



CONFIRMED

MINUTES

ORDINARY COUNCIL MEETING

Held

27th of October 2021

At

**Shire of Dardanup
Administration Centre Eaton
1 Council Drive - EATON**

This document is available in alternative formats such as:
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Upon request.

VISION STATEMENT

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

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COUNCIL ROLE

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

DISCLAIMER

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

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

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

RISK ASSESSMENT

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

SHIRE OF DARDANUP

MINUTES OF THE SHIRE OF DARDANUP ORDINARY COUNCIL MEETING HELD ON WEDNESDAY, THE 27TH OF OCTOBER 2021, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 5.00PM.

1 DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS

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

Acknowledgement of Country

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

Emergency Procedure

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

Affirmation of Civic Duty and Responsibility

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

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

Cr. Michael Bennett	-	Elected Member
Cr. Luke Davies	-	Elected Member
Cr. Janice Dow	-	Elected Member
Cr. Tyrrell Gardiner	-	Elected Member
Cr. Stacey Gillespie	-	Elected Member
Cr. Mark Hutchinson	-	Elected Member
Cr. Ellen Lilly	-	Elected Member
Cr. Patricia Perks	-	Elected Member
Cr. Peter Robinson	-	Elected Member
Mr André Schönfeldt	-	Chief Executive Officer
Mr Phil Anastasakis	-	Deputy Chief Executive Officer
Mr Theo Naudé	-	Director Infrastructure
Ms Cathy Lee	-	Manager Governance & HR
Mrs Ella Rafferty	-	Executive Support Officer
Mrs Natalie Hopkins	-	Manager Financial Services
Mr Murray Connell	-	Manager Development Services
Ms Lucy Owen-Conway	-	Manager Place & Community Engagement
Mr Nathan Ryder	-	Manager Infrastructure Planning & Design
Mr Dean Pitts	-	Coordinator Library Services

2.2 Apologies

Ms Susan Oosthuizen	-	Director Sustainable Development
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2.3 Leave of Absence

None.

3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE
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None.

4 PUBLIC QUESTION TIME

4.1 Heather Elliott-Smith (41 Wellington Mill Road, Ferguson) - JDAP Development Application for Landfill Waste Cells – Lot 2 Banksia Road, Crooked Brook

Question: *Will Councillors consider Amending the Motion by altering the following Clauses and adding two additional Clauses to Part (b) of the Motion? (Changes from Officers Motion in red)*

- ii. *The application is inconsistent with the aims and provisions of the Scheme and would significantly impact on the rural character and appearance of the land. It is inconsistent with the objectives of 'General Farming' zone under the scheme.*
- iii. *It would be contrary to the principles of orderly and proper planning to approve the application in the absence of knowing the outcomes of the EPA's assessment of potential significant environmental effects. Regardless of the EPA's Assessment it is inconsistent with LPS3, the LDP and SPP 2.5.*
- xi. *The Development Application does not comply with the requirements that apply to regional facilities in a rural zone as set out in State Planning Policy 2.5 Rural Planning (SPP 2.5).*
- xii. *The proponent's contention that the proposed operations are properly classified as a 'use not listed' for the purposes of planning assessment under TPS3, based on historical approvals, is not supported because the application is properly characterised as 'industry - noxious or hazardous' and not a 'use not listed' under the scheme. This is a prohibited use in 'General Farming Zone' under TPS3 and therefore cannot be approved.*

Note: Cr. M T Bennett read aloud the following Officer response.

Officer Response:

The Responsible Authority Report is not a report from the Council, but rather a report that is provided to the JDAP from an officer of the Local Government. Should Council wish to amend their own resolution they are free to do so and the Responsible Authority Report, along with the resolution from Council will be sent to the JDAP for their consideration.

Discussion:

Chief Executive Officer, André Schönfeldt advised that Council could not add these clauses to the Officer Recommendation but could add it to their own separate recommendation.

4.2 Noel Hayward (4 Money Street, Burekup) - JDAP Development Application for Landfill Waste Cells – Lot 2 Banksia Road, Crooked Brook

Background:

In addressing the Key Issues in the many submissions Council received, Council Officers addressed those that raised the point that:

The application should be considered a noxious or hazardous industry land use and not a 'use not listed' under the Scheme, by stating;

Although the land use class 'Waste Disposal Facility' does not appear in the Zoning Table of the Scheme it is defined in the land use definitions.

