



CONFIRMED

MINUTES

ORDINARY COUNCIL MEETING

Held

25th of May 2022

At

Shire of Dardanup
ADMINISTRATION CENTRE EATON
1 Council Drive - EATON

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

VISION STATEMENT

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

TABLE OF CONTENTS

1	DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS.....	1
2	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED	2
2.1	<i>Attendance.....</i>	2
2.2	<i>Apologies.....</i>	2
2.3	<i>Leave of Absence.....</i>	2
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2
4	PUBLIC QUESTION TIME.....	3
4.1	<i>Alfred Lorkiewicz (91 Phillips Road, Dardanup) – Item ‘12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook’</i>	<i>3</i>
4.2	<i>Noel Hayward (4 Money Street, Burekup) – Item ‘12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook’</i>	<i>3</i>
4.3	<i>Fiona Moriarty (14 Prout Road, Ferguson) – Item ‘12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook’</i>	<i>4</i>
4.4	<i>Valerie Brandstater (188 Ferguson Road, Dardanup) – Item ‘12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook’</i>	<i>6</i>
4.5	<i>Ian & Jenny Trigwell – Item ‘12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook’</i>	<i>7</i>
4.6	<i>Natalya Dobias – Item ‘12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook’</i>	<i>9</i>
4.7	<i>Lance O’Dea (32 Waterwitch Street, Bunbury) – Item ‘12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook’</i>	<i>10</i>
4.7	<i>Jill Cross – Item ‘12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook’</i>	<i>11</i>
5	APPLICATIONS FOR LEAVE OF ABSENCE	19
6	PETITIONS/DEPUTATIONS/PRESENTATIONS	19
6.1	<i>Heather Elliott Smith (41 Wellington Mill Road, Ferguson) - Item ‘12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook’</i>	<i>19</i>
6.2	<i>Russell Sheridan (39 Twomey Road, Crooked Brook) - Item ‘12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook’</i>	<i>19</i>
7	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	20
7.1	<i>Ordinary Council Meeting Held on the 27th of April 2022.....</i>	<i>20</i>
7.2	<i>Special Council Meeting Held on the 5th of May 2022.....</i>	<i>20</i>
8	ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION	21
8.1	<i>Title: Shire President Monthly Report.....</i>	<i>21</i>
9	ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED.....	22
9.1	<i>Title: South West Regional Waste Group Pyrolysis Response.....</i>	<i>22</i>
9.2	<i>Title: New Shire of Dardanup Administration, Library and Community Building – Updated Pricing</i>	<i>22</i>
9.3	<i>Title: Determine Tender RFT – F0256462 Surveying Services</i>	<i>22</i>
9.4	<i>Title: Minutes of the CEO Review Committee Meeting held on the 17th of May 2022</i>	<i>22</i>
10	QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN.....	23
11	DECLARATION OF INTEREST	23
12	REPORTS OF OFFICERS AND COMMITTEES	24
12.1	EXECUTIVE REPORTS.....	24
12.2	SUSTAINABLE DEVELOPMENT DIRECTORATE REPORTS	24
12.2.1	<i>Title: Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook.....</i>	<i>24</i>
12.3	INFRASTRUCTURE DIRECTORATE REPORTS	41
12.3.1	<i>Title: Restricted Access Vehicle (RAV) Freight Routes - Harris Road & Waterloo Road</i>	<i>41</i>
12.3.2	<i>Title: Panizza Road – Road Upgrade Concept Design.....</i>	<i>48</i>

12.4 CORPORATE & GOVERNANCE DIRECTORATE REPORTS	54
12.4.1 Title: Periodical Review of Local Laws Following Submissions	54
12.4.2 Title: Long Term Financial Plan 2022/23 – 2031/32.....	60
12.4.3 Title: Review of Policy Exec CP008 – Private Use of Council’s Motor Vehicle by the CEO	65
12.4.4 Title: Monthly Financial Report	73
12.4.5 Title: Schedule of Paid Accounts as at the 29 th of April 2022	77
12.5 COMMITTEES	104
12.5.1 Title: Local Emergency Management Committee Meeting Minutes held on the 11 th of May 2022	104
13 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	104
14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	104
15 PUBLIC QUESTION TIME	105
16 MATTERS BEHIND CLOSED DOORS	105
16.1 Title: South West Waste Group Outputs	107
16.2 Title: Revised Guaranteed Maximum Price for the New Shire of Dardanup Library, Administration and Community Building	108
16.3 Title: Determine Tender RFT – F0256462 Surveying Services	110
16.4 Title: Minutes of the CEO Review Committee Meeting held on the 17 th of May 2022	111
17 CLOSURE OF MEETING	112

COUNCIL ROLE

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

DISCLAIMER

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

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

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

RISK ASSESSMENT

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

SHIRE OF DARDANUP

MINUTES OF THE SHIRE OF DARDANUP ORDINARY COUNCIL MEETING HELD ON WEDNESDAY, THE 25TH OF MAY 2022, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 5.00PM.

1 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

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

Acknowledgement of Country

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

Emergency Procedure

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

Affirmation of Civic Duty and Responsibility

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

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

2.1 Attendance

Cr. Michael Bennett	-	Shire President
Cr. Tyrrell Gardiner	-	Deputy Shire President (ATTENDED VIA MICROSOFT TEAMS)
Cr. Peter Robinson	-	Elected Member
Cr. Janice Dow	-	Elected Member
Cr. Stacey Gillespie	-	Elected Member
Cr. Mark Hutchinson	-	Elected Member
Cr. Ellen Lilly	-	Elected Member
Mr Phil Anastasakis	-	Acting Chief Executive Officer
Ms Susan Oosthuizen	-	Director Sustainable Development
Mr Theo Naudé	-	Director Infrastructure (ATTENDED VIA MICROSOFT TEAMS)
Ms Cathy Lee	-	Acting Director Corporate & Governance
Mrs Ella Rafferty	-	Governance Coordinator
Mrs Gabriella Hayward	-	Acting Executive Support Officer
Mr Matthew Mangano	-	Analyst Programmer
Mr Brodie Hilder	-	Business Solutions Officer
Mr André Schönfeldt	-	Chief Executive Officer (ATTENDED VIA MICROSOFT TEAMS 6.24PM)

2.2 Apologies

Cr. Luke Davies	-	Elected Member
Cr. Patricia Perks	-	Elected Member

2.3 Leave of Absence

None.

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

None.

4 PUBLIC QUESTION TIME

4.1 Alfred Lorkiewicz (91 Phillips Road, Dardanup) – Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

Question:

Who monitors the Runoff and possible Leakage under the Waste Dump? How do we get the information?

Officer Response

DWER are responsible for monitoring the Runoff and water testing of the boreholes for the landfill site under the DWER licence conditions. The Shire has requested this information in the past from DWER, it is the officers understanding that the technical reports are published on their website. The Shire has requested DWER publish a more consumer friendly or simplified executive summary of these report on their website, this is yet to be done by DWER, The Shire officers will again approach DWER on this matter with the request

4.2 Noel Hayward (4 Money Street, Burekup) – Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

Background from Resident

Since at least 2015 it has been clear that the height of waste allowed by DWER has been 128m AHD. In the Licence L8904/2015/1 (granted 3 August 2015) under Part V of the Environmental Protection Act 1996 for Banksia Road Putrescible Landfill it was stated that;

The maximum height of waste placed within the amalgamated landfill cells (6, 7, 8 and previously constructed landfill cells 1-5 and 12) is 128 m AHD while maintaining stable batter slopes.

The DWER Consultation Summary decision report at the time shows that Cleanaway challenged this, claiming the maximum waste height for Cells 6 to 8 should be 145m AHD

DWER rejected this adding;

The top of waste profile value of 145 m AHD is for all landfill cells identified by the proposed life of landfill profile (see Appendix 13 of the Decision Report). An assessment and decision on approvals regarding landfilling activities beyond cell 8 have not been progressed under Part V of the EP Act at this time (see footnote 3 in the Decision Report). No change considered appropriate.

During 2021 DWER conducted an extensive review of the Cleanaway Licence, including in January 2021 Community Engagement Sessions in the Dardanup Hall, at which a Shire Officer was present on the panel along with DWER Officers.

The amended Licence issued on 28th October 2021 reinforced the 128m AHD for ALL existing Cells.

On the 26th May 2021, (ie during the period DWER were conducting their Licence review) Council set a height of 114m AHD in the Crooked Brook LDP. At this time the height was still below 114m AHD yet the LDP states;

the current facility has begun to protrude above the skyline and any proposed variation to this height limitation will require consideration of the visual impact to surrounding landowners and the ability minimize this impact.

Thus in 2021, Council, would have been fully cognisant of the DWER Licence conditions and approved height of 128m AHD, yet maintained in the LDP that the height should not exceed 114m AHD. They obviously believed this was important to the amenity of the locality, and to the Dardanup Community.

Question:

I therefore ask why, now that the height has exceeded 114m and has reportedly reached 117m, is the Council NOT prosecuting Cleanaway for breaching the LDP, but seriously considering revising the height of the mound to legitimise Cleanaway's breach of the LDP?

Officer Response

Last time the Survey was done it was 114m. We will need to ask them to provide another Survey to confirm the 117m height and then decide on our options.

4.3 Fiona Moriarty (14 Prout Road, Ferguson) – Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

Note: As Fiona Moriarty was unable to attend the meeting in person Cr. M T Bennett read aloud the below questions and Officer Responses.

Background from Resident

On the 17th of April I received a response from your planning department from my written concern that the landfill mound had grown taller than the approved 114m ADH. The response from Murray Connell stated "The height of the landfill operations are at 117m AHD which is below the DWER licence and Shire approval for current works set at 128m AHD. It is the Shire's understanding that Cleanaway have been recently doing some vertical gas drilling which may be what the public can see on the skyline." This is of great concern as I have been repeatedly told by councillors and by your CEO that the Council has only approved 114m ADH.

Much time and effort has been put into drawing up the LDP for Lot 2 Banksia Road and a great deal of effort convincing members of DEAG that it was the correct way to protect the area from a growing eyesore and health hazard. I continue to hold grave reservations that this LDP may be used against us.

Please refuse this dangerous expansion plan for Lot 2 Banksia Road for all the well documented reasons that I and DEAG have submitted in the past. Even at 117m the height is already above the line of the hills.

Further I received an email from council on Monday the 23rd of May that there would be a vote on this issue on Wednesday the 25th of May. While I appreciate and insist that any interested locals should be provided with these emails, two days is simply ridiculously short notice. Could Council please vote that notice should be emailed to any individual who has made submissions on Banksia Road in the past as soon as an agenda is available? The residents must be given a realistic and fair opportunity to be heard while these applications are discussed and voted on by Councillors.

Question 1:

When did Council vote for the increase of height to 126m?

Officer Response

The Local Development Plan was approved by Council on the 26th of May 2021 and cannot be applied retrospectively to approvals that were issued prior to this date. Development approvals were issued by Council at meetings held on the 15th of December 2010 and on the 26th of November 2014.

Question 2:

Who voted for and against such a height increase?

Officer Response

The Councillors of the day who were present at the meetings held on the 15th of December 2010 and on the 26th of November 2014 would have voted on the applications.

Question 3:

What notice, if any was given to interested residents that such a vote was happening?

Officer Response

From the information at hand, it appears that no formal public advertising of the applications was undertaken, however Council agendas are publicly available prior to Council meetings.

Question 4:

How does this affect the recently approved LDP height limit of 114m for Lot 2 Banksia Road?

Officer Response

It must be acknowledged that a local development plan is a planning instrument and as such is only one of a number of matters that a decision maker is required to have due regard to in determining development applications. The height limit can be varied and is not absolute.

4.4 Valerie Brandstater (188 Ferguson Road, Dardanup) – Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

Note: Valerie Brandstater read aloud the following questions and Cr. M T Bennett advised the gallery of the provided Officer Responses.

Background from Resident

Question 1:

Thank you for the opportunity to ask the Council questions. Considering the impact that the decision you vote on today will make on the entire region in and around Dardanup and below the Landfill Site, do you believe that this is in line with the Shire of Dardanup's 2050 Vision?

Officer Response

The 2050 Vision document brings to life the ideas and aspirations of the community members and community leaders living and working in the Shire of Dardanup. It is one of many factors that Council considers in its decision-making process. However, as with all town planning related matters the *Planning and Development (Local Planning Schemes) Regulations 2015* details the specific matters the Council must have due regard for in determining applications. It will vary depending on which Legislation we have to work under.

Question 2:

The constant Submissions from Ratepayers to be involved with Consultation at an 'Arm's Length' should be seriously taken into account. Can you assure us that this is the case?

Officer Response

The *Planning and Development (Local Planning Schemes) Regulations 2015* details the specific public consultation that is required for certain town planning applications. It must also be noted that senior staff are available to discuss any issues at a mutually convenient time.

Question 3:

We were very proud of our Shire decision in May 2021, when the Shire Council voted on No Increase in Height on the LDP for Lot 2. Can the Shire again show us that strength to make a decision for our future?

Officer Response

This will be determined at tonight's meeting by the individual Councillors.

4.5 Ian & Jenny Trigwell – Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

Note: As Ian and Jenny Trigwell were unable to attend the meeting in person Cr M T Bennet read aloud the below questions and Officer Responses.

Background from Resident

Once again, we strongly object to the latest revised Local Development Plan proposed by Cleanaway and believe that the previously Councillor approved LDP for Lot 2 Banksia Road should not be replaced.

The proposal to take the capped height of the landfill cells to 151 metres AHD is very alarming, for the following reasons:

- Aesthetics – neighbourhood and tourism
- Safety of the cells in relation to earth movement events, storm, and tempest
- Future maintenance of the site post closure – steeper access facilitating erosion by wind and rain; difficulty keeping grass vegetation under control; preventing large native trees from self-establishing and providing rain ingress pathways into the rubbish via their root system. It is noted in the Cleanaway Landscape Plan extract, that large trees with deep root systems are proposed over areas of interred waste. Extra height of the landform would mean more opportunity for wind-blown weed seeds from the site infiltrating further into the Conservation Park.
- Increased bushfire risk in relation to proximity to the adjoining bushland, spread of fire across a more widespread area below the site, and on-site firefighting difficulties.
- Further limits to future use of the area after the site post closure period.
- Enhanced potential for horizontal leachate /rainfall ingress seeping from the rubbish stored above the cell liners.

The original determination by SAT allowed for the storage of waste in the voids created by the removal of sand and gravel. There was no indication that a much greater airspace above ground level would, or should, also be used for depositing waste, and this was not taken into consideration.

Question 1:

Were the first cells engineered to withstand the volume and weight of waste to such height?

Officer Response

All applications were accompanied by relevant construction information suitable for the purposes of determining a planning application.

Question 2:

Is Cleanaway planning to raise the height of the first UNLINED cell, and if so, what are the increased risks of PFAS etc. infiltration into the groundwater?

Officer Response

The only application that Council has in front of it to determine at this point in time is the local development plan.

Question 3:**2006 WASAT 282 (page 19)****CONDITIONS –****58 As required by direction of the Tribunal, the respondent prepared “without prejudice” draft conditions of approval, which are as follows:****(b) The proponent providing details of the final height contours of the proposed waste cells (AHD).****Did the proponent at the time (J & P Metals) ever provide these final height contours and were they ever adopted by Council as Conditions of Approval to upgrade the site to Class III?****We suggest that if final height contours across the site have not previously been documented and formally adopted by Council, then the existing LDP be modified to include a maximum capped height of 120metres AHD.****We strongly urge the Council not to adopt the modified LDP submitted by Cleanaway.****Yours sincerely,****Jenny Trigwell IL & J Trigwell****Officer Response**

In regards to the condition of providing details of the final height contours, the Shire officers were unable to locate the final contour plan referred to in the 2006 approval, however there has been two subsequent development approval's which approved heights for specific cell areas (not the entire site). These approvals were the 2010 development approval for the construction of Landfill Cell 5 and the 2014 development approval for the construction of Landfill Cell 12.

Both these approvals are not in conflict with the DWER licence condition restricting the maximum waste cell heights of the approved cells to 128m AHD.

Note: Cr. E P Lilly left the room at [5:22pm].

Note: Mr Matthew Mangano – Analyst Programmer and Mr Brodie Hilder – Business Solutions Officer left the room at [5:23pm] and returned to the room at [5:24pm].

4.6 Natalya Dobias – Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

Note: Cr M T Bennett read aloud the below questions submitted by Natalya Dobias and the below Officer Responses.

Background from Resident

To whom this may concern,

I am writing to express my extreme concern regarding the application by Cleanaway to increase the rubbish tip to 151M.

Question 1:

I believe it is already close to or at its allocated level, and I am very curious to know what is in place to prevent them just from ignoring the restrictions and making it higher?

Officer Response

There are current approvals from the Shire and also licencing conditions from the Department of Water & Environmental Protection which the operator is required to comply with.

Question 2:

If they were allowed 151m, then who's to say what happens when they reach that level? When is the stopping point?

It needs to be before our aquifers are contaminated and our beautiful Ferguson Valley view and prominent tourism area is ruined. This effects all the locals as well as the local businesses and the tourist industry which the area is known for.

Officer Response

Any applications will be assessed against the relevant planning framework applicable at the time which will include any limitations on height.

Question 3:

Why is Cleanaway not restricted more, and why are they not having to find a new location that is not in a prominent housing and tourist area?

I hope this email is read and allocated to the appropriate people, as there are many, many concerned citizens on this very serious and ongoing issue with Cleanaway.

***Kind regards,
Natalya Dobias***

Officer Response

The facility has all relevant planning and environmental approvals to operate in its current location.

4.7 Lance O’Dea (32 Waterwitch Street, Bunbury) – Item ‘12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook’

Note: Lance O’Dea read aloud the following questions and Cr. M T Bennett advised the gallery of the provided Officer Responses.

Question 1:

During my time as an employee at the Dardanup Landfill I witnessed several license breaches, and I would like to ask the Dardanup Shire what systems they have in place so that they are made aware of complaints to the Department of Water and Environment and how they follow up on those complaints?

Officer Response

The Shire is often advised of issues at the site and allocates them to the most appropriate agency to deal with (in most instances DWER). The Shire works closely with DWER and the facility operator to ensure any issues are promptly dealt with.

Question 2:

Is there a system in place that requires Cleanaway to report to the Shire?

Officer Response:

There currently is no direct system in place that obligates them to report to the Shire directly.

Question 3:

What system does the Dardanup Shire have to ensure the public are made aware of any license breaches detected by the Department of Water and Environment and what procedures have been put in place to ensure no further breaches are committed?

Officer Response

Any DWER licence breaches are the responsibility of that State agency. However the Shire has a close working relationship with DWER and is often in communication with them regarding any issues on the site. If there is a breach we would be informed.

Question 4:

If the Dardanup Shire was made aware of any outstanding Dardanup Landfill license breaches that were reported and not rectified by Cleanaway or the Department of Water and Environment, does the Shire have the funding set aside to pursue the matter and ensure the Shire’s land is not negatively impacted?

Officer Response

This will vary significantly depending on the details of any specific issue and cannot be definitively answered.

4.7 Jill Cross – Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

Note: As Jill Cross was unable to attend the meeting in person Cr M T Bennet read aloud the below question and Officer Response.

Background from Resident

Dear Councillors, with regards to the Amendment to the LDP relating to Lot 2 Banksia Road, Dardanup I wish to make the following comments concerning the height of the landfill site.

1. *The Officer comment suggests that "128 ADH landform could be viewed as a low broad hill and thereafter reflect a natural undulation in the skyline that would not be inconsistent with the broader panorama." This community has been subjected to the view of the ever-growing landfill site for many years now, with the prospect of this continuing till at least 2035. The current landfill height in no way reflects a natural undulation in the skyline, in fact the skyline has disappeared. When this site is revegetated with grasses and bushes it will never look as though it belongs in the landscape as the rest of the landscape adjoining is predominately natural bush which includes trees. The higher the landfill site the less likely it is that it will blend in with its surrounds.*
2. *State Planning Policy requires that a waste facility in a rural area should not be visually dominant with key view sheds and should be visually compatible with surrounding land uses. The current landfill height at Lot 2 Banksia Road goes against this policy as the landfill is completely visually dominant and any increase to the current height will exacerbate this.*

Question 1:

With an increase in the landfill height there will also be an increase in water runoff, even after landscaping and re vegetating. How is this water runoff going to be contained well into the future?

Officer Response

Water run-off will be dealt with via specific development conditions that will apply to development applications.

Note: Cr. M T Bennett acknowledged the following submissions relating to Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook' that were received prior to the Ordinary Council Meeting.

Kim and Simon Wesley (Peppermint Lane Lodge) - Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

Re: Dardanup tip height increase - NO

Thank you for representing us on this issue.

This Cleanaway situation is a disgrace that the tip takes what it does considering the location of it to Dardanup Townsite and the disaster it is environmentally.

We'd like to object strongly to any height increase to this tip and would strongly request that you consider a no vote to any increase at all.

Thank you for your time and commitment to our locality and Shire.

Kim and Simon Wesley
Peppermint Lane Lodge

Jenni Doherty - Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

Dear Ellen

I would like my opposition to the latest application recorded.

I believe the Council Officers are recommending 128m and not 114m as requested by the residents. This will be the thin edge of the wedge and I fear a grave mistake ecologically and aesthetically.

We are the ones living near this disaster and time will find that being bullied by a large corporate company will not be found to pay off.

Unfortunately I am unable to come to the meeting but want my feelings addressed.

Trusting that the council we have elected will in fact work on our behalf to avoid a dreadful outcome.

Yours sincerely
Jenni Doherty

Darline Morgan - Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

Dear Ellen,

Being a long time local resident, you know and see firsthand the impact the Waste Facility has had on our community and environment. As a trusted Councillor, I know you care deeply about the continual ramifications, and will do what you can to prevent further expansion of the tip site – in ANY direction. I know you share a familiarity and love of the Ferguson Valley landscape. I understand it causes you as much angst and concern as it does myself and other constituents, to see the detrimental effects the tip site has had, especially considering its ridiculously close proximity to the Conservation Park. Please do what you can to seek alternatives, and reverse this horrible situation.

Please say NO to an increase of the tip height.

Kind Regards,
Darline Morgan

Dear Councillors,

Mount Rubbishmore – gateway to the Ferguson Valley.

I am bereft at the visible damage which has already occurred, forever scarring the once pristine Ferguson Valley foothills and impacting the adjacent conservation park (oh the irony). It was an act of immensely poor judgement that ever allowed a waste precinct of such magnitude to be allowed in our Shire, and in that very location. The devastating scourge has left a community in despair. The view of the dump from Bunbury serves as a dramatic eyesore in our precious landscape, impacting so many people beyond our Shire. The immediate impact to residents of our community has brought heartbreak and despair, as the region they love is grotesquely disfigured. So much damage we can already see. The vision a constant, daily reminder.

How could an application be on the table to make even bigger this monstrosity of rubbish and mountain of dirt? How could it possibly be a consideration? It is unconscionable.

I implore our councillors to do whatever they possibly can to reverse the damage that has taken place. We want to see trees and hills, not a rubbish dump of colossal hideousness. Please do not allow this dreadful monstrosity to grow higher on our horizon. Say NO to a height of 151 metres!

Regards,
Darline Morgan

Gwendoline Stapleton (22 Wilkerson Way, Bunbury) - Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

I formally request that my objection to the development of Lot 2 Banksia Road by Cleanaway to a height of 151 metres be recorded at the 25th of May 2022 Shire of Dardanup Ordinary Council Meeting. I believe this would be extremely harmful to the local environment and to the health of the Dardanup community. While I am not a resident, I am a concerned citizen of the South West community and, as such, request that my objection be registered.

Signed, Gwendoline Stapleton.

Alison Bickell (813 Henty Road, Dardanup) - Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

Dear Councillors,

I wish to advise that I oppose Cleanaway's application to increase the height of the landfill facility.

Furthermore, I am not in support of the Dardanup Shire being used as the waste facility for toxic waste.

I believe it will have a catastrophic impact on the environment and negatively impact the entire shire.

Warm regards,
Alison Bickell

Hello Janice,

Thank you for responding to my email. Unfortunately I can't attend the meeting.

I am flabbergasted as to how the council/shire/residents find themselves in this position.

From my understanding, the toxic waste implications to water supplies and air pollution (dust) are in complete conflict with our shire as a green clean tourism/farming destination.

I would like my views represented via you if possible.

I am unequivocally opposed to Cleanaway's use of the dump and the extension of the height of the dump.

Warm regards,
Alison

Terry Rance - Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

To Ellen Lilly

I am writing to you to ask you to reject any further expansion to the Banksia Road Site, I voted for you because I thought you cared about the environment of our beautiful area but Cleanaway and their money seems to be doing what they like, only you and your fellow Councillors have the power to stop this stain on our valley, please do this not just for me but our future generations. Thank you for your time

Tony Jenour - Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

Dear Dardanup Councillors,

I am writing in reference to the proposed height increase to the Dardanup Rubbish Tip operated by Cleanaway.

