July 2021. Subject to outcomes of the tender and further consideration of the draft Waste Management Plan, Council will still have the opportunity to defer or not accept a funding offer under the program.

In regards to point 3 above, it is recommended that Council consider the purchase of new containers and other capital items required for the three-container system by means of a loan to be paid. In regards to the estimated annual increase in service charge of \$20, it is suggested that Council consider the option of absorbing this cost during the development of the 2021-2022 Budget.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

171-20 MOVED - Cr. M T Bennett SECONDED - Cr. T G Gardiner

THAT Council:

1. **Endorses the draft Waste Management Plan as a draft to inform a tender process.**
2. **Authorises the Chief Executive Officer to call a tender to undertake waste management services on behalf of the Shire of Dardanup including options for a two or three bin service as per the Draft Waste Management Plan.**
3. **Authorises the Chief Executive Officer to prepare a funding submission to the Waste Authority's Better Bins Plus Program for a possible FOGO service being implemented as of 1 July 2021.**
4. **Requires the Chief Executive Officer to bring a report to Council for the consideration of the tender and grant application outcomes and further consideration of the Draft Waste Management Plan prior to seeking public submission based on the updated Draft Waste Management Plan.**

CARRIED
6/2

12.13 Title: 2020/21 Budget Adoption

Reporting Department: *Corporate & Governance Directorate*

Reporting Officer: *Mr Phil Anastasakis - Deputy CEO*

Mrs Natalie Hopkins - Manager Financial Services

Legislation: *Local Government Act 1995*

DECLARATIONS OF INTEREST – MR ANDRÉ SCHÖNFELDT

Mr. André Schönfeldt has declared an Impartiality Interest in “2020/21 Budget Adoption” as his family attends and are patrons of the Eaton Family Centre and Toy Library.

Mr. André Schönfeldt has declared a Proximity Interest in “2020/21 Budget Adoption” as page of the Annual Budget under Parks and Reserves includes maintenance to a reserve that adjoins his property.

Mr Schönfeldt asked Councillors if they would consider allowing him to remain in the room.

Mr André Schönfeldt left the room [6.08pm] so that Councillors could consider if Mr Schönfeldt could remain in the room for the item.

COUNCIL RESOLUTION

172-20 MOVED - Cr. P R Perks SECONDED - Cr. P S Robinson

THAT Council in accordance with Section 5.68 (1)(a) of the Local Government Act 1995 agree to allow André Schönfeldt to be present during discussion on the matter of the 2020/21 Budget Adoption.

CARRIED
8/0

Note: Chief Executive Officer, Mr André Schönfeldt returned to the room [6.09pm].

DECLARATIONS OF INTEREST – CR C N BOYCE

Cr. C N Boyce declared a Proximity Interest in “2020/21 Budget Adoption” as she owns property with a common boundary with development planned for the end of Watson Street, Eaton. Refer to Resolution A.

Cr. C N Boyce left the room [6.10pm].

DECLARATIONS OF INTEREST – CR M T BENNETT

Cr. M Bennett declared a Proximity Interest in “2020/21 Budget Adoption” Resolution A as he owns property adjacent to the Millar’s Creek pathway.

Cr. M Bennett declared an Impartially Interest in “2020/21 Budget Adoption” Resolution B as he is a patron of the Eaton Bowling Club.

Cr. M Bennett declared an Impartially Interest in “2020/21 Budget Adoption” Resolution B as he is a

life member of the Eaton Junior Football Club.

Cr. M Bennett declared a Proximity Interest in “2020/21 Budget Adoption” Refer to Resolution C as he owns property adjacent to the Pratt Road car park.

Cr. M T Bennett left the room [6.10pm].

DECLARATIONS OF INTEREST – Cr. P S ROBINSON

Cr P Robinson declared an Impartiality Interest in “2020/21 Budget Adoption” as he is a volunteer member of the Crooked Brook Forest Assn committee. Schedule 8 Education and Welfare contains an annual grant of \$2,000 to the CBFA.

Cr P Robinson declared an Impartiality Interest in “2020/21 Budget Adoption” as he is a volunteer member of the Joshua Crooked Brook Volunteer Bush Fire Brigade. Schedule 5 law, order and public safety contains an allocation under recurrent expenditure for brigade support. A share of \$131,700.

Cr P Robinson declared a Financial Interest in “2020/21 Budget Adoption” as he is a volunteer Fire Control Officer for the Joshua Crooked Brook Volunteer Bush Fire Brigade. Schedule 5 5 law, order and public safety contains an allocation for the FCOs. As a consequence, he has a financial interest in the matter. He has a letter of participation approval from the Deputy Director General – Regulation dated 23 August 2019 for a one year period. Cr. P S Robinson advises he will be able to remain in the room and participate.

Note: Below is a copy of the advice received from the Deputy Director General – Regulation of the Department of Local Government, Sport and Cultural Industries:

The Deputy Director General Regulation, Mr Michael Connolly has, under delegated authority from the Minister, approved the application under section 5.69(3)(b) of the Local Government Act 1995 (the Act) for Cr. P S Robinson to fully participate in the discussion and decision making relating to Bush Fire Brigades at Council meetings or Committee meetings.

The following conditions were placed on the approval:

- 1. The approval is only valid for a period of one year from the date of approval (23 August 2019). If Cr. Robinson is re-appointed as a Fire Control Officer for a further term, and he believes that he should be allowed to participate, then Council should seek a further approval and provide reasons for the request;*
- 2. The approval does not permit Cr. Robinson to participate in the discussion if there is a substantial change in the nature and extent of his interests. However, if there is a significant change in the nature and extent of his interests, and he believes that he should be allowed to participate, then Council should seek a further approval and provide reasons for the request;*
- 3. Cr. Robinson is to declare the nature and extent of his interests at each meeting, with the approval provided;*
- 4. The CEO is to provide a copy of the Department's letter of approval to Cr. Robinson;*
- 5. The CEO is to ensure that the declaration, including the approval given and any conditions imposed, are recorded in the minutes of each meeting; and*
- 6. The approval granted is based solely on the interests disclosed by Cr. Robinson made in accordance with the application. Should other interests be identified, those interests will not be included in this approval and the financial interest provisions of the Act will apply.*

DECLARATIONS OF INTEREST – Cr. P S ROBINSON
Deputy President, Cr P Robinson remained in the room and assumed the role of Chairperson [6.10pm].

Overview

This report presents the final 2020/21 Annual Budget for Council adoption. The 2020/21 Annual Budget papers have been formulated and presented to Council in the statutory format for formal adoption.

Background

The 2020/21 budget has been compiled based on the strategic objectives, strategies and actions contained in the Strategic Community Plan and Corporate Business Plan, which together form Council's "Plan for the Future". As part of the Integrated Planning and Reporting cycle, Council has reviewed and updated its four year Corporate Business Plan 2020/21 – 2023/24, ten year Long Term Financial Plan, Workforce Plan and various Asset Management Plans.

Year one of the Corporate Business Plan formed the basis of the draft annual budget, with further deliberations and resolutions of Council occurring at the Integrated Planning Committee meetings during March, April and May 2020.

The 2020/21 Annual Budget has been prepared taking into consideration these preceding reviews and incorporates relevant elements of the various strategies, plans and resolutions adopted by Council. The culmination of these strategic reviews resulted in Council considering and resolving to endorse the draft 2020/21 Budget at the 10 June 2020 Special Council meeting [SCM 155-20 – SCM 166-20].

This report recommends Council adopt the final Shire of Dardanup 2020/21 Annual Budget (Appendix ORD: 12.13A – Under Separate Cover), together with the supporting schedules, including the imposition of rates and minimum payments, and related matters arising from the budget.

Legal Implications*Local Government Act 1995***5.56. Planning for the future**

- (1) *A local government is to plan for the future of the district.*
- (2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

*Division 2 — Annual budget***6.2. Local government to prepare annual budget**

- (1) *During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.*

** Absolute majority required.*

- (2) *In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of —*

- (a) *the expenditure by the local government; and*
 - (b) *the revenue and income, independent of general rates, of the local government; and*
 - (c) *the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.*
- (3) *For the purposes of subsections (2)(a) and (b) all expenditure, revenue and income of the local government is to be taken into account unless otherwise prescribed.*
- (4) *The annual budget is to incorporate —*
- (a) *particulars of the estimated expenditure proposed to be incurred by the local government; and*
 - (b) *detailed information relating to the rates and service charges which will apply to land within the district including —*
 - (i) *the amount it is estimated will be yielded by the general rate; and*
 - (ii) *the rate of interest (if any) to be charged by the local government on unpaid rates and service charges; and*
 - (c) *the fees and charges proposed to be imposed by the local government; and*
 - (d) *the particulars of borrowings and other financial accommodation proposed to be entered into by the local government; and*
 - (e) *details of the amounts to be set aside in, or used from, reserve accounts and of the purpose for which they are to be set aside or used; and*
 - (f) *particulars of proposed land transactions and trading undertakings (as those terms are defined in and for the purpose of section 3.59) of the local government; and*
 - (g) *such other matters as are prescribed.*
- (5) *Regulations may provide for —*
- (a) *the form of the annual budget; and*
 - (b) *the contents of the annual budget; and*
 - (c) *the information to be contained in or to accompany the annual budget.*

Local Government (Financial Management) Regulations 1996

26. Discounts for early payment etc., information about required

- (1) *The annual budget is to include for each discount or other incentive proposed to be granted for early payment of any money and in respect of each waiver or concession proposed in relation to any money —*
- (a) *in respect of a discount —*
 - (i) *the amount of the discount, or the percentage discount, to be allowed; and*
 - (ii) *the circumstances in which the discount will be granted; and*
 - [(b) *deleted*]
 - (c) *in relation to a waiver or concession —*
 - (i) *a brief description of the waiver or concession; and*
 - (ii) *a statement of the circumstances in which it will be granted; and*
 - (iii) *details of the persons or class of persons to whom it is available; and*
 - (iv) *the objects of, and reasons for, the waiver or concession.*
- (2) *The annual budget is to include, separately in relation to all general rates, each specified area rate, each service charge and all fees and charges imposed under the Act or any other written law an estimate of —*
- (a) *the total amount of the discounts which may be granted; and*
 - (b) *the total cost to the local government of each incentive scheme; and*
 - (c) *the total cost, or reduction of revenue, to the local government of a waiver or grant of a concession; and*
 - (d) *the total amount of money to be written off.*

[Regulation 26 amended: Gazette 20 Jun 1997 p. 2840.]

Local Government Act 1995

6.12. Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —
- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money,
- which is owed to the local government.

* Absolute majority required.

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

[Section 6.12 amended: No. 64 of 1998 s. 39.]

6.16. Imposition of fees and charges

- (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

* Absolute majority required.

6.20. Power to borrow

6.28. Basis of rates

- (2) In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be —
- (a) where the land is used predominantly for rural purposes, the unimproved value of the land; and
 - (b) where the land is used predominantly for non-rural purposes, the gross rental value of the land.
- (4) Subject to subsection (5), for the purposes of this section the valuation to be used by a local government is to be the valuation in force under the Valuation of Land Act 1978 as at 1 July in each financial year.

6.32. Rates and service charges

- (1) When adopting the annual budget, a local government —
- (a) in order to make up the budget deficiency, is to impose* a general rate on rateable land within its district, which rate may be imposed either —
 - (i) uniformly; or
 - (ii) differentially;
 and
 - (b) may impose* on rateable land within its district —
 - (i) a specified area rate; or

(ii) a minimum payment;

and

(c) may impose* a service charge on land within its district.

* Absolute majority required.

6.34. Limit on revenue or income from general rates

Unless the Minister otherwise approves, the amount shown in the annual budget as being the amount it is estimated will be yielded by the general rate is not to —

(a) be more than 110% of the amount of the budget deficiency; or

(b) be less than 90% of the amount of the budget deficiency.