*It is important to note that the existing landfill facility (including the waste cells that are currently operational) have all been previously granted development approval and therefore considered to be consistent with the 'General Farming' zone. **There is no reason to depart from this well-established determination given the application is for an extension to the existing facility.**' (Appendix ORD: 12.2.3A – Page 6)*

In effect what they are saying is that it does not matter if in the past the land use class was right or wrong, but that we should do what we have always done regardless of the nature of the waste being deposited at Banksia Rd.

*This is too important a risk to just do something because it is what you have always done. **In this case there is every reason to depart from this determination!***

Whilst it was probably not unreasonable to use "Use not listed" when it was only licence to receive Class II waste, it can be strongly argued this all changed when the licence was changed to allow it to receive and process Class III wastes including WREN Oil sludge's, drill muds and industrial and mining wastes, all containing noxious or hazardous products.

In considering this, the Contaminated Sites Report for Stanley Road Waste Facility makes for sobering reading and offers an insight to what the future may hold for Banksia Rd. Stanley Road is (was) a Class II landfill facility (as opposed to Banksia Rd which is Class III). Stanley Road was first listed as possibly contaminated in May 2007. Now, 14 years later it has been confirmed to contain asbestos-containing material, animal and medical wastes and elevated levels of salinity (i.e. chloride), nutrients (ammonia and nitrate) and metals (aluminium and iron) present in the groundwater in concentrations exceeding a number of standards.

Per- and poly-fluoro alkyl substances (PFAS) were also present in groundwater at concentrations exceeding guidance values for drinking water, recreational water, and freshwater ecosystems. An urgent survey of in the residential area in the suburb of Leschenault now being conducted with bore sampling being offered to residents within that area.

The risk of a similar outcome at Banksia Road can only be higher due to it receiving Class III waste since May 2005.

This risk was further compound when the site was granted a licence to receive mineral sands refinery wastes from Tronox waste. The justification of dumping these at Dardanup was that they had been successfully stored at Dalyellup for 20 years. The Dalyellup Site is now a declared contaminated site, classified as "remediated for restricted use"

The reason for this, because treated solid residue is present beneath the site. Metals (including chromium, hexavalent chromium, cobalt, manganese, molybdenum, nickel, tin and vanadium) are present in soil beneath the site and saline leachate and these metals are also present in groundwater beneath the site.

All these substances must be considered as being noxious and hazardous.

*Further, in addition to being licenced by DWER, this site requires Licencing and site regulation by ARPANZA for the radioactive Mineral Sands waste being deposited there. Even if the putrescent waste is not considered hazardous, this aspect of the site is, and cannot be considered anything other than ‘industry – noxious and hazardous’ due to unacceptably high levels of Ra226 and Ra228 radionuclides which, arguably, should be stored in an Intractable Waste Facility. This aspect of the proponent’s operations **must be considered when properly characterising the site.***

*From TPS3, **industry – noxious or hazardous** is defined as an industry which, by reason of the processes involved or the method of manufacture or the nature of the material used or produced, requires isolation from adjacent land uses due to its off-site impacts.*

Surely this is a much more apt description of what is occurring at Banksia Road than saying it is a “Use not listed”

The reasons for correcting the misapplication of ‘use not listed’ are well explained by the submissions from Glen McCloud and DEAG.

The proposal:

1. *Meets the definition as defined in TPS3 for industry - it involves treating substances – namely waste. Not just any waste, either – toxic Class III putrescent waste, industry waste and radioactive waste.*
2. *Meets the definition of ‘industry – noxious and hazardous - Creates offsite impacts arise from the proposal – odour, litter, visual, dust, run off.*
3. *The proposal requires isolation from adjacent land uses.*

Question: *Based on the above evidence that the proposal is correctly classified as “industry - noxious or hazardous”, will Council consider adding the following Clause to the Officers Recommendation?*

The proponent’s contention that the proposed operations are properly classified as a ‘use not listed’ for the purposes of planning assessment under TPS3, based on historical approvals, is not supported by the Dardanup Council because the application is properly characterised as ‘industry - noxious or hazardous’ and not a ‘use not listed’ under the scheme. This is a prohibited use in ‘General Farming Zone’ under TPS3 and therefore cannot be approved.