My personal opinion is that it is absolutely disgraceful you are even considering increasing the height of the rubbish tip to 151m.

How can it be considered our local responsibility to house the refuse from the greater Perth area, It is not, and we should not entertain this any longer.

Where does it end? At 161m? Then where does the shire send its refuse? Surly not to Perth, as it has been sent to Banksia Road for years.

Enough is enough. Shut this site down and find a suitable site for Dardanup Shire rubbish only.

It may be abrupt but any Councillor who approves of this scar on our landscape should hang their head in shame.

We are not Perth's dumping ground.

Kind Regards
Tony Jenour

Debbie and Rodney Dean (Lot 134 Greenwood Heights, Ferguson) - Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

To all our representative Council, please note that the application from Cleanaway to extend the height of the already ridiculous eye sore and health problems that are being felt from the surrounding residents and visitors to our supposed tourist destination, if not put to a permanent stop we are watching the end of our beautiful town.

Please do everything in your power to bring this total exploitation of Cleanaway and their strategic interests to not adhere to any objections and just play more bullying tactics and clear disregard of the residents and visitors who oppose their blatant ignorance and our safety. Sadly this has become a total mess and out of control environmental failure.

Kind regards
Debbie & Rodney Dean

Ian Bridge (Wellington Mills Community Association Inc.) - Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

Attention: Councillors and Decision Makers

Dear Sirs/Madams,

I write to you again in my capacity as Chairman of the Wellington Mills Community Association Inc. We represent the residents of the Wellington Mills district and in this capacity we strongly oppose any further expansion of the Landfill Site at Banksia Road.

We have previously voiced our opposition to Cleanaway's application for expansion of this site and I confirm that our position has not changed.

Along with the uncertainty of the environmental and health and safety risks posed by this site, the visual impact on the landscape, adjacent to the entry of the Ferguson Valley Tourist precinct is disgraceful.

It is shameful that a landfill site of this magnitude exists in our Shire district, and it is a blight on the decision makers involved in its inception. Now is the time to not only reject Cleanaway's expansion application but take measures to close down this site and open a new facility in a more suitable remote location, away from the populated area.

It is unfortunate that our rural area has minority representation at Council, so the wants and needs of the people of Dardanup Town and surrounds are considered less important than those of the Eaton urban district. (Out of Sight, Out of Mind). Ask yourselves, if you lived in the rural area of the Ferguson Valley, would you be happy with this mountain of rubbish dominating the landscape?

The health and safety of future generations is in your hands, so now is the time to err on the side of caution and exert your influence to protect the future of this community.

*Yours sincerely,
Ian Bridge
Chairman WMCA*

William Lee Elliott (41 Wellington Mill Road, Ferguson.) - Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

Dear Councillors,

Let me tell you how Cleanaway facility impacts on my amenity. I don't live alongside the tip. I live 9 km away. I don't wake up every morning to the sound of trucks lining up on Banksia Road, like some residents. I can enjoy a cup of coffee on my deck on Sunday morning at 7am and not have the relentless sound of bulldozers, backing trucks and heavy machinery disrupting my peace and amenity. For some nearby residents and those on Waterloo Road this starts up at 6am – every day of the year, 365 days, with no let up.

I don't get woken at 2am when the Tronox double truck comes through, or have a constant stream of heavy trucks hurtling past my rural property.

I don't often have the constant anxiety associated with smell and dust - who knows if it is toxic, radioactive or not. I don't need to vacate my property when there is a fire because of the risk of the smoke. I don't have the constant worry of the impact of the tip on my property value.

I don't need to bring out my frontend loader or tractor when there is heavy rain to stop my paddocks from being inundated with Cleanaway runoff – containing who knows what contamination that might affect my livestock and pasture

As I said, I live 9 km away but, Every time I drive down Ferguson Road I have to avert my eyes from the Cleanaway site. I find it distressing and I feel outraged. This site was not visible a few years ago, now it protrudes above the ridgeline. A huge bare scar on the landscape. I avoid Waterloo Road – there is no way you can avoid the visual pollution Cleanaway have caused. I see the densely planted rows of trees people have planted on Crooked Brook Road to shield themselves from the sight.

We know it is a ticking time bomb. What we see is ten times worse under the surface!

I grieve that we are losing wonderful people from our community who have contributed so much. People like Russell Sheridan and Lynda.

My wife, involved with DEAG wakes up regularly at 2am, trying to find more avenues to oppose this relentless monstrosity.

As a Ratepayer, I resent that, essentially, a full-time officer is needed to deal with Cleanaway's issues and they certainly do not contribute much to the Dardanup Coffers. The \$75 per tonne (or whatever it is now) for the 350,000 tonnes pa goes into the State Government Coffers and I'm not even sure that the 320,000 tonnes of Tronox radioactive waste has a levy. I have been told they submitted to the Waste Council that they should be exempt.

In 20 or 30 years' time, when craters begin to allow water into the landfill, or liners fail, an earthquake – whatever the catalyst is, and contamination impacts the municipal ground water, rural land and Dardanup Township, you, as Councillors, need to be able to say you tried your best to protect your constituents. You need to be able to say "we put our LPD in place for Lot 2 to recognise community sentiment, protect amenity, and set planning guidelines that are essential to enforce Cleanaway to abide by Policy requirements – in line with State Government Regulations and Policy and we did not cave in to Cleanaway's preposterous and insatiable exploitation of Dardanup for financial profit by increasing the height beyond 114m.

Why is Council's Local Development Plan so important? – Because every new cell which is proposed by Cleanaway will be limited to 114m and minimum acceptable guidelines are set into Regulations. Cleanaway would like this to be 151m which is flagrantly flaunting guidelines for regional facilities requirements. Impacts on significant views and community amenity are planning considerations in several policies. They are also meant to keep all emissions to the site – big chance of that happening at that site! Please stick to Council's LDP and reflect community concerns, proper planning and Officers who developed this plan in 2021.

Any height above 114m is not acceptable. Council, DWER and State Planners are aware that at 114m the site is not able to be screened. Any claim to not realising that Cleanaway have manipulated reports to hide the impact do not pass the pub test.

Wendy Hughes (75 and 89 Waterloo Road, Paradise.) - Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

The residents of 75 and 89 Waterloo Road, strongly object to the raising of the height of the tip.

We should not nor never should have been the dumping point for anything or anywhere outside the Dardanup shire.

We object to any toxic and harmful waste being dumped as it is over 3 water sources.

When someone becomes ill or worse from contamination whether airborne or water are we going to be able to bring about court action or will all involved have conveniently vanished.

We have also been on record about the 100km speed which is still in place, we hope that with BORR this amount of traffic will cease and an alternate route found, better still a new site NOT over a water or a fault line.

Ten years ago maybe 12, the bend was supposed to be adjusted outside our homes, it was in fact made worse and should have been taken through Brett's and the neighbours (before they developed the orchard) they were expecting this and you failed. Other alternated suggestions failed, and I explained why. We also campaigned against the road being a truck designated road.

Let's hope that the government (should Cleanaway ignore the residents and Shire as they seem so intent on doing so) gets some strength to tell Cleanaway that this site is NO LONGER suitable.

The rubbish pile is now visible from Phillips Road.

*Thank you,
Wendy Hughes*

Lavan Legal - Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

Legal Submission Received.

Marion Gaunt - Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

I am sending this email to the Dardanup Council to (hopefully) be read at the 5pm meeting this afternoon. I wanted to have a say myself, but unfortunately I am not able to attend.

I am not sure how Cleanaway has even got to the height it is now, let alone wanting to get even higher.

The water table is facing enough danger. Without having a rubbish tip to be seen for kilometres, in an area tourists go to see and admire?! There will be even more contaminated run off to enter the drains of people living in the area. Little thought seems to have been given to this 'request' From Cleanaway before.

I am hopeful more thought will be given to the young people who are living in Dardanup and their young children attending the school there. I see another land sale is under away at the Side of Dardanup/Picton Road. Have the prospective buyers been given any knowledge of the ever increasing tip not too far from them?

I wish to thank the DEAG for their untiring effort to stop this destructiveness from happening.

5 APPLICATIONS FOR LEAVE OF ABSENCE

None.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

6.1 Heather Elliott Smith (41 Wellington Mill Road, Ferguson) - Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

Note: Heather Elliott Smith addressed Council.

1. Cleanaway's aggressive tactics and deliberate strategies to achieve their desired ambitions
2. Reason why Dardanup Council LDP put in place in May 2021
3. Proper and orderly planning and relevant clauses
4. Height
 - i) discrete/ discreet – deliberate, not an error,
 - ii) different jurisdiction varying conditions – lesser applies
 - iii) DWER review of whole site ongoing at Appeal – already dismissed
Cleanaway demand for 149
 - iv) Draw the line at 114m.
 - v) Cleanaway tactic to get Council to raise height prior to SAT hearing this week
5. Visual Impacts and amenity
6. DEAG will continue to support Council with information, consultation, reports and, where possible Legal Interpretations. We expect the same from our Elected Members

NOTED

6.2 Russell Sheridan (39 Twomey Road, Crooked Brook) - Item '12.2.1 - Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook'

Note: Russell Sheridan addressed Council.

1. The impact that the Cleanaway development is having on the properties and people that are proximate including my family.

Russell spoke about the stresses of living near the site. He mentioned that the truck drivers have keys and access to the site all night long and that the 4:15am noise complaints are being dismissed. They are now moving away from the area due to these stresses. He feels like the continuous complaints are not being heard and the surrounding conditions unliveable.

2. That the major dangers are not being scrutinized. No monitoring or water testing is required for titanium dioxide, uranium and thorium that has been technically enhanced through processing and is water soluble. Millions of tons of it already and growing at a thousand tons a day. We feel we are at risk

NOTED

Note: Cr M T Bennett thanked Heather Elliott Smith and Russell Sheridan for their time.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

PROCESS

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

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

and, each of those recommendations referred to in paragraphs (a), (b), (c), (d) and (e) must be considered separately.

Note: Cr. P S Robinson and Cr. S L Gillespie moved and seconded the following two Confirmation of Minutes of Previous Meetings resolutions en bloc.

7.1 Ordinary Council Meeting Held on the 27th of April 2022

**OFFICER RECOMMENDED RESOLUTION
& COUNCIL RESOLUTION**

118-22 MOVED - Cr. P S Robinson SECONDED – Cr. S L Gillespie

THAT the Minutes of the Ordinary Meeting of Council held on the 27th of April 2022, be confirmed as true and correct subject to no corrections.

CARRIED
7/0

7.2 Special Council Meeting Held on the 5th of May 2022

**OFFICER RECOMMENDED RESOLUTION
& COUNCIL RESOLUTION**

119-22 MOVED - Cr. P S Robinson SECONDED - Cr. S L Gillespie

THAT the Minutes of the Special Meeting of Council held on the 5th of May 2022, be confirmed as true and correct subject to no corrections.

CARRIED
7/0

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.1 Title: Shire President Monthly Report

Reporting Department: Elected Members

Reporting Councillor: Cr. Michael T Bennett – Shire President

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

Event:	27/04/2022 – Bowling Club AGM
Report:	Attended the AGM and everyone is excited in working together at the multipurpose facility and look forward to using the new facility.

Event:	28/04/2022 – Citizenship Ceremony
Report:	8 Conferees were granted Citizenship. Nola Marino MP read aloud the Federal Minister Alex Hawkes citizenship message.

Event:	29/04/2022 – Driving High Performance with Dare to Lead Online Seminar
Report:	Attended online seminar with Deputy Shire President.

Event:	02/04/2022 – Regional Road Group Elected Members Meeting
Report:	Everyone is having the same issue with the escalation of road prices.

Event:	02/04/2022 – Meeting with Expedia re Short Stay Regional Accommodation
Report:	This was with regards to the changes to the air BnB legislation.

Event:	04/04/2022 – State Council Meeting
Report:	I was a guest at the WALGA state council meeting and it was interesting outing.

Event:	06/04/2022 – Heads of Agency Breakfast - Department of Transport Table
Report:	Discussed Eaton Drive issues between Main Roads and Council with the traffic lights at Glen Huon Blvd.

Event:	06/04/2022 – Mayor and Presidents Forum
Report:	Around 60-70 Mayors and Presidents attended the Forum to discuss the issues around staffing issues in Local Government. The minister addressed the group.

Event:	13/04/2022 – State Budget Breakfast
Report:	Attended presentation by Minister Whitby on the State Budget.

RECEIVED

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

- 9.1 Title: South West Regional Waste Group Pyrolysis Response
- 9.2 Title: New Shire of Dardanup Administration, Library and Community Building – Updated Pricing
- 9.3 Title: Determine Tender RFT – F0256462 Surveying Services
- 9.4 Title: Minutes of the CEO Review Committee Meeting held on the 17th of May 2022

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: Cr. M T Bennett advised that the meeting will go behind closed doors toward the end of the meeting to discuss S.5.23 section (2)(a) a matter affecting an employee or employees; and (2)(e)(iii) information about the business, professional, commercial or financial affairs of a person.

10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

None.

11 DECLARATION OF INTEREST

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

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

Cr. M T Bennett read aloud the following Declarations of Interest that were provided prior to the commencement of the Meeting:

- *Mr André Schönfeldt has declared a Financial Interest in Item “12.4.3 – Review of Policy Exec CP008 – Private Use of Council’s Motor Vehicle by the CEO” as the item relates to Mr Schönfeldt’s position as Chief Executive Officer of the Shire of Dardanup.*
- *Mr André Schönfeldt has declared a Financial Interest in Item “16.4– Minutes of the CEO Review Committee Meeting held on the 17th of May 2022” as the item relates to Mr Schönfeldt’s income and performance directly. Mr Schönfeldt declares that he has not been involved in the preparation of the report to Council.*
- *Cr. Ellen Lilly has declared an Impartiality Interest in Item “12.2.1– Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook” as she is a member of the Dardanup Environmental Action Group.*

Note: Cr. M T Bennett asked Councillors and Staff if there were any further Declarations of Interest to be made.

The following Declaration of Interest was made:

- *Cr. Janice Dow declared an Impartiality Interest in Item “12.2.1– Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook” as she signed a petition relating to the Cleanaway Landfill Site.*

12 REPORTS OF OFFICERS AND COMMITTEES

12.1 EXECUTIVE REPORTS

None.

12.2 SUSTAINABLE DEVELOPMENT DIRECTORATE REPORTS

12.2.1 Title: Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook

<i>Reporting Department:</i>	<i>Sustainable Development Directorate</i>
<i>Reporting Officer:</i>	<i>Mr Murray Connell - Manager Development Services</i>
<i>Legislation:</i>	<i>Planning and Development Act 2005</i>
<i>Applicant:</i>	<i>Cleanaway</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.2.1A – Approved Local Development Plan</i>
	<i>Appendix ORD: 12.2.1B – Amended Local Development Plan</i>
	<i>Appendix ORD: 12.2.1C – Submissions</i>
	<i>Appendix ORD: 12.2.1D – Risk Assessment Tool</i>
	<i>Appendix ORD: 12.2.1E – Landscape and Visual Assessment</i>
	<i>Legal Advice (Confidential Under Separate Cover Document)</i>
	<i>Appendix ORD: 12.2.1F – Extract from Landscape and Visual Assessment</i>

DECLARATION OF INTEREST

Cr. E P Lilly declared an Impartiality Interest in this Item

Cr. J P Dow declared an Impartiality Interest in this Item

Refer to the list of Declarations of Interest.

Overview

The purpose of this report is for Council to consider a request to amend the adopted Local Development Plan (LDP) for the Cleanaway landfill facility on Lot 2 Banksia Road, Crooked Brook.

The amendment essentially proposes to:

- Have more succinct notes and provisions on the expectations of the content of future applications for development approval; and
- Increase the maximum waste cell height to 149m AHD with an additional 2m for capping (151m AHD overall height).

Background

Council at its meeting held on the 16th of December 2020 (OCM: 339-20) resolved to prepare a LDP for the site and gave final approval to the LDP at its meeting held on the 26th of May 2021 (OCM: 124-21). Please refer to [Appendix ORD: 12.2.1A] for a copy of the current approved LDP.

The operators of the landfill facility, Cleanaway, have submitted a LDP which requests a number of amendments to the current LDP and have provided the following justification for the amendments:

1. The Cleanaway LDP has more succinct notes setting out the development context and statutory framework and omits background notes on past master planning that are irrelevant to the statutory form of a local development plan.
2. The Cleanaway LDP provides succinct provisions on the expectations of the content of future applications for development approval and that acknowledge any departure from the plan will require justification but does so without those provisions exceeding the scope of a local development plan. Extensive provisions specifying the content of future development applications, including management plans for stormwater, vegetation clearing, hydrogeological impacts, bushfire, dust, visual impacts, and acoustic issues, exceeds the scope of a local development plan. The broader planning framework is sufficiently effective in requiring development applications to address these management matters, and any others, insofar as those matters are relevant to a particular proposal.
3. The Cleanaway LDP provides for a maximum cell height of 149 metres AHD (plus capping), which would extend consistently from existing approved cells currently being developed and also from the height of cells the subject of applications for approvals currently being assessed.
4. The Cleanaway LDP retains provision for Cleanaway's long held intent to develop future cells 11, 13, 14 and 18-20. This is consistent with approved waste disposal facility land use for Lot 2 and Cleanaway notes that any associated impacts are to be addressed as part of obtaining the required approvals before these cells are to be developed.
5. Please also note that with respect to the fencing of Lot 2, Cleanaway is already taking steps to fence all boundaries to 2 metres high and would welcome conditions making this a requirement as part of any relevant development approvals granted in the future. However, including wildlife egress points would need to be resolved between Cleanaway, the Shire and the Department of Water and Environmental Regulation, given there are conditions of existing approvals for Lot 2 prohibiting openings.

Please refer to [Appendix ORD: 12.2.1B] for a copy of the amended LDP.

Legal Implications

Planning and Development (Local Planning Schemes) Regulations 2015

The deemed provisions of the Regulations provides for the amendment to a local development plan as follows:

59. *Amendment of local development plan*
 - (1) *A local development plan may be amended by the local government.*
 - (2) *A person who owns land in the area covered by a local development plan may request the local government to amend the plan.*
 - (3) *The procedures for making a local development plan set out in this Part, with any necessary changes, are to be followed in relation to an amendment to a local development plan.*

The Regulations also prescribe the options the local government has when making a decision on a local development plan as follows:

52. *Decision of local government*

- (1) *Following consideration of a proposed local development plan, including any amendments made to the plan to address matters raised in submissions, the local government must –*
- (a) *approve the local development plan; or*
 - (b) *require the person who prepared the local development plan to –*
 - (i) *modify the plan in the manner specified by the local government; and*
 - (ii) *resubmit the modified plan to the local government for approval;*
 - or*
 - (c) *refuse to approve the plan.*

In addition the Regulations state that the local government is to be taken to have refused to approve a LDP it has not made a determination within 60 days after the advertising period has concluded (in this instance being the 11th of October 2021).

Environmental Protection Act 1986

In April 2021, Cleanaway referred an application for the construction of 3 new landfill cells to the Environmental Protection Authority (EPA) for assessment under the Act. The application proposed a maximum top of waste height of 149m AHD with a further 2m of capping. In August 2021, the EPA determined that the proposal should be assessed and one of the potential significant impacts cited by the EPA was 'Social Surroundings from interference with amenity values'.

Under s 41 of the Act a decision-making authority is not to make any decision that could have the effect of causing or allowing the proposal to be implemented. Officers considered that the Shire was therefore restricted from making any decision on the LDP as the LDP is proposing to apply site and development standards to the site (in particular the landfill waste cells with an overall height of 151m AHD).

State Administrative Tribunal Act 2004

On the 8th of April 2022 Cleanaway's lawyers applied to the State Administrative Tribunal (SAT) for a review of the decision of the Shire not to determine the LDP.

On the 29th of April 2022 a directions hearing was held and SAT determined that s 41 of the *Environmental Protection Act 1986* does not restrict the local government from making a decision on the LDP. Subsequently orders were made by SAT inviting the Shire to consider the LDP by the 30th of May 2022.

Strategic Community Plan

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

Environmental Implications

The LDP forms part of the statutory planning framework in which relevant environmental factors can be considered for the site.

Precedents

Council has previously considered the requirement for a LDP for the site at its meetings held on the 16th of December 2020 (OCM: 339-20) and the 26th of May 2021 (OCM: 124-21).

Also Council at its meeting held on the 27th of October 2021 (OCM: 320-21) resolved to not support a DAP application for 3 new landfill cells which proposed a maximum top of waste height of 149m AHD with a further 2m of capping.

Consultation

The LDP was advertised in accordance with the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Council Policy SDev CP505 – Public Consultation – Planning Matters.

The advertising period was for 14 days (concluding on Wednesday the 11th of August 2021) and involved the following:

- A notice was published in a newspaper circulating the area;
- A notice was displayed at both the Eaton and Dardanup Administration Buildings and also placed on the Shire's website;
- A written notice was sent to adjoining landowners within approximately 2km of the subject land; and
- A written notice was sent to the following agencies:
 - Department of Biodiversity, Conservation and Attractions (DBCA);
 - Department of Mines, Industry Regulation and Safety (DMIRS);
 - Department of Planning, Lands and Heritage (DPLH);
 - Department of Primary Industries and Regional Development (DPIRD);
 - Department of Water and Environmental Regulation (DWER);
 - Main Roads WA; and
 - Water Corporation.

In response to the advertising a total of 30 submissions were received (23 from the public and 7 from Government/service agencies). Please refer to [Appendix ORD: 12.2.1C] for a copy of each submission.

Public Consultation

A number of the public submissions raised issues regarding the unsuitability of the site for a landfill facility, the current management of the site, the current enforcement regime for compliance on the site, and the desire to have no further development approved. Whilst all of these issues are acknowledged the following table has only summarised the key issues raised that are of specific relevance to the amended LDP itself and Officer comments are provided in response to the matters raised.