6.35. Minimum payment

6.37. Specified Area Rates

6.45. Options for Payment of Rates or Service Charges

6.47. Concessions

Subject to the Rates and Charges (Rebates and Deferments) Act 1992, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

* Absolute majority required.

Strategic Community Plan

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

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

Environment - None.

Precedents

Each year Council prepares an annual budget for the forthcoming financial year. The annual budget is formed from year one of the Shire of Dardanup Corporate Business Plan 2020/21 – 23/24.

Budget Implications

The budget has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards.

The budget outlines planned expenditure and revenue and determines the financial parameters for the Shire of Dardanup to operate within for the 2020/21 financial year. Specific budget implications are as outlined in the Schedules and Notes that form part of the budget document.

The main features of the budget include:

- The budget has been prepared on the basis of a 0% rate increase in line with the Corporate Business Plan and Long Term Financial Plan. This 0% increase applies to all UV and GRV general rates in the dollar applied by Council, and minimum rates. As noted at the draft Budget meeting, there has been no change to GRV valuations for 2020/21, but there has been a

valuation change by Landgate for UV properties. Some UV properties will receive either an increase or decrease in their rates due to recent Landgate UV revaluations. Valuation methodologies and revaluations are effectively outside of Council's control, however for those UV rated property owners who do receive an increase, they are able to lodge an appeal with the Valuer General if they believe the increased valuation is not warranted.

- For the 2020/21 budget it is proposed a total of \$13,404,719 be raised from general property rates, \$247,557 for the Eaton Landscaping Specified Area Rate, and \$100,864 for the Annual Bulk Waste Collection Specified Area Rate. The expected yield from rates will be sufficient to balance the 2020/21 budget after some adjustments have been made to increase other sources of revenue, reduce operating expenditure and to adjust the amount transferred to or from reserves.

	Unimproved Value Rate in Dollar	Gross Rental Value Rate in in Dollar	Minimum Rate
2019/20 – Current	\$0.006259	\$0.100662	\$1,547.50
2020/21 – 0% Increase	\$0.006259	\$0.100662	\$1,547.50

	Specified Area Rate in Dollar - Bulk Waste	Specified Area Rate in Dollar - Eaton Landscaping
2019/20 – Current	\$0.001315	\$0.002925
2020/21 – 0% Increase	\$0.001315	\$0.002925

While both the Bulk Waste Specified Area Rate and the Eaton Landscaping Specified Area Rate have had a 0% increase to the rate in the dollar, there has been some minor increases to total revenue due to the growth in the number of properties receiving these services. Any change in overall revenue reflects the anticipated decreased or increased service costs. Individual households will receive no increase to the charge raised in 2019/20.

<i>Incorrect Table</i>	Specified Area Rate Total Revenue – Bulk Waste	Specified Area Rate Total Revenue – Eaton Landscaping
2019/20 – Current	\$100,000	\$100,864
2020/21 – 0% Increase	\$244,800	\$247,557

Note: The following information was provided via email on 23 June 2020 to Elected Members.

FURTHER INFORMATION TO ITEM 12.13 – 2020/21 BUDGET ADOPTION

Officer Comment –

Please note that the information in the table has been incorrectly entered and is effectively “around the wrong way”. The information should read as follows:

<i>Corrected Table</i>	Specified Area Rate Total Revenue - Bulk Waste	Specified Area Rate Total Revenue - Eaton Landscaping
2019/20 – Current	\$100,000	\$100,864 -\$244,800
2020/21 – 0% Increase	\$244,800 -\$100,864	\$247,557

- Household waste collection charges have not been increased and remain at \$225.70 per household. This charge reflects the forecast costs associated with the domestic refuse and kerbside recycling removal contract, plus disposal and other waste related costs, and are itemised in the schedule of Fees & Charges. There has been some minor increases to total revenue due to the growth in the number of properties receiving this service.

	Domestic Refuse & Recycling Levy	Domestic Refuse & Recycling Levy - Total Revenue
2019/20 – Current	\$225.70	\$1,207,495
2020/21 – 0% Increase	\$225.70	\$1,209,978

- The recurrent operating budget of \$21,130,707 includes an overall decrease in estimated expenditure of \$8,120 or 0.04% compared with the previous year (although individual line items may vary from this based on specific factors affecting each of these) and continues to focus on improved service delivery to the community.

This decrease includes reduced staffing of 3.4 full-time equivalents making a total of 115.57 FTE's. These reductions relate to Infrastructure Services (1.2 FTE's) and Corporate and Governance Services (2.2 FTE's).

Non-recurrent expenditure of \$943,859 has decreased by \$163,514 or 14.7% and includes items such as special projects expenditure, grant funded expenditure (i.e.: Bushfire Risk Management Coordinator, etc.), loss on disposal of assets, community grants, software purchases and insurance claims.

- The fees and charges when adopted will determine the amount of revenue to be received during the 2020/21 financial year for certain areas. The income has been forecast in the budget income projections.

At the 25 March 2020 Council meeting the recommendations from the Integrated Planning Committee meeting held on the 11 March 2020 were considered and adopted by Council [OCM 66-20 to 76-20]. This included the following decisions that relate to the 2020/21 budgeted fees and charges:

- Endorsement of a 0% increase in the proposed Fees and Charges for 2020/21 to provide financial relief to the community due to the Covid-19 pandemic [OCM 69-20].
- Amendment of the senior's membership fee for the Eaton Recreation Centre to cap this fee at \$50 from 1 July 2020 for residents aged 80 years and over [OCM 74-20].
- Suspend penalty interest on outstanding rates from 26 March 2020 until 30 September 2020 [OCM 78-20].

4. Suspend all Eaton Recreation Centre gym and other membership fees and charges until 30 June 2020, and for this to be reviewed at the June OCM [OCM 78-20].

At the 27 May 2020 Council resolved the following in relation to the Eaton Recreation Centre fees and charges [OCM 129-20]:

WA GOVERNMENT COVID-19 FOUR PHASE ROADMAP	EATON RECREATION CENTRE (ERC) FEE STRUCTURE
<p>Phase 2 – Implemented 18th May 2020</p> <p>(To stay in place until Phase 3 – Approximately June 2020)</p>	<p><u>Pay as You Go</u></p> <ul style="list-style-type: none"> — \$5 per Group Fitness class; or — \$30 per fortnight for Group Fitness classes. <p>All other ERC fees to be as per 2019/20 Shire Schedule of Fees and Charges</p>
<p>Phase 3 – To be implemented on WA Government Announcement</p> <p><i>(Introduced approximately 4 weeks from Phase 2 – June 2020)</i></p>	<p><u>Pay as You Go – Group Fitness Classes</u> \$7 per class or \$6.30 concession (10% discount for valid concession card).</p> <p><u>5 Visit Pass – Group Fitness Classes</u> \$33.25 for 5 visit pass or \$29.90 concession.</p> <p><u>10 Visit Pass – Group Fitness Classes</u> \$63.00 for 10 visit pass or \$56.70 concession.</p>
<p>Phase 4 – To be implemented on WA Government Announcement</p> <p><i>(Introduced approximately 4 weeks from Phase 3 – July 2020)</i></p>	<p>Return to normal Eaton Recreation Centre fees as per approved annual Shire Schedule of Fees and Charges</p>
<p>Seniors aged 80 and over</p>	<p>As per Council's previous resolution will not be charged from 1 July 2020.</p>

The final Fees and Charges for 2020/21 have been presented on this basis.

- \$14,879,076 is to be spent in 2020/21 on the acquisition and/or construction of furniture, equipment, vehicles, plant, buildings and infrastructure assets. Council will allocate \$4,898,550 from Reserves to fund this expenditure, with \$257,969 received as proceeds from disposal. It is anticipated that \$9,523,692 will be sourced from external grants and contributions, which if unsuccessful, may not enable the capital works to proceed as planned. The funding balance of \$198,865 will be contributed from Council's municipal fund.

Of the \$14,879,076 capital expenditure budget, the following is the breakdown based on Asset Category:

- Asset Renewal \$2,639,437 (17.7%);
- Asset Upgrade \$5,221,012 (35.1%); and
- New Assets \$7,018,627 (47.2%).

- The 2020/21 budget includes the raising of one new loan during the year of \$750,000. These funds are to be utilised over a three year period to pay for the creation and management of the WANJU Developer Contribution Plan. Funds are to be utilised to pay for a Project Manager and consultancy costs, plus any administrative cost directly attributed to the Developer Contribution Plan. The loan is anticipated to be drawn down around January 2021, which enables the first repayment of principal and interest to occur in July 2021.

Based on approval being received for the Developer Contribution Plan, in the future when land is developed and a fee is levied against land developers for the release of each lot, the full cost of this loan will be able to be reclaimed by Council.

- Transfers to reserves are expected to total \$4,428,917 for the 2020/21 year. \$271,376 in interest is forecast to be earned on cash backed reserves during 2019/20, with 50% returned to the municipal fund.

Transfers from reserves (including carried forward projects) totalling \$8,659,830 are primarily used for capital projects.

The expected balance of reserves at 30 June 2021 will be \$13,277,236.

- It is expected that Council will receive Local Government Grants Commission General Purpose Grant revenue of \$1,023,014 and Local Roads Grant revenue of \$575,394, noting that 50% of these grant funds are expected to be received in June 2021, and will be transferred to the Unspent Grants Reserve.

The Commonwealth Roads to Recovery (R2R) Grant program was allocated over 5 years to all Local Governments in Australia; the program was completed in 2018/19 financial year. During this time Council received \$2,020,891. A new round of R2R funding commenced in 2019/20 with a stronger focus on road safety for Roads to Recovery projects. \$316,016 is allocated in 2020/21 from this funding program.

Council has continued to receive grants related to infrastructure with the following grants anticipated for 2020/21:

- \$315,624 for Black Spot works,
- \$1,654,095 from Regional Road Group,
- \$352,000 Covid stimulus for Special projects – pathways, and
- \$18,319 for new Pathways.

Changes to Australian Accounting Standards have also required the re-recognition of \$2,310,010 as a liability for grants previously received.

- There have been a number of minor changes made to the draft budget to reflect some of the areas noted above. These have included updated modelling of revenue and expenditure projections for the waste levy and specified area rates, together with the inclusion town planning vehicle expenses omitted previously. An additional \$25,000 has been included for Strategic Studies expenditure with offsetting grant income due to the successful receipt of a grant from the Department of Primary Industries and Regional Development to develop a business case to extend reticulated gas supply to Burekup and Dardanup.
- After taking into consideration all other sources of income, Council is required to raise sufficient rates to meet its total expenditure. However, it is allowed to adopt a budget that has a deficit or surplus that does not exceed 10% of its rate revenue.

The current forecast end of year surplus for 2019/20 is \$382,052, which is reflected in the opening surplus at the start of the 2020/21 financial year. This forecast will vary when the final annual financial report is produced for 2019/20 with the final result reflected in the financial statements when the 2020/21 mid-year budget review is conducted in Feb/March 2021.

- A modest end of year surplus of \$218,987 has been forecast in the budget. The net result for the 12 month period of the 2020/21 is therefore a deficit of (\$163,065). This small surplus

enables Council to withstand any unforeseen financial costs or revenue reductions that may occur during the year.

Budget – Whole of Life Cost

While the budget contains new assets and infrastructure, this report does not deal directly with the whole of life costs of those items. Consideration of the whole of life costs relevant to those items forms part of the individual project or asset evaluation and justification.

Council Policy Compliance

Council Policy CP018 – Corporate Business Plan & Long term Financial Plan notes that each year with the best endeavours Council aims to consider a draft budget for adoption by the end of June. This goal will be achieved through the adoption of the 2020/21 Budget at the 24 June 2020 Ordinary Council meeting.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.13B) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Annual Budget 2020/21
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 Legislative requirements and compliance determine the need for the production of the Annual Budget.
	Financial The financial implications associated within the elements of the Annual Budget can affect the financial sustainability of Council.
	Reputational The inclusion of projects and works within the various plans within the Annual Budget build community expectation.