Note: Cr. M T Bennett read aloud the following Officer Response:

Officer Response:

The Responsible Authority Report is not a report from the Council, but rather a report that is provided to the JDAP from an officer of the local government. Should Council wish to amend their own resolution they are free to do so and the Responsible Authority Report, along with the resolution from Council will be sent to the JDAP for their consideration.

For the reasons outlined in the Responsible Authority Report officers consider the application reasonably fits within the definition of ‘waste disposal facility’.

4.3 *Fiona Moriarty (14 Prout Road, Ferguson) - JDAP Development Application for Landfill Waste Cells – Lot 2 Banksia Road, Crooked Brook*

Note: Cr. M T Bennett read aloud each of the Officer Responses to Fiona Moriarty.

Question 1: *Does Council agree that Cleanaway's' development application to JDAP cannot be regarded as a continuation of existing approvals but has to be viewed as a new development, so all currently existing planning guidelines apply?*

Officer Response:

A new development application has been submitted to the JDAP for the continued operation of the waste disposal facility. Applications are required to be assessed on their merits and the applicable planning framework at that time.

Question 2: *Does Council agree that if there is any pre-existing non-compliant development on a lot this should not be seen as precedent allowing further non-compliant developments to be approved?*

Officer Response:

Applications are required to be assessed on their merits and the applicable planning framework at that time. Clause 67 of the deemed provisions outlines the matters a local government must have due regard to when determining an application. One of those matters is 'the history of the site where the development is to be located'.

Question 3: *Since Cleanaway has transformed the site through incremental expansions, license changes and commercial / refinery waste contracts, with millions of litres of Wren Oil waste and radioactive waste together with various dubious practices, is it not reasonable that this has changed the nature of both the industry and the site?*

Officer Response:

Although certain operational aspects of the facility may have altered over time, for the reasons outlined in the Responsible Authority Report officers consider the application reasonably fits within the definition of 'waste disposal facility'.

Question 4: *Since the nature of Cleanaway's' business will largely continue unchanged and this proposed development inevitably risks off site emissions be they dust, odour, leachate, ground water pollution, noise, possible catastrophic bushfire etc. is it therefore time for planning authorities to re-evaluate the nature of the industry on Lot 2 Banksia Rd and to correctly identify it as an Industry Noxious and Hazardous according to TPS3?*

Officer Response:

For the reasons outlined in the Responsible Authority Report officers consider the application reasonably fits within the definition of 'waste disposal facility'.

Question 5: *Will the council add a clause to their Responsible Authorities Report acknowledging this development application should be identified as Industry Noxious and Hazardous. Since such industry does not comply with TPS3 it must be refused?*

Officer Response:

The Responsible Authority Report is not a report from the Council, but rather a report that is provided to the JDAP from an officer of the local government. Should Council wish to amend their own resolution they are free to do so and the Responsible Authority Report, along with the resolution from Council will be sent to the JDAP for their consideration.

For the reasons outlined in the Responsible Authority Report officers consider the application reasonably fits within the definition of 'waste disposal facility'.

Question 6: *Are all the Councillors aware of the ground water pollution issues finally acknowledged recently by DWER under the Stanley Road Class 2 waste site?*

Question 7: *Does Council know how far the pollution has spread and how many properties are now unable to use their bore water?*

Discussion:

Cr. M T Bennett advised that he personally was aware of the ground water pollution issues but that he could not speak on behalf of the other Councillors.

Question 8: *Since DWER have known about ground water pollution under this site since 2007, is Council concerned about the effectiveness of DWERs Risk Mitigation Strategy?*

Officer Response:

As this facility is in a different local authority, it is not appropriate for Council to comment on the effectiveness or otherwise of state agency practices.

Question 9: *With this in mind, is Council aware that the existing bores around Lot 2 Banksia Road had been condemned by DWER rendering all historical ground water results irrelevant?*

Discussion:

Cr. M T Bennett advised that he was not aware that the bores had been condemned.