ISSUE RAISED	SHIRE OFFICER COMMENTS
Extra height should not be allowed.	<p>As height limits have been established for existing cells (as detailed in the legal advice), and given the fact that Council has historically accepted different height limits for the landfill facility, it is recommended that the 'Height' provision of the current LDP be modified to state a maximum waste height of 128m AHD in accordance with the current DWER licence and a maximum finished height level of 130m AHD (which includes 2m of capping on top of the waste cells).</p> <p>It is considered that the landscape and visual assessment has sufficiently addressed the visual effects of an increase in total height to 130m AHD (inclusive of capping) on the character of the immediate locality and the broader landscape.</p>
No southern entry to the site should be allowed.	The amended LDP proposes to delete the following text from the 'Site Access and Circulation' section of the current LDP:

ISSUE RAISED	SHIRE OFFICER COMMENTS
	<p><i>'No heavy vehicles associated with the landfill facility are permitted on Panizza Road and the unsealed portion of Banksia Road.'</i></p> <p>This requirement has been conditioned on previous development approvals for the site and therefore should remain.</p>
<p>2m high fence should surround the site.</p>	<p>The amended LDP proposes that only the eastern and southern boundary be fenced and proposes to delete the current LDP requirement that all boundaries of the site are to be fenced.</p> <p>The textural change proposed by the amended LDP is not supported as fencing is considered appropriate for the entire site and has already been installed.</p>
<p>Expected increase to truck size will extend to Banksia Road.</p>	<p>Both the current and amended LDP require any development application that will result in additional traffic generation to be accompanied by a Traffic Impact Assessment.</p>
<p>Risk of lithium tailings being accepted.</p>	<p>As a prescribed premises, DWER is responsible for the sites waste classification and will be consulted as part of future development applications.</p>
<p>LDP should only apply to Lot 2 and no expansion onto Lot 81.</p>	<p>As illustrated on the legend on page 1, the amended LDP only applies to Lot 2.</p>
<p>All fences surrounding the facility should provide rubbish containment – e.g. 3m / 6m chainlink.</p>	<p>The amended LDP proposes that only the eastern and southern boundary be fenced and removes the current LDP requirement that all boundaries of the site are to be fenced.</p> <p>The textural change proposed by the amended LDP is not supported as fencing is considered appropriate for the entire site and has already been installed.</p> <p>The 2m high fencing requirement is considered sufficient.</p>
<p>All surfaces not in use should be sprayed with grasses and mulch to provide wind erosion protection.</p>	<p>Both the current and amended LDP require future development applications to be supported by a landscaping plan.</p>
<p>Odour sampling and soil / dust monitoring should be mandated.</p>	<p>The amended LDP proposes to delete the entire 'Environmental Management' section from the current LDP.</p> <p>The textural changes proposed by the amended LDP are not supported as the nature of the development itself warrants further detail on the environmental issues (including any dust or odour impacts) to be appropriately addressed.</p>
<p>All water from the property should be contained.</p>	<p>The amended LDP proposes to delete the entire 'Environmental Management' section from the current LDP which includes the following text:</p> <p><i>'A stormwater management plan where the development will impact upon the management of stormwater on site and should address the mitigation of the off-site impacts of stormwater, including water erosion risk on neighbouring properties.'</i></p> <p>Cleanaway have recently undertaken considerable stormwater works on the southern boundary of the site and this requirement therefore should remain.</p>
<p>Boundary setbacks are to be provided.</p>	<p>Both the current and amended LDP require future development applications to be setback 30m from Banksia Road and 20m to all other boundaries.</p>

ISSUE RAISED	SHIRE OFFICER COMMENTS
<p>All groundwater should be protected with annual reporting and full disclosure of monitoring publicly available.</p>	<p>The amended LDP proposes to delete the entire 'Environmental Management' section from the current LDP.</p> <p>The textural changes proposed by the amended LDP are not supported as the nature of the development itself warrants further detail on the environmental issues (including any impacts on groundwater) to be appropriately addressed.</p> <p>DWER are responsible for managing and regulating the state's water resources and groundwater monitoring will be considered as part of any environmental approvals required for the site and (if applicable) conditions may be placed on any development approval requiring that those monitoring results be made public.</p>
<p>Fauna assessments are required.</p>	<p>The amended LDP proposes to delete the entire 'Environmental Management' section from the current LDP.</p> <p>The textural changes proposed by the amended LDP are not supported as the nature of the development itself warrants further detail on the environmental issues (including any impacts on fauna) to be appropriately addressed.</p>
<p>A State managed bond to provide for future degradation of soils and groundwater and a State appointed Independent Reference Group is requested.</p>	<p>These are not matters that an LDP can address.</p>
<p>Licence review by DWER is still being conducted so any LDP amendment should be delayed.</p>	<p>DWER has completed its review of the licence and determined that 'the activities on the premises can be effectively controlled through amended and additional licence conditions to effectively mitigate risks to the environment and public health'.</p>
<p>Cumulative impacts are a significant issue and should be retained in the Statutory Framework section.</p>	<p>The amended LDP proposes to delete the following text from the 'Statutory Framework' section from the current LDP:</p> <p><i>'Sufficient information should be provided with all development applications so that the local government can assess the cumulative impacts of previous/existing development.'</i></p> <p>The cumulative impacts from existing and future development should be considered in assessing each development application and therefore the removal of the text proposed by the amended LDP is not supported.</p>
<p>20m buffer is not adequate and should be 50m.</p>	<p>The 20m setback requirement is based on the current 'General Farming' zoning of the land as contained in Town Planning Scheme No. 3.</p>
<p>Areas that are currently 114m AHD should be capped and rehabilitated quickly and stipulations regarding minimum plant size and type for buffer zones should remain.</p>	<p>Both the current and amended LDP require future development applications to be supported by a landscaping plan.</p>
<p>Contamination should be investigated by DWER and a contamination plan should be required for future applications.</p>	<p>The site is classified under section 13 of the <i>Contaminated Sites Act 2003</i> and DWER are responsible for administering the Act.</p> <p>The amended LDP proposes to delete the entire 'Environmental Management' section from the current LDP which includes the following text:</p>

ISSUE RAISED	SHIRE OFFICER COMMENTS
	<p><i>'An environmental management plan that addresses the investigation and management of contamination or acid sulphate soils.'</i></p> <p>The textural changes proposed by the amended LDP are not supported as the nature of the development itself warrants further detail on the environmental issues (including any contamination issues) to be appropriately addressed.</p>
<p>The amended LDP significantly dilutes the demands on Cleanaway to thoroughly justify any proposed future development through required reports, action plans and adherence to the principals of the Approved LDP. As such, it diminishes the Statutory jurisdiction of the Shire.</p>	<p>The textural changes proposed by the amended LDP are not supported as the background notes provide some context and the nature of the development itself warrants further detail on the management plans and environmental issues to be addressed.</p>
<p>Cleanaway have removed the 'Environmental Management' section completely. Even small commercial developments are often required to provide stormwater, bushfire and noise management plans for example. The operation should adhere to what is good sound Governance and honest environmental responsibility.</p>	<p>The textural changes proposed by the amended LDP are not supported as the nature of the development itself warrants further detail on the management plans and environmental issues to be addressed.</p>
<p>Including the eastern cells will initiate the acceptance of development on this portion of land. It sets a precedence that this area will and can be developed.</p>	<p>The amended LDP re-introduces the eastern proposed future cells 11, 13, 14, 18, 19 and 20. These cells were removed based on the comments from DBCA that the native vegetation on the eastern portion of Lot 2 is in excellent condition and provides habitat for threatened black cockatoos.</p> <p>In the absence of any approved clearing of this vegetation the proposed amendment is therefore not supported. Noting however that in future, if clearing is approved then the LDP can be updated at that time.</p>
<p>The current LDP has been through correct due process and to consider any changes so early in its life is premature before the document has a chance to be tested.</p>	<p>Noted.</p>
<p>No approvals or changes to approvals, amendments or development applications should be considered by the Shire until the EPA have completed their assessments.</p>	<p>The EPA has decided to assess the proposal for the construction and operation of 3 new landfill cells under s 41 of the <i>Environmental Protection Act 1986</i>.</p> <p>SAT has determined that s 41 of the Act does not restrict the local government from making a decision on the LDP. Therefore the LDP can be considered by Council and the SAT has made orders to that effect.</p>

Consultation with Government/Service Agencies

- *Department of Planning, Lands and Heritage (DPLH)*

For this proposal the DPLH has no comments to offer.

- *Department of Mines, Industry Regulation and Safety (DMIRS)*

DMIRS has determined that the LDP raises no significant issues with respect to mineral and petroleum resources, geothermal energy, and basic raw materials.

- *Water Corporation*

The Water Corporation's Dardanup Waste Water Treatment Plant (WWTP) is located immediately to the north of the area and the odour buffer around the WWTP extends as a 500m radius around the WWTP ponds. The Water Corporation has no objections provided that it does not give rise to any odour sensitive developments or land uses within the odour buffer area.

The LDP addresses the use of the site as a landfill facility and no odour sensitive land uses are proposed for the site.

- *Department of Primary Industries and Regional Development (DPIRD)*

DPIRD does not object to the amendment to the LDP.

- *Department of Water and Environmental Regulation (DWER)*

DWER recommends the current statement under the Environmental Management section in the current LDP:

"An Environment Management Plan that addresses vegetation clearing, hydrogeological impacts on surrounding land uses and the investigation and management of contamination or acid sulphate soils"

Be revised to:

"An Environment Management Plan that addresses native vegetation clearing, hydrogeological impacts on surrounding land uses, the investigation and management of contamination or acid sulphate soils, a secure water supply, environmental license compliance and a closure plan."

Under the Environmental Management section in the current LDP it states that development applications are to be supported by technical assessment and management plans including but not limited to.... All the issues raised in the above statement are therefore covered in the current LDP and no change to the current LDP is considered necessary.

- *Main Roads WA (MRWA)*

MRWA has no objection to the proposed amendment to the LDP.

- *Department of Biodiversity, Conservation and Attractions (DBCA)*

The eastern portion of Lot 2 contains excellent quality vegetation which are known to support priority flora species and threatened fauna. Within the vicinity of the Lot 2 native vegetation DBCA has records of the following threatened species: black cockatoos, western ringtail possums, quenda and south-western brush-tailed phascogales.

The LDP amendment shows future waste cells 11, 13, 14 and 18 to 20 retained as areas for future development. It should also be noted that the native vegetation within the same eastern portion of Lot 2 would be subject to assessment under the native vegetation provisions of the *Environmental Protection Act 1986*.

Proposed future waste cells 11 to 14 and 18 to 20 are also located adjacent to the Dardanup Conservation Park and would be likely to increase the amount of wind-blown and fauna-spread litter, found within the Park. The proposal should ensure that there is no spread of waste material

offsite by wind or fauna to the Park, and that fencing to assist this objective, is established and maintained in good condition.

The LDP amendment includes a proposal to remove provisions of the current LDP that refers to stormwater management on the southern boundary of Lot 2. DBCA’s preference would be that the LDP recognises and includes a provision to ensure that Lot 2 drainage water management does not adversely impact the Park.

All the issues raised above are covered in the current LDP and therefore the proposed LDP amendment is not supported.

Budget Implications

To date Council has not incurred any legal costs through the SAT process. However it is highly likely that the proponent will seek a formal hearing from SAT should the 151m AHD increased height not be supported. Council would then need to engage legal representation and also the services of a landscape architect to provide specialist advice on the visual impact/assessment. The costs of these would be in the order of \$50,000 and allocated to GL1016017 – Town Planning Legal Expenses.

Budget – Whole of Life Cost - None.

Council Policy Compliance

- SDev CP505 – Public Consultation – Planning Matters

Risk Assessment

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

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	Necessary budget allocation.
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)
Risk Category Assessed Against	Financial Financial impact through the State Administrative Tribunal process.
	Legal and Compliance Failing to comply with an order from the State Administrative Tribunal.

Officer Comment

In essence there are 4 main amendments to the LDP that Cleanaway is proposing as follows:

1. More succinct notes setting out the development context and statutory framework and omitting background notes on past master planning that are irrelevant to the statutory form of a local development plan.

The LDP for Lot 2 is not considered to be a ‘typical’ LDP and the background notes provide some context to the development of the LDP. LDP’s are required to be in a manner and form as

approved by the Commission and the DPLH had no comments on the current LDP when it was initially advertised.

The proposed amended wording is therefore not considered necessary.

2. Providing succinct provisions on the expectations of the content of future applications for development approval and acknowledge any departure from the plan will require justification, but does so without those provisions exceeding the scope of a local development plan. Extensive provisions specifying the content of future development applications, including management plans for stormwater, vegetation clearing, hydrogeological impacts, bushfire, dust, visual impacts, and acoustic issues, exceeds the scope of a local development plan. The broader planning framework is sufficiently effective in requiring development applications to address these management matters, and any others, insofar as those matters are relevant to a particular proposal.

The current LDP does not exceed the scope of a local development plan as LDP's are required to be in a manner and form as approved by the Commission and the DPLH had no comments on the current LDP when it was initially advertised.

Given the nature of the development itself it is considered necessary to further detail management plans and environmental issues to be addressed. It must also be acknowledged that some of the provisions in the current LDP are a result of recommendations from Government agencies.

The proposed amended wording is therefore not considered necessary.

3. The Cleanaway LDP provides for a maximum cell height of 149 metres AHD (plus capping), which would extend consistently from existing approved cells currently being developed and also from the height of cells the subject of applications for approvals currently being assessed.

The current LDP contains a provision that any proposed variation to the height limit (of 114m AHD) will require consideration of the visual impact and a visual impact assessment may be required. Cleanaway have submitted a 'Landscape and Visual Assessment' based on the proposed height of 149m AHD waste cell height with an additional 2m for capping. Please refer to [Appendix ORD: 12.2.1E] for a copy of the landscape and visual assessment.

With regard to the proposed 149m AHD height increase, the landscape and visual assessment suggests:

that the existing works at the subject site are discrete. The surrounding vegetation and landforms combine to restrict views and the works do not currently adversely impact the broader landscape character. In the long term, the proposed 149m AHD top of cell height (excluding capping) will form a slightly higher skyline from some views. With the modelling suggesting this takes the form of a localised variation in topography which will be observed as an integral part of the rural landscape.

The landscape and visual assessment (section 3.4) contains images from key viewing locations of the existing landform and the proposed 149m AHD landform. From current observations and the information for key view locations 6, 11, 14, 17 and 19, it is apparent that the existing works are not considered to be discrete. The increase to 149m AHD is not considered to take the form of a slightly higher skyline but rather a noticeable hill that would break the strong horizontal panorama and adversely impact the broader landscape character.

The site is located at the entry to the Ferguson Valley which is a renowned tourism area well known for its rolling hills and clean/green produce including food and wine. The waste cell heights of 149m AHD will not be substantially landscaped for extensive periods of time and

therefore will significantly impact the valued landscapes and views of the Dardanup area and Ferguson Valley.

It is important to note that the current DWER licence has a condition that the landfill cells must be constructed to ensure that the maximum height of waste placed within the cells will be no greater than 128m AHD.

Previously the Shire has received legal advice with regard to the height limit of 114m AHD as determined by Council at the 16th of December 2020 meeting [Confidential Under Separate Cover Document].

However the landscape and visual assessment has included (for key view locations 15 and 20) a comparison of the existing landform with the 128m AHD and 149m AHD heights. Please refer to [Appendix ORD: 12.2.1F] for an extract from the landscape and visual assessment.

It is considered that the 128m AHD landform could be viewed as a low broad hill and therefore reflect a natural undulation in the skyline that would not be inconsistent with the broader panorama.

As height limits have been established for existing cells, but not the landfill facility as a whole, Council can (and has) imposed a height limit for future cells. However for the reasons contained in the legal advice, and given the fact that Council has historically accepted higher height limits than the 114m AHD for the landfill facility, it is recommended that the 'Height' provision of the current LDP be modified to state a maximum waste height of 128m AHD in accordance with the current DWER licence and a maximum finished height level of 130m AHD (which includes 2m of capping on top of the waste cells).

It is considered that the landscape and visual assessment has sufficiently addressed the visual effects of an increase in height on the character of the immediate locality and the broader landscape.

4. The Cleanaway LDP retains provision for Cleanaway's long held intent to develop future cells 11, 13, 14 and 18-20. This is consistent with approved waste disposal facility land use for Lot 2 and Cleanaway notes that any associated impacts are to be addressed as part of obtaining the required approvals before these cells are to be developed.

DBCA has previously advised that the native vegetation within the eastern portion of Lot 2 is in excellent condition and provides habitat for threatened black cockatoos. The current LDP does acknowledge that 'any future development may require a clearing permit'.

In the absence of any approved clearing of this vegetation the proposed amendment is therefore not supported. Noting however that in future, if clearing is approved then the LDP can be updated at that time.

There are also two key State Planning Policies that are of relevance when dealing with rural landscapes as follows:

State Planning Policy 2.0 – Environment and natural resources policy

The policy advocates that there is a clear and explicit need to incorporate environmental considerations and resource management into the planning process to ensure that decisions are made in the context of potential impacts on the environment. The policy also places considerable emphasis on protecting landscapes that are valued by the community as follows:

5.9 *Landscape*

Planning strategies, schemes and decision-making should:

- (i) *Identify and safeguard landscapes with high geological, geomorphological or ecological values, as well as those of aesthetic, cultural or historical value to the community, and encourage the restoration of those that are degraded.*
- (ii) *In areas identified in 5.9(i) above, consider the level or capacity of the landscape to absorb new activities and incorporate appropriate planning and building design and siting criteria to ensure that new development is consistent and sensitive to the character and quality of the landscape.*
- (iii) *Consider the need for a landscape, cultural or visual impact assessment for land use or development proposals that may have a significant impact on sensitive landscapes.*

The impact of potential development to an overall height of 151m AHD on the landscape is considered significant and this has also been acknowledged by the EPA who have identified the interference with amenity values as one of the factors that requires further assessment with regard to the application for 3 new landfill cells. The amended LDP is proposing heights that would result in the waste mound being significantly higher than the surrounding hills, effectively creating a new hill within the surrounding landscape. As evidenced by the submissions received, the community places significant aesthetic value to the rolling green hills and therefore the rural/tourism landscape should be safeguarded. The amended LDP is therefore not considered to be consistent with SPP 2.0.

State Planning Policy 2.5 – Rural planning

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

Managing landscape attributes is also an important aspect of the policy which acknowledges waste facilities as a regional facility that can be accommodated in rural areas. However it also requires that the facility should not be visually dominant within key viewsheds and should be visually compatible with surrounding land uses. The amended LDP, proposing an overall height of 151m AHD is therefore not considered consistent with this aspect of the policy.

Conclusion

It is acknowledged that there is strong community opposition to the landfill facility however it must also be accepted that the existence of facility is the result of a Ministerial decision, and this decision has been reinforced by the SAT. Council has also granted a number of development approvals over the site.

The textural changes proposed by the amended LDP are not supported as the background notes provide some context, and the nature of the development itself warrants further detail on the management plans and environmental issues to be addressed. In addition the LDP is required to be prepared in the manner and form approved by the Commission and the DPLH have no concerns with the content of the current LDP.

The landscape and visual assessment contains images from key viewing locations of the proposed 149m AHD landform. From current observations it is apparent that the existing works are not considered to be *discrete*. The substantial increase to 149m AHD is considered to take the form of a noticeable hill that would break the strong horizontal panorama and adversely impact the broader landscape character.

The amendment to the LDP is therefore not supported.

However, as height limits have been established for existing cells (as detailed in the legal advice), and given the fact that the Shire has historically accepted different height limits than the 114m AHD for the landfill facility, it is recommended that the 'Height' provision be modified to state a maximum waste height of 128m AHD in accordance with the current DWER licence and a maximum finished height level of 130m AHD (which includes 2m of capping on top of the waste cells).

It is considered that the landscape and visual assessment has sufficiently addressed the visual effects of an increase in height to 130m AHD on the character of the immediate locality and the broader landscape.

The SAT has made orders inviting Council to consider the LDP by the 30th of May 2022, and therefore deferring the matter is not recommended.

Council Role - Quasi-Judicial.

Voting Requirements - Simple Majority for Officer Recommended Resolution A.
- Absolute Majority for Officer Recommended Resolution B.

OFFICER RECOMMENDED RESOLUTION 'A'

THAT Council In respect of the State Administrative Tribunal matter number DR 64/2022, requires the applicant to:

1. Modify the local development plan for Lot 2 Banksia Road, Crooked Brook by:
 - a) Retaining the current Context Plan, Site Plan and text provisions contained in the local development plan as adopted by Council on the 26th of May 2021.
 - b) Amending the 'Cross-Section A-A' to reflect a maximum waste cell height of 128m AHD and maximum finished height level of 130m AHD (which is inclusive of any capping on top of the waste cells).

Modify the local development plan for the following reasons:

- a) *The currently approved local development plan does not exceed the scope of a local development plan and given the nature of the development proposed on the site, it is considered necessary that further detailed management plans and environmental issues should be addressed with future development applications.*
- b) *From current observations and the information for key view locations 6, 11, 14, 17 and 19, it is apparent that the existing works on site are not considered to be discrete. The increase to 151m AHD is not considered to take the form of a slightly higher skyline but rather a noticeable hill that would break the strong horizontal panorama and adversely impact the broader landscape character.*
- c) *The site is located at the entry to the Ferguson Valley which is a renowned tourism area well known for its rolling hills and clean/green produce including food and wine. The total waste cell heights of 151m AHD will not be substantially landscaped for extensive periods of time and therefore will significantly impact the valued landscapes and views of the Dardanup area and Ferguson Valley.*
- d) *The impact of potential development to an overall height of 151m AHD on the landscape is considered significant and this has also been acknowledged by the Environmental Protection Authority who have identified the interference with amenity values as one of the factors that requires further assessment with regard to the development application for 3 new landfill cells on the site. The amended local development plan*

is proposing heights that would result in the waste mound being significantly higher than the surrounding hills, effectively creating a new hill within the surrounding landscape. As evidenced by the submissions received, the community places significant aesthetic value to the rolling green hills and therefore the rural/tourism landscape should be safeguarded. The amended local development plan is therefore not considered to be consistent with State Planning Policy 2.0 – Environment and natural resources, which places considerable emphasis on protecting landscapes that are valued by the community.

- e) *Managing landscape attributes is also an important aspect of State Planning Policy 2.5 – Rural planning which acknowledges waste facilities are a regional facility that can be accommodated in rural areas. However it also requires that the facility should not be visually dominant within key view sheds and should be visually compatible with surrounding land uses. The amended local development plan, proposing an overall height of 151m AHD is therefore not considered consistent with this aspect of the policy.*

2. Resubmit the modified plan to the Shire of Dardanup for approval.

AND

OFFICER RECOMMENDED RESOLUTION 'B'

THAT Council:

1. Delegates to the Chief Executive Officer, by absolute majority, authority to approve the local development plan once modified in accordance with Part 1 of the above resolution.
2. Authorises additional expenditure of up to \$50,000 against GL1016017 – *Town Planning Legal Expenses* over the 2021/22 and 2022/23 financial years, for legal expenses that may be incurred through the SAT process.

By Absolute Majority

Note: Cr. P S Robinson advised that he would like to move the following Alternative Resolutions:

ELECTED MEMBER ALTERNATIVE RESOLUTION 'A'

THAT Council In respect of the State Administrative Tribunal matter number DR 64/2022, refuse the amended local development plan for Lot 2 Banksia Road, Crooked Brook for the following reasons:

- a) *The currently approved local development plan does not exceed the scope of a local development plan and given the nature of the development proposed on the site, it is considered necessary that further detailed management plans and environmental issues should be addressed with future development applications.*
- b) *From current observations and the information for key view locations 6, 11, 14, 17 and 19, it is apparent that the existing works on site are not considered to be discrete. The increase to 151m AHD is not considered to take the form of a*

slightly higher skyline but rather a noticeable hill that would break the strong horizontal panorama and adversely impact the broader landscape character.

- c) *The site is located at the entry to the Ferguson Valley which is a renowned tourism area well known for its rolling hills and clean/green produce including food and wine. The total waste cell heights of 151m AHD will not be substantially landscaped for extensive periods of time and therefore will significantly impact the valued landscapes and views of the Dardanup area and Ferguson Valley.*
- d) *The impact of potential development to an overall height of 151m AHD on the landscape is considered significant and this has also been acknowledged by the Environmental Protection Authority who have identified the interference with amenity values as one of the factors that requires further assessment with regard to the development application for 3 new landfill cells on the site. The amended local development plan is proposing heights that would result in the waste mound being significantly higher than the surrounding hills, effectively creating a new hill within the surrounding landscape. As evidenced by the submissions received, the community places significant aesthetic value to the rolling green hills and therefore the rural/tourism landscape should be safeguarded. The amended local development plan is therefore not considered to be consistent with State Planning Policy 2.0 – Environment and natural resources, which places considerable emphasis on protecting landscapes that are valued by the community.*
- e) *Managing landscape attributes is also an important aspect of State Planning Policy 2.5 – Rural planning which acknowledges waste facilities are a regional facility that can be accommodated in rural areas. However it also requires that the facility should not be visually dominant within key view sheds and should be visually compatible with surrounding land uses. The amended local development plan, proposing an overall height of 151m AHD is therefore not considered consistent with this aspect of the policy.*

AND

ELECTED MEMBER ALTERNATIVE RESOLUTION 'B'

THAT Council Authorises additional expenditure against GL1016017 – Town Planning Legal Expenses over the 2021/22 and 2022/23 financial years, for legal expenses that may be incurred through the SAT process.

Note: Cr. E P Lilly seconded both of Cr. P S Robinson's Elected Member Alternative Resolutions and the Resolutions were voted on en bloc.

Change to Officer Recommendation

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

- To refuse the Local Development Plan for Lot 2 Banksia Road, Crooked Brook
- To authorise additional expenditure against GL1016017 over the 2021/2022 and 2022/2023 financial years for possible Legal Expenses.

PROCESS

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

- (a) which require adoption by an absolute or special majority vote;*
- (b) in which an interest has been disclosed;*
- (c) that has been subject of a petition or deputation;*
- (d) which any member has indicated the wish to debate; and*
- (e) in which any member has indicated the wish to ask a question or to raise a point of clarification*

and, each of those recommendations referred to in paragraphs (a), (b), (c), (d) and (e) must be considered separately.

Note: Cr. P S Robinson and Cr. E P Lilly moved and seconded the following two resolutions en bloc.

**ELECTED MEMBER ALTERNATIVE RESOLUTION 'A'
& COUNCIL RESOLUTION**

120-22 MOVED - Cr. P S Robinson SECONDED - Cr. E P Lilly

THAT Council In respect of the State Administrative Tribunal matter number DR 64/2022, refuse the amended local development plan for Lot 2 Banksia Road, Crooked Brook for the following reasons:

- a) The currently approved local development plan does not exceed the scope of a local development plan and given the nature of the development proposed on the site, it is considered necessary that further detailed management plans and environmental issues should be addressed with future development applications.**
- b) From current observations and the information for key view locations 6, 11, 14, 17 and 19, it is apparent that the existing works on site are not considered to be discrete. The increase to 151m AHD is not considered to take the form of a slightly higher skyline but rather a noticeable hill that would break the strong horizontal panorama and adversely impact the broader landscape character.**
- c) The site is located at the entry to the Ferguson Valley which is a renowned tourism area well known for its rolling hills and clean/green produce including food and wine. The total waste cell heights of 151m AHD will not be substantially landscaped for extensive periods of time and therefore will significantly impact the valued landscapes and views of the Dardanup area and Ferguson Valley.**
- d) The impact of potential development to an overall height of 151m AHD on the landscape is considered significant and this has also been acknowledged by the Environmental Protection Authority who have identified the interference with amenity values as one of the factors that requires further assessment with regard to the development application for 3 new landfill cells on the site. The amended local development plan is proposing heights that would result in the waste mound being significantly higher than the surrounding hills,**

effectively creating a new hill within the surrounding landscape. As evidenced by the submissions received, the community places significant aesthetic value to the rolling green hills and therefore the rural/tourism landscape should be safeguarded. The amended local development plan is therefore not considered to be consistent with State Planning Policy 2.0 – Environment and natural resources, which places considerable emphasis on protecting landscapes that are valued by the community.