Officer Comment

The budget document follows a similar format to previous years, as there have not been any significant changes to the relevant Australian Accounting Standards.

The Moore Stephens budget model has been utilised to generate the 2020/21 budget report as it is a good benchmark of industry standards and requirements, and is reviewed and updated annually. The 2020/21 budget document includes the following information:

- Financial statements including the Statement of Comprehensive Income (by Nature or Type), Statement of Comprehensive Income (by Program), Statement of Cash Flows, and Rate Setting Statement.

- Notes to and forming part of the budget including notes on operating expenditure and revenue, loan borrowings, asset construction / acquisition / disposal, transfers to and from reserves, rating information and grants.
- Detailed Financial Information for each Schedule at account level, with Sundry Notes providing a greater level of detail for each account. This information is formatted with the account number, description and totals for the 2020/21 Budget.

The final 2020/21 budget has been prepared utilising the various elements that Council has previously resolved to adopt. These include:

- Strategic Community Plan;
- Long Term Financial Plan;
 - Debt Management Plan
 - Reserve Funds
 - Rating Strategy
- Corporate Business Plan;
- Workforce Plan
- Asset Management Plans
 - Pathways
 - Roads
 - Parks & Reserves
 - Buildings
 - Stormwater Drainage
 - Engineering Services Vehicles
 - Compliance & Executive Vehicles
 - Information Technology
 - Recreation Centre Equipment
 - Small Plant & Equipment
- Elected Member Fees, Expenses & Allowances;
- Community Budget Requests
- Events, Festivals & Community Services Programs
- Community Funding Applications
- Minor & Community Grants
- Elected Member Budget Requests;

- Fees & Charges Schedule
- Draft 2020/21 Budget

While the 2019/20 financial year has not yet ended, the 2020/21 Budget document presented to Council represents the current forecast to the 30 June 2020.

- *Materiality Limit*

Local Government (Financial Management) Regulation 34(5) requires that each financial year a Local Government adopts a Materiality percentage or value, calculated in accordance with the Australian Accounting Standards.

This percentage or value is required to guide the users of financial reports regarding variances in actual to budget expenditures and revenues. Specifically the intention is to highlight variances that are important or significant due to their value and possible impact.

Having regard to the fact that the users of these financial reports are primarily management and Council, a value greater than \$50,000 or 10%, whichever is greater with reporting at the Program or Nature/Type level has historically been considered reasonable for highlighting material variances.

Overall the 2020/21 Budget continues to deliver on strategies and actions identified and prioritised by Council in the Strategic Community Plan and Corporate Business Plan. This ensures Council maintains a high level of service across all programs while enabling new asset construction and existing asset upgrade and renewal is undertaken at sustainable levels.

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION "A"

173-20 MOVED - Cr. M R Hutchinson SECONDED - Cr. T G Gardiner

MUNICIPAL FUND BUDGET FOR 2020/21

THAT Council pursuant to Section 6.2 of the *Local Government Act 1995* and *Part 3 of the Local Government (Financial Management) Regulations 1996*, adopts the Transport Infrastructure Capital Acquisition/Works within the Municipal Fund Budget as contained in (Appendix ORD: 12.13A – Under Separate Cover) of this Agenda and the Minutes, for the Shire of Dardanup for the 2020/21 financial year.

CARRIED

6/0

By Absolute Majority

Note: Cr. C N Boyce returned to the room [6.11pm].

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION "B"

174-20 MOVED - Cr. P R Perks SECONDED - Cr. C N Boyce

MUNICIPAL FUND BUDGET FOR 2020/21

THAT Council pursuant to Section 6.2 of the *Local Government Act 1995* and *Part 3 of the Local Government (Financial Management) Regulations 1996*, adopts the Land & Buildings Capital Acquisition/Works within the Municipal Fund Budget as contained in (Appendix ORD: 12.13A – Under Separate Cover) of this Agenda and the Minutes, for the Shire of Dardanup for the 2020/21 financial year.

CARRIED

5/2

By Absolute Majority

FOR THE MOTION	AGAINST THE MOTION
<i>Cr. P S Robinson</i>	<i>Cr. J Dow</i>
<i>Cr. L Davies</i>	<i>Cr. M Hutchinson</i>
<i>Cr. T G Gardiner</i>	
<i>Cr. C N Boyce</i>	
<i>Cr. P R Perks</i>	

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION “C”

175-20 MOVED - Cr. T G Gardiner SECONDED - Cr. P R Perks

MUNICIPAL FUND BUDGET FOR 2020/21

THAT Council pursuant to Section 6.2 of the *Local Government Act 1995* and *Part 3 of the Local Government (Financial Management) Regulations 1996*, adopts the Parks & Reserves Capital Acquisition/Works within the Municipal Fund Budget as contained in (Appendix ORD: 12.13A – Under Separate Cover) of this Agenda and the Minutes, for the Shire of Dardanup for the 2020/21 financial year.

CARRIED

7/0

By Absolute Majority

Note: Cr. M T Bennett returned to the room and assumed the chair [6.14pm].

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION “D”

176-20 MOVED - Cr. P S Robinson SECONDED - Cr. P R Perks

MUNICIPAL FUND BUDGET FOR 2020/21

THAT Council pursuant to Section 6.2 of the *Local Government Act 1995* and *Part 3 of the Local Government (Financial Management) Regulations 1996*, adopts the Vehicles Capital Acquisition/Works and Disposals within the Municipal Fund Budget as contained in (Appendix ORD: 12.13A – Under Separate Cover) of this Agenda and the Minutes, for the Shire of Dardanup for the 2020/21 financial year.

CARRIED

6/2

By Absolute Majority

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

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION “E”

177-20 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

MUNICIPAL FUND BUDGET FOR 2020/21

THAT Council pursuant to Section 6.2 of the *Local Government Act 1995* and *Part 3 of the Local Government (Financial Management) Regulations 1996*, adopts the Furniture & Fittings Capital Acquisition/Works within the Municipal Fund Budget as contained in (Appendix ORD: 12.13A – Under Separate Cover) of this Agenda and the Minutes, for the Shire of Dardanup for the 2020/21 financial year.

CARRIED

8/0

By Absolute Majority

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION “F”

178-20 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

MUNICIPAL FUND BUDGET FOR 2020/21

• **Budget Program Schedules.**

CARRIED
6/2
By Absolute Majority

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

DECLARATION OF INTEREST
<p>Cr. T G Gardiner declared a Proximity Interest in this item as he had previously declared an Interest in Item 12.1 in regard to the granting of concessions to phase in the financial impact of the change to the method of valuation of the land areas from Unimproved Values to Gross Rental Values referred to in Council report 12.1</p> <p>Cr. T G Gardiner left the room [6.19pm].</p>

Process:

In line with resolution "156-20" made earlier in the meeting at Item 12.1. Council amended Part 8 of this resolution from:

8. *Pursuant to Section 6.47 of the Local Government Act 1995, Council grants a rate concession to phase-in the financial impact of the change to the method of valuation of the land areas from Unimproved Values to Gross Rental Values referred to in Council report 12.1 of the 24 June 2020 Council meeting, based on a 66% concession in 2020/21, a 33% concession in 2021/22, and a 0% concession in 2022/23.*

To read:

8. *Pursuant to Section 6.47 of the Local Government Act 1995, Council grants a rate concession to phase-in the financial impact of the change to the method of valuation of the land areas from Unimproved Values to Gross Rental Values referred to in Council report 12.1 of the 24 June 2020 Council meeting, based on an 80% concession in 2020/21, a 60% concession in 2021/22, a 40% concession in 2022/23, a 20% concession in 2023/24 and a 0% concession in 2024/25.*

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION "I"

181-20 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

GENERAL AND MINIMUM RATES, INSTALMENT PAYMENT ARRANGEMENTS

THAT Council:

1. For the purposes of yielding the deficiency disclosed by the Municipal Fund Budget for 2020/21 adopted as Part A above, Council pursuant to Sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995* impose the following general rates and minimum rates on Gross Rental and Unimproved Values:

a) **General Rates**

- Gross Rental Value (GRV) Rated Properties= \$0.100662
- Unimproved Value (UV) Rated Properties = \$0.006259

b) **Minimum Payments**

- Gross Rental Value (GRV) Rated Properties = \$1,547.50
- Unimproved Value (UV) Rated Properties = \$1,547.50

	RATE IN THE DOLLAR	\$ RATE YIELD
Gross Rental Value (GRV)	\$0.100662	\$8,795,064
GRV Minimum	\$1,547.50	\$2,770,027
TOTAL GRV		\$11,565,091
Unimproved Value (UV)	\$0.006259	\$1,718,765
UV Minimum	\$1,547.50	\$212,007
TOTAL UV		\$1,930,772
TOTAL GRV & UV YIELD		\$13,495,863

2. Pursuant to Sections 6.37 of the *Local Government Act 1995* impose the following Specified Area Rates:

a) **The Specified Area Rate for “Bulk Waste Collection Levy”**

- *Purpose: Levied on developed residential properties within (and adjoining to) the townsites of Eaton, Dardanup and Burekup that are services with Council’s bulk and green waste kerbside pickup to meet the cost of the service and to contribute to the refuse site.*
- Residential GRV = \$0.001315 per specified assessment to yield \$100,864.

b) **The Specified Area Rate for “Eaton Landscaping”**

- *Purpose: Levied on properties within the townsites of Eaton for the purpose of upgrading and maintaining parks and reserves in Eaton townsite.*

- Residential GRV = \$0.002925 per specified assessment to yield \$247,557.
3. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, Council nominates the following dates for the payment in full by instalments:
 - Full payment and 1st instalment due date 10 September 2020
 - 2nd quarterly instalment due date 12 November 2020
 - 3rd quarterly instalment due date 14 January 2021
 - 4th quarterly instalment due date 18 March 2021
 4. Pursuant to Section 6.46 of the *Local Government Act 1995*, Council offers an incentive for the early payment of rates through a rates prize draw of \$1,500 to those ratepayers who pay their rates in full and have no outstanding balance by 4.00pm on 10 September 2020.
 5. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$13.00 for each instalment after the initial instalment is paid (\$39.00 for four (4) instalment option).
 6. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 68 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an interest rate of 2.75% (represents 50% of 5.5%) where the owner has elected to pay rates (and service charges) through an instalment option.
 7. Pursuant to Section 6.51(1) and subject to Section 6.51(4) of the *Local Government Act 1995* and Regulation 70 of the *Local Government (Financial Management) Regulations 1996*, Council adopts an interest rate of 0% for the period 1 July 2020 to 31 December 2020, and an interest rate of 8.0% for the period 1 January 2021 to 30 June 2021 for rates (and service charges) and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

* (Absolute Majority required)
 8. Pursuant to Section 6.47 of the *Local Government Act 1995*, Council grants a rate concession to phase-in the financial impact of the change to the method of valuation of the land areas from Unimproved Values to Gross Rental Values referred to in Council report 12.1 of the 24 June 2020 Council meeting, based on an 80% concession in 2020/21, a 60% concession in 2021/22, a 40% concession in 2022/23, a 20% concession in 2023/24 and a 0% concession in 2024/25.

CARRIED

7/0

By Absolute Majority

Note: Cr. T G Gardiner returned to the room [6.20pm].

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION "J"

182-20 MOVED - Cr. P S Robinson SECONDED - Cr. J Dow

GENERAL FEES AND CHARGES FOR 2020/21

THAT Council pursuant to Section 6.16 of the *Local Government Act 1995*, adopts the Fees & Charges as contained in the 2020/21 Budget included as (Appendix ORD: 12.13A – Under Separate Cover) of the Agenda and Minutes.