Question 10: *Is Council aware that new bores have been completed and the first test results have been submitted to Cleanaway?*

Question 11: *Can Council confirm if these test results have been received in full by Council? If not, can Council staff make it a priority to acquire these results without further delay?*

Discussion:

Cr. M T Bennett advised that he would request the Chief Executive Officer to obtain the results and present findings to Council.

5 APPLICATIONS FOR LEAVE OF ABSENCE

None.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS*Discussion:*

Shire President, Cr. M T Bennett advised that he had received the following request to defer Item 12.3.3 - Glenhuon Boulevard - Street Trees replacement from Terri Coyne and that she sends her apologies for not being able to make it to the meeting in person.

Cr. M T Bennett advised that Council would take Terri Coyne's submission on notice.

6.1 Terri Coyne (61 Glenhuon Boulevard, Millbridge) - Glenhuon Boulevard - Street Trees replacement

Good Afternoon Councillors,

My name is Terri Coyne and I am a resident of Glenhuon Boulevard – number 61.

In regards to agenda item 12.3.3 Glenhuon Boulevard – Street Tree Replacement, I would like to please request that this item is deferred by Council.

Unfortunately I cannot attend the Council meeting today at 5pm as I have work commitments and was only informed this morning (27/10/21) that this particular item was being presented to Council today for consideration.

I was first made aware of the proposed tree removal earlier this year and have been in communication with the Shire of Dardanup since - my original correspondence to the Shire was on Thursday 21.01.2021 – case ID 7472.

My original email stated that I was not in support of the proposed tree removal / replacement especially without any significant community consultation being undertaken.

Public consult will firstly advise surrounding residents of the proposed removal and secondly give those affected the opportunity to comment.

Many residents, like myself, have bought into the area for the amenity which includes the beautiful shade avenue that is Glenhuon Boulevard.

Whilst I can appreciate that this species of tree can generate excessive leaf litter and seed pods – all trees shed, produce litter, exacerbate allergies and can be problematic.

*The proposed new species of *Agonis flexuosa* – whilst native will still drop leaves and seed all year round. I live opposite Gromark Park so experience that volume of leaf litter every Autumn. (I also seek parking in the shade on a hot summer day – there is always a trade-off).*

During one of my discussions with Council Officers, I was advised that a member of the public had stated that London Plane tree seed pods were a danger when on the ground as they caused a slip/trip hazard when walking or biking on the pathway.

With this in mind should we be removing every tree with honky nuts or the Jacarandas at the entry to Glenhuon Boulevard that shed their seed pods also?

The agenda item states:

“There are several other Plane Trees in the area, that are not part of this report, including:

- Two Plane Trees at Peninsula Lakes Park, which form a ‘gateway’ effect on the access path;*
- A single mature Plane Tree as a landscape feature in the Glenhuon Boulevard / Lusitano Avenue roundabout; and*
- Four Plane trees along Glenhuon Boulevard at Gromark Park”*

I requested that the three new London Planes in Gromark Park (opposite my property – see map trees 2, 3 & 4) be planted to continue the avenue effect. This was successfully actioned by David Mort from the Shire of Dardanup in 2017 and whilst these trees are not earmarked for removal (yet), I would still think it pertinent that all affected residents of Glenhuon Boulevard have an opportunity to provide their feedback before returning home one day to stumps in the ground – where a once beautiful shade tree stood.

If however the agenda item is successfully passed, I would like to encourage Council to reconsider the removal of London Plane Tree located within the Utility Reserve - SKL0.66 – as per agenda table (line item 13);

“Most substantial tree in the street, adjacent to utility infrastructure service area Remove in year 3”

Unlike the other 21 trees, this tree is located in a larger reserve and does not directly about the adjoining property fence line, therefore leaf and seed pod litter should not be as cumbersome.

This tree provides wonderful amenity and shade also given the larger land parcel that this tree is located in I strongly urge that this tree please be retained should the other 21 be approved for removal.

Please see attached map of trees not included for removal and location of the tree requested to be retained.