- e) Managing landscape attributes is also an important aspect of State Planning Policy 2.5 – Rural planning which acknowledges waste facilities are a regional facility that can be accommodated in rural areas. However it also requires that the facility should not be visually dominant within key view sheds and should be visually compatible with surrounding land uses. The amended local development plan, proposing an overall height of 151m AHD is therefore not considered consistent with this aspect of the policy.

CARRIED
7/0

AND

**ELECTED MEMBER ALTERNATIVE RESOLUTION 'B'
& COUNCIL RESOLUTION**

121-22 MOVED - Cr. P S Robinson SECONDED - Cr. E P Lilly

THAT Council Authorises additional expenditure against GL1016017 – *Town Planning Legal Expenses* over the 2021/22 and 2022/23 financial years, for legal expenses that may be incurred through the SAT process.

CARRIED
7/0
By Absolute Majority

Note: Ms Susan Oosthuizen – Director Sustainable Development left the room at [5.59pm].

12.3 INFRASTRUCTURE DIRECTORATE REPORTS

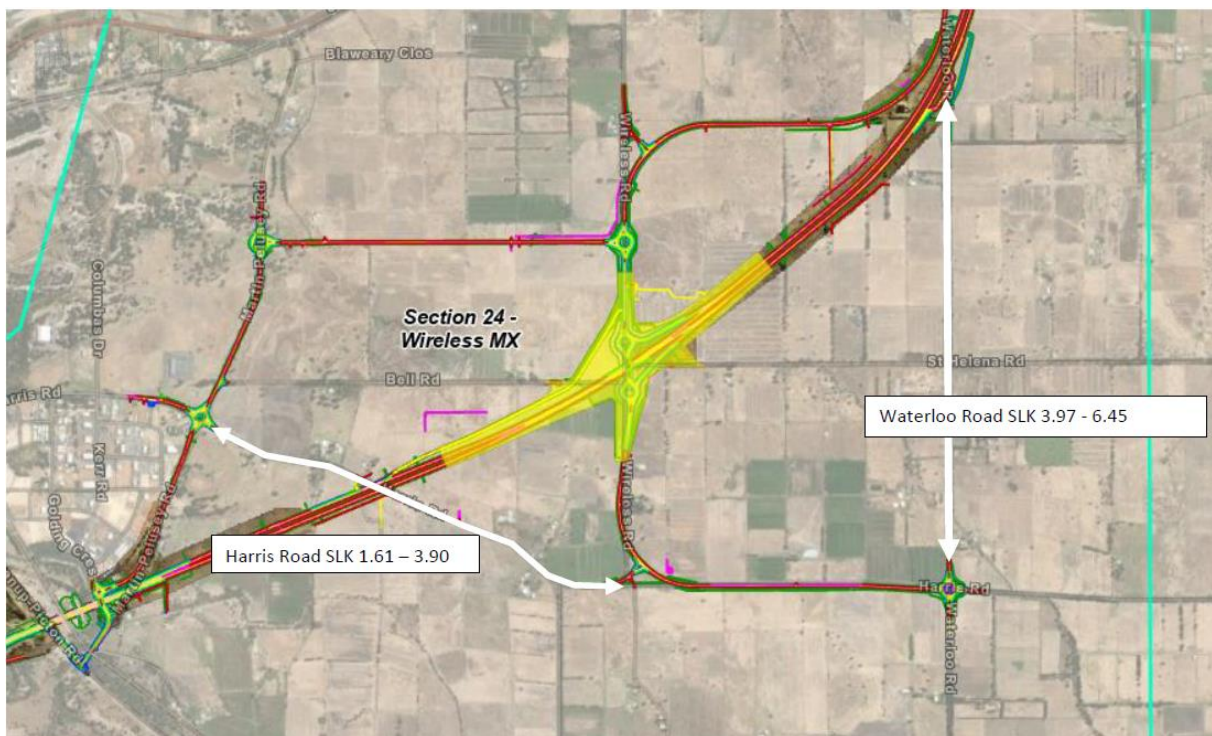
12.3.1 Title: Restricted Access Vehicle (RAV) Freight Routes - Harris Road & Waterloo Road

Reporting Department:	<i>Infrastructure Directorate</i>
Reporting Officer:	<i>Ms Sonja Pienaar – Manager Assets</i>
Legislation:	<i>Local Government Act 1995</i>
Attachments:	<i>Appendix ORD: 12.3.1 – Risk Assessment</i>

Overview

Council is requested to consider the approval for the South West Gateway Alliance to operate Restricted Access Vehicles (RAV 4) - Accredited Mass Management Scheme (AMMS) Level 3 vehicle combinations on Harris Rd 1.61- 3.9 (Martin Pelusey to Damien Italiano/Wireless Road) and Waterloo Road from mid May 2022 to mid-2023 subject to conditions.

The final approval for Harris Road to be added to the RAV network is with MRWA, however requires the Shire's endorsement. Waterloo Road has MRWA approval for RAV 4 AMMS Level 3, but requires operators to carry a letter of approval from the road owner for the duration of their operations.



Background



At the Ordinary Council Meeting held on the 28th of October 2020 Council resolved (OCM: 292-20) to approve additional heavy vehicle routes to the RAV network and gave the Chief Executive Officer delegation to support RAV applications in accordance with these endorsed routes and the adopted Infrastructure policy CP401 – Heavy Vehicle – Road Contribution.

This report has been brought to Council as the delegation provided at the 28th of October 2020 meeting does not include RAV 4 AMMS Level 3 for Harris Road or Waterloo Road.

A vehicle or vehicle combination exceeding any of the following limits is a RAV and must be operated in accordance with a permit or order on an approved RAV Network route:



2.5m in width 4.3m in height 12.5m in length for a rigid vehicle 19m in length for a combination	42.5t gross mass 6t on a single steer axle 10t on a twin steer axle group (non-load sharing suspension) 11t on a twin steer axle group (load sharing suspension)	9t on a single axle 16.5t on a tandem axle group 20t on a tri or quad axle group
---	---	--

The following shows the Standard Prime Mover, Trailer Combinations and Truck, Trailer Combinations for RAV 3 and RAV 4 vehicle combinations.

Category 3 RAVs				
Category	Vehicle Description	Length	Max. Mass	Approved Network
3A	A-Double (Prime Mover, Semi Trailer & Dog Trailer) 	≤27.5 m	85 t	RAV Network 3
Category 4 RAVs				
Category	Vehicle Description	Length	Max. Mass	Approved Network
4A	A-Double (Prime Mover, Semi Trailer & Dog Trailer) 	≤27.5 m	88.5 t	RAV Network 4

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

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

Category 3 RAVs						
Cat.	Vehicle Description	Length	AMMS Level	Max. Gross Mass	Max. Modified Mass	Approved Network
3A	A-Double (Prime Mover, Semi Trailer & Dog Trailer) 	≤27.5 m	Level 1	89 t	4 t	N3.1
			Level 2	91 t	6 t	N3.2
			Level 3	94 t	9 t	N3.3
Category 4 RAVs						
Cat.	Vehicle Description	Length	AMMS Level	Max. Gross Mass	Max. Modified Mass	Approved Network
4A	A-Double (Prime Mover, Semi Trailer & Dog Trailer) 	≤27.5 m	Level 1	93.5 t	5 t	N4.1
			Level 2	96.5 t	8 t	N4.2
			Level 3	100 t	12 t	N4.3

Legal Implications

Road Traffic (Vehicles) Act 2012
Road Traffic (Vehicles) Regulations 2014

Strategic Community Plan

Strategy 4.1.4 - Facilitate the provision of essential services and infrastructure to support the growing community and local economy. (Service Priority: High)
Strategy 5.1.1 - Provide an efficient road network for the efficient movement of people and goods by road. (Service Priority: Very High)
Strategy 5.1.2 - Advocate for transport choices by increasing the availability of safe, affordable and viable transport options. (Service Priority: High)

Environment

A higher productivity vehicle as prescribed under the Accredited Mass Management Scheme or Performance Based Standards are able to perform a transport task in fewer journeys than a conventional heavy vehicle, which results in fewer carbon emissions.

Precedents

Council has previously endorsed heavy vehicle routes as depicted in the Shire's Heavy Vehicle Master Plans and the maximum RAV access.

Currently the Southwest Gateway Alliance do have permission to use RAV 4 level 3 vehicles on Waterloo Road and have agreed to be monitoring the Waterloo Road condition and repair it at the completion of the works.

Budget Implications

Currently the only successful mechanism for cost recovery is by agreement with operations that generate the extra ordinary load (such as extractive industries) and not with transport operators themselves.

After some negotiations between Shire staff and the Southwest Gateway Alliance (SGA), it was agreed that SGA will provide proof of road condition prior to works, monitor the road condition and take appropriate actions on completion of the BORR works to reinstate the roads. NO monies will be paid as part of a cost recovery agreement.

Budget – Whole of Life Cost

Increasing the load and traffic volume on roads may also alter the expected useful life of the road where the requirement to renew the road may occur sooner than currently scheduled. This has the potential to increase road construction costs and reduce the expected longevity of the road.

This is why it was agreed that SGA assess the reduction of road condition once work has been completed and undertake the appropriate works.

Council Policy Compliance

- Infrastructure policy CP401 – Heavy Vehicle – Road Contribution

The principal of this policy is that freight generators such as extractive industries (not freight haulage operators) should be responsible for upgrades and/or road contributions required that are identified as being the result of their operations in the Shire where the freight task represents an increase in heavy

vehicle numbers beyond what is expected within the range of reasonable traffic growth. The proposed policy aims to seek upgrades and/or contributions that can be conditioned as part of the Development Approval Process.

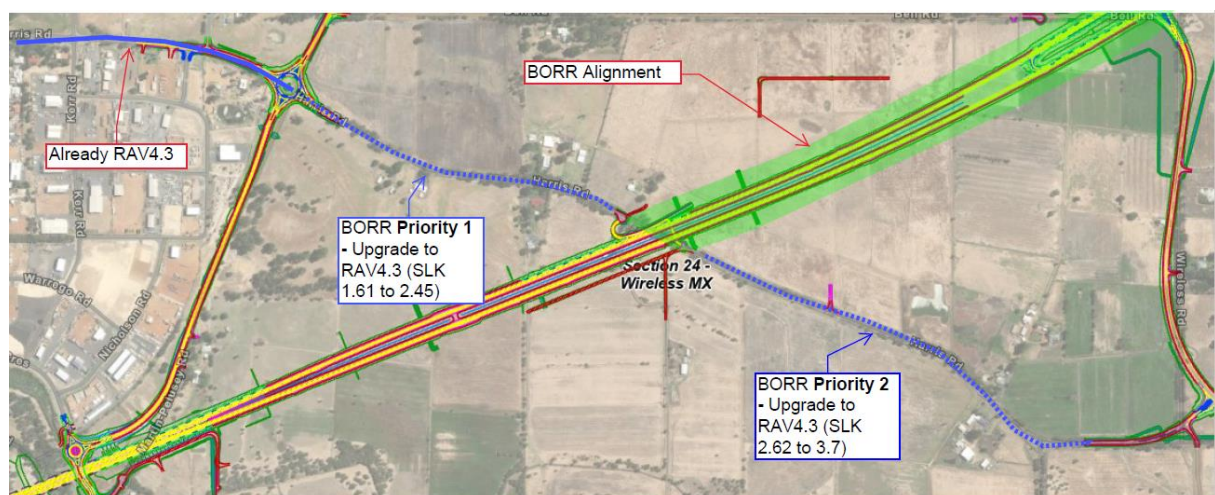
Risk Assessment

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

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Increased Heavy Haulage Restricted Access Vehicles (RAV) on Shire Road Network
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	Not required
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Financial Existing Roads identified as RAV routes may reach the end of its useful life sooner than anticipated due to haulage activity.
	Financial The Shire will have limited ability to raise funds due to extraordinary load on road.
	Reputational Customer levels of service may be reduced if assets are not maintained or renewed to meet user demand.

Officer Comment

Due to BORR road construction activity Harris Road SLK 3.9 to SLK 5.45 (Damien Italiano Road to Waterloo Road) will be closed from mid May 2022 and become a construction site as road upgrades are undertaken on Harris Road and Wireless Road as connection roads to the BORR. The upgrades to these Shire roads are at no cost to the Shire.



The Southwest Gateway Alliance (SGA) is required to seek the Shire’s permission to use Waterloo Road and Harris Road to operate RAV 4 Level 3 vehicle combinations on Harris Rd 1.61- 3.9 (Martin Pelusey to Damien Italiano/Wireless Road) from mid May 2022 to mid-2023 subject to conditions.

Waterloo Road already has MRWA RAV 4 level 3 approval, but due to a condition of this approval operators are required to carry a letter from the road owner for the duration of their operations. This allows the Shire to monitor activities on their roads.

Harris Road SLK 1.61 to SLK 3.9 does not have MRWA RAV approval and therefore Council has been requested to consider approving Harris Road SLK 1.61 to SLK 3.9 for RAV 4 level 3 access. As this will only be required for the duration of the BORR construction, the Shire may request MRWA to withdraw the approval on completion of the SGA activities estimated to be mid - 2023.

Cost recovery

In line with the Shire's policy CP401 – Heavy Vehicle – Road Contribution the issues of cost recovery for extra ordinary haulages was addressed as part of BORR development application. The BORR development approval did not provide for cost recovery according to the WALGA cost recovery agreement. Instead, the BORR development approval granted by WAPC in December 2020 required that "Prior to commencement of bulk material haulage along a route and immediate following completion, Haulage Route Condition Surveys shall be prepared and submitted to the local authority for review and dilapidation identified shall be suitably remediated to the satisfaction of the WAPC anon the advice of the LG."

On the issues of road cost recovery due to extraordinary loads on local roads, SGA has committed to extend the arrangement for Waterloo Road to Harris Road:

- Arranging road condition surveys prior to haulage works commencing and at completion (pre and post surveys). In addition a road condition survey will be arranged approximately midway through the haulage task to highlight any unexpected deterioration.
- Ensure the road is maintained to a functional standard throughout the course of the project:
 - For small works SWGA's preference is for the works to be carried out by Shire of Dardanup maintenance team directly at SWGA's cost.
 - For larger works, SWGA will agree the nature and extent of remedial works with Shire of Dardanup and will arrange for the works to be undertaken by a suitably qualified and experienced subcontractor to Council's satisfaction.
- At the end of the project and based on the comparison between the pre and post surveys, SWGA will agree with the Shire of Dardanup any works required to return the road to an satisfactory condition taking account of the impact of external factors such as unrelated haulage activity.

Road Safety

To ensure road safety, a recent assessment of Harris Road from Martin Pelusey Road to Damien Italiano Road by an external contractor according to MRWA Heavy Vehicle RAV route assessment guidelines has noted the following:

- Harris Road is a very low volume rural road;
- Harris Road is very narrow 6.1m to 6.5m in width;
- Harris Road has some tight curves along the alignment; and
- Harris Road appears to have a derestricted speed limit. (Not sign posted – 110km/hr)

Harris Road SLK 1.61 – SLK 3.9 is also not a school bus route.

The assessor has recommended the following conditions should the RAV 4 level 3 approval be supported for Harris Road to address safety concerns:

- Implementing a 60km/h speed limit;
- Installing long vehicle route signage at either end of the length of Harris Road for each direction;
- Installing centreline pavement marking along the alignment (No RRPM required) noting Double Barrier assessment through corners for line of sight and sufficient line of sight for overtaking;
- Whilst turning movements could occur at Martin Pelusey Road and Harris Road for RAV vehicles, suggestion to the BORR Project is to use a route that does not require turning at Martin Pelusey Road and Harris Road due to the high number and frequency of movements.

On Waterloo Road, the assessor commented that some works to the Harris Road/Waterloo Road intersection will be required to accommodate turning movements as per submitted swept paths.

Consultation with the affected residents

SGA has indicated that an average of 8 double road trains completing 8 round trips per day, each truck carries a payload of approximately 55 Tonne can be expected along Harris Road. Haulage hours will be between 6.30am and 5:30pm. This will have not only result in extra load on the road but also increase the number of vehicle movements, although it is on for approximately 18 month duration. For residents that are used to a traditionally quite road, this will be a significant change.

SGA's community and stakeholder engagement team will be including information about the proposal to use haulage trucks on Harris Road in their next correspondence which was due on Friday 6 May. This correspondence will consisted of a letter drop, Facebook post and e-mail to the relevant residents. Previous consultations with landowners (face to face & e-mail correspondence) in this area was mainly to discuss the changes to their property fencing due to the BORR coming through their land. SGA noted that although no formal correspondence has been recorded, the residents will be aware of the increased construction activity around their property and the network.

SGA has asked that this application will not only be considered on its individual merit but also in light of favourable impact the completion of the BORR project and the BORR local road upgrades will have on the Shire's network.

Some of the upgrade to local roads as part of the BORR project in this area includes:

- Golding Crescent upgrade - New roundabout and re-alignment.
- Martin Pelusey Road upgrade and upgraded tie-in to Golding Crescent.
- Harris Road intersection upgrade with Martin Pelusey Road - New roundabout.
- Harris Road SLK 3.7– 5.54 between Waterloo Rd and Wireless Road will be upgraded – future RAV network.
- Upgrade of Wireless Road (renamed Discovery Road) from Harris Road connecting from the South of the BORR – future RAV network.
- Upgrade of Wireless Road (renamed Discovery Road) connecting to Waterloo Rd from the North of the BORR – future RAV network.
- New Brycinda Road connecting the new Discovery Road with Martin Pelusey (Parallel with Bell Rd).
- Moore Road upgrade connecting the existing Boyanup Picton Road with the existing Moore Road.
- New Waterloo Rd (between Railway Road and SW Hwy) and new roundabout with SW Hwy – future RAV network.
- Construction of cul-de-sac heads where BORR intersects Harris Road and Waterloo Rd.

12.3.2 Title: Panizza Road – Road Upgrade Concept Design

<i>Reporting Department:</i>	<i>Infrastructure Directorate</i>
<i>Reporting Officer:</i>	<i>Mr Nathan Ryder - Manager Infrastructure Planning & Design</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.3.2A – Risk Assessment Tool</i> <i>Appendix ORD: 12.3.2B – Concept Design Drawings</i>

Overview

This report addresses Council Resolution (OCM: 362-21) as outlined below, which requested that the Chief Executive Officer carry out survey, design, environmental assessment and cost estimation of upgrading Panizza Road and that the results are brought back to Council for further consideration.

Background

At its Ordinary Council Meeting held on the 24th of November 2021, Council resolved (OCM: 362-21):

“THAT Council:

- 1. Does not close Panizza Road and that the upgrade and sealing of Panizza Road be considered as part of the 2022-23 Budget deliberations and the Road Asset Management Plan.*
- 2. Requests that the Chief Executive Officer carries out survey, design, environmental assessment and cost estimation of upgrading Panizza Road; and*
- 3. Once the process is complete, requests that the results are brought back to Council for further consideration.*
- 4. Requests the Chief Executive Officer to investigate speed restrictions and or surveillance along the road as an immediate measure to address safety concerns.”*

This report addresses Items 2 and 3 above.

This report also references Item 3 of Council Decision (OCM: 87-22) from the meeting held on the 27th of April 2022:

“THAT Council:

- 1. Notes the options for dust suppression products, as depicted in this report;*
- 2. Notes Main Roads WA advice that installation of either regulatory or advisory speed signage to unsealed roads is not permitted; and*
- 3. Defers a decision on dust mitigation on Panizza Road until it has considered the option to upgrade Panizza Road, or a section of Panizza Road, to a bitumen seal standard.”*

Engineering survey, concept design, environmental assessment and cost estimation of upgrading Panizza Road have now been completed by Shire Staff and the results are presented to Council for consideration.

Legal Implications - None.

Strategic Community Plan

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

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

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

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

Environment

The Shire's Environmental Officer has carried out an environmental assessment of the impact of upgrading the road. The results are summarised in the Officer Comment section of this report.

Precedents

The Shire has carried out survey, design, environmental assessment and cost estimation of road upgrades in the past.

Budget Implications

There is no capital works project for Panizza Road in the 2021/22 Budget. Also, there are no capital works projects for Panizza Road included in the 10-Year Works Program as part of the '2022-23 Roads & Bridge Asset Management Plan.'

Budget – Whole of Life Cost

Sealing the gravel section of road would require ongoing reseals (typically scheduled every 20 years), shoulder maintenance, defect repairs and edge repairs, like any other Shire road.

Council Policy Compliance

- Infr CP058 – Roadside Vegetation
- Infr CP064 – Upgrade of Existing Roads – Voluntary Contributions by Adjoining Property Owners
- Infr CP074 – Asset Management

Risk Assessment

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

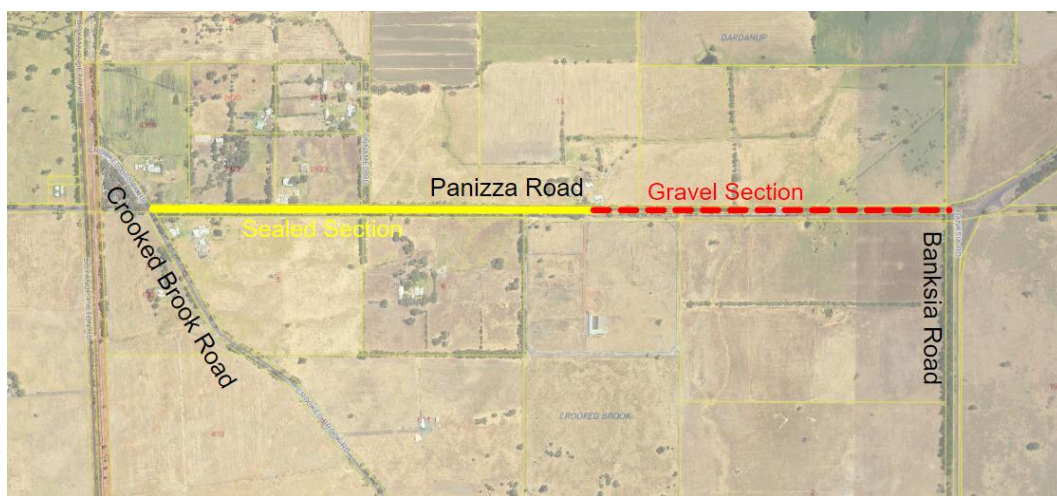
TIER 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Panizza Road – Road Upgrade Concept Design
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Health Ongoing dust problem if no action taken.
	Financial Ongoing costs for temporary treatments.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
	Reputational	Customer dissatisfaction with no treatment, wrong treatment or delay in treatment.
	Environment	Clearing Permit required to clear verges for road upgrade works.

Officer Comment

Panizza Road, between Crooked Brook Road and Banksia Road, is approximately 2.1km in length, of which the first 1.1km is sealed. The gravel section of Panizza Road narrows significantly between the end of the seal and Banksia Road.

Based on the traffic data obtained by the Shire in June 2021, Panizza Road would be classified as a low volume road with a vehicle daily average of 64 vehicles per day, which is slightly higher on weekdays and slightly lower on weekends.



Shire Officers have carried out the following tasks in relation to upgrading Panizza Road:

- Feature survey;
- Road design;
- Environmental assessment; and
- Cost estimation.

Feature Survey

The feature survey of the road involved engaging an engineering surveyor to pick up existing levels of road and surrounds, and as well as trees within the road reserve, which is required for the road design as well as clearing permit application (if pursued further).

Road Design

The road concept design was carried out in AutoCAD with a typical road section comprising an 8m gravel formation, 6.2m wide chip seal, crowned at the centre with a 3% crossfall and 1:4 batters. Approximately 200mm of gravel base course material must be added on top of the existing formation for drainage purposes. The concept drawings are included in [Appendix ORD: 12.3.2B].