CARRIED
8/0
By Absolute Majority

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION "K"

183-20 MOVED - Cr. C N Boyce SECONDED - Cr. T G Gardiner

OTHER STATUTORY FEES FOR 2020/21

THAT Council:

1. Pursuant to Section 53 of the *Cemeteries 1986*, Council adopts the Fees & Charges for the Dardanup and Ferguson Cemetery as contained in the 2020/21 Budget included as (Appendix ORD: 12.13A – Under Separate Cover) of the Agenda and Minutes.
2. Pursuant to Section 245A(8) of the *Local Government (Miscellaneous Provisions) Act 1960*, Council adopts the swimming pool inspection fee as contained in the 2020/21 Budget included as (Appendix ORD: 12.13A – Under Separate Cover) of the Agenda and Minutes.
3. Pursuant to Section 67 of the *Waste Avoidance and Resource Recovery Act 2007*, Council adopts the Fees & Charges for the removal and deposit of domestic and commercial waste as contained in the 2020/21 Budget included as (Appendix ORD: 12.13A – Under Separate Cover) of the Agenda and Minutes.
* (Simple Majority required)
4. Pursuant to Section 67 of the *Waste Avoidance and Resource Recovery Act 2007* and Section 6.16 of the *Local Government Act 1995*, Council adopts the Fees & Charges for the deposit of domestic and commercial waste as contained in the 2020/21 Budget included as (Appendix ORD: 12.13A – Under Separate Cover) of the Agenda and Minutes.

CARRIED
8/0
By Absolute Majority

OFFICER RECOMMENDED RESOLUTION "L"

MATERIAL VARIANCE REPORTING FOR 2020/21

THAT Council In accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 101 Presentation of Financial Statements, the level to be used in statements of financial activity in 2020/21 for reporting material variances shall be 10% or \$50,000, whichever is greater.

Note: Cr. M R Hutchinson moved an alternate resolution to reduce the reporting variances to 5% or \$25,000 so that Councillors receive more reports on the variances that occur.

FORESHADOWED MOTION – CR. P S ROBINSON

Cr. P S Robinson foreshadowed the officer recommended resolution L as per the minutes of the Committee should Cr. M R Hutchinson's motion not be carried.

ALTERNATE RESOLUTION "L"

184-20 MOVED - Cr. M R Hutchinson SECONDED - Cr. J Dow

MATERIAL VARIANCE REPORTING FOR 2020/21

THAT Council In accordance with Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, and AASB 101 Presentation of Financial Statements, the level to be used in statements of financial activity in 2020/21 for reporting material variances shall be 5% or \$25,000, whichever is greater.

CARRIED

4/4

On the Casting Vote of the Shire President

DECLARATION OF INTEREST

Cr. L Davies declared a Financial Interest in this item as he is employed by Coles Pty Ltd who would be affected by the outcome of this resolution.

Cr. L Davies left the room [6.34pm].

Note: The following information was provided via email on 23 June 2020 to Elected Members.

ADDITIONAL INFORMATION TO ITEM 12.13 – 2020/21 BUDGET ADOPTION

Deputy Chief Executive Officer Comment

The Council has resolved to assist in reducing the financial impact on its business community due to the Covid-19 pandemic. In addition to freezing rates and general fees and charges, it is proposed that the annual food premises inspection fee for high, medium and low risk businesses within the Shire of Dardanup be waived for the 2020/21 financial year. The financial impact will be approximately \$13,000 if Council supports the waiver.

ADDITIONAL OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION “M”

185-20 MOVED - Cr. M T Bennett SECONDED - Cr. J Dow

GRANTING OF A CONCESSION FOR 2020/21

THAT Council In accordance with Section 6.47 of the Local Government Act 1995 and the Food Act 2008, Council waive the annual food premises inspection fee for high, medium and low risks for businesses within the Shire of Dardanup for the 2020/21 financial year.

CARRIED
7/0

Note: Cr. L Davies returned to the room and Cr. P S Robinson left the room [6.35pm].

Accolades:

Shire President, Cr. M T Bennett thanked Deputy Chief Executive Officer, Mr Phil Anastasakis and his finance team for undertaking the heavy workload that was caused with this year’s budget process. The effect of Covid-19 has had significant impact on the organisation and budget delivery.

Cr. M T Bennett also thanked the Chief Executive Officer and all staff involved in getting the budget finalised with the changes that were required.

12.14 Title: Monthly Statement of Financial Activity for the Period Ended 31 May 2020

Reporting Department: Corporate & Governance Directorate
 Reporting Officer: Mr Ray Pryce - Accountant
 Legislation: Local Government Act 1995

Overview

This report presents the monthly Financial Statements for the period ended 31 May 2020 for Council adoption.

Background

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

Legal Implications

Local Government Act 1995 – Section 6.4

6.4. *Financial Report*

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

Local Government (Financial Management) Regulations 1996 r. 34

Part 4 — Financial Reports — s. 6.4

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

(1A) *In this regulation —*

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

- (1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*
 - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
 - (b) *budget estimates to the end of the month to which the statement relates; and*
 - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*

- (2) *Each statement of financial activity is to be accompanied by documents containing —*
- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown —*
- (a) *according to nature and type classification; or*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
- (a) *presented at an ordinary meeting of the Council within 2 months after the end of the month to which the statement relates; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

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

Strategic Community Plan

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

Environment - None.

Precedents

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

Budget Implications

The financial activity statement compares budget estimates to actual expenditure and revenue to the end of the month to which the statement relates. Material variances and explanations of these are included in the notes that form part of the report.

Budget – Whole of Life Cost - None.

Council Policy Compliance

CP036 Investment Policy & CP128 Significant Accounting Policies

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.14A) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Monthly Statement of Financial Activity for the Period Ended 31 May 2020
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 31 May 2020 is contained in (Appendix ORD 12.14B) and consists of:

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

The Statement of Financial Activity shows operating revenue and expenditure by statutory program and also by nature and type, as well as expenditure and revenue from financing and investing activities - comparing actual results for the period with the annual adopted budget, the annual revised budget (incorporating changes adopted in the 2019/20 mid-year budget review) and the year-to-date revised budget. The previous year annual results are also included for information.

The Statement of Financial Activity includes the end-of-year surplus brought forward from 2018/19 of \$404,751, with a forecast surplus at 30 June 2020 of \$382,052. This forecast is continually under review and will likely change as project and expenditure information becomes clearer over the coming weeks.

The net current assets position at 31 May 2020 (details and graph on page 5 of the report) shows an improved net cash position when compared to the previous year. This is mainly due to inclusion of additional cash from sale of land and current debtor for a sporting donation. This cash will ultimately be transferred to Reserve account and return the net unrestricted cash position to its usual trend.

Actual values for the year to date are compared to the year to date revised budget to present a percentage variance as well as the variance amount in Note 2 – Explanation of Material Variances. The minimum level adopted by Council to be used in the Statement of Financial Activity in 2019/20 for reporting material variances is 10% or \$50,000, whichever is greater.

Note 2 – Statement of Material Variances (pages 8 and 9 of the finance report) includes aspects of the recent sale of land on Council Drive. The cash has been received under the heading ‘Proceeds from Disposal of Assets’, however, the accounting records for the acquisition of the land asset and its subsequent disposal have not been completed as at the date of the report.

At this time, some of the impacts of Covid-19 are evident in some of the budget variances – specifically reduced revenue at Eaton Recreation Centre and emergency management costs incurred to safeguard both people and assets. The full financial impact is not yet known.

Note 5 – 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 current investment of \$1.9M with BBB+ rated AMP Bank (11% of the total portfolio) exceeds the Investment Policy’s counterparty credit exposure limit of 10% due to the drawdown of other investment cash for operations. The investment is still compliant under the ‘grandfathering’ clause of the investment policy and will be reduced to within the portfolio policy limit at its next maturity in August 2020.

Note 9 – Borrowings. The current budget includes a loan of \$750,000 for the Wanju/Waterloo Industrial Park Developer Contribution Plans. The loan that was originally planned to be raised in June 2020 is now anticipated to be raised in January 2021.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

186-20 MOVED - Cr. P R Perks SECONDED - Cr. T G Gardiner

THAT Council receives the Monthly Statement of Financial Activity (Appendix ORD: 12.14B) for the period ended 31 May 2020.

CARRIED
7/0

12.15 Title: Schedule of Paid Accounts as at 5 June 2020

<i>Reporting Department:</i>	<i>Corporate & Governance Directorate</i>
<i>Reporting Officer:</i>	<i>Ms Jasmine Sillifant – Accounts Payable Officer</i>
<i>Legislation:</i>	<i>Local Government (Financial Management) Regulations 1996</i>

Overview

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

Background

Council delegates authority to the Chief Executive Officer annually:

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

Legal Implications

Local Government Act 1995

S6.5. Accounts and records

Local Government (Financial Management) Regulations 1996

R11. Payments, procedures for making etc.

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

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

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

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

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

Strategic Community Plan

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

Environment - None.

Precedents

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

Budget Implications

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

Budget – Whole of Life Cost - None.

Council Policy Compliance

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

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.15) for full assessment document.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Schedule of Paid Accounts as at 5 June 2020
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Financial Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position.
	Reputational Non-compliance that results in a qualified audit can lead stakeholders to question the Council's ability to manage finances effectively

Officer Comment

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

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

187-20 MOVED - Cr. L Davies SECONDED - Cr. T G Gardiner

THAT Council receive the Schedule of Paid Accounts report from 08/05/2020 to 05/06/2020 as follows:

Payment	Date	Name	Invoice Description	Fund	Amount
ELECTRONIC FUNDS TRANSFER					
EFT38299	14/05/2020	Alison Kerry	Refund Of Bond For Cat Cage Hire	MUNI	150.00
EFT38300	14/05/2020	Alison Meachem	Library Programs - Collage Canvas Online Workshop X 1	MUNI	280.00
EFT38301	14/05/2020	Australia Post	Monthly Invoice Of Mail And Postage - April 2020	MUNI	1,023.60
EFT38302	14/05/2020	BCE Surveying Pty Limited	Survey Services - Ferguson Road	MUNI	1,555.10
EFT38303	14/05/2020	Bunbury Bearings	4 Bearings For Tractor Mower Rollers	MUNI	79.20
EFT38304	14/05/2020	Bunbury Harvey Regional Council	Regional Waste Education Program - April 2020	MUNI	2,773.67
EFT38305	14/05/2020	Bunbury Psychological Services	Counselling Services - EAP	MUNI	154.00
EFT38306	14/05/2020	Bunnings Group Limited	Grinding Discs, Danger Tape, Dynabolts For Signs	MUNI	204.64
EFT38307	14/05/2020	Caltex Australia Petroleum Pty Ltd	Fuel - Shire Vehicles April 2020	MUNI	12,417.74
EFT38308	14/05/2020	Casey Billington	Uniform Reimbursement - Casey Billington - Steel Caps - Covid-19 Redeployment	MUNI	79.00
EFT38309	14/05/2020	Ciphertel Pty Ltd T/A Gateway Internet Services	Monthly Account For Point To Point Microwave Service	MUNI	2,893.00
EFT38310	14/05/2020	Cleanaway Solid Waste Pty Ltd	Monthly Hire/Emptying Skip Bins At Transfer Station (Banksia Road)	MUNI	2,731.93
EFT38311	14/05/2020	Construction Training Fund : BCITF	BCITF - April 2020 Remittance	MUNI	601.22
EFT38312	14/05/2020	Craneford Plumbing	Service Agreement For ATU At Depot - Quarterly Service	MUNI	143.00
EFT38313	14/05/2020	Data #3 Limited	Microsoft M365 Subscription - E3	MUNI	572.60
EFT38314	14/05/2020	Department Of Mines, Industry, Regulations & Safety (Dmirs) - Bsl	BSL - April 2020 Remittance	MUNI	4,263.19
EFT38315	14/05/2020	Department Of Water And Environmental	Annual Licence Fee For Transfer Station	MUNI	324.71