Please note that the second tree in the images attached has been removed. There is now only one solitary tree within the Utility reserve.

I thank you in advance for your consideration to:

- 1. Defer this agenda item so a public consultation can be undertaken*
- 2. Retain the existing London Plane tree located within the Utility Reserve*

*Kind regards
Terri Coyne*

NOTED

6.2 Wally Cook (President – Bunbury and Districts Dog Club) – Reconsideration of Conditions - Approval for Sea Container – Bunbury and Districts Dog Club – Glen Huon Reserve

Discussion:

Wally Cook addressed the Council and read aloud the following:

Shire President, CEO and Councillors –

Option A – Locate the container next to the existing container at the Recreation Centre

This location would be unsuitable as access to the area would be very restricted and the equipment would have to be carried over a fair distance to get it to a location where it could be used even in the proposed training area. This would be even greater distance for events as the equipment would have to be moved across the oval to enable utilisation of the facilities.

This we feel would create a greater danger of personal injury and equipment damage.

I have also previously been informed when we looked at the area that there is a sewage line running through the area.

Option B – Locate the container next to the existing change rooms

This location would be unsuitable as to access the container would be from a slopping area and would require a fair amount of site works and landscaping to make it safe to take equipment in and out of the container.

Without siteworks to level the entry to the container there will be a greater danger of personal injury and equipment damage negotiating the sloped area.

Locating the container in the proposed location would not require any site works as the area is quite level and all services have been located as shown on the supplied plan.

This location is ideal as it is close to the oval, the facilities and the parking area.

The location of the container over the services would be positioned in such a way that all service pits can be accessed without having to conduct any extra tasks.

The possibility of needing to dig up the services in the near future is extremely unlikely as the power to the lighting tower and the fibre optic will both be in conduit/pipe and any replacement if required can be conducted via the service pits.

There would be no impact on spectators or residents view as the container location is far enough away from the oval and even without extra vegetation would not be very noticeable.

Under Officer Recommendation ‘B’ –

Under item D maintaining the painted surface will be very difficult if there is iron staining (iron staining would make it less visible as it would blend in).

The club requests that item E be removed as the impact on the surrounding area will be minimal and for the time period required an unwarranted cost.

Item F of the same recommendation is also considered unnecessary as the area is less likely to flood than the Eaton Foreshore where this condition was removed from the rowing club container.

NOTED

6.3 Simon James Bushell (36 Kentucky Drive, Dardanup West) - FOGO Waste Collection – Modified Fee Structure

Discussion:

Simon Bushell addressed the Council and read aloud the following:

I would like to formally address the council on the topic of the proposed waste fee schedule item 12.2.3

I have started a petition that has over 750 signatures (<https://chng.it/2bjFbHsbxO>) from the residents and I want that to be common knowledge when the council decide upon the new fee structure as the shire staff have repeatedly mentioned only having 78 enquiries from 5000 residents that the new FOGO system has been rolled out to.

I also don't believe that the shire has acknowledged that there are households that don't require a 240L FOGO bin (rural who compost and feed scraps to chickens or households that have native gardens and don't have garden waste) so I'd like to suggest an option to downsize the FOGO to 140L and upsize the general waste bin to 240L at no cost to the residents.

I am concerned with the recommendation presented to Council by Shire Staff. If I choose to upsize my bin I will be required to pay more than if I choose to purchase an additional bin.

Discussion:

Councillors asked questions of Simon Bushell:

Cr. J P Dow: How many of the 751 people that signed the petition were from the Shire?

Simon Bushell: At least 600 of the people that signed the petition live within the Shire of Dardanup.

Cr. J P Dow: I didn't think that rural properties had the three bin service?

Simon Bushell: My property is classed as a small holding and is located in Dardanup West. The 140L waste bin does not hold the amount of waste that is generated from owning livestock and having two children in nappies.

Cr. P S Robinson: I haven't seen the petition, was it provided to Shire Staff?

Simon Bushell: I sent an email to Shire Staff today with a link to the petition. I request that you ask Staff why the petition was not provided to Councillors.

Cr. P S Robinson: How long have the Shire been using the new three bin system? Often people learn to sort their rubbish better overtime.