Environmental Assessment

Vegetation assessments are carried out in accordance with DWER regulations via desktop review (using GIS databases) and field survey (usually undertaken in spring). These assessments are used to examine the vegetation against DWER's Risk-based "10 Clearing Principles Assessment Criteria" (Schedule 5 of the EP Act, see Appendix 1 and 2). These criteria determine if the proposed clearing will have a high or low risk to the vegetation in-situ. For a clearing permit to be granted, DWER needs to be confident none of the 10 Clearing Principles is 'triggered'.

The Shire's Environmental Officer carried out an environmental assessment of the proposed road upgrade, using the information contained in "A guide to the assessment of applications to clear native vegetation, Under Part V Division 2 of the Environmental Protection Act 1986". (DER, December 2014).

The site has not been formally surveyed, so there is limited data available for the desktop assessment, however, the Shire obtained the following information (via DBCA):

- The vegetation is two rare communities: Dardanup Vegetation complex. This has been exceptionally highly cleared. There is less than 5% pre-European extent remaining, and Cartis vegetation complex, which, has less than 14% pre-euro extent remaining;
- The vegetation is a Threatened Ecological Community (TEC) as the road reserve contains a Commonwealth listed TEC- Banksia woodlands on the Swan Coastal Plain;
- The vegetation is an important ecological linkage in a predominantly cleared landscape; and
- The desktop assessment revealed the presence of a Priority 3 (rare) plant. *Jacksonia gracimilla*.

The 10 Clearing Principles were reviewed against the above information in order to assess the likelihood that the area could either be cleared without a clearing permit, or, if the Shire applied for a permit, whether it would be granted.

In summary, the desktop assessment revealed the area is a complex site with high environmental values, high biodiversity and rare flora, and that GIS Survey data indicated that 4 of the 10 Clearing Principles are triggered. As such, on this basis, it is the Environmental Officer's opinion that, should the Shire apply for a clearing permit, it would likely be rejected by DWER.

If a clearing permit is pursued by the Shire for the full road construction, a formal application with spring survey would be required and the process may take in the order of 12 months.

Cost Estimation

A detailed cost estimation was prepared based on the quantities from the concept design and the estimated cost to upgrade Panizza Road to a 6.2m wide sealed standard is \$295,000.

It is noted that there are no capital works projects for Panizza Road included in the 10-Year Works Program as part of the '2022-23 Roads & Bridge Asset Management Plan.'

Another option, as an alternative to the dust suppression treatments reported to Council at its 27th of April 2022 Ordinary Council Meeting, would be to extend the existing road seal by a nominal 100m, which would require ripping, importing some gravel material, placement, compaction, watering binding and sealing. A narrowing in the seal would be necessary as the road naturally narrows to the east. No clearing of vegetation would be required. The extension of the seal by 100m would likely cost in the order of \$20,000. While this treatment would not address other issues that have been reported to the Shire, it should reduce the dust issues being experienced by adjacent residents.

Options Going Forward

The remaining options for Council to address the dust concerns raised on Panizza Road would appear to be those listed herewith:

- Option 1: Select a dust suppression treatment as per the previous report to Council;
- Option 2: Include a full road upgrade project in the road works program; and
- Option 3: Extend the existing seal by a nominal 100m.

These options are summarised as follows:

OPTION	DESCRIPTION	ESTIMATED COST	EXPECTED PERFORMANCE
1	Dust suppression treatment (refer Item 12.3.1. from OCM 27 April 2022)	\$34,400 to \$107,600	6 months to several years
2	Full road upgrade as per concept design	\$295,000	20 years
3	Extend existing seal by 100m	\$20,000	20 years

Option 1 would be an ongoing cost for Council. As noted in the previous report to Council, the use of dust suppression products is a management treatment and does not add value to the road asset. Therefore, Option 1 is not recommended.

Option 2 would be a significant cost to Council and there are no capital works projects for Panizza Road included in the 10-Year Works Program as part of the '2022-23 Roads & Bridge Asset Management Plan.' There is also a high risk of not obtaining a clearing permit for the reasons explained in this report. Therefore, Option 2 is not recommended.

Option 3 is the lowest cost treatment option presented to date, offers benefit, significant longevity, and is therefore the Officer's Recommendation.

Council Policy CP064 (Upgrade of Existing Roads – Voluntary Contributions by Adjoining Property Owners) provides a mechanism and guidelines by which property owners and/or residents adjoining a road may contribute financially towards the upgrade of that road to a standard higher than is required for that particular road in the Council's Road Asset Management Plan.

Should Option 3 be selected by Council, it is recommended that Shire Officers consult with the relevant landowners regarding cost contributions. The matter can then be brought back to Council.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION

THAT Council directs the Chief Executive Officer to consult with landowners on Panizza Road regarding cost contributions to extending the seal by 100m and bring the results back to Council.

12.4 CORPORATE & GOVERNANCE DIRECTORATE REPORTS

12.4.1 Title: Periodical Review of Local Laws Following Submissions

<i>Reporting Department:</i>	<i>Corporate & Governance Directorate</i>
<i>Reporting Officer:</i>	<i>Ms Cathy Lee - Manager Governance & HR</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.4.1A – Risk Assessment</i> <i>Appendix ORD: 12.4.1B – Submissions-Dog Local Law 2014</i> <i>Appendix ORD: 12.4.1C – Submissions Cat Local Law 2014</i>

Overview

Council to determine (by Absolute Majority) whether or not it considers that the Local Laws should remain unchanged, be repealed or amended in accordance with S3.16 of the *Local Government Act 1995*.

Background

Section 3.16 of the *Local Government Act 1995* requires periodic reviews of Local Laws. A Local Government is to carry out a review of a Local Law to determine whether or not it considers that it should remain unchanged, be repealed or amended. The review is to be conducted within 8 years from the day each Local Law commenced, or from when a report of a review of the Local Law was accepted under s3.16.

Council resolved (OCM: 10-22) at its meeting held on the 25th of January 2022 to:

“THAT Council:

1. *Advertises the review of the following local laws in accordance with s. 3.16 (2) of the Local Government Act 1995:*
 - *Cemeteries Local Law 2014;*
 - *Dogs Local Law 2014;*
 - *Extractive Industries Local Law 1996;*
 - *Keeping and Control of Cats Local Law 2014;*
 - *Parking and Parking Facilities Local Law 2009; and*
 - *Standing Orders Local Law 2014.*

2. *Requests that a report be submitted to Council following the advertising period of six weeks so that Council can determine whether or not the local law should be repealed, amended or remain unchanged.”*

The Public Notice was published in the South Western Times newspaper on the 10th of February 2022. Submissions closed on the 1st of April 2022. Copies of the local laws being reviewed and the public notice were made available on the Shire’s website, at the Shire offices and libraries in Eaton and Dardanup and the Eaton Recreation Centre.

Legal Implications

Local Government Act 1995 - S3.16. Periodic review of local laws:

- (1) *Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.*
- (2) *The local government is to give local public notice stating that —*
 - (a) *the local government proposes to review the local law; and*
 - (b) *a copy of the local law may be inspected or obtained at any place specified in the notice; and*
 - (c) *submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.*
- [(2a) *deleted*]
- (3) *After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.*
- (4) *When its council has considered the report, the local government may determine* whether or not it considers that the local law should be repealed or amended.*

** Absolute majority required.*

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

Strategy 1.4.2- Maintain, review and ensure relevance of Council's policies and local laws. (Service Priority: Moderate)

Environment - None.

Precedents

The below Shire of Dardanup Local Laws were last reviewed in 2014.

Budget Implications

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

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

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

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Periodic Review Local Laws Following Submissions
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Legal and Compliance Failing to review in the 8 yearly cycle as stipulated in S3.16 of Local Government Act 1995.
	Reputational Council would be seen in a negative light if we failed in our legislative requirements.

Officer Comment

As a Local Law Review has not taken place for 7 years and that there have been significant legislative, sector and organisational changes it is considered appropriate that the Local Laws are amended to reflect better practice and current circumstances as guided by legislation and sector advice to meet our individual community needs. The following information is provided for Council consideration in relation to each of the local laws advertised:

Local Law Name:	Cemeteries Local Law 2014
Submissions Received:	No public submissions.
Staff Comments:	<p>The Shire of Dardanup gave the JSCDL an undertaking in 2014 (following gazettal of the Local Law) to make the following changes at its next review of the Cemeteries Local Law 2014:</p> <ul style="list-style-type: none"> <i>In clause 1.5-Interpretation: "Board means the district of the local government" to be amended to state: "Board means the local government". "local government means the district of the Shire of Dardanup" to be amended to state: "local government means the Shire of Dardanup".</i> <i>In clause 5.8 -Ashes held by the Board, there is a reference to clause "5.12" but no such clause exists. This will be amended to read clause "5.7".</i> <i>In clause Schedule 1 -Modified Penalties the following 4 numbering errors will be amended: At Item 7, the reference to clause 8.3 should be 8.2. At Item 8, the reference to clause 8.5 should be 8.4. At Item 9, the reference to clause 8.6 should be 8.5. At Item 10, the reference to clause 8.7 should be 8.6.</i>
Recommendation:	Amend

Local Law Name:	Dogs Local Law 2014
Submissions Received:	<p>1 public submission received [Appendix ORD: 12.4.1B]. The submission notes several recommendations to:</p> <p><i>“...more effectively promote and encourage more responsible dog ownership across the shire. Which will help to ensure that all residents have a clear and concise understanding of what is expected of them as dog owners under the law.”</i></p> <p>The recommendations will be considered fully when remaking the local law. In the interim, updated signage will be prepared by Ranger Services to ensure clearer direction is provided. An amendment to the local law is not required to achieve this outcome.</p>
Staff Comments:	<p>Staff have identified there will be a requirement to review the local law because of the need to increase certain penalties to bring them in line with the <i>Dog Act 1976</i>, as outlined below;</p> <ul style="list-style-type: none"> • The penalty for dog excreting in a public place be increased \$2,000, with a modified penalty of \$200.00. • The modified penalty for failing to comply with the conditions of a permit be increased to \$200. <p>This suggested amendment is not considered urgent at this time and therefore it would be prudent for the modifications to be made at the time the <i>Dog Act 1976</i> is changed.</p> <p>The DLGSC provides the following information on their website regarding new laws and changes to the <i>Dog Act 1976</i>;</p> <p><i>The Dog Amendment (Stop Puppy Farming) Bill 2021 (the Bill) has passed through Parliament.</i></p> <p><i>This means changes to the Dog Act 1976 to better regulate the breeding of dogs in Western Australia.</i></p> <p><i>The changes will give local governments the tools to deal with irresponsible dog breeders, improve animal welfare and encourage responsible dog ownership through public awareness.</i></p> <p><i>However, many of the legislative changes will take time to take effect.</i></p> <p><i>This includes mandatory dog sterilisation and dog breeder approval to regulate the number of dogs being bred.</i></p> <p><i>A centralised registration system will also be introduced to assist authorities in sharing information on dogs, dog owners and dog breeders within their district.</i></p> <p><i>As of 23 December 2021, pet or retired racing greyhounds are still required to be kept on a lead in a public place, but are not required to wear a muzzle. Registered racing greyhounds continue to be required to wear muzzles in all public places.</i></p>
Recommendation:	Remain unchanged until the new laws and changes to the <i>Dog Act 1976</i> are implemented.

Local Law Name:	Keeping and Control of Cats Local Law 2014
Submissions Received:	3 public submissions [Appendix ORD: 12.4.1C]. The submissions show that there is significant interest in undertaking a full review of the local law. These submissions will be considered fully during the remake of the Cats Local Law. The submitters will be advised of the local law amendment once the process has commenced.
Staff Comments:	Staff have also identified there is a requirement to review the local law due to the number of complaints received regarding cats wandering on to private property and causing a nuisance. In addition, there is a definition of a nuisance cat in the amended local law, but no offence/penalty listed relating to this.
Recommendation:	Amend

Local Law Name:	Parking and Parking Facilities Local Law 2009
Submissions Received:	No public submissions.
Staff Comments:	Staff have identified there is a requirement to review the local law because the issue of the wording for stopping on a verge, needs to include: stop a commercial vehicle, bus, motor home (RV); trailer, caravan unattached to a motor vehicle. s 7.6 of the Parking and Parking Facilities Local Law 2009 and s 3.1 of the Activities in Thoroughfares and Public Places and Trading Local Law 2007 are basically the same offence but have different penalties. The question still remains as to whether or not there should be discretion on penalties for parking of vehicles on the verge. It is suggested that this local law be amended. Prior to this, it is suggested that a public consultation period regarding the impacts that amending the law will have be undertaken. There is a significant number of vehicles that are currently not complying with our local law in relation to parking on verges.
Recommendation:	Amend

Local Law Name:	Standing Orders Local Law 2014
Submissions Received:	No public submissions.
Staff Comments:	WALGA provides for the model 'Meeting Procedures Local Law'. It is recommended that the Shire amends the Standing Orders Local Law 2014 and may replace the local law with the Model WALGA 'Meetings Procedure Local Law' with or without amendments as required. It is suggested that Elected Members have input into this local law prior to a draft being prepared for either amending or repealing and remaking.
Recommendation:	Amend

Local Law Name:	Extractive Industries Local Law
Submissions Received:	No public submissions.
Staff Comments:	Staff have identified that although the Extractive Industries Local Law is very similar to the current WALGA Model local law, the language standards and phrases used are outdated. E.g.

12.4.2 Title: Long Term Financial Plan 2022/23 – 2031/32

<i>Reporting Department:</i>	<i>Corporate & Governance Directorate</i>
<i>Reporting Officer:</i>	<i>Mr Phil Anastasakis – Deputy Chief Executive Officer</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.4.2A - Long Term Financial Plan (Under Separate Cover Document) Appendix ORD: 12.4.2B – Risk Assessment</i>

Overview

Council is requested to consider and endorse the Long Term Financial Plan 2022/23 -2031/32 which has been updated as part of the annual review of Council's Corporate Business Plan. Year one of the Long Term Financial Plan will form the basis of the 2022/23 Annual Budget.

Background

As part of the Department of Local Government, Sport & Cultural Industries Integrated Planning and Reporting Framework and legislative requirements, Council is to develop a Long Term Financial Plan for a minimum period of 10 years.

The Long Term Financial Plan (LTFP) is a ten year rolling plan that incorporates the four-year financial projections accompanying the Corporate Business Plan. It is a key tool in prioritising and ensuring the financial sustainability of the Local Government [Appendix ORD: 12.4.2A – Under Separate Cover]. Annual Budgets are directly aligned to the Corporate Business Plan and LTFP.

The LTFP identifies key assumptions such as demographic projections, rating base growth, consumer price index, local government cost index, interest rates, etc. Major capital and operational expenditure implications included in the Integrated Planning and Reporting suite are included and specifically referenced in the LTFP.

The LTFP includes strategies regarding:

- Rating Structure;
- Fees and Charges;
- Alternative Revenue Sources;
- Pursuit of Grants;
- Workforce;
- Reserves;
- Debt Funding;
- Asset Disposal; and
- Investment Policy.

The use of asset and financial ratios are key sustainability measures that can highlight where attention needs to focus in order to keep on track. Note that there are a number of mandatory ratios, however each Local Government can supplement these with other ratios.

The Department of Local Government & Communities and the Western Australian Treasury Corporation have partnered to release long term financial planning tools for Local Governments. The tools include the Financial Health Indicator (FHI) calculator, which enables a Local Government to project changes to its financial position over the course of the LTFP and provides a measurement of a local government's overall financial health. It is calculated from the seven financial ratios that local governments are required to calculate annually. A FHI result of 70 and above indicates sound financial health. The maximum result achievable is 100. These ratios are provided for Council's information, with those values highlighted red not achieving the Standards.

Financial Ratios	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Current Ratio	1.01	1.00	1.00	1.02	0.99	1.09	1.27
Asset Consumption	0.62	0.61	0.63	0.66	0.65	0.65	0.64
Asset Renewal	1.00	1.08	1.00	1.14	1.02	1.27	1.10
Asset Sustainability	1.68	0.93	1.08	2.09	1.12	0.93	0.90
Debt Service Cover	7.44	11.51	17.85	7.91	1.51	8.49	14.77
Operating Surplus	0.01	0.03	0.18	-0.05	-0.26	-0.06	0.01
Own Source Revenue	0.94	0.88	1.12	0.83	1.72	0.85	0.84
Total FHI Score	85	83	90	70	55	69	86

Scenario modelling is used to explore alternative futures (such as optimistic, conservative and worst case scenarios) to determine the level of flexibility in the LTFP, and sensitivity testing is used to ascertain the impact of variations in the key assumptions (such as CPI estimates, payroll, interest rates, recurrent grant funding). At the Councillor LTFP workshops held on the 13th of April and the 5th of May 2022, various scenarios were explored to understand the financial implications of changing the rate percentage increase, staffing levels, and other cost and revenue variables.

For the purposes of the Long Term Financial Plan and based on Council's resolution to apply a 4.0% increase for 2022/23, the following rate increases have been forecast:

Year	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32
Rate % Increase	4.0	6.0	4.0	4.0	4.0	4.0	4.0	3.0	3.0	3.0
Growth % **	1.52	1.07	1.30	1.73	1.72	2.00	2.15	2.29	2.73	2.72

** Growth projections are based on forecast population growth projections produced by ID.Solutions in 2018, which are due for an update in late 2022.

Legal Implications

Local Government (Administration) Regulations 1996:

19C. *Strategic community plans, requirements for (Acts. 5.56)*

19DA. *Corporate business plans, requirements for (Acts. 5.56)*

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
 - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*

- (b) *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
- (c) *develop and integrate matters relating to resources, including asset management, workforce planning and **long term financial planning.***
- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*
*Absolute majority required.
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

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)

Environment - None.

Precedents

The previous Shire of Dardanup Long Term Financial Plan 2021/22 - 2030/31 that was reviewed and adopted last year has formed the foundation of the current draft Long Term Financial Plan 2022/23 - 2031/32.

Budget Implications

Revenue and expenditure forecasts for the next 10 years are incorporated within the current Shire of Dardanup Long Term Financial Plan.

Budget – Whole of Life Cost

Financial commitments made within the various plans that form part of the Long Term Financial Plan in the year of the planned activity. This financial commitment will be in the form of:

- a) Project Expenditure;
- b) Equipment acquisition / replacement;
- c) Annual Reserve allocations; and
- d) New borrowings and subsequent loan repayments.

Alteration to financial commitments can be changed by amendment to the relevant plans.

Council Policy Compliance

Council Policy CP018 – Corporate Business Plan & Long Term Financial Plan outlines the objective and requirements to enable the annual budget to be adopted by the end of June each year.

Risk Assessment

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

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Long Term Financial Plan 2022/23 – 2031/32
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 a Long Term Financial Plan.
	Financial The financial implications associated within the elements of the LTFP can affect the financial sustainability of Council.
	Reputational The inclusion of projects and works within the various plans within the LTFP build community expectation.

Officer Comment

The financial projections within the LTFP were considered at the Councillor workshops held on the 13th of April and the 5th of May 2022, and have been reviewed and updated based on additional information, Councillor feedback and updated forecasts. The financial elements and plans integrated with the LTFP have been modelled to produce a 10 year Rate Setting Statement [Appendix ORD: 12.4.2A – Under Separate Cover], which identifies the projected rate income required to achieve a sustainable financial position.

While Council has continued to incur increased costs and reduced revenue in some area due to the ongoing impact on the organisation of the Covid-19 virus, together with large increases in material and contract costs, through tight budgetary measures and cost control an end of year surplus for 2021/22 of \$112,109 is currently forecast. The following table summarises the projected end of year financial position for the next 10 years:

Year	22/23	23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32
\$ - End of Year Surplus/(Deficit)	142,393	146,081	93,709	127,027	69,089	28,360	53,915	171,981	219,469	283,412

Through the workshop process conducted with Council on the 13th of April and the 5th of May 2022, together with management and staff recommendations, a Long Term Financial Plan has been produced that demonstrates a financially sustainable position for the Shire of Dardanup over the next 10-15 years.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

125-22 MOVED - Cr. T G Gardiner SECONDED - Cr. P S Robinson

THAT Council endorse the Shire of Dardanup Long Term Financial Plan 2022/23-2031/32 which demonstrates a financially sustainable position over the next 10 year period.

CARRIED
4/3

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

12.4.3 Title: Review of Policy Exec CP008 – Private Use of Council’s Motor Vehicle by the CEO

Reporting Department:	Corporate & Governance Directorate
Reporting Officer:	Mr Phil Anastasakis - Deputy CEO
Legislation:	Local Government Act 1995
Attachments:	Appendix ORD: 12.4.3A - Policy Exec CP008 (current version) Appendix ORD: 12.4.3B – Risk Assessment

DECLARATION OF INTEREST

Chief Executive Officer – Mr André Schönfeldt while absent from this meeting, has declared a Financial Interest in this item. Refer to the list of Declarations of Interest.

Overview

This report presents to Council the outcomes of the review of Policy Exec CP008 – Private Use of Councils Motor Vehicle by the Chief Executive Officer for review and endorsement.

Background

A review of the Shire of Dardanup’s Motor Vehicle Fleet was conducted in 2017, with a report presented to Council in May 2018. Council resolved (OCM 176-18) as follows:

“THAT Council:

1. *Endorse the proposed new Motor Vehicle Policy “CP122 - Use Of Motor Vehicle – Senior And Compliance Officers”...*
2. *Direct the Chief Executive Officer that Council’s Policy on the provision of motor vehicles as an employee benefit for positions below Manager level are to have commuting use only, subject to the Chief Executive Officer having discretion to offer limited private use on a case by case basis.*
3. *Direct that part two of this resolution apply as a transition as current employees move from their current positions, that is, replacement employees below Manager Level, allocated a motor vehicle shall have commuting use only, at the discretion of the Chief Executive Officer.*
4. *Direct the Chief Executive Officer, that the Shire of Dardanup Fleet of Motor Vehicles be regularly reviewed with the purchase of vehicles being those with the most advantageous whole of life cost, including minimizing Fringe Benefit Tax.*

*CARRIED
8/0”*

In July 2021 Fleet Advisory were appointed as an external consultancy to review the Shire of Dardanup light vehicle fleet and policies. They provided their findings to Council through a workshop on the 9th of February 2022, with their report presented to Council for endorsement at the 23rd of February 2022 Ordinary Council Meeting. Council resolved the following (OCM: 39-22).

“THAT Council:

1. *Receives the Fleet Advisory Fleet Review – Consulting Report [Appendix ORD: 12.4.2A] and the Fleet Review – Strategic Solutions Report [Appendix ORD: 12.4.2B];*

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

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

*CARRIED
8/1"*

In accordance with the above Council resolution, a review of Policy Exec CP008 has been undertaken, with a recommended updated Policy attached to this report (refer to Officer Recommended Resolution).

Legal Implications

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

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

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

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

Strategic Community Plan

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

Strategy 1.4.2 - Maintain, review and ensure relevance of Council's policies and local laws. (Service Priority: Very High)

Environment

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

Precedents

A Light Vehicle Fleet Review and Motor Vehicle Policy review was conducted in 2017, with changes implemented as a result. An updated review of the Motor Vehicle Policies and Fleet Review has now occurred and presented to Council in February 2022.

Budget Implications

Any proposed changes to the Policy are designed to reduce the cost to the annual budget and the ten year Long Term Financial Plan, while also considering environmentally responsible choices. The 2021/22 Budget includes expenditure estimates for Light Vehicle Fleet vehicles, including the CEO' vehicle.

Budget – Whole of Life Cost

The changes proposed through the Fleet Advisory reports and through the policy changes, are aimed at reducing the whole of life costs to the overall budget and LTFP. The Fleet Advisory reports have also included an assessment of the whole of life financial impacts of various vehicle types and models.

Council's existing Guide on Plant & Vehicle Acquisitions and Disposal provides replacement triggers for vehicle changeovers. These triggers were developed so that vehicles are changed over at the optimal point in their operating life, which will then minimise the overall life cycle cost. Based on the Fleet Advisory reports and recommendation, the light vehicle changeover triggers have been changed to:

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

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

Council Policy Compliance

Council currently has an Exec CP008 – Private Use of Council's Motor Vehicle by the CEO [Appendix ORD: 12.4.3A] policy. This Policy has been in place for many years and applies to the previous and current CEO.

Motor Vehicle Policy – Types of Motor Vehicles – As an outcome of the Council Report in May 2018 (OCM: 176-18), a Memo was distributed to all staff from the CEO advising the following:

- that all motor vehicle purchases are to be managed by the Procurement Officer;
- that the following standards for the types of motor vehicles apply:
 - Principal Officers where AP008 applies: Toyota Rav4 GX AWD, Subaru Forester 2.5i-L AWD or Nissan X-Trail ST 4WD
 - Principal Officers, Senior Officers or Officers who are allocated a 4x4 Dual Cab Utility in accordance with AP008, AP010 or AP011: Toyota Hilux Dual Cab Workmate, Ford Ranger XL Dual Cab PX Mk11, or Mitsubishi Triton GLX Dual Cab MQ.
 - Managers where AP009 applies: Hyundai Santa Fe Active 4x4 Diesel, Subaru Outback 2.5i AWD, or Holden Equinox LTZ EQ AWD.