Payment	Date	Name	Invoice Description	Fund	Amount
		Regulation			
EFT38316	14/05/2020	Eaton Pet Vet	2019-2020 Animal Management Program (Sterilisation)	MUNI	35.00
EFT38317	14/05/2020	Fuji Xerox Australia Pty Ltd	Lease For Photocopiers	MUNI	4,785.00
EFT38318	14/05/2020	Grace Records Management	Bin Exchange And Records Management	MUNI	600.68
EFT38319	14/05/2020	Howson Technical	Harris Road - Aboriginal Heritage Monitoring For Preliminary Roadworks (Drainage And Earthworks)	MUNI	11,264.00
EFT38320	14/05/2020	Hynes Contracting	Excavation Works To Repair Weir Wall At Wellington Mills VBFB	MUNI	2,035.00
EFT38321	14/05/2020	Jim's Test And Tag	Supply And Replace Emergency Exit Light - Dardanup Hall	MUNI	253.00
EFT38322	14/05/2020	Kim Buttfield Consulting	Business Planning Facilitation Provided To Eaton Boomers Football Club - Progress Payment 20%	MUNI	968.00
EFT38323	14/05/2020	Kleenit Pty Ltd	Remove Graffiti At Dardanup Skate Park And Tennis Courts - Recreation Drive	MUNI	165.00
EFT38324	14/05/2020	Landgate	Rural UV General Revaluation 2020	MUNI	11,621.72
EFT38325	14/05/2020	Marketforce	Recruitment Advertising - March 2020	MUNI	225.50
EFT38326	14/05/2020	Moore Stephens WA Pty Ltd	Financial Reporting Workshop (Via Zoom) 22 May 2020 - Attendee: Natalie Hopkins - Manager Financial Services	MUNI	1,782.00
EFT38327	14/05/2020	Nightguard Security Service	Security Call-Out Service For Eaton Administration Centre 8/04/2020 & 26/04/2020	MUNI	198.00
EFT38328	14/05/2020	Perfect Landscapes	Mowing - Week Commencing 20/04/2020	MUNI	8,943.00
EFT38329	14/05/2020	Prestige Products	Oxivir Wipes (10 Individual Bottles)	MUNI	311.30
EFT38330	14/05/2020	Safetcard Australia	Monitoring Fees For Safetcards	MUNI	264.00
EFT38331	14/05/2020	SMR Psychology	Employee Assistance Program	MUNI	748.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT38332	14/05/2020	Sos Office Equipment	Photocopier Meter Reading April 2020	MUNI	1,857.13
EFT38333	14/05/2020	Southern Lock And Security	Cut Unrestricted Key	MUNI	33.00
EFT38334	14/05/2020	Stewart And Heaton Clothing Company Pty Ltd	Freight Charges - Brigade Uniforms	MUNI	19.80
EFT38335	14/05/2020	Synergy	Electricity Account For West Dardanup Bfb	MUNI	584.69
EFT38336	14/05/2020	Tayla Russell	Reimbursement Of Medical Expenses - Eaton Medical Centre	MUNI	82.20
EFT38337	14/05/2020	Taylor Burrell Barnett	Consultants - Strategic Planning - Peer Review Of Draft LPS No 9	MUNI	31,053.00
EFT38338	14/05/2020	Telstra	Iridium 9555 Satellite Telephone 0147 142 614	MUNI	175.00
EFT38339	14/05/2020	Toll Transport	Postage & Freight For 84294 - Various Items For Dardanup Depot	MUNI	66.22
EFT38340	14/05/2020	Water Corporation	Drainage Reserve At Gardiner Street, Burekup	MUNI	3,142.44
EFT38341	14/05/2020	Woolworths Group Limited	Batteries	MUNI	24.00
EFT38342	14/05/2020	Wendy Marks	Milk For ERC - Woolworths 1/04/2020	MUNI	4.65
EFT38343	21/05/2020	21 Graphic Design Pty Ltd	Monthly Graphic Design And Creation Of Artwork For Community News - April 2020	MUNI	99.00
EFT38344	21/05/2020	Action Kerbing	Supply And Install Concrete Barrier Kerb (106M) - Gnomesville	MUNI	2,438.00
EFT38345	21/05/2020	Advanced Traffic Management WA P/L	Supply Traffic Management (20 Days)	MUNI	9,565.60
EFT38346	21/05/2020	Alison Meacham	Bee Drawing Or Watercolour Doodling Online Workshop X 2	MUNI	800.00
EFT38347	21/05/2020	Allison Elizabeth Bailey	Reimbursement For Microsoft Office Subscription - Upper Ferguson Bush Fire Brigade	MUNI	99.00
EFT38348	21/05/2020	Amity Signs	2 Packs Of White Guide Posts And 1 Pack Of Blue.	MUNI	2,090.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT38349	21/05/2020	Australian Institute Of Business	Enrolment In Mba Unit - Managing Change, Semester 4 2020 - Mr Phil Anastasakis	MUNI	2,997.00
EFT38350	21/05/2020	Australian Tax Office	PAYG (Tax) - Pay Week Ending 15/05/2020	MUNI	80,168.00
EFT38351	21/05/2020	BCE Surveying Pty Limited	Eaton Drive / Lavender Way / Blue Wren - Drainage Survey. Including Tmp. As Per Quote Q6221.	MUNI	10,548.42
EFT38352	21/05/2020	Boc Ltd	ERC - Hire Of Oxygen Bottle	MUNI	11.98
EFT38353	21/05/2020	Boyanup Botanical	6 X Trays Of Hardenbergia Comptoniana - Cells	MUNI	1,642.95
EFT38354	21/05/2020	Boyles Plumbing And Gas	Supply And Install Pex Type Water Service And Associated Fittings - Watson Reserve Toilets	MUNI	1,347.50
EFT38355	21/05/2020	Bunnings Group Limited	ERC - Painting Equipment	MUNI	890.31
EFT38356	21/05/2020	Burekup And District Country Club	Community Grant R2 2019-2020 Funding	MUNI	2,200.00
EFT38357	21/05/2020	City Of Bunbury	City Of Bunbury April 2020 Cat Pound Fees	MUNI	381.70
EFT38358	21/05/2020	Citygate Properties Ptd Ltd	2 X Gift Vouchers - Anzac Photo Competition Prizes	MUNI	100.00
EFT38359	21/05/2020	Connect Call Centre Services	After Hours Call Centre Service April 2020	MUNI	504.08
EFT38360	21/05/2020	Corrina Thompson	Refund Of Bond For Cat Cage Hire	MUNI	150.00
EFT38361	21/05/2020	Country Landscaping Pty Ltd	Replace Water Meter At Lofthouse Reserve	MUNI	1,174.40
EFT38362	21/05/2020	Dardanup Garage & Service Station	130,000Km Service.	MUNI	353.48
EFT38363	21/05/2020	Dardanup Rural Supplies	Steel Pickets 4 Packs.	MUNI	177.00
EFT38364	21/05/2020	Deputec Pty Ltd	ERC - Deputy Roster Software 2019/2020	MUNI	88.00
EFT38365	21/05/2020	Dardanup Tavern	Gift Voucher - Anzac Photo Competition Prize	MUNI	50.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT38366	21/05/2020	Eaton Family Centre	Community Grant R2 2019-2020	MUNI	1,071.40
EFT38367	21/05/2020	Environmental And Agricultural Testing Services	Water Analysis	MUNI	2,970.00
EFT38368	21/05/2020	Fire & Safety WA	Shield Me Automatic Hand Disinfecting Dispenser	MUNI	1,804.00
EFT38369	21/05/2020	Fit Right Sit Tight	Fit Right, Sit Tight Car Seat Checks - March 2020	MUNI	200.00
EFT38370	21/05/2020	Fulton Hogan Industries WA	1 Ton Premix	MUNI	597.20
EFT38371	21/05/2020	Gt Fabrications	Repair To Tailgate And Latch DA9219	MUNI	330.00
EFT38372	21/05/2020	Hays Tree Lopping	Cut Down Hanging Branches Henty Rd	MUNI	550.00
EFT38373	21/05/2020	Hitachi Construction Machinery Australia Pty Ltd	Hitachi To Go Out To Our Gravel Pit And Inspect Loader Seat.	MUNI	857.64
EFT38374	21/05/2020	Ian Douglas Tyrrell	Rates Refund - 748 Henty Road Dardanup 6236	MUNI	111.67
EFT38375	21/05/2020	Janet Harrison	Rates Refund - 24 Rosevale Close Dardanup WA 6236	MUNI	792.00
EFT38376	21/05/2020	JBS&G Australia Pty Ltd	Community Engagement And Technical Advice - Dardanup Waste Precinct	MUNI	7,623.00
EFT38377	21/05/2020	JCW Electrical Pty Ltd	Southern Light Repairs Millars Creek	MUNI	986.43
EFT38378	21/05/2020	Jo Jingles South West	Early Learning Sessions At Eaton Community Library - April 2020	MUNI	704.00
EFT38379	21/05/2020	Katie Moyse	Reimbursement For Working With Children Check	MUNI	87.00
EFT38380	21/05/2020	Kleenit Pty Ltd	Removal Of Graffiti From Northern Wall	MUNI	198.00
EFT38381	21/05/2020	Kylie Shaw	Uniform Reimbursement	MUNI	157.26
EFT38382	21/05/2020	Landgate	Gross Rental Valuation	MUNI	1,934.76
EFT38383	21/05/2020	Lucy Owen-Conway	Uniform Reimbursement 2019/2020	MUNI	365.91
EFT38384	21/05/2020	Malatesta Road Paving And Hotmix	Black Ac10 Final Seal Laid At 40Mm (Approx. 300M2)	MUNI	11,328.95

Payment	Date	Name	Invoice Description	Fund	Amount
EFT38385	21/05/2020	Mantrac	Bailey Loop, Dardanup West Slashing/ Munching - Ensure Fire Access Track 3M Wide 4M High	MUNI	4,851.00
EFT38386	21/05/2020	Marketforce	Full Page Advertising - March 2020	MUNI	5,867.13
EFT38387	21/05/2020	MGM Bulk Pty Ltd	Supply And Deliver Gravel To Pile Road (Approx. 200 Tonne)	MUNI	6,766.85
EFT38388	21/05/2020	Officeworks Superstores Pty Ltd	ERC - Paint Pens And Drawers	MUNI	215.19
EFT38389	21/05/2020	Onsite Rental Group	Hire Of Temporary Office Behind Eaton Admin Centre	MUNI	1,113.76
EFT38390	21/05/2020	Opteon Property Group Pty Ltd	Eaton Senior Citizens Building Valuation Report	MUNI	2,200.00
EFT38391	21/05/2020	PFI Supplies	Box Hospitality Soap Bars	MUNI	30.00
EFT38392	21/05/2020	Porter Consulting Engineers Tusno Pty Ltd	QUO-F0139790 - Engineering Design For Eaton Drive & Lavender Way / Blue Wren Drive Intersections	MUNI	10,259.15
EFT38393	21/05/2020	Promote You	Embroidery Of Staff Uniforms	MUNI	30.80
EFT38394	21/05/2020	Proline Kerbing	Install Approximately 412M Flush Kerbing and 60M Bond Beam - Hutchinson Road, Burekup	MUNI	20,313.92
EFT38395	21/05/2020	Qk Technologies Pty Limited	ERC - Qikkids Gateway Useage	MUNI	68.13
EFT38396	21/05/2020	Quality Press	15 X Firs Form Attendance (DFES96) And 15 X Firs Form Bushfire (DFES95)	MUNI	363.00
EFT38397	21/05/2020	Rain Bird Australia Pty Ltd	Rainbird 3 Year Data Irrigation Plan Gary Engel Sim 89610180002420007063 \$187.00 Per Year Plan Expires 03/04/2023	MUNI	187.00
EFT38398	21/05/2020	Rebecca Millicent Hughes	Rates Refund - 5 Robusta Road Eaton WA 6232	MUNI	386.98
EFT38399	21/05/2020	Shaune William & Kelly Marrie Reed	Partial Refund Of Dog Registration Fees - Sterilised	MUNI	25.00
EFT38400	21/05/2020	SMR Psychology	Employee Assistance Program	MUNI	187.00
EFT38401	21/05/2020	Southern Lock And Security	20 Number 9 Padlocks For Building And Toilet Lockdown For Covid 19 Plus	MUNI	1,436.00