Simon Bushell: I believe people can adjust to the new three bin service however the current system to apply for an extra service is very strict. At present a household must have at least 6 members or a medical condition to meet the requirements for an additional 240L General Waste bin. I applied for an additional bin under the other considerations option and I was quickly told by Shire Staff that I didn't meet the requirements for an additional waste bin. From my personal experience and others living in rural areas we have chickens and compost piles and as a result do not require a 240L FOGO bin. The option to downsize our 240L FOGO Bin to a 140L would be more suited to our area. A 240L General Waste bin is

what is needed. I agree to make the service fortnightly but only if the bin supplied is a 240L General Waste Bin.

Cr. P R Perks: I am concerned about recycling education. The State Government has insisted that we put the three bin system in place to encourage the learning of reduce, re-use and recycle. Do you feel by implementing the option to purchase an additional service that this will discourage people living in urban spaces from learning to recycle correctly?

Simon Bushell: No, because there is a fee involved in obtaining an additional waste service people will only purchase the additional bin if they require it. If residents have the need for a 240L FOGO bin then they should keep it but for rural properties that don't have much FOGO waste a 140L FOGO bin would be more suitable with the addition of a 240L General Waste bin. The City of Busselton provides the 140L and 240L options for all three of their waste bins - recycling bin, General Waste bin and FOGO bin.

Cr. S L Gillespie referred to Simon Bushell's comment regarding the differing costs between upsizing his bin and paying for an additional bin and asked for clarifications.

Chief Executive Officer André Schönfeldt advised that the reasoning for the differing costs were because of the additional charge associated with removing the current bin.

Cr. M T Bennett then thanked Simon Bushell for his presentation/questions.

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 Confirmation of Minutes resolutions en bloc.

7.1 Ordinary Council Meeting Held on the 29th of September 2021

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

317-21 MOVED - Cr. P S Robinson SECONDED - Cr. S L Gillespie

THAT the Minutes of the Ordinary Meeting of Council held on the 29th of September 2021, be confirmed as true and correct subject to no corrections.

CARRIED
9/0

7.2 Special Council Meeting Held on the 5th of October 2021

318-21 MOVED - Cr. P S Robinson SECONDED - Cr. S L Gillespie

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

THAT the Minutes of the Ordinary Meeting of Council held on the 5th of October 2021, be confirmed as true and correct subject to no corrections.

CARRIED
9/0

7.3 Special Council Meeting Held on the 20th of October 2021**OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION**

319-21 MOVED - Cr. P S Robinson SECONDED - Cr. S L Gillespie

THAT the Minutes of the Ordinary Meeting of Council held on the 20th of October 2021, be confirmed as true and correct subject to no corrections.

CARRIED
9/0

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION
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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:	6/10/2021: Holly-Maree Mason - Creative Arts Industry Research Project
Report:	Conducting research on the creative arts industry in rural Western Australia, specifically Beverley and Dardanup.

Event:	7/10/2021: Citizenship Ceremony
Report:	31 Conferees received Citizenship. The Ceremony was held at Eaton Sports Club and included the Vocal Fusion Choir.

Event:	13/10/2021: 2021 WA EMERGENCY MANAGEMENT CONFERENCE
Report:	Hosted by the Shire of Dardanup. A very successful conference which was well received by those that attended.

Event:	15/10/2021 – Eaton Senior Citizens Update
Report:	An update and schedule of dates was provided to the Senior Citizens - programming their move in the newly completed Bowling Club.

Event:	15/10/2021: Eaton Bowling Club
Report:	Meeting with President of Club

RECEIVED

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

- 9.1 Title: Bunbury & Districts Softball Association – 2021-2024 Business Plan and 2021 Annual Financial Report
- 9.2 Title: ICT Review – ERP Project Initiation Report
- 9.3 Title: Quarterly Corporate Performance Review

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

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

- S 5.23 (1) Subject to subsection (2), the following are to be open to members of the public -
- (a) all Council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a Council or by a committee referred to in subsection (1) (b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following -
- (a) a matter affecting an employee or employees;
 - (b) the personal affairs of any person;
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
 - (e) a matter that if disclosed, would reveal -
 - (i) a trade secret;
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person,

where the trade secret or information is held by, or is about, a person other than the local government;
 - (f) a matter that if disclosed, could be reasonably expected to -
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
 - (g) information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and
 - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

Note: Shire President advised that the meeting will go behind closed doors toward the end of the meeting to discuss S.5.23 sections:

- (2)(a) - a matter affecting an employee or employees;
- (2)(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; and
- (2)(e)(iii) - information about the business, professional, commercial or financial affairs of a person.