- CEO and Directors allocated a vehicle based on Employment Contracts: CEO – Toyota Land cruiser 4WD VX or equivalent based on CP008, Directors – Toyota Prado 4WD GXL or equivalent based on AP009.

Risk Assessment

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

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Review of Policy Exec CP008 – Private Use of Council’s Motor Vehicle by the CEO
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Financial Potential risk of the financial whole-of-life cost of fleet management exceeding expectations.
	Legal and Compliance Risk of Council breaching the Local Government Act 1995 – Breach of Procurement Policy.
	Reputational Loss of reputation through non-compliance or mismanagement of funds.
	Environment Move towards electric vehicles improving greenhouse gas emissions.

Officer Comment

Officers have undertaken a review of the existing policy Exec CP008 – Private Use of Council’s Motor Vehicle by the CEO (refer to Officer Recommended Resolution), and in conjunction with the changes proposed as an outcome of the Fleet Advisory Review reports, propose the following additional policy terms:

- **Vehicle Turnover:** the CEO is to be provided a Passenger Vehicle, to be changed over every 4 years or 100,000km, whichever occur first;
- **Vehicle Type:** the CEO is to be provided a Motor Vehicle in accordance with the CEO’s Employment Contract and CP008. The type of vehicle provided is to have a FBT Base limit not greater than \$71,000 (indexed annually based on CPI: All Groups – National Jan - Dec), and a Life Cycle Ownership Cost limit not greater than \$103,000 (indexed annually based on CPI: All Groups – National Jan - Dec). Two preferred vehicles currently available that meet this criteria are:
 - Toyota Prado VX 4WD Diesel
 - Toyota Kluger Grande Hybrid

- **Vehicle Provision Options:**

As the CEO motor vehicle is regarded as an 'Employee Benefit' and it is a Passenger Vehicle, the following choice is available to the CEO:

Option 1 – the vehicle is purchased by Council based on permissible Vehicle Type, and the use is based on Council Policy and the Contract of Employment; or

Option 2 – a Novated motor vehicle lease (Value based on assessed Motor Vehicle value) is available; or

Option 3 – the payment of a Car Allowance in lieu of a Council supplied vehicle (Allowance based on assessed Motor Vehicle value).

Novate Leases

Where a Novated Lease arrangement is entered into with an employee, all of the costs associated with the provision of the vehicle are to be incorporated into the salary sacrificed novated lease agreement (including any FBT).

Where employees enter into a Novated lease and they do not have a vehicle provided by Council as an 'employee benefit', then all of the costs of a Novated Lease are managed by the employee through pre-tax salary sacrifice and post-tax contributions. The vehicle is to be the sole responsibility of the employee and not available for use by other Council employees, and any vehicle type can be selected.

Where employees enter into a Novated lease and they do have a vehicle provided by Council as an 'employee benefit', then all of the costs of a Novated Lease are managed by the employee through pre salary sacrifice and post-tax contributions. To offset the removal of the motor vehicle 'employee benefit', it is proposed that a motor vehicle allowance be paid to staff under these circumstances. The maximum amount contributed by Council towards the novated lease (paid as a Motor Vehicle allowance) for the purposes of the agreement is to be based on 100% of the Motor Vehicle Annual Ownership Cost value as per the July 2021 Fleet Advisory review report, or as updated in the future. The vehicle is to be the sole responsibility of the employee and available for use by other Council employees.

Employees entering into a novated lease may also be required to contribute towards the cost of the vehicle via a fortnightly payroll deduction, depending on the type of vehicle selected, employee benefit entitlement, and individual circumstances.

Motor Vehicle Annual Allowance

Where a Motor Vehicle Annual Allowance is paid to an employee in lieu of the provision of a motor vehicle by Council, the employee is responsible for all of the costs associated with the provision of a motor vehicle for their personal and business use (i.e.: fuel, insurance, maintenance, etc.). Vehicles should be limited in their age and have acceptable ANCAP and Co2 emission ratings.

The employee in this circumstance is to use their own personal vehicle for conducting their functions as an employee of Council (Grey Fleet), and should not in normal circumstances utilise another Council vehicle. The maximum amount paid by Council as a Motor Vehicle Annual Allowance is to be based on 100% of the Motor Vehicle Annual Ownership Cost value as per the July 2021 Fleet Advisory review report, or as updated in the future.

Council Role - Executive/Strategic.

Voting Requirements - Absolute Majority.

Note: Cr. T G Gardiner moved the Officer Recommended Resolution and Cr. P S Robinson seconded.

Councillors then discussed the matter at length.

Cr. J P Dow then advised that she would like to move a Procedural Motion to defer making a decision on Exec CP008 – Private Use Of Council’s Motor Vehicle By The CEO until the 22nd of June 2022 Ordinary Council Meeting to allow time for Council to workshop the Policy.

Cr. M R Hutchinson seconded Cr. J P Dow’s Procedural Motion.

PROCEDURAL MOTION & COUNCIL RESOLUTION

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

THAT Council defers making a decision on Exec CP008 – Private Use of Council’s Motor Vehicle By the CEO until the 22nd of June 2022 Ordinary Council Meeting to allow time for the matter to be workshopped by Council.

MOTION LOST
 1/6

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

Note: Cr. M R Hutchinson left the room [6:09pm] and returned [6:12pm].

Cr. M T Bennett then asked Cr. T G Gardiner and Cr. P S Robinson if they would consider removing Part 11 of the proposed Policy (Part 11 highlighted blue font below).

“11. **Vehicle Provision Options:** The CEO’s motor vehicle is regarded as an ‘Employee Benefit’ and the following choices are available to the CEO relating to the provision of this vehicle:

- **Option 1** – the vehicle is purchased by Council based on permissible Vehicle Type, and the use is based on Council Policy and the Contract of Employment; or
- **Option 2** – a Novated motor vehicle lease (Value based on assessed Motor Vehicle value) is available.

Where a Novated Lease arrangement is entered into with the CEO, all of the costs associated with the provision of the vehicle are be incorporated into the salary sacrificed novated lease agreement (including any FBT). All of the costs of a Novated Lease are managed by the employee through pre salary sacrifice and post-tax contributions.

To offset the removal of the Council provided motor vehicle, a motor vehicle allowance is to be paid to the CEO under these circumstances. The maximum amount contributed by Council towards the novated lease (paid as a Motor Vehicle allowance) for the purposes of the agreement is to be based on 100% of the Motor Vehicle Annual Ownership Cost value as per the July 2021 Fleet Advisory review report (indexed annually based on CPI: All Groups – National Jan - Dec), or as updated in the future. The vehicle is to be the sole responsibility of the CEO and available for use by other Council employees.

If the CEO enters into a novated lease, they may also be required to contribute towards the cost of the vehicle via a fortnightly payroll deduction, depending on the

*type of vehicle selected, employee benefit entitlement, and individual circumstances;
or*

- **Option 3** – the payment of a Car Allowance in lieu of a Council supplied vehicle (Allowance based on assessed Motor Vehicle value).

Where a Motor Vehicle Annual Allowance is paid to the CEO in lieu of the provision of a motor vehicle by Council, the CEO is responsible for all of the costs associated with the provision of a motor vehicle for their personal and business use (i.e.: fuel, insurance, maintenance, etc.). Vehicles should be limited in their age and have acceptable ANCAP and Co2 emission ratings.

The CEO in this circumstance is to use their own personal vehicle for conducting their functions as an employee of Council (Grey Fleet), and should not in normal circumstances utilise another Council vehicle. The maximum amount paid by Council as a Motor Vehicle Annual Allowance is to be based on 100% of the Motor Vehicle Annual Ownership Cost value as per the July 2021 Fleet Advisory review report, or as updated in the future.”

Cr. T G Gardiner and Cr. M T Bennett agreed to remove Part 11 from the Policy.

Change to Officer Recommendation

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

- To allow the Chief Executive Officer to choose between two vehicles only, both of which are to be selected by Council.

ELECTED MEMBER RESOLUTION & COUNCIL RESOLUTION

126-22 MOVED - Cr. T G Gardiner SECONDED - Cr. P S Robinson

THAT Council deletes Exec CP008 [Appendix ORD: 12.4.3A] and replaces with the following new Policy:



POLICY NO:-
Exec CP008 – PRIVATE USE OF COUNCIL’S MOTOR VEHICLE BY THE CEO

GOVERNANCE INFORMATION			
Procedure Link:	NA	Administrative Policy Link:	NA

ADMINISTRATION INFORMATION								
History:	1	EXEC13	OCM	15/05/13	Res:	130/13	Synopsis:	Policy created.
Version:	2	CP008	OCM	31/08/16	Res:	225/16	Synopsis:	New Council Policy Document endorsed
Version:	3		SCM	26/07/18	Res:	251-18	Synopsis:	Reviewed and Adopted by Council
Version:	4	Exec CP008	OCM	30/09/20	Res:	270-20	Synopsis:	Reviewed and Adopted by Council
Version:	5	Exec CP008	OCM	20/05/22	Res:	111-22	Synopsis:	Amended and Adopted by Council

1. RESPONSIBLE DIRECTORATE

Executive.

2. PURPOSE OR OBJECTIVE

As a part of the Contract of Employment for the Chief Executive Officer (CEO) of the Shire of Dardanup, a motor vehicle is provided as an ‘employee benefit’ for unlimited private use, subject to the conditions and exceptions listed below in this policy.

To make clear the use rights of the CEO's vehicle, the type of vehicle provided, changeover period, and vehicle provision options.

3. REFERENCE DOCUMENTS

Local Government Act 1995, s5.39

4. POLICY

In accordance with Employment Contract signed by Council and the CEO, a motor vehicle is provided for the private use of the CEO, additional to business use which includes access by other employees. The terms and conditions in relation to private use of the vehicle are as follows:

1. The vehicle is available to the CEO at all times during the term of the Contract of Employment.
2. Council accepts responsibility for all regular and scheduled servicing, repairs and/or maintenance costs.
3. Council accepts responsibility for all fuel costs incurred during normal business days or as part of business activities, except for fuel purchased for the vehicle during any period of annual, long service, other leave, and for private weekend use, which is to be the CEO's responsibility. (The intent of the "weekend" condition is for fill-ups on long private weekend trips to be at the Officer's cost.)
4. Council accepts responsibility for all repairs and/or maintenance during the leave, with the exception that if there is an accident that is the employee's fault and Council's insurer does not cover expenses, the employee is responsible for those repairs.
5. Prior approval from the Shire President in writing is required before the vehicle is taken outside the State, or north of the 26th parallel.
6. The vehicle is to be driven only by the CEO, other Council employees or Council members unless with specific prior approval of the Shire President.
7. The CEO's spouse and family may drive the vehicle after work hours subject to the approval of the CEO.
8. The CEO's immediate family members may drive the vehicle in exceptional circumstances providing they are no longer probationary drivers, and the use is authorized by the Officer.
9. **Vehicle Turnover:** The CEO is to be provided a Passenger Vehicle, to be changed over every 4 years or 100,000km, whichever occur first.
10. **Vehicle Type:** The CEO is to be provided a Motor Vehicle in accordance with the CEO's Employment Contract and CP008. The type of vehicle provided is to have a FBT Base limit not greater than \$71,000 (indexed annually based on CPI: All Groups – National Jan - Dec), and a Life Cycle Ownership Cost limit not greater than \$103,000 (indexed annually based on CPI: All Groups – National Jan - Dec). Two preferred vehicles currently available in 2022 that meet this criteria are:
 - Toyota Prado VX 4WD Diesel
 - Toyota Kluger Grande Hybrid

CARRIED
7/0

12.4.4 Title: Monthly Financial Report

Reporting Department:	<i>Corporate & Governance Directorate</i>
Reporting Officer:	<i>Mrs Natalie Hopkins - Manager Financial Services</i> <i>Mr Ray Pryce - Accountant</i>
Legislation:	<i>Local Government Act 1995</i>
Attachments:	<i>Appendix ORD: 12.4.4A – Risk Assessment</i> <i>Appendix ORD: 12.4.4B – Monthly Financial Report – 30th of April 2022</i>

Overview

This report presents the monthly Financial Statements for the period ended on the 30th of April 2022 for Council adoption.

Background

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

Legal Implications**Local Government Act 1995 – Section 6.4****6.4. Financial Report**

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

Local Government (Financial Management) Regulations 1996 r. 34**Part 4 — Financial Reports — s. 6.4****34. Financial activity statement required each month (Act s. 6.4)****(1A) In this regulation—**

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

- (1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*
 - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
 - (b) *budget estimates to the end of the month to which the statement relates; and*
 - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
 - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*

- (2) *Each statement of financial activity is to be accompanied by documents containing —*
 - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*

- (3) *The information in a statement of financial activity may be shown —*
 - (a) *according to nature and type classification; or*
 - (b) *by program; or*
 - (c) *by business unit.*

- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
 - (a) *presented at an ordinary meeting of the Council within 2 months after the end of the month to which the statement relates; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*

- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*
[Regulation 34 inserted in Gazette 31 Mar 2005 p. 1049-50; amended in Gazette 20 Jun 2008 p. 2724.]

Strategic Community Plan

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

Environment - None.

Precedents

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

Budget Implications

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

Budget – Whole of Life Cost - None.

Council Policy Compliance

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

Risk Assessment

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

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Monthly Statement of Financial Activity for the Period Ended 30 th April 2022
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Legal and Compliance Non-compliance with the legislative requirements that results in a qualified audit.
	Reputational Non-compliance that results in a qualified audit can lead stakeholders to question the Council’s ability to manage finances effectively.
	Financial Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position.

Officer Comment

The Monthly Financial Report for the period ended on the 30th of April 2022 is contained in [Appendix ORD: 12.4.4B] and consists of:

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

The Statement of Financial Activity shows operating revenue and expenditure by statutory program and also by nature and type, as well as expenditure and revenue from financing and investing activities - comparing actual results for the period with the annual adopted budget and the year-to-date revised budget. The previous year annual results and current year forecasts are also included for information. The Statement of Financial Activity includes the end-of-year surplus brought forward from 2020/21 of \$961,190.

Taking into account the larger surplus brought forward, budget amendments adopted by the Council at previous meetings this financial year and officer review of current year-to date performance, the forecast surplus at the 30th of June 2022 is currently estimated at \$112,109.

Note 2 – Contains explanations for items with a material variance. Actual values for the year-to-date are compared to the year-to-date budget to present a percentage variance as well as the variance amount. The minimum level adopted by Council to be used in the Statement of Financial Activity in 2021/22 for reporting material variances is 5% or \$25,000, whichever is greater.

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

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

The total investment portfolio is currently \$18,114,530, and includes \$3,500,000 in Municipal Fund and \$14,614,530 in Reserve Account term deposit funds. 83% of the portfolio is invested with AA rated Australian banks, with the remaining 17% being lodged with BBB rated financial institutions.

Yield return on major bank term deposit investments remain relatively low, but with changing economic conditions and the recent Reserve Bank decision to raise interest rates, rates appear to be on a rising trend. Some major banks now offering in excess of 2.5% for a 12 month term. At the same time last year, interest rates for a comparable deposit were less than 0.5%.

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

Council Role - Review.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

127-22 MOVED - Cr. P S Robinson SECONDED - Cr. S L Gillespie

THAT Council receives the Monthly Statement of Financial Activity [Appendix ORD: 12.4.4B] for the period ended on the 30th of April 2022.

CARRIED
7/0

12.4.5 Title: Schedule of Paid Accounts as at the 29th of April 2022

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

Overview

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

Background

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

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

Legal Implications

Local Government Act 1995

S6.5. Accounts and records

Local Government (Financial Management) Regulations 1996

R11. Payments, procedures for making etc.

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

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

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

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

Strategic Community Plan

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

Environment - None.

Precedents

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

Budget Implications

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

Budget – Whole of Life Cost - None.

Council Policy Compliance

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

Risk Assessment

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

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Schedule of Paid Accounts as at the 29 th April 2022
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Financial Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position.
	Reputational Non-compliance that results in a qualified audit can lead stakeholders to question the Council’s ability to manage finances effectively

Officer Comment

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

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

128-22 MOVED - Cr. S L Gillespie SECONDED - Cr. P S Robinson

THAT Council receives the Schedule of Paid Accounts report from 1/4/2022 to 29/4/2022 as follows:

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
ELECTRONIC FUNDS TRANSFER					
EFT46972	07/04/2022	ABC Family Day Care Eaton	Refund Duplicate Payment of Invoice # 32763	MUNI	100.00
EFT46973	07/04/2022	Activ Industries Bunbury	Outdoor Table and Bench Setting with Painted Chess Board	MUNI	880.00
EFT46974	07/04/2022	Advanced Traffic Management WA P/L	Traffic Control - 2 Shire Locations	MUNI	1,675.58
EFT46975	07/04/2022	Angela Winter	15 x CPR Refresher Training March	MUNI	825.00
EFT46976	07/04/2022	Antonio Delle Donne	Rates Refund for Assessment A11227	MUNI	2,523.30
EFT46977	07/04/2022	AusQ Training	Basic Worksite Traffic Management & Control - Adam Herbert and Robyn Kamo	MUNI	712.00
EFT46978	07/04/2022	Australia Post	Postage - March 2022	MUNI	722.80
EFT46979	07/04/2022	Australian Tax Office	PAYG - Payrun: 01/04/2022	MUNI	76,829.00
EFT46980	07/04/2022	Australind Landscaping Supplies	Woodland Black Mulch - Glen Huon Playground	MUNI	670.00
EFT46981	07/04/2022	BOC Ltd	ERC - Hire of Oxygen Bottle	MUNI	12.95
EFT46982	07/04/2022	Brett Depiazzi	Partial Refund of Upfront Membership Fees	MUNI	150.99
EFT46983	07/04/2022	Bunnings Group Limited	60 Bags (1 Pallet) of Rapid Set	MUNI	521.14
EFT46984	07/04/2022	Cameron Baker	Umpire Recoup 06-04-2022	MUNI	50.00
EFT46985	07/04/2022	Carbone Brothers Pty Ltd	Harris Road Widening and Reconstruction - Contract F0223213 (2021)	MUNI	759,735.56
EFT46986	07/04/2022	CB Traffic Solutions	Traffic Management - Pile Road Bridge	MUNI	242.00
EFT46987	07/04/2022	Chloe Scott	Umpire Recoup 06-04-2022	MUNI	50.00
EFT46988	07/04/2022	Christine Worsfold	Umpire Recoup 05-04-2022	MUNI	75.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT46989	07/04/2022	Country Water Solutions	Reticulation Repairs - Eustace Fowler Park and Parkridge Estate	MUNI	892.18
EFT46990	07/04/2022	Carters Fencing	6.5M Extension to Existing Fence for Burekup BMX Fence	MUNI	872.30
EFT46991	07/04/2022	Dardanup Social Dance Inc.	Community Event Grant Payment R2 2021-2022	MUNI	1,000.00
EFT46992	07/04/2022	Daryl Fishwick	Umpire Recoup 06-04-2022	MUNI	50.00
EFT46993	07/04/2022	David Wells Builder	Dardanup War Memorial - Statue Site Preparation	MUNI	1,943.93
EFT46994	07/04/2022	Dell Australia Pty Ltd	DELL EMC XC740XDENT Core 2.0 Base Server	MUNI	20,119.00
EFT46995	07/04/2022	Diesel Force	Repair Mini Digger Oil Leak - DA10440	MUNI	148.10
EFT46996	07/04/2022	DX Print Group Pty Ltd	Business Cards - Ellen Lilly, Dean Pitts and Helen Ammon	MUNI	319.00
EFT46997	07/04/2022	Ellen Patricia Lilly	Meeting Attendance	MUNI	1,241.67
EFT46998	07/04/2022	Fit2Work	Monthly Invoice for Employee Police Checks	MUNI	307.12
EFT46999	07/04/2022	Flexi Staff Pty Ltd	Labour Hire Plant Operator - Kim Rowe - 14 - 18/03/2022	MUNI	2,850.36
EFT47000	07/04/2022	Geographe Underground Services	Locate Electrical Pit Closest to New Proposed Washdown Facility	MUNI	550.00
EFT47001	07/04/2022	Glenn Aaron Cole	Rates Refund for Assessment A4238	MUNI	964.75
EFT47002	07/04/2022	Grace Records Management	External Records Management Services - Storage, Consumables	MUNI	508.65
EFT47003	07/04/2022	Heatleys	Graffiti Safe Wipes	MUNI	924.00
EFT47004	07/04/2022	Howson Technical	Harris Rd Widening - Project Management	MUNI	3,135.00
EFT47005	07/04/2022	HW & Associates	Quantity Surveying Services - Stage 1 Refurbishments - Eaton Rec Centre	MUNI	1,980.00
EFT47006	07/04/2022	IMCO Australasia	MG-Krete Concrete Repair - Eaton Dr & Hands Ave	MUNI	7,871.60
EFT47007	07/04/2022	Inspired Development Solutions	Professional Development Workshops - 28 & 29/03/2022	MUNI	6,072.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT47008	07/04/2022	Janice Patricia Dow	Meeting Attendance	MUNI	1,241.67
EFT47009	07/04/2022	JCW Electrical Pty Ltd	Repair of Light Switch in Staff Office - ECL	MUNI	173.80
EFT47010	07/04/2022	Jetline Kerbing Contractors	Waterloo Car Park - Kerbing	MUNI	6,233.70
EFT47011	07/04/2022	John Matthew Dellaca	Rates Refund for Assessment A1678	MUNI	794.00
EFT47012	07/04/2022	Judith Westra	Personal Development Grant 2021-2022 for Daughter: Abbey Westra	MUNI	400.00
EFT47013	07/04/2022	Justine Eichner	Umpire Recoup 06-04-2022	MUNI	50.00
EFT47014	07/04/2022	Karyn Rowe	Umpire Recoup 04 & 05-04-2022	MUNI	100.00
EFT47015	07/04/2022	Kenny Pomare	Umpire Recoup 06-04-2022	MUNI	25.00
EFT47016	07/04/2022	Kings Tree Care	Remove Peppermint Tree at Front Verge and Grind Stump - 32 Illawarra Drive	MUNI	660.00
EFT47017	07/04/2022	Kmart	USB Lighting Charging Cable	MUNI	54.00
EFT47018	07/04/2022	Landgate	Slip Subscription Service (Licence Slip 903-2018-2) Period 23-03-22 to 22-03-23	MUNI	2,405.00
EFT47019	07/04/2022	Luke William Davies	Meeting Attendance	MUNI	1,241.67
EFT47020	07/04/2022	Lauren Johnston	Personal Development Grant - Charlie Johnston	MUNI	400.00
EFT47021	07/04/2022	M & J Essential Solutions Pty Ltd	EAP Consultations	MUNI	650.00
EFT47022	07/04/2022	Main Roads Western Australia	Return of Grant Funds - 30000176/641/270110 - Henty Road AGBS	MUNI	352,000.00
EFT47023	07/04/2022	Mantrac	Earthworks - Leicester Ramble Drainage Area	MUNI	907.50
EFT47024	07/04/2022	Margery Ann Stevens	Umpire Recoup 04-04-2022	MUNI	50.00
EFT47025	07/04/2022	Mark Richard Hutchinson	Meeting Attendance	MUNI	1,241.67
EFT47026	07/04/2022	Marketforce	Notice of e-Meetings - 23/03/2022 and 27/04/2022 - Bunbury South Western Times	MUNI	289.62