Payment	Date	Name	Invoice Description	Fund	Amount
			2 Keys		
EFT38402	21/05/2020	Stratagreen	Terracottem 10Kg	MUNI	3,039.85
EFT38403	21/05/2020	Suez Recycling And Recovery	Monthly Kerbside Recycling Processing	MUNI	8,312.34
EFT38404	21/05/2020	Synergy	Townsite Street Lights	MUNI	37,518.83
EFT38405	21/05/2020	T J Depiazzi & Sons	Black Bushland Mulch Delivered To Hunter Park	MUNI	860.42
EFT38406	21/05/2020	Telstra	Telephone And Various Lines For Eaton Admin Centre - Includes Directory Charges And Link To Library	MUNI	6,084.42
EFT38407	21/05/2020	Teresa Maree Partridge	Uniform Reimbursement	MUNI	60.00
EFT38408	21/05/2020	Tint City	ERC - Social Distancing Floor Decals For Group Fitness Room And Reception Area, Directional Signage For Entry	MUNI	600.00
EFT38409	21/05/2020	Tutt Bryant Hire	Hire Of 12 Tn Steel Roller For Works At Gnomesville, Delivered 16/04/2020.	MUNI	6,841.40
EFT38410	21/05/2020	Toll Transport	Postage & Freight - PO 82971 VFBF Uniforms	MUNI	10.73
EFT38411	21/05/2020	Veolia Environmental Services (Australia) Pty Ltd	Clean Out Pit In Front Of 11 Foster St Eaton.	MUNI	1,014.20
EFT38412	21/05/2020	Vogue Furniture	Replacement Of Broken Office Chair For IDS - Claire Lee	MUNI	286.00
EFT38413	21/05/2020	Woodlands	Carton Of Dog Waste Bags X 15	MUNI	1,633.50
EFT38414	21/05/2020	Woolworths Group Limited	ERC - Milk Purchase And Morning Tea	MUNI	384.65
EFT38416	25/05/2020	Elton Consulting	Stakeholder & Community Engagement Training	MUNI	8,769.86
EFT38417	28/05/2020	3 E Consulting Engineers Pty Ltd	Eaton Drive / Blue Wren Roundabout - Lighting Design	MUNI	550.00
EFT38418	28/05/2020	Adelaide May & Damien Marcus Bolton	Crossover Rebate - (Lot 202) 6 Gibson Tce, Burekup	MUNI	344.50

Payment	Date	Name	Invoice Description	Fund	Amount
EFT38419	28/05/2020	Advanced Traffic Management WA P/L	Supply Traffic Management - 11/05/2020 & 12/05/2020	MUNI	2,448.60
EFT38420	28/05/2020	Adventureworks WA	Storytelling Workshop Online - School Holidays	MUNI	385.00
EFT38421	28/05/2020	Amity Signs	2 X Rectangle Yellow Posts.	MUNI	173.80
EFT38422	28/05/2020	Aquila Food Forest	Herbs And Spices - Online Workshop - 14/05/2020	MUNI	230.00
EFT38423	28/05/2020	Ausmic Environmental Industries	Pest Control (Wasps) Don Hewison Centre	MUNI	165.00
EFT38424	28/05/2020	BCE Surveying Pty Limited	Russell Road - Survey As Per Quote Q6372 Dated 23/3/2020.	MUNI	4,213.00
EFT38425	28/05/2020	Brandicoot	Monthly Web Hosting For: dardanup.wa.gov.au	MUNI	906.98
EFT38426	28/05/2020	Bunbury Machinery	Onsite Repairs DA9781	MUNI	588.94
EFT38427	28/05/2020	Bunbury Mower Service	Spur Drive And Bushes For Hs 45 Hedge Trimmer	MUNI	222.50
EFT38428	28/05/2020	Bunbury Psychological Services	Counselling Services - EAP	MUNI	154.00
EFT38429	28/05/2020	Bunnings Group Limited	Heat Gun, Decking Screws, Pipe Fittings	MUNI	282.92
EFT38430	28/05/2020	Buss Group	Carry Out 5 Year Preventative Bridge Maintenance To Bridge #4821 Martin Pelusey Rd	MUNI	21,248.81
EFT38431	28/05/2020	Caroline Mears	Online Yoga Sessions X3	MUNI	260.00
EFT38432	28/05/2020	CB Traffic Solutions	Hamilton Road - Traffic Management	MUNI	570.35
EFT38433	28/05/2020	Cindy Barbetti	Uniform Reimbursement 2019/2020 - NNT Uniforms	MUNI	212.16
EFT38434	28/05/2020	Cleanaway	Replacement Waste Bin Service X Qty - Month/Year	MUNI	3,847.75
EFT38435	28/05/2020	Cleanaway Solid Waste Pty Ltd	Monthly Kerbside Waste Collection	MUNI	24,196.00
EFT38436	28/05/2020	Corinne Shaw	Uniform Reimbursement - 2019/20	MUNI	229.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT38437	28/05/2020	Dardanup Garage & Service Station	152,000 Service	MUNI	436.35
EFT38438	28/05/2020	Elliotts Irrigation Pty Ltd	Millbridge Lakes - Iron Filter Service - April 2020	MUNI	279.40
EFT38439	28/05/2020	Erin Hutchins	Uniform Reimbursement - 2019/20	MUNI	43.97
EFT38440	28/05/2020	Eaton - Australind Fire And Rescue Service	Community Grant R2 2019-2020 Payment	MUNI	1,000.00
EFT38441	28/05/2020	Fernihough Pty Ltd T/A Brick Mortar Restoration	Carry Out Works As Per Quotation #199650 To The Don Hewison Centre, Dardanup	MUNI	11,561.00
EFT38442	28/05/2020	Fire Rescue Safety Australia	Complete Max Air Compressor Kit - FRSA Part # 96.30.0019	MUNI	932.33
EFT38443	28/05/2020	Fuji Xerox Australia Pty Ltd	Lease For Photocopiers - 11/06/2020 - 10/07/2020	MUNI	4,785.00
EFT38444	28/05/2020	Heatleys	PPE - Depot - Safety Glasses	MUNI	202.55
EFT38445	28/05/2020	James Reilly	Reimbursement For Flu Vaccination	MUNI	33.00
EFT38446	28/05/2020	JCW Electrical Pty Ltd	Investigate Issues With Lighting At Library And ERC Carpark. Replace Timing Clock At ERC.	MUNI	425.15
EFT38447	28/05/2020	Jim's Test And Tag	2019/2020 Test And Tags - Events Program	MUNI	522.68
EFT38448	28/05/2020	JLG Photographics	Front Porch Project - 4 Days and 4 Sessions - Local Burekup Resident And Small Business	MUNI	2,250.00
EFT38449	28/05/2020	Josh Langley	Josh Langley Online Book Reading	MUNI	330.00
EFT38450	28/05/2020	Kings Tree Care	Storm Damage Emergency Work, Remove Hangers And Dangerous Trees And Limbs Through Out Eaton And Millbridge	MUNI	8,470.00
EFT38451	28/05/2020	Kmart	15/05/2020 - iPhone Chargers And Cables For Cathy	MUNI	94.00
EFT38452	28/05/2020	Mantrac	Charterhouse Street Reserve - Slash Long Grass, Mulch Vegetation, Clear And Prune Limbs For Canopy Separation.	MUNI	4,631.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT38453	28/05/2020	Natural Area Consulting Management Services	Undertake Work Outlined In Fire Mitigation Chemical Control Works RFQ 2020 To Reduce Fire Risk In Natural Areas.	MUNI	14,630.00
EFT38454	28/05/2020	NSCO Consulting	Professional Services & Coaching - Governance	MUNI	528.00
EFT38455	28/05/2020	Novus Auto Glass Bunbury	Replace Windscreen - DA8200	MUNI	319.00
EFT38456	28/05/2020	Perfect Landscapes	Mowing - Week Commencing 4/05/2020 & 11/05/2020	MUNI	8,943.00
EFT38457	28/05/2020	PFI Supplies	Box Paper Towel (4456)	MUNI	343.80
EFT38458	28/05/2020	Pirtek Bunbury	Replace Air Valve For Trailer Brakes.	MUNI	13.29
EFT38459	28/05/2020	Pollen Nation	Milk Bath Online Workshop	MUNI	775.00
EFT38460	28/05/2020	Polylink Piping Systems Pty Ltd	8X 375Mm Plastic Pipes.	MUNI	3,203.20
EFT38461	28/05/2020	Qmani Pty Ltd	Sms Monthly Minimum Charge 1-04-2020 To 30-04-2020 (500 Message Credits) For VFBF	MUNI	82.50
EFT38462	28/05/2020	Sam Harman	Dog Sterilisation Refund	MUNI	30.00
EFT38463	28/05/2020	Shane Frederick Jones	Crossover Rebate (Lot 273) 5 Ann St, Eaton	MUNI	318.00
EFT38464	28/05/2020	SMR Psychology	Employee Assistance Program	MUNI	187.00
EFT38465	28/05/2020	South West Tree Safe	Pile Road Clearing	MUNI	30,800.00
EFT38466	28/05/2020	Steann Pty Ltd	Green Waste - 04/05/2020 - 11/05/2020	MUNI	23,650.00
EFT38467	28/05/2020	Sudhanshu Mishra	Uniform Reimbursement - 2019/20	MUNI	46.41
EFT38468	28/05/2020	Tara Louise Dillon	Uniform Reimbursement - 2019/20	MUNI	29.99
EFT38469	28/05/2020	Terrywhite Chemmart Eaton	Flu Injections Shire Staff	MUNI	618.50
EFT38470	28/05/2020	Total Eden Pty Ltd	Valve Box - Watson Street	MUNI	173.47

Payment	Date	Name	Invoice Description	Fund	Amount
EFT38471	28/05/2020	Vogue Furniture	4 X Corner Desks 1800Mm X 1800Mm - Grey \$367.00 Each	MUNI	1,718.00
EFT38472	28/05/2020	WA Country Builders Pty Ltd	Refund Of Building Application 2019200063 - Incorrectly Charged	MUNI	105.00
EFT38473	28/05/2020	Walga	1 X Pallet Of 500ml Scott's Hand Sanitiser (Ethanol-Based)	MUNI	7,748.40
EFT38474	28/05/2020	Wood And Grieve Engineers	Provision Of Services For The Design Of Harris Road Upgrades In Accordance With Submission WGE Ref: 41150	MUNI	8,397.40
EFT38475	28/05/2020	Woolworths Group Limited	General Items Purchased (Grocery Milk Etc.)	MUNI	32.31
EFT38476	28/05/2020	Work Clobber	Michael Harnett - Steel Cap Boots	MUNI	726.32
EFT38477	28/05/2020	Zoe Dellaca	Live Music Online Session	MUNI	50.00
EFT38478	29/05/2020	Howson Technical	Harris Road - Aboriginal Heritage Monitoring For Preliminary Roadworks - 1/05/2020 - 15/05/2020	MUNI	13,692.25
EFT38479	04/06/2020	A1 Sign Shop	Harris Road - Supply And Install Project Signage	MUNI	1,538.92
EFT38480	04/06/2020	Advanced Traffic Management WA P/L	Traffic Management Harris Rd & Hynes Rd - 13/05/2020 - 19/05/2020	MUNI	10,384.00
EFT38481	04/06/2020	All Aussie Truck And Bobcat Services	Clean Up Storm Damage	MUNI	4,510.00
EFT38482	04/06/2020	Amity Signs	Signs And Brackets	MUNI	598.95
EFT38483	04/06/2020	Andrew West Stafford	Refund Of Dog Registration Fees - Sterilisation	MUNI	30.00
EFT38484	04/06/2020	Ask Waste Management Pty Ltd	Cleanaway Dust Management Plan Peer Review	MUNI	3,740.00
EFT38485	04/06/2020	Australian Tax Office	PAYG (Tax) For Fortnight Ending 29/05/2020	MUNI	78,157.00
EFT38486	04/06/2020	Australind Tyre Service	4 New Tyres Fitted DA628 and 4 New Tyres Fitted DA5913	MUNI	3,520.00
EFT38487	04/06/2020	Activ Industries Bunbury	Storm Damage Clean Up 22.5 Hours	MUNI	2,598.75