Cr. M T Bennett also noted that there was Business of Urgent Nature that would be brought forward for council to consider. If this matter was considered, it would also be heard behind closed doors.

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.

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

- *Cr. E P Lilly declared an Impartiality Interest in Item '12.2.3 - JDAP Development Application for Landfill Waste Cells – Lot 2 Banksia Road, Crooked Brook' as she is a member of the Dardanup Environmental Action Group. Cr. E P Lilly noted that as a consequence there may be a perception that her impartiality on the matter may be affected and declares that she will consider this matter on its merits and vote accordingly.*
- *Cr. J Dow declared an Impartiality Interest in Item '12.2.3 - JDAP Development Application for Landfill Waste Cells – Lot 2 Banksia Road, Crooked Brook' as she signed a petition relating to the Cleanaway Landfill Site. Cr. J P Dow noted that as a consequence there may be a perception that her impartiality on the matter may be affected and declares that she will consider this matter on its merits and vote accordingly*
- *Cr. L W Davies declared a Financial Interest in Item '16.4 - Alternative Option for the New Shire of Dardanup Administration and Library Building' as he is employed by Coles Pty Ltd that is housed within the Eaton Fair Shopping Centre.*

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

There were no further Declarations of Interest declared.

12 REPORTS OF OFFICERS AND COMMITTEES

PROCESS

As there were several members of the public in the room, Shire President Cr. M T Bennett brought forward those items of interest to the public to be dealt with first. Those items were:

12.2.3 Title: JDAP Development Application for Landfill Waste Cells 12.2.7 [Page 14 of Agenda].

12.2.7 Title: Reconsideration of Conditions - Approval for Sea Container – Bunbury and Districts Dog Club – Glen Huon Reserve [Page 31 of Agenda].

12.3.3 Title: Glenhuon Boulevard - Street Trees Replacement [Page 57 of Agenda].

12.3.4 Title: FOGO Waste Collection – Modified Fee Structure [Page 63 of Agenda].

PROCESS

12.2.3 Title: JDAP Development Application for Landfill Waste Cells – 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>Harley Dykstra Pty Ltd on behalf of Cleanaway Solid Waste Pty Ltd</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.2.3A – Responsible Authority Report</i>
	<i>Appendix ORD: 12.2.3B – Development Application and Plans</i>
	<i>Appendix ORD: 12.2.3C – EPA Notice of Decision to Assess Proposal</i>
	<i>Appendix ORD: 12.2.3D – Public Submissions</i>
	<i>Appendix ORD: 12.2.3E – Agency Comments</i>
	<i>Appendix ORD: 12.2.3F – Risk Assessment Tool</i>

DECLARATION OF INTEREST

Cr. J P Dow declared an Impartiality Interest in this item. Refer to the list of Declarations of Interest.

DECLARATION OF INTEREST

Cr. E P Lilly declared an Impartiality Interest in this item. Refer to the list of Declarations of Interest.

Note: Cr. J P Dow left the room [5.53pm].

Overview

This report requests Council's endorsement of the Responsible Authority Report prepared by Staff to the Regional Joint Development Assessment Panel (JDAP), which recommends the refusal of the application for development approval for landfill waste cells on Lot 2 Banksia Road, Crooked Brook.

The application proposes the construction of 3 new landfill waste cells with an ultimate finished top of waste height of 149m AHD and a further 2m for capping.

Background

An application for development approval has been made to the Regional Joint Development Assessment Panel (JDAP) for the construction of 3 new landfill waste cells on Lot 2 Banksia Road, Crooked Brook.

The site is located approximately 4km south east of the Dardanup townsite and abuts the Dardanup Conservation Park to the east and south. To the immediate north, the land contains the Shire