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT47027	07/04/2022	Mckayhla Pomare	Umpire Recoup 06-04-2022	MUNI	25.00
EFT47028	07/04/2022	Michael Bennett	Meeting Attendance	MUNI	1,112.50
EFT47029	07/04/2022	Patricia Rose Perks	Meeting Attendance	MUNI	1,241.67
EFT47030	07/04/2022	Perfect Landscapes	Weekly Lawn Mowing - Millbridge Parks	MUNI	2,195.20
EFT47031	07/04/2022	Peta Nolan	Uniform Reimbursement	MUNI	74.96
EFT47032	07/04/2022	Peter Robinson	Meeting Attendance	MUNI	1,241.67
EFT47033	07/04/2022	PFI Supplies	Accelerator Oven Cleaner 5lt	MUNI	49.95
EFT47034	07/04/2022	Picton Tyre Centre Pty Ltd - Bunbury Tyre Specialists	Tyre Repair - DA8200	MUNI	48.00
EFT47035	07/04/2022	Promote You	Embroidery of Staff Uniforms	MUNI	90.75
EFT47036	07/04/2022	Rent A Fence	Temporary Fencing - Eaton Boomer's Clubrooms	MUNI	1,742.40
EFT47037	07/04/2022	Rhodes Mechanical	Service - Toro 360 Mower	MUNI	583.00
EFT47038	07/04/2022	Seek Limited	Seek Advertising Monthly Plan - March 2022	MUNI	1,256.49
EFT47039	07/04/2022	Signs Plus	Name Badges for Shire Staff	MUNI	61.50
EFT47040	07/04/2022	SOS Office Equipment	Photocopier Meter Readings - March 2022	MUNI	2,375.02
EFT47041	07/04/2022	South Regional Tafe	Reacred Auschem Course - Nickolas Farnsworth - 11-05-2022	MUNI	180.80
EFT47042	07/04/2022	South West Mechanical & Fleet Services	Vehicle Service - DA993 - (Previously DA9406)	MUNI	552.72
EFT47043	07/04/2022	Stacey Gillespie	Meeting Attendance	MUNI	1,241.67
EFT47044	07/04/2022	Sudhanshu Mithilesh Mishra	Refund Hall Hire Bond	MUNI	1,160.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT47045	07/04/2022	T-Quip	Parts for Repairs - Toro 360 Ride On Mower DA10105	MUNI	381.80
EFT47046	07/04/2022	Telstra	Telephone Use for West Dardanup BFB	MUNI	40.00
EFT47047	07/04/2022	Therese Price	Umpire Recoup 04 & 05-04-2022	MUNI	125.00
EFT47048	07/04/2022	Thomas Fields Pty Ltd	Rates Refund for Assessment A12152	MUNI	478.05
EFT47049	07/04/2022	Tiana Fraser	Umpire Recoup 01-04-2022	MUNI	60.00
EFT47050	07/04/2022	Toll Transport - Ipec Pty Ltd	2021- 2022 Postage & Freight - Emergency & Ranger Services	MUNI	61.56
EFT47051	07/04/2022	Toni Hotchin	Umpire Recoup 04 & 05-04-2022	MUNI	100.00
EFT47052	07/04/2022	Total Eden Pty Ltd	Reticulation Maintenance - Dardanup Oval	MUNI	617.75
EFT47053	07/04/2022	Totally Workwear	Work Clothing - Robyn Kamo	MUNI	770.00
EFT47054	07/04/2022	Tutt Bryant Hire	Roller Hire 28/02 - 18/03/2022	MUNI	3,181.23
EFT47055	07/04/2022	Tyrrell Gardiner	Meeting Attendance	MUNI	1,819.09
EFT47056	07/04/2022	WALGA	Elected Member Training - Cr. Davies - Understanding Local Government - Conflict of Interest - Serving on Council	MUNI	1,287.00
EFT47057	07/04/2022	Winc Australia Pty Ltd	Stationery Expense - Eaton Admin	MUNI	635.56
EFT47058	07/04/2022	Woolworths Group Limited - Openpay Portal	Brigade Training Refreshments, Administration & Council Refreshments - Receptions	MUNI	393.88
EFT47059	14/04/2022	Advanced Traffic Management WA P/L	Traffic Control - 3 Shire Locations	MUNI	2,087.80
EFT47060	14/04/2022	Alan John Fleming	Refund Cat Cage Hire Bond	MUNI	150.00
EFT47061	14/04/2022	Amity Signs	Rural Street Number Signs	MUNI	53.90

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT47062	14/04/2022	Angela Winter	Provide First Aid Training -7 x employees	MUNI	750.00
EFT47063	14/04/2022	Antonio Vallelonga	Rates Refund for Assessment A9470	MUNI	67.97
EFT47064	14/04/2022	Aquachill	Rental of Aquachill Plumbed in Water Cooler (01/04/2022 - 01/04/2023) - Eaton Administration Office	MUNI	686.40
EFT47065	14/04/2022	B & B Street Sweeping Pty Ltd	Kerb Line Sweeping - East Picton LIA	MUNI	2,244.00
EFT47066	14/04/2022	BCE Surveying Pty Limited	Venn Road Mark Out for Seal Works - 21/03/2022	MUNI	1,007.78
EFT47067	14/04/2022	Boyles Plumbing and Gas	Water Connection for Drinking Fountain - Eaton Skate Park	MUNI	2,000.00
EFT47068	14/04/2022	Brecken Corporate Care	Pre Employment Medical and Audio - Michelle Williams	MUNI	248.60
EFT47069	14/04/2022	Brownes Foods Operations Pty Ltd	ERC - Cafe Order	MUNI	252.72
EFT47070	14/04/2022	Bunbury Harvey Regional Council	Waste Transfer Station - Hook Bin Hire and Servicing - March 2022	MUNI	414.85
EFT47071	14/04/2022	Bunbury Holden	Replacement Windscreen Wiper Unit Including Fitting - DA10214	MUNI	194.19
EFT47072	14/04/2022	Bunbury Plumbing Service	Repair Leaking Pipe in Demolished Building Site Next to Dardanup Hall	MUNI	1,068.32
EFT47073	14/04/2022	Bunbury Subaru	Service Subaru Forester - DA10091	MUNI	346.40
EFT47074	14/04/2022	Bunnings Group Limited	Repairs to Eaton Foreshore Toilets - Door Locks, Closer, Fasteners, Bleach, PVC Sheeting	MUNI	356.23
EFT47075	14/04/2022	Caroline Mears	Chair Yoga - March 2022	MUNI	260.00
EFT47076	14/04/2022	CB Traffic Solutions	Traffic Management Plan - Pile Road Bridge - 18/03/2022	MUNI	605.00
EFT47077	14/04/2022	City of Bunbury	March 2022 Dog Pound Sustenance Fees	MUNI	304.00
EFT47078	14/04/2022	Citygate Properties Pty Ltd	ERC - Sports Gift Cards 9 x \$100.00 Vouchers	MUNI	900.00
EFT47079	14/04/2022	Cleanaway Solid Waste Pty Ltd	General Waste Disposal - 03-28/03/2022	MUNI	8,022.86

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT47080	14/04/2022	Coventry Group Limited T/as Konnect	Nuts, Bolts, Washers - Grave Preparation	MUNI	94.60
EFT47081	14/04/2022	Craven Foods	ERC - Cafe Order	MUNI	1,004.10
EFT47082	14/04/2022	Dardanup Rural Supplies	Fencing Supplies	MUNI	347.50
EFT47083	14/04/2022	David Wells Builder	Supply & Install Concrete Pads - Watson Reserve, Cadell Park & Gary Engell Park	MUNI	3,271.40
EFT47084	14/04/2022	Dean Anthony Newport	Rates Refund for Assessment A10909	MUNI	1,487.72
EFT47085	14/04/2022	Deputec Pty Ltd	ERC - Deputy Roster Schedule Software - March 2022	MUNI	96.89
EFT47086	14/04/2022	Ductworks Australia Bunbury & Busselton Air	Supply and Install 2 x 9KW Wall Split Systems for Eaton Administration Office Chambers	MUNI	8,644.00
EFT47087	14/04/2022	Drainscope	External Tap Repair - Eaton Repertory Club	MUNI	275.00
EFT47088	14/04/2022	Eaton Pet Vet	2021-2022 Animal Management Program (Sterilisation)	MUNI	35.00
EFT47089	14/04/2022	Element WA	Ferguson Valley Public Art Trail Concept Plan	MUNI	12,529.55
EFT47090	14/04/2022	Elliotts Irrigation Pty Ltd	Iron Filter Services - March 2022	MUNI	286.00
EFT47091	14/04/2022	Elyan Taylor	Refund Working with Children Check	MUNI	87.00
EFT47092	14/04/2022	ERG Electrics	Install 4 Additional Speakers - Eaton Bowling Club Lounge	MUNI	1,298.00
EFT47093	14/04/2022	Eve Yoga	ERC - Yoga Sessions Eve Yoga - 09-19/03/2022	MUNI	240.00
EFT47094	14/04/2022	Evolt IOH Pty Ltd	Printer Paper for Evolt Scanner	MUNI	242.00
EFT47095	14/04/2022	Florist Gump	Flowers - Jaime Anderton and Family	MUNI	100.00
EFT47096	14/04/2022	Freestyle Now	Eaton Skatepark Opening - BMX, Scooter and Skateboard Coaching Sessions	MUNI	385.00
EFT47097	14/04/2022	Hanson Construction Materials Pty Ltd	12.35 Tonne 2mm Graded Aggregate - Venn Rd	MUNI	160.45

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT47098	14/04/2022	Harvey Norman	Laptop Bag & Pocket	MUNI	240.00
EFT47099	14/04/2022	Inghams Electrical	Supply, Install and Commission Bollard Lighting - Eaton Bowling Club	MUNI	5,855.16
EFT47100	14/04/2022	IT Vision Australia Pty Ltd	Creditors & Debtors 1 Day Training Course - 23/03/2022 - Joanna Hanson	MUNI	825.00
EFT47101	14/04/2022	Jarrad Leaver	Refund Leaving Gift Purchased for Rhianna Scheffner	MUNI	169.00
EFT47102	14/04/2022	JCW Electrical Pty Ltd	Waterloo Station - Move Power Point for TV	MUNI	700.38
EFT47103	14/04/2022	Jenna Marie Priddle	Payment for Vet Fees Following Dog Attack	MUNI	555.00
EFT47104	14/04/2022	Jim's Test and Tag	Electrical Test and Tag 2021/22 - 4 x Shire Locations	MUNI	1,026.71
EFT47105	14/04/2022	James Khan	Consultation with Elders - Ferguson Valley Public Art Trail - 01/04/2022	MUNI	625.68
EFT47106	14/04/2022	Joseph Adrian Northover	Indigenous Consultation Fees	MUNI	625.68
EFT47107	14/04/2022	Kent Lyon Architect	Project Management Services - Eaton Bowling Club	MUNI	7,458.00
EFT47108	14/04/2022	Kings Tree Care	Remove Tree at Stump Level & Grind Stump	MUNI	1,914.00
EFT47109	14/04/2022	KR & DR Bennell	Welcome to Country - Eaton Skate Park and Pump Track Opening, Ferguson Valley Art Trail Consultation	MUNI	1,100.00
EFT47110	14/04/2022	Korrine Bennell	Consultation with Elders - Ferguson Valley Public Art Trail - 09/02/2022	MUNI	1,140.76
EFT47111	14/04/2022	Les Mills Asia Pacific	ERC - Monthly Licence Fees - April 2022	MUNI	1,435.92
EFT47112	14/04/2022	Leschenault Community Nursery Inc.	57 x Temptonia Refusa Plants	MUNI	156.75
EFT47113	14/04/2022	Mainline Plumbing	Installation of New Hot Water System - Waterloo Bushfire Brigade	MUNI	1,480.60
EFT47114	14/04/2022	MJB Industries Pty Ltd	3 x 1200Mm Sq. Grated Cover x 150mm Thick with Flush Wave Grate	MUNI	1,075.01
EFT47115	14/04/2022	Murray Collard	Consultation with Elders - Ferguson Valley Public Art Trail - 01/04/2022	MUNI	573.40

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT47116	14/04/2022	Naturaliste Hygiene	Sharps Disposal Service - March 2022 - Eaton Foreshore & Watson Street Reserve Public Toilets	MUNI	165.00
EFT47117	14/04/2022	Nightguard Security Service	Call Out to Attend Site in Response to Alarms at Various Shire Facilities 1/12/2021 to 31/03/2022	MUNI	2,847.90
EFT47118	14/04/2022	Nutrien Ag Solutions	Seasol & Powerfeed 20L	MUNI	1,364.00
EFT47119	14/04/2022	Onsite Rental Group	Transportable Building Lease 26 - 01/03/22 to 31/03/22	MUNI	3,993.53
EFT47120	14/04/2022	Perfect Landscapes	Mowing - Millbridge Parks & Other Reserves for Weeks Commencing 28/03/2022 and 04/04/2022	MUNI	9,059.33
EFT47121	14/04/2022	PFI Supplies	Cleaning & Bathroom Supplies - 3 Shire Locations	MUNI	539.80
EFT47122	14/04/2022	PVR Industrial Pty Ltd	Repairs and Replacement Pump and Programming Unit for Depot UV Filter System	MUNI	7,858.07
EFT47123	14/04/2022	Regional Media Specialists P/L	Advertising Space in Bunbury Herald & Bunbury Mail Community News Pages - March 2022	MUNI	1,490.50
EFT47124	14/04/2022	Rhodes Mechanical	Parts for Repair - Toro 360 - DA10105	MUNI	206.37
EFT47125	14/04/2022	Schweppes Australia Pty Ltd	ERC - Cafe Orders	MUNI	2,487.57
EFT47126	14/04/2022	Securepay Pty Ltd	Bank Fees - March 2022 Securepay Web & Iv Credit Card Payments	MUNI	32.82
EFT47127	14/04/2022	Spencer Signs	LRCI Sign - Eaton Skate Park	MUNI	178.75
EFT47128	14/04/2022	Sports Turf Association WAR	Annual Corporate Membership 2022 - Sports Turf Association - Depot	MUNI	275.00
EFT47129	14/04/2022	St Aidan Wines	Catering - Ferguson Valley Public Art Trail Design	MUNI	239.00
EFT47130	14/04/2022	Stanton International	Probity Services for New Admin Building	MUNI	158.40
EFT47131	14/04/2022	Statewide Cleaning Supplies Pty Ltd	8 x Cartons - Wow Wipes	MUNI	1,575.20
EFT47132	14/04/2022	Suez Recycling & Recovery (Perth) Pty Ltd	Recyclable Processing - March 2022	MUNI	8,176.83

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT47133	14/04/2022	Suez Recycling & Recovery Pty Ltd	Hire and Collection of Skip Bin - Cardboard - February 2022	MUNI	254.10
EFT47134	14/04/2022	Suzanne Rae Harvey	Rates Refund for Assessment A1269	MUNI	794.00
EFT47135	14/04/2022	Synergy	Electricity Account for Landfill Site, Lot 1 Banksia Road - 04/02 - 01/04/2022	MUNI	1,932.06
EFT47136	14/04/2022	Talis Consultants ATF The Talis Unit Trust	Part Payment of Asset Revaluation for 30 June 2022 - Infrastructure Assets - February 2022	MUNI	11,000.00
EFT47137	14/04/2022	Telair Pty Ltd	NBN EE - March 2022	MUNI	658.90
EFT47138	14/04/2022	Telstra	Telstra Mobile Phones & iPad's - Eaton Admin - March 2022	MUNI	3,643.44
EFT47139	14/04/2022	The Cafe Merchant	Organisational Development Day Catering - 28-03-2022	MUNI	422.50
EFT47140	14/04/2022	Total Eden Pty Ltd	Reticulation Repairs - Hunter Park	MUNI	317.24
EFT47141	14/04/2022	Vicki Pretorius	Refund Uniform Cost	MUNI	194.70
EFT47142	14/04/2022	West Australian Newspapers Ltd	Subscription for West Australian Newspapers - 22/03 - 14/06/2022	MUNI	164.34
EFT47143	14/04/2022	Woolkabunning Kiaka Aboriginal Corporation	Consultation with Elders - Ferguson Valley Public Art Trail - 09/02/2022	MUNI	1,270.68
EFT47144	14/04/2022	Zachary Cloutman - Cloutz Event Hire	Burekup Youth Water Day Inflatables	MUNI	1,358.01
EFT47145	21/04/2022	Advanced Traffic Management WA P/L	Traffic Controller and Signs - 17/03/2022 & 06/04/2022 - Pile Rd	MUNI	813.87
EFT47146	21/04/2022	Ampol Australia Petroleum Pty Ltd	Fuel - March 2022	MUNI	24,881.06
EFT47147	21/04/2022	Australian Tax Office	PAYG - Payrun: 151/04/2022	MUNI	77,423.00
EFT47148	21/04/2022	Australind Landscaping Supplies	2 Scoops - Garden Mix	MUNI	70.00
EFT47149	21/04/2022	Boyles Plumbing and Gas	ERC - Replacement of Push Buttons in Ladies Toilets	MUNI	395.34

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT47150	21/04/2022	Bunbury Harvey Regional Council	Disposal of Organic Waste - March 2022	MUNI	10,463.40
EFT47151	21/04/2022	Bunbury Machinery	Kanga Hire - 08/04/22	MUNI	250.00
EFT47152	21/04/2022	Bunbury Plumbing Service	Pump Out Pit, Remove Septic Waste and Replace Pump - ERC	MUNI	5,861.28
EFT47153	21/04/2022	Bunnings Group Limited	Treated Pine Timber, Grey Mortar, Cordless Batteries, Power Tools & Blades, Hardware, Vacation Care Supplies	MUNI	977.96
EFT47154	21/04/2022	Cathy Lee	Refund IPAD Reset	MUNI	40.00
EFT47155	21/04/2022	Civil Projects Southwest	Bobcat and Roller Hire for Repair Works - Gnomesville Carpark - Pratt Road - Burekup Verges	MUNI	4,284.50
EFT47156	21/04/2022	Construction Training Fund : BCITF	BCITF Remittance - March 2022	MUNI	2,002.53
EFT47157	21/04/2022	Country Landscaping Pty Ltd	Water Meter Upgrade - Watson Reserve, Locate Cable Carramar Park	MUNI	3,180.99
EFT47158	21/04/2022	Country Water Solutions	Parts for Reticulation Repairs - Hazelgrove Reserve	MUNI	412.85
EFT47159	21/04/2022	Dardanup Horse and Pony Club	Community Event Grant Funding L2 Round 2 2021-2022	MUNI	5,000.00
EFT47160	21/04/2022	Dardanup Sporting and Community Clubs Inc.	Community Grant Funding L2 Round 2 2021-2022	MUNI	2,670.00
EFT47161	21/04/2022	Data #3 Limited	Microsoft CSP Azure Consumption Charges 2021-2022	MUNI	12.11
EFT47162	21/04/2022	Department of Mines, Industry, Regulations & Safety (DMIRS) - BSL	BSL: Remittance - March 2022	MUNI	5,197.15
EFT47163	21/04/2022	Eaton Community Pharmacy	ERC - Cafe Order - Sport Drinks & Medical	MUNI	327.40
EFT47164	21/04/2022	Eaton Junior Cricket Club	Community Grant Funding L2 Round 2 2021-2022	MUNI	1,000.00
EFT47165	21/04/2022	ES2 Pty Ltd	CISO as a Service - Cyber Security Vendor Supplied Services - March 2022	MUNI	2,695.00
EFT47166	21/04/2022	Exetel Pty Ltd	Exetel 200/200Mbit Data Communications - April 2022	MUNI	1,250.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT47167	21/04/2022	Estuary Dry Cleaning & Laundry Service	Brigade Dry Cleaning - Incident 559961 Hester Bushfire (Job 4164)	MUNI	359.00
EFT47168	21/04/2022	Hanson Construction Materials Pty Ltd	12 Tonne of Scalps	MUNI	214.85
EFT47169	21/04/2022	Howson Technical	Level 1 Bridge Inspections	MUNI	4,389.00
EFT47170	21/04/2022	Jo Jingles South West	March 2022 Jo Jingles: Eaton, Dardanup & Burekup Sessions	MUNI	2,354.00
EFT47171	21/04/2022	Kings Tree Care	Fire Mitigation Activity - Removal of Trees and Localised Pruning at Seaview Heights	MUNI	57,530.00
EFT47172	21/04/2022	Kmart	ERC - Vacation Care Supplies	MUNI	178.00
EFT47173	21/04/2022	Lions Club of Eaton	Community Grant Funding L2 Round 2 2021-2022	MUNI	998.00
EFT47174	21/04/2022	Lynne Mitchell	Ferguson Valley Public Art Trail Design Charette	MUNI	300.00
EFT47175	21/04/2022	Malatesta Road Paving and Hotmix	Traffic Management - Hynes Road Night Works	MUNI	5,457.10
EFT47176	21/04/2022	MGM Bulk Pty Ltd	Gravel to Be Delivered to Venn Road	MUNI	1,528.71
EFT47177	21/04/2022	MJB Industries Pty Ltd	3 X 1200mm Sq. Flush Grated Cover	MUNI	1,075.01
EFT47178	21/04/2022	Officeworks Superstores Pty Ltd	Professional Ergonomic Chair - Infrastructure Office & ERC Vacation Care Supplies	MUNI	362.60
EFT47179	21/04/2022	Perfect Landscapes	Weekly Lawn Mowing - Millbridge Parks & Reserves	MUNI	4,446.10
EFT47180	21/04/2022	PFD Food Services Pty Ltd	ERC - Cafe Order	MUNI	967.05
EFT47181	21/04/2022	PFI Supplies	ERC - Cleaning Products	MUNI	56.70
EFT47182	21/04/2022	Schweppes Australia Pty Ltd	ERC - Cafe Order	MUNI	235.45
EFT47183	21/04/2022	South West Mechanical & Fleet Services	Trailer Service - DA15446	MUNI	73.15