Payment	Date	Name	Invoice Description	Fund	Amount
EFT38488	04/06/2020	BCE Surveying Pty Limited	Land Resumption Process For Lot 360 And Lot 202 Pile Road, As Per Quote Q6281 Dated 4/3/2020.	MUNI	9,465.50
EFT38489	04/06/2020	Big W	ERC Crèche - Balloons For Reopening Week	MUNI	62.00
EFT38490	04/06/2020	Bunbury Holden	DA8222 60,000Km Service	MUNI	970.48
EFT38491	04/06/2020	Bunbury Mower Service	20 Lt Bar Oil	MUNI	115.00
EFT38492	04/06/2020	Bunbury Plastics	Sneeze Screens For Dardanup Office (Covid 19)	MUNI	567.60
EFT38493	04/06/2020	Bunbury Subaru	25,000Km Service - Subaru Forester - DA10091	MUNI	566.70
EFT38494	04/06/2020	Bunbury Trucks	Parts & Repairs - DA9581	MUNI	331.50
EFT38495	04/06/2020	Bunnings Group Limited	Plastic For Light Covers, Toilet Seats, Adhesive For Carpet.	MUNI	249.59
EFT38496	04/06/2020	Caltex Australia Petroleum Pty Ltd	Fuel - Shire Vehicles May 2020	MUNI	13,119.95
EFT38497	04/06/2020	Carmel Boyce	Meeting Attendance & ICT Allowance	MUNI	1,390.70
EFT38498	04/06/2020	Cathy Lee	Refund For Telstra Dongle On Personal Account - Covid-19	MUNI	63.00
EFT38499	04/06/2020	City Of Bunbury	City Of Bunbury 2019-2020 Cat Pound Fees - May 2020	MUNI	780.75
EFT38500	04/06/2020	Cleanaway	Kerbside Refuse Removal Exp Mun	MUNI	53,292.46
EFT38501	04/06/2020	Country Landscaping Pty Ltd	Irrigation And Turfing Works Ferguson Road Out The Front Of Our Lady Of Lourdes School	MUNI	7,267.00
EFT38502	04/06/2020	Dalyellup Yoga	ERC - Online Yoga Classes	MUNI	180.00
EFT38503	04/06/2020	Dardanup Equestrian Centre	Community Grant - Round 2 2019/2020	MUNI	1,512.50
EFT38504	04/06/2020	Dardanup Rural Supplies	1 Watering Can	MUNI	20.50
EFT38505	04/06/2020	Dardanup Senior Citizens	Community Grant - Round 2019/2020	MUNI	1,000.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT38506	04/06/2020	Don Clemson Floorsanding Of Bunbury	Burekup Hall - Light Sand Of Existing Polyurethane and Application of New Coat to Floors	MUNI	1,397.00
EFT38507	04/06/2020	Elliotts Irrigation Pty Ltd	Pump And Venturi Work - Millbridge Estate	MUNI	1,757.34
EFT38508	04/06/2020	Fernihough Pty Ltd T/A Brick Mortar Restoration	Carry Out Works As Set Down In Quotation #199650 Dated 11-01-20 To The Don Hewison Centre, Dardanup	MUNI	13,435.40
EFT38509	04/06/2020	Forestvale Trees Pty Ltd	15 X Agonis Flex 35L	MUNI	2,865.50
EFT38510	04/06/2020	Heatleys	Safety Glasses - Bolle Rush Plus Smoke	MUNI	281.60
EFT38511	04/06/2020	Hitachi Construction Machinery Australia Pty Ltd	Service - Loader 544K - 7000 Hrs	MUNI	2,798.40
EFT38512	04/06/2020	Holcim Australia Pty Ltd	5 Metres Stab Sand.	MUNI	1,111.00
EFT38513	04/06/2020	Howson Technical	Eaton Dr / Watson St Intersection - Additional Project Management - 1/05/2020 - 15/05/2020	MUNI	3,135.00
EFT38514	04/06/2020	Hynes Contracting	Clear Trees.	MUNI	2,447.50
EFT38515	04/06/2020	Hays Specialist Recruitment	Contract Planner May / June 2020	MUNI	1,520.15
EFT38516	04/06/2020	Janice Patricia Dow	Meeting Attendance & ICT Allowance	MUNI	1,158.92
EFT38517	04/06/2020	Kleenit Pty Ltd	Deep Clean As Requested By WAPOL - Cleveland Bay Avenue, Eaton	MUNI	275.00
EFT38518	04/06/2020	Luke Davies	Meeting Attendance & ICT Allowance	MUNI	1,158.92
EFT38519	04/06/2020	Malatesta Road Paving And Hotmix	Pile Road (Chainage 4040 - 4120) - 7mm Primer Seal	MUNI	4,708.75
EFT38520	04/06/2020	Mantrac	Pampas Grass Removal	MUNI	3,168.00
EFT38521	04/06/2020	Mark Richard Hutchinson	Meeting Attendance & ICT Allowance	MUNI	1,158.92
EFT38522	04/06/2020	Michael Bennett	Local Government Allowance, Meeting Attendance & ICT Allowance	MUNI	3,838.25

Payment	Date	Name	Invoice Description	Fund	Amount
EFT38523	04/06/2020	Mindsystems	Bluebeam Extreme Maintenance 12 Months - 10/04/2020 To 10/04/2021	MUNI	9,555.37
EFT38524	04/06/2020	Miranda Akerman	Uniform Reimbursement - 2019/20	MUNI	209.98
EFT38525	04/06/2020	Nightguard Security Service	Security Call-Out Service For Eaton Administration Centre	MUNI	198.00
EFT38526	04/06/2020	Patricia Anne Worrell	Refund Of Cat Cage Bond	MUNI	150.00
EFT38527	04/06/2020	Patricia Perks	Meeting Attendance & ICT Allowance	MUNI	1,158.92
EFT38528	04/06/2020	Perfect Landscapes	Mowing - Eaton Drive Islands	MUNI	4,554.00
EFT38529	04/06/2020	Peter Robinson	Local Government Allowance, Meeting Attendance & ICT Allowance	MUNI	1,697.84
EFT38530	04/06/2020	PFI Supplies	ERC - Cleaning Products	MUNI	492.90
EFT38531	04/06/2020	Polylink Piping Systems Pty Ltd	4 X 375Mm Poly Ribbed Pipe	MUNI	1,601.60
EFT38532	04/06/2020	Promote You	Embroidery Of Staff Uniforms	MUNI	46.20
EFT38533	04/06/2020	Qmani Pty Ltd	SMS Minimum Monthly Charge 01-05-2020 To 31-05-2020 - VBFB	MUNI	207.31
EFT38534	04/06/2020	Safetcard Australia	Monitoring Fees For Safetcards - May 2020	MUNI	264.00
EFT38535	04/06/2020	Shire Of Boddington	Long Service Leave Liability Due And Payable For Former Employee #412	MUNI	16,299.03
EFT38536	04/06/2020	Spraymow Services	Vertimowing And Pick Up - Glen Huon Softball	MUNI	2,677.40
EFT38537	04/06/2020	Stacey Gillespie	Meeting Attendance & ICT Allowance	MUNI	1,158.92
EFT38538	04/06/2020	Synergy	Electricity Accounts x 4	MUNI	9,315.00
EFT38539	04/06/2020	Telstra	Shire Mobiles and Ipads - May 2020	MUNI	5,013.69
EFT38540	04/06/2020	Tint City	ERC Crèche - 5 Floor Decals For Social Distancing	MUNI	75.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT38541	04/06/2020	Total Calibration Pty Ltd	Consulting On HR System Daily Manager Check In - Covid19 Working From Home	MUNI	1,166.09
EFT38542	04/06/2020	Tyrrell Gardiner	Meeting Attendance & ICT Allowance	MUNI	1,158.92
EFT38543	04/06/2020	Veolia Environmental Services (Australia) Pty Ltd	Clean Out Sumps Cnr Harris And Golding	MUNI	417.45
EFT38544	04/06/2020	Winc Australia Pty Ltd	HP Laserjet 64A Black Toner Cartridge - CC364A - Suzette	MUNI	1,280.57
EFT38545	04/06/2020	Woolworths Group Limited	ERC - Milk For Cafe	MUNI	82.00
EFT38546	04/06/2020	Work Clobber	Chris Kennedy - 2 X Ladies Shirt Size 12	MUNI	263.38

CHEQUES**PAYROLL**

DD15030.1	15/05/2020	WA Super	Payroll Deductions	MUNI	36,780.04
DD15030.2	15/05/2020	Perpetual Wealth Focus Super Plan	Superannuation Contributions	MUNI	109.80
DD15030.3	15/05/2020	MLC Super Fund	Superannuation Contributions	MUNI	567.97
DD15030.4	15/05/2020	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	260.88
DD15030.5	15/05/2020	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	232.56
DD15030.6	15/05/2020	One Path Masterfund	Superannuation Contributions	MUNI	44.91
DD15030.7	15/05/2020	Hostplus	Superannuation Contributions	MUNI	181.68
DD15030.8	15/05/2020	Suncorp Brighter Super	Superannuation Contributions	MUNI	172.98

Payment	Date	Name	Invoice Description	Fund	Amount
DD15030.9	15/05/2020	BT Super For Life	Superannuation Contributions	MUNI	184.71
DD15051.1	29/05/2020	WA Super	Payroll Deductions	MUNI	35,570.40
DD15051.2	29/05/2020	Perpetual Wealth Focus Super Plan	Superannuation Contributions	MUNI	131.48
DD15051.3	29/05/2020	MLC Super Fund	Superannuation Contributions	MUNI	567.97
DD15051.4	29/05/2020	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	260.89
DD15051.5	29/05/2020	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	249.18
DD15051.6	29/05/2020	One Path Masterfund	Superannuation Contributions	MUNI	75.78
DD15051.7	29/05/2020	Hostplus	Superannuation Contributions	MUNI	265.58
DD15051.8	29/05/2020	Suncorp Brighter Super	Superannuation Contributions	MUNI	162.79
DD15051.9	29/05/2020	BT Super For Life	Superannuation Contributions	MUNI	83.44
DD15030.10	15/05/2020	LOCAL GOVERNMENT SUPER	Superannuation contributions	MUNI	232.58
DD15030.11	15/05/2020	BT SUPER	Payroll deductions	MUNI	541.06
DD15030.12	15/05/2020	Asgard Infinity E Wrap Super	Superannuation contributions	MUNI	261.82
DD15030.13	15/05/2020	AMP Flexible Super - Super Account	Payroll deductions	MUNI	452.56
DD15030.14	15/05/2020	THE BRO CODE SUPER FUND	Payroll deductions	MUNI	5.76
DD15030.15	15/05/2020	REST Superannuation	Superannuation contributions	MUNI	609.89
DD15030.16	15/05/2020	ANZ Smart Choice Super (Onepath Masterfund)	Superannuation contributions	MUNI	645.63