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT47184	21/04/2022	Sportspower Bunbury	ERC - Sports Equipment - 4 x Netballs, 6 x Basketballs	MUNI	1,008.00
EFT47185	21/04/2022	Spotlight Pty Ltd	ERC - Vacation Care Equipment	MUNI	193.70
EFT47186	21/04/2022	T-Quip	Parts for Repairs - Toro 360 Ride On Mower DA10105	MUNI	110.70
EFT47187	21/04/2022	Telstra	Dardanup Office Fax - March & April 2022	MUNI	69.90
EFT47188	21/04/2022	The Print Shop	Promotional Sign & Poster for Enlighten 2022	MUNI	336.50
EFT47189	21/04/2022	Total Eden Pty Ltd	Reticulation Repair Supplies	MUNI	456.50
EFT47190	21/04/2022	Totally Workwear	Protective Clothing - Bonnie Graham	MUNI	670.70
EFT47191	21/04/2022	West Coast Waste	Supply & Remove 30M3 Bin & Remove Tyres	MUNI	1,716.00
EFT47192	21/04/2022	Western Australia Treasury Corporation	Loan 61 Repayment	MUNI	14,586.07
EFT47193	21/04/2022	Winc Australia Pty Ltd	Paper Trimmer A4 10 Sheet Capacity - ECL	MUNI	122.82
EFT47194	21/04/2022	Woolworths Group Limited - Online Order Only	ERC - Cafe Order	MUNI	462.14
EFT47195	21/04/2022	Work Clobber	Protective Clothing - Christine Kennedy	MUNI	683.00
EFT47196	28/04/2022	Access Wellbeing Services	Employee Assistance Program Consultations	MUNI	176.00
EFT47197	28/04/2022	Advanced Traffic Management WA P/L	Traffic Control - Pratt Rd & Collie River Rd Drain Cleaning	MUNI	1,674.75
EFT47198	28/04/2022	Aquila Food Forest	Sustainable Living Workshop - 14-04-2022	MUNI	230.00
EFT47199	28/04/2022	B.E.S Electrical Solutions WA	Internal Light Replacement at Burekup Hall with LED's	MUNI	5,456.00
EFT47200	28/04/2022	BCE Surveying Pty Limited	Survey Pickup Up of Surface Levels at Pratt Road Bowling Club and Adjacent Path	MUNI	715.00
EFT47201	28/04/2022	Brandicoot	Monthly Web Hosting for 5 x Shire Addresses	MUNI	907.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT47202	28/04/2022	Bunbury Mower Service	Pole Hedger Cable Throttle, 2 x Fuel\Oil Combo Containers	MUNI	270.50
EFT47203	28/04/2022	Cameron Baker	Umpire Recoup - 27-04-2022	MUNI	110.00
EFT47204	28/04/2022	Carbone Brothers Pty Ltd	Contract F0223213 - Harris Road - Variation #01 & Limestone delivery - Panizza Rd	MUNI	11,437.92
EFT47205	28/04/2022	Castledine Gregory	Cleanaway Vs Shire of Dardanup Sat Mediation Process - Stockpiles On Lot 2 Banksia Rd, Crooked Brook	MUNI	1,720.40
EFT47206	28/04/2022	CB Traffic Solutions	Traffic Management - Pile Road Bridge - 14/04/2022	MUNI	215.60
EFT47207	28/04/2022	Christine Worsfold	Umpire Recoup - 26-04-2022	MUNI	45.00
EFT47208	28/04/2022	Ciphertel Pty Ltd T/A Gate Way Internet Services	Monthly Account for Point to Point Micro Wave Service Depot and Dardanup - March 2022	MUNI	2,893.00
EFT47209	28/04/2022	Cleanaway Solid Waste Pty Ltd	General Waste Disposal - 5 x Shire Locations	MUNI	4,782.60
EFT47210	28/04/2022	Coastal Rowing WA Inc.	Quick Response Grant Payment 2021-2022	MUNI	419.80
EFT47211	28/04/2022	Connect Call Centre Services	After Hours Call Centre Service - March 2022	MUNI	439.01
EFT47212	28/04/2022	Country Landscaping Pty Ltd	Switchboard Fault - Irrigation Not Working - Urgent Call Out - Glen Huon Reserve	MUNI	1,322.89
EFT47213	28/04/2022	Dapco Tyre and Auto Centre	DA668 Service, DA9429 Tyres, DA10181 Services & Tyres	MUNI	2,056.17
EFT47214	28/04/2022	Darby Sidebotham	Umpire Recoup - 26-04-2022	MUNI	45.00
EFT47215	28/04/2022	Data #3 Limited	8 X Sp120Xap Sophos APX 120 Access Point & 1 X Sp320Xap Sophos APX 320 Plenum-Rated Point	MUNI	1,686.93
EFT47216	28/04/2022	David Wells Builder	Supply and Install Lighting to New Memorial - Dardanup Hall	MUNI	770.00
EFT47217	28/04/2022	Dell Australia Pty Ltd	1 x Dell Latitude 7420 BTX Laptop	MUNI	1,868.90
EFT47218	28/04/2022	Donna Bastow	Umpire Recoup - 27-04-2022	MUNI	176.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT47219	28/04/2022	Eaton Community Pharmacy	ERC - Protein Powder	MUNI	74.78
EFT47220	28/04/2022	Element WAR	Milestone Payment for Eaton and Dardanup Masterplans and Place Plans	MUNI	3,459.50
EFT47221	28/04/2022	Ella Rafferty	Refund Engraving Cost - Rhianna Scheffner Farewell Gift	MUNI	25.00
EFT47222	28/04/2022	Eve Yoga	ERC - Yoga Sessions Eve Yoga - 23/03 - 02/04/2022	MUNI	240.00
EFT47223	28/04/2022	Go Electrical Contracting	ERC - Remove Existing Scoreboards and Replace with New Scoreboards, Shot Clocks and Stat Clocks	MUNI	4,944.50
EFT47224	28/04/2022	Hancock Memorials	White Granite Soldier Statue - Final Invoice	MUNI	8,529.95
EFT47225	28/04/2022	Harvey Norman	ERC - Purchase of Whirlpool 10Kg Washing Machine	MUNI	904.00
EFT47226	28/04/2022	Heatleys	Hydration Beverage Mix - Sqwincher Zero	MUNI	220.00
EFT47227	28/04/2022	Henry Mcinnes	Musician - Summer Sounds Eaton - 07/01/2022	MUNI	200.00
EFT47228	28/04/2022	Howson Technical	Harris Rd Widening - Project Management - 01-15/04/2022	MUNI	836.00
EFT47229	28/04/2022	Ideal Shake Australia	ERC - Cafe Order	MUNI	963.60
EFT47230	28/04/2022	Illuminart Productions Pty Ltd	Enlighten 22 - Delivery of Community Engagement, Workshop and Skatepark Projection - Payment 2	MUNI	4,371.68
EFT47231	28/04/2022	JCW Electrical Pty Ltd	Investigate and Rectify Non-Responsive Bore Submeter in Switchboard - Eaton Sports Centre Pavilion	MUNI	163.35
EFT47232	28/04/2022	Jim's Test and Tag	Electrical Test and Tag 2021/22 - 4 x Shire Locations	MUNI	904.54
EFT47233	28/04/2022	John Thompson	Umpire Recoup - 27-04-2022	MUNI	22.00
EFT47234	28/04/2022	Jukel Pty Ltd T/As Kelcom	Repair Existing Data Ports & Scope Out Gym Cabling	MUNI	345.40
EFT47235	28/04/2022	Kenneth James Oliver	Rates Refund for Assessment A2059	MUNI	90.92
EFT47236	28/04/2022	Kenny Pomare	Umpire Recoup - 27-04-2022	MUNI	44.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT47237	28/04/2022	Kings Tree Care	Vegetation Clearance Pruning - Western Power Sites - Dardanup	MUNI	5,005.00
EFT47238	28/04/2022	Kmart	Easter Eggs for Library Easter Hunt	MUNI	170.00
EFT47239	28/04/2022	Kyle Jones	Umpire Recoup - 27-04-2022	MUNI	22.00
EFT47240	28/04/2022	Kylie Blair	Refund For Sporting Competitions Paid Upfront	MUNI	40.00
EFT47241	28/04/2022	M & J Essential Solutions Pty Ltd	EAP Consultations	MUNI	260.00
EFT47242	28/04/2022	Mckayhla Pomare	Umpire Recoup - 27-04-2022	MUNI	132.00
EFT47243	28/04/2022	MJB Industries Pty Ltd	15 x 375mm Concrete Pipes	MUNI	2,665.54
EFT47244	28/04/2022	Nightguard Security Service	Alarm Response to Eaton Sports Pavilion, 14/3, 19/3, 23/3, 26/3 and 31/3 2022	MUNI	495.00
EFT47245	28/04/2022	Paulus Franciscus Van Peperstraten	Rates Refund for Assessment A2925	MUNI	107.39
EFT47246	28/04/2022	PFI Supplies	Cleaning Supplies Eaton Admin & Dardanup Offices	MUNI	765.70
EFT47247	28/04/2022	Publik Group	Deposit for Additional Signs - Dardanup Heritage Trail	MUNI	5,101.80
EFT47248	28/04/2022	R & S Co Pty Ltd T/As Fresh Floral Studio	Anzac Day Wreath - Cr. Bennett	MUNI	85.00
EFT47249	28/04/2022	Shadewest	Collect Shade Sails and Install at Burekup Oval Playground	MUNI	352.00
EFT47250	28/04/2022	SMR Psychology	Employee Assistance Program - Counselling	MUNI	187.00
EFT47251	28/04/2022	Sonya Williams	Uniform Reimbursement	MUNI	200.75
EFT47252	28/04/2022	South West Tree Safe	Remove Dead Jarrah and Underprune Adjacent Tree	MUNI	880.00
EFT47253	28/04/2022	Southern Lock and Security	ERC - Front Door Latch Service & 4 x Additional Keys for Eaton Community College	MUNI	100.00
EFT47254	28/04/2022	State Library of Western Australia	Freight Recoup Jan to June 2022	MUNI	10.31

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT47255	28/04/2022	Suez Recycling & Recovery Pty Ltd	March 2022 Bin Collection Service	MUNI	79,582.62
EFT47256	28/04/2022	Synergy	Electricity Supply - Eaton Recreation Centre - Gary Engel Park - Dardanup Oval	MUNI	9,022.50
EFT47257	28/04/2022	Spurling Engineering	Repair Shuring Components	MUNI	330.00
EFT47258	28/04/2022	Telstra	Telephone and Various Lines for Eaton Admin Centre - April 2022	MUNI	6,100.01
EFT47259	28/04/2022	The Cafe Merchant	Citizenship Ceremony Catering - 28-04-2022	MUNI	172.50
EFT47260	28/04/2022	Therese Price	Umpire Recoup - 26-04-2022	MUNI	45.00
EFT47261	28/04/2022	Tiana Fraser	Umpire Recoup - 26-04-2022	MUNI	44.00
EFT47262	28/04/2022	Toll Transport - Ipec Pty Ltd	2021- 2022 Postage & Freight - Environmental Health	MUNI	12.65
EFT47263	28/04/2022	Total Eden Pty Ltd	24 x Geardrive Sprinklers	MUNI	1,398.41
EFT47264	28/04/2022	Tutt Bryant Hire	Smooth Drum Roller Hire - 28/02-18/03/2022	MUNI	2,211.39
EFT47265	28/04/2022	Universal Marina Systems (WA) Pty Ltd	Supply and Install Bollards - Eaton Boat Ramp	MUNI	2,062.06
EFT47266	28/04/2022	Wicked Strategies	Every Club Workshop - Strategic Planning 12-04-2021 - Burekup Cricket Club	MUNI	1,650.00
CHEQUES					
32	21/04/2022	Shire of Dardanup - Please Pay Cash	Petty Cash Recoup 14-04-2022	MUNI	214.85
TRUST					
BPAY					
DD16410.1	07/04/2022	Mine Super	Contribution	MUNI	3,000.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD16423.1	14/04/2022	Department of Transport	Department of Transport - Vehicle Licensing Information Searches	MUNI	35.20
DD16423.2	14/04/2022	linet Ltd	NBN - 01/04-01/05/2022	MUNI	174.94
DD16451.1	28/04/2022	IINET LTD	Yearly charge for hosting/mail relay service, 31/03/2022 - 31/03/2023	MUNI	65.00
CREDIT CARD					
DD16461.1	29/04/2022	Facebook Ireland Limited	Eaton Recreation Centre Facebook Advertising Campaigns "You Are Going To Want To Get On Board With This"	MUNI	28.32
DD16461.2	29/04/2022	Mailchimp	Monthly Subscription And Charge For Electronic Newsletters April 2022	MUNI	118.95
DD16461.3	29/04/2022	Australia Post	Annual Po Box Renewal 01/04/2022 To 31/03/2023	MUNI	344.00
DD16461.4	29/04/2022	Dreamscape Networks Fz-Llc - Crazydomains.Com.Au	Renewal Of Gnomesville.Com And Gnomesville.Org Domain Name Renewal For 2 Years	MUNI	86.90
DIRECT DEBIT					
INTERNATIONAL					
DD16428.1	14/04/2022	Enovapoint	Junglebell Pro Premium Support Production IT Licence	MUNI	988.20
DD16428.2	14/04/2022	Team Viewer Germany GMBH	Teamviewer Corporate Pac Licence Rene Wal (19/03/2022 - 18/03/2023)	MUNI	2,120.00
DD16451.1	28/04/2022	linet Ltd	Yearly Charge for Hosting/Mail Relay Service, 31/03/2022 - 31/03/2023	MUNI	65.00
DD16458.1	29/04/2022	Netcore J.S.A.	Unimus Yearly License, Switch Backup Software, Per Device, 8/5 Email Support Included	MUNI	96.58
PAYROLL					
DD16396.1	01/04/2022	Aware Super Pty Limited	Payroll Deductions	MUNI	33,734.51
DD16396.2	01/04/2022	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	175.81

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD16396.3	01/04/2022	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	406.51
DD16396.4	01/04/2022	One Path Masterfund	Superannuation Contributions	MUNI	139.59
DD16396.5	01/04/2022	Suncorp Brighter Super	Superannuation Contributions	MUNI	221.02
DD16396.6	01/04/2022	AMP Flexible Super - Super Account	Superannuation Contributions	MUNI	451.86
DD16396.7	01/04/2022	ANZ Australian Staff Superannuation Scheme	Superannuation Contributions	MUNI	174.43
DD16396.8	01/04/2022	Local Government Super	Superannuation Contributions	MUNI	244.82
DD16396.9	01/04/2022	Commonwealth Essential Super	Superannuation Contributions	MUNI	274.22
DD16425.1	15/04/2022	A Ware Super Pty Limited	Payroll Deductions	MUNI	34,235.71
DD16425.2	15/04/2022	Hostplus	Payroll Deductions	MUNI	1,447.67
DD16425.3	15/04/2022	MLC Super Fund	Superannuation Contributions	MUNI	869.77
DD16425.4	15/04/2022	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	175.81
DD16425.5	15/04/2022	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	429.83
DD16425.6	15/04/2022	One Path Masterfund	Superannuation Contributions	MUNI	114.87
DD16425.7	15/04/2022	Suncorp Brighter Super	Superannuation Contributions	MUNI	238.70
DD16425.8	15/04/2022	AMP Flexible Super - Super Account	Superannuation Contributions	MUNI	523.39
DD16425.9	15/04/2022	ANZ Australian Staff Superannuation Scheme	Superannuation Contributions	MUNI	161.35
DD16396.10	01/04/2022	Hesta Super Fund	Payroll Deductions	MUNI	564.11

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD16396.11	01/04/2022	MIML - Macquarie Super Accumulator	Payroll Deductions	MUNI	1,021.45
DD16396.12	01/04/2022	Asgard Infinity E Wrap Super	Payroll Deductions	MUNI	678.36
DD16396.13	01/04/2022	Unisuper	Superannuation Contributions	MUNI	67.14
DD16396.14	01/04/2022	Sunsuper Pty Ltd	Superannuation Contributions	MUNI	66.43
DD16396.15	01/04/2022	Australian Ethical Superannuation	Superannuation Contributions	MUNI	155.68
DD16396.16	01/04/2022	Australian Super	Superannuation Contributions	MUNI	114.14
DD16396.17	01/04/2022	Rest Superannuation	Payroll Deductions	MUNI	1,558.57
DD16396.18	01/04/2022	The Bro Code Super Fund	Payroll Deductions	MUNI	29.15
DD16396.19	01/04/2022	Media Super	Superannuation Contributions	MUNI	544.91
DD16396.20	01/04/2022	Construction & Building Industry Super	Superannuation Contributions	MUNI	117.01
DD16396.21	01/04/2022	Australiansuper	Superannuation Contributions	MUNI	5,261.13
DD16396.22	01/04/2022	Hostplus	Superannuation Contributions	MUNI	1,275.96
DD16396.23	01/04/2022	Hub24 Superannuation Fund	Superannuation Contributions	MUNI	327.88
DD16396.24	01/04/2022	MLC Super Fund	Superannuation Contributions	MUNI	869.77
DD16425.10	15/04/2022	Local Government Super	Superannuation Contributions	MUNI	244.82
DD16425.11	15/04/2022	Commonwealth Essential Super	Superannuation Contributions	MUNI	274.22
DD16425.12	15/04/2022	Asgard Infinity E Wrap Super	Payroll Deductions	MUNI	678.36
DD16425.13	15/04/2022	Hesta Super Fund	Payroll Deductions	MUNI	613.03

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD16425.14	15/04/2022	ANZ Smart Choice Super (Onepath Masterfund)	Superannuation Contributions	MUNI	73.85
DD16425.15	15/04/2022	MIML - Macquarie Super Accumulator	Payroll Deductions	MUNI	1,021.46
DD16425.16	15/04/2022	Unisuper	Superannuation Contributions	MUNI	64.45
DD16425.17	15/04/2022	Sunsuper Pty Ltd	Superannuation Contributions	MUNI	95.18
DD16425.18	15/04/2022	Australian Ethical Superannuation	Superannuation Contributions	MUNI	161.83
DD16425.19	15/04/2022	Australian Super	Superannuation Contributions	MUNI	117.87
DD16425.20	15/04/2022	Rest Superannuation	Payroll Deductions	MUNI	1,623.27
DD16425.21	15/04/2022	The Bro Code Super Fund	Superannuation Contributions	MUNI	104.93
DD16425.22	15/04/2022	Media Super	Superannuation Contributions	MUNI	544.91
DD16425.23	15/04/2022	Construction & Building Industry Super	Superannuation Contributions	MUNI	117.01
DD16425.24	15/04/2022	Australiansuper	Superannuation Contributions	MUNI	5,382.77
DD16425.25	15/04/2022	The Templeman Family Superannuation Fund	Superannuation Contributions	MUNI	98.51
DD16425.26	15/04/2022	Hub24 Superannuation Fund	Superannuation Contributions	MUNI	321.46
DD16454.1	29/04/2022	Aware Super Pty Limited	Payroll Deductions	MUNI	33,404.62
DD16454.2	29/04/2022	Hostplus	Payroll Deductions	MUNI	1,471.92
DD16454.3	29/04/2022	Hughes Superannuation Fund	Superannuation Contributions	MUNI	64.12
DD16454.4	29/04/2022	MLC Super Fund	Superannuation Contributions	MUNI	869.77

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD16454.5	29/04/2022	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	175.81
DD16454.6	29/04/2022	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	463.15
DD16454.7	29/04/2022	One Path Masterfund	Superannuation Contributions	MUNI	135.23
DD16454.8	29/04/2022	Suncorp Brighter Super	Superannuation Contributions	MUNI	256.38
DD16454.9	29/04/2022	AMP Flexible Super - Super Account	Superannuation Contributions	MUNI	522.88
DD16454.10	29/04/2022	ANZ Australian Staff Superannuation Scheme	Superannuation Contributions	MUNI	152.92
DD16454.11	29/04/2022	Local Government Super	Superannuation Contributions	MUNI	244.82
DD16454.12	29/04/2022	Asgard Infinity E Wrap Super	Payroll Deductions	MUNI	678.36
DD16454.13	29/04/2022	Commonwealth Essential Super	Superannuation Contributions	MUNI	274.22
DD16454.14	29/04/2022	Hesta Super Fund	Payroll Deductions	MUNI	585.85
DD16454.15	29/04/2022	ANZ Smart Choice Super (Onepath Masterfund)	Superannuation Contributions	MUNI	110.41
DD16454.16	29/04/2022	MIML - Macquarie Super Accumulator	Payroll Deductions	MUNI	1,021.45
DD16454.17	29/04/2022	Unisuper	Superannuation Contributions	MUNI	39.09
DD16454.18	29/04/2022	Sunsuper Pty Ltd	Superannuation Contributions	MUNI	112.04
DD16454.19	29/04/2022	IOOF Portfolio Service Superannuation Fund	Superannuation Contributions	MUNI	54.53
DD16454.20	29/04/2022	Australian Ethical Superannuation	Superannuation Contributions	MUNI	155.68
DD16454.21	29/04/2022	Australian Super	Superannuation Contributions	MUNI	99.26

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD16454.22	29/04/2022	Rest Superannuation	Payroll Deductions	MUNI	1,870.88
DD16454.23	29/04/2022	The Bro Code Super Fund	Superannuation Contributions	MUNI	40.23
DD16454.24	29/04/2022	Media Super	Superannuation Contributions	MUNI	544.91
DD16454.25	29/04/2022	Construction & Building Industry Super	Superannuation Contributions	MUNI	140.79
DD16454.26	29/04/2022	Australiansuper	Payroll Deductions	MUNI	5,240.36
DD16454.27	29/04/2022	The Templeman Family Superannuation Fund	Superannuation Contributions	MUNI	30.31
DD16454.28	29/04/2022	Hub24 Superannuation Fund	Superannuation Contributions	MUNI	321.45

REPORT TOTALS**2,023,593.53**

EFT	1,868,964.66
Muni Cheque	214.85
Trust	0.00
Payroll	147,290.93
Credit Card	578.17
Direct Debit	0.00

CERTIFICATE OF CHIEF EXECUTIVE OFFICER

This schedule of accounts to be passed for payment, covering vouchers as above which was submitted to each member of Council has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
International	3,269.78		receipt of goods and the rendition of services and as to prices, computations, and costings and the amounts shown are due for payment.		
BPAY	3,275.14				
TOTAL	<u>2,023,593.53</u>				



MR ANDRÉ SCHÖNFELDT
Chief Executive Officer

CARRIED
7/0

Note: Cr. J P Dow left the room at [6.22pm].

15 PUBLIC QUESTION TIME

None.

Note: Mr André Schönfeldt – Chief Executive Officer joined the meeting via Microsoft Teams [6:24pm].

Note: Cr. J P Dow returned to the room at [6:25pm].

16 MATTERS BEHIND CLOSED DOORS

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

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

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

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

16.1 Title: South West Waste Group Outputs

Reporting Department: Executive

Reporting Officer: Mr André Schönfeldt – Chief Executive Officer

Legislation: Local Government Act 1995

REPORT UNDER SEPARATE COVER

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

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

131-22 MOVED - Cr. E P Lilly SECONDED - Cr. P S Robinson

THAT Council:

- 1. Notes the report on the Pyrolysis Case for Dardanup received from the Regional Waste Coordinator [Confidential Appendix BCD: 16.1A].**
- 2. Notes the outcomes of the Expression of Interest in relation to alternative waste solutions received from the Regional Waste Group [Confidential Appendix BCD: 16.1B].**
- 3. Supports the Shire to remain part of the Regional Waste Group for 22/23.**

CARRIED
7/0

5. **Requests the Chief Executive Officer to call a tender for external project management consultants to assist with the procurement, project management and construction supervision of the project.**

6. **Requests the Chief Executive Officer to workshop with Council in July further options for Council to consider with regards to the project.**

CARRIED

7/0

By Absolute Majority

Note: Mr André Schönfeldt – Chief Executive Officer left the meeting at [6.44pm].

16.3 Title: Determine Tender RFT – F0256462 Surveying Services

Reporting Department: Infrastructure Directorate
 Reporting Officer: Mr Jason Gick – Manager Operations
 Mr Allan Hutcheon - Procurement Officer
 Legislation: Local Government Act 1995
 Local Government (Functions and General) Regulations 1996

REPORT UNDER SEPARATE COVER

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

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

135-22 MOVED - Cr. P S Robinson SECONDED - Cr. M T Bennett

THAT Council:

1. **Accepts the tender submission for RFT-F0256462/2022 for Surveying Services as advertised and recorded in the Tenders Register, received from BCE Engineering Pty Ltd as named in the Evaluation Panel Report as the most advantageous, with the Schedule of Rates detailed in [Appendix BCD: 16.3A] applicable for a contract term of three years commencing on execution of the contract, plus additional discretionary options for two x 1 year extensions subject to CPI and Contractor performance.**
2. **Delegates to the Chief Executive Officer in accordance with s.5.42 (1) of the *Local Government Act 1995*, by absolute majority, authority to negotiate minor variations to the contract for RFT-F0256462/2022 for Surveying Services as advertised and recorded in the Tenders Register before and/ or after its execution in accordance with Regulations 20 and 21A of the *Local Government (Functions and General) Regulations 1996*.**
3. **If within 6 months of this resolution a contract is unable to be formed for RFT-F0256462/2022 for Surveying Services as advertised and recorded in the Tenders Register with BCE Surveying Pty Ltd identified in Evaluation Panel Report shown as the most advantageous, will accept the tender submission received from F.K. Thompson & Associates, identified as the next most advantageous in the Evaluation Panel Report.**
4. **Authorises the Chief Executive Officer to execute the contract for awarding RFT-F0256462 for Surveying Services as advertised and recorded in the Tenders Register in accordance with s.9.49A of the *Local Government Act 1995*.**

CARRIED
7/0

16.4 Title: Minutes of the CEO Review Committee Meeting held on the 17th of May 2022

Reporting Department: Corporate & Governance
 Reporting Officer: Ms Cathy Lee – Manager Governance & HR
 Legislation: Local Government Act 1995

MINUTES OF THE SHIRE OF DARDANUP CEO REVIEW COMMITTEE MEETING HELD ON TUESDAY, 17th MAY 2022, AT SHIRE OF DARDANUP – EATON ADMINISTRATION CENTRE, COMMENCING AT 9.00AM.

REPORT UNDER SEPARATE COVER

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

DECLARATION OF INTEREST

Chief Executive Officer, Mr André Schönfeldt declares a Financial Interest in this item as the discussion relates to Mr Schönfeldt's income and performance directly. Mr Schönfeldt declares that he has not been involved in the preparation of the report to Council.

**OFFICER RECOMMENDED RESOLUTION
& COUNCIL RESOLUTION**

136-22 MOVED - Cr. M R Hutchinson SECONDED - Cr. P S Robinson

THAT Council receives the minutes of the CEO Review Committee Meeting (Appendix ORD: 16.4) held on 17 May 2022.

CARRIED
7/0

AND

**CEO REVIEW COMMITTEE RECOMMENDED RESOLUTION
& COUNCIL RESOLUTION**

137-22 MOVED - Cr. P S Robinson SECONDED - Cr. M R Hutchinson

THAT Council:

1. Notes that the appraisal of Mr Andries Schönfeldt, Chief Executive Officer, has been completed for the period of June 2021 to May 2022.
2. Endorses the findings of the 2021-22 Annual Performance Review Report (Under Separate Cover – Confidential Tardis Ref: [EMP-R1197323](#)) as presented by Price Consulting and thanks Mr Schönfeldt for his efforts.

3. Approves a 2.5% increase is applied to the cash component of the Chief Executive Officer Remuneration Package effective from the first full pay period following 1 July 2022.
4. Approves the CEO's Performance Criteria for the 2022-2023 period, as attached (Under Separate Cover – Confidential Tardis Ref: [EMP-R1196734](#)).

CARRIED
7/0

**OFFICER RECOMMENDED RESOLUTION
& COUNCIL RESOLUTION**

138-22 MOVED - Cr. M R Hutchinson SECONDED - Cr. S L Gillespie

THAT Council return from Behind Closed Doors [7.02pm].

CARRIED
7/0

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

17 CLOSURE OF MEETING

The Presiding Member, Cr. M T Bennett advised that the date of the next:

- Ordinary Meeting of Council will be Wednesday, the 22nd of June 2022, commencing at 5.00pm at the Shire of Dardanup - Administration Centre Eaton.

There being no further business Cr. M T Bennett declared the meeting closed at 7.03pm.



CONFIRMATION OF MINUTES

“As the person presiding at the meeting at which these minutes were confirmed on the 22nd of June 2022, I certify that these minutes have been confirmed as a true and accurate record of proceedings”.

Signature: 

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