Payment	Date	Name	Invoice Description	Fund	Amount
DD15030.17	15/05/2020	Media Super	Superannuation contributions	MUNI	498.07
DD15030.18	15/05/2020	AustralianSuper	Superannuation contributions	MUNI	2,987.26
DD15030.19	15/05/2020	MIML - Macquarie Super Accumulator	Superannuation contributions	MUNI	391.76
DD15030.20	15/05/2020	Burton Superannuation Fund	Superannuation contributions	MUNI	256.41
DD15030.21	15/05/2020	Construction & Building Industry Super	Superannuation contributions	MUNI	312.29
DD15051.10	29/05/2020	LOCAL GOVERNMENT SUPER	Superannuation contributions	MUNI	232.58
DD15051.11	29/05/2020	BT SUPER	Payroll deductions	MUNI	541.06
DD15051.12	29/05/2020	Asgard Infinity E Wrap Super	Superannuation contributions	MUNI	261.82
DD15051.13	29/05/2020	AMP Flexible Super - Super Account	Payroll deductions	MUNI	452.56
DD15051.14	29/05/2020	ANZ Smart Choice Super (Onepath Masterfund)	Superannuation contributions	MUNI	645.63
DD15051.15	29/05/2020	REST Superannuation	Superannuation contributions	MUNI	721.79
DD15051.16	29/05/2020	Media Super	Superannuation contributions	MUNI	498.07
DD15051.17	29/05/2020	AustralianSuper	Superannuation contributions	MUNI	2,987.25
DD15051.18	29/05/2020	MIML - Macquarie Super Accumulator	Superannuation contributions	MUNI	391.76
DD15051.19	29/05/2020	Burton Superannuation Fund	Superannuation contributions	MUNI	257.42
DD15051.20	29/05/2020	Construction & Building Industry Super	Superannuation contributions	MUNI	312.29
CREDIT CARD					
DD15062.1	01/06/2020	Facebook Ireland Limited	Facebook Advertising For ERC	MUNI	8.26

Payment	Date	Name	Invoice Description	Fund	Amount
DD15062.2	01/06/2020	Lumen 5	Lumen 5 Premium For Marketing And Comms- Online Software For Social Media Video Creation.	MUNI	938.93
DD15062.3	01/06/2020	Mailchimp	Monthly Subscription And Charge For Electronic Newsletter	MUNI	120.29
DD15062.4	01/06/2020	Department Of Transport	Application To Modify An Existing Jetty	MUNI	91.50
DD15062.5	01/06/2020	Surveymonkey Europe	Subscription To Survey Service - Survey Monkey Online	MUNI	111.00
DD15062.6	01/06/2020	Zoom	Zoom Cloud Storage Subscription	MUNI	61.60
DD15062.7	01/06/2020	Western Power	Western Power Application - Installation Of Streetlight - Hands Ave And Cudliss St Intersection	MUNI	497.92
INTERNATIONAL					
DD15026.1	13/05/2020	Enovapoint	Sharepoint Junglebell Support - 1 Year	MUNI	740.70
DD15064.1	05/06/2020	Muhimbi Ltd	1-year Support & Maintenance Renewal - PDF Converter for SharePoint - 18/06/2020 - 17/06/2021	MUNI	2,278.83
BPAY					
DD15040.1	20/05/2020	Alinta	ERC - Quarterly Invoice For Gas Consumption	MUNI	198.40
DD15040.2	20/05/2020	Holcim Australia Pty Ltd	Class 4 Dia 375Mm Rcp Inc. Rubber Ring Gasket	MUNI	9,373.10

Payment	Date	Name	Invoice Description	Fund	Amount
REPORT TOTALS			CERTIFICATE OF Chief Executive Officer		1,012,250.22
EFT	907,429.33		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		
Muni Cheque	0.00				
Payroll	90,400.36				
Credit Card	1,829.50				
International	3,019.53				
BPAY	9,571.50				
TOTAL	1,012,250.22				



MR ANDRÉ SCHÖNFELDT
Chief Executive Officer

CARRIED
6/1

12.16 Title: Audit & Risk Committee Meeting Minutes Held 03 June 2020

MINUTES OF THE SHIRE OF DARDANUP AUDIT & RISK COMMITTEE MEETING HELD ELECTRONICALLY [VIDEO CONFERENCING] ON WEDNESDAY 03 JUNE 2020, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 2.00PM.

Officer Comment

The Minutes of the Audit & Risk Committee Meeting are attached (Appendix ORD: 12.16).

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

188-20 MOVED - Cr. M R Hutchinson SECONDED - Cr. T G Gardiner

THAT Council receive the minutes of the Audit & Risk Committee Meeting held 03 June 2020 (Appendix ORD: 12.16).

CARRIED
7/0

Note: Cr. P S Robinson returned to the room [6.37pm].

12.17 Title: Joint Town Planning Scheme 1 Committee Meeting Minutes Held 19 June 2020

Note: The following information was provided via email on 23 June 2020 to Elected Members.

MINUTES OF THE JOINT TOWN PLANNING SCHEME NO. 1 MEETING OF THE SHIRE OF HARVEY AND SHIRE OF DARDANUP, HELD IN THE SHIRE OF HARVEY AUSTRALIND COUNCIL CHAMBER, MULGARA STREET, AUSTRALIND ON FRIDAY, 19 JUNE 2020, COMMENCING AT 10.01AM.

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

Officer Comment

The Minutes of the Shire of Harvey and Shire of Dardanup Joint Town Planning Scheme No. 1 Committee Meeting are attached (Appendix ORD: 12.17).

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

189-20 MOVED - Cr. P R Perks SECONDED - Cr. C N Boyce

THAT Council receive the minutes of the Shire of Harvey and Shire of Dardanup Joint Town Planning Scheme No. 1 Committee Meeting held 19 June 2020 (Appendix ORD: 12.17).

CARRIED
8/0

**JOINT TOWN PLANNING SCHEME NO. 1 COMMITTEE
RECOMMENDED RESOLUTION "A"
& COUNCIL RESOLUTION**

190-20 MOVED - Cr. P R Perks SECONDED - Cr. C N Boyce

THAT Council adopt the "2017-18 Scheme Review and Schedule of Shared Costs" which is contained within Attachment 1 (Appendix ORD: 12.17) , and the "2018-19 Scheme Review and Schedule of Shared Costs" which is contained within Attachment 2 (Appendix ORD: 12.17).

CARRIED
8/0

**JOINT TOWN PLANNING SCHEME NO. 1 COMMITTEE
RECOMMENDED RESOLUTION "B"
& COUNCIL RESOLUTION**

191-20 MOVED - Cr. P R Perks SECONDED - Cr. C N Boyce

THAT Council notes that the Shire of Harvey and the Shire of Dardanup Joint Town Planning Scheme No. 1 Committee recommends that the Shire of Harvey grants approval for the Joint Town Planning Scheme Administration costs of \$42,153.71 and \$30,649.22 as detailed within Attachment 3 (Appendix ORD: 12.17) be re-couped to the Shire of Harvey.

CARRIED
8/0

**JOINT TOWN PLANNING SCHEME NO. 1 COMMITTEE
RECOMMENDED RESOLUTION "E"
& COUNCIL RESOLUTION**

194-20 MOVED - Cr. P R Perks SECONDED - Cr. C N Boyce

THAT Council notes that the Shire of Harvey and the Shire of Dardanup Joint Town Planning Scheme No. 1 Committee recommends that the Council of the Shire of Harvey grants authority to the Chief Executive Officer of the Shire of Harvey to make one off payments to developers within the Shire of Harvey in accordance with Tables 13 and 14 of the 2017-18 and 2018-19 Scheme Review and Schedule of Shared Costs reports.

CARRIED
8/0

13 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

None.

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

None.

15 PUBLIC QUESTION TIME

None.

16 MATTERS BEHIND CLOSED DOORS

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

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

195-20 MOVED - Cr. P S Robinson SECONDED - Cr. P R Perks

THAT in accordance with the Local Government Act 1995, S 5.23, the Council go Behind Closed Doors [6.41pm] to discuss a matter that relates to an employee or employees.

CARRIED
8/0

Note: Staff and public left the room [6.41pm]. Remaining in the room were all elected members and Manager Governance & HR – Ms Cathy Lee.

16.1 Title: Minutes of the CEO Review Committee

Reporting Department: Executive
 Reporting Officer: Ms Cathy Lee - Manager Governance & HR
 Legislation: Local Government Act 1995

REPORT UNDER SEPARATE COVER

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

MINUTES OF THE SHIRE OF DARDANUP CEO REVIEW COMMITTEE MEETING HELD ON THURSDAY, 11 JUNE 2020, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 8.30AM.

Officer Comment

The minutes of the CEO Review Committee meeting are attached (Confidential Appendix ORD: 16.1).

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

196-20 MOVED - Cr. P R Perks SECONDED - Cr. P S Robinson

THAT Council receives the minutes of the CEO Review Committee Meeting held on 10 June 2020.

CARRIED
8/0

CEO REVIEW COMMITTEE RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

197-20 MOVED - Cr. C N Boyce SECONDED - Cr. T G Gardiner

THAT Council:

1. **Acknowledge that the performance of the Chief Executive Officer exceeded the requirements of the 2019/20 Key Performance Indicators (Under Separate Cover – Confidential Tardis Ref: [R000743223](#)); and**
2. **Adopt the Key Performance Indicators (Under Separate Cover – Confidential Tardis Ref: [EMP-R0743209](#)) for the year ending 30 June 2021.**

CARRIED
8/0

16.2 Title: Chief Executive Officer Annual Performance Review

Reporting Department: Corporate & Governance Directorate
Reporting Officer: Cr. Michael Bennett – Shire President
 Ms Cathy Lee - Manager Governance & HR
Legislation: Local Government Act 1995

REPORT UNDER SEPARATE COVER

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

COUNCIL RESOLUTION

198-20 MOVED - Cr. P R Perks SECONDED - Cr. C N Boyce

THAT Council:

1. Convey sincere thanks to Mr André Schönfeldt for his high level of professional and personal commitment to the elected members, staff and the role of Chief Executive Officer to the Shire of Dardanup.
2. In accordance with the provisions of the Chief Executive Officer employment contract (Clause 7), the remuneration package has been reviewed.
3. Notes the Chief Executive Officer's recognition that in the 2020-21 financial year and adopted Corporate Business Plan there will be no increase to staff annual wages due to the current economic climate as a result of the Corona Virus pandemic. This is in support of Council's decision for a zero percent rate increase to provide economic relief in these difficult times.
4. Schedules the next review of the Chief Executive Officer's performance to be conducted by 30 June 2021.

CARRIED
8/0

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

199-20 MOVED - Cr. P R Perks SECONDED - Cr. M R Hutchinson

THAT Council return from Behind Closed Doors [7.03pm].

CARRIED
8/0

Note: Chief Executive Officer, Mr André Schönfeldt returned to the meeting [7.04pm].

Note: In accordance with Standing Order 5.2(6) the Presiding Officer, advised the Chief Executive Officer of the motion passed by Council whilst behind closed doors. There were no public present.

17 CLOSURE OF MEETING

The Presiding Officer advised that the date of the next Ordinary Meeting of Council will be held on Wednesday 29 July 2020, commencing at 5.00pm at the Shire of Dardanup - Administration Centre Eaton.

There being no further business the Presiding Officer declared the meeting closed at [7.05pm].



CONFIRMATION OF MINUTES

“As the person presiding at the meeting at which these minutes were confirmed on 24 June 2020, I certify that these minutes have been confirmed as a true and accurate record of proceedings”.

Signature: 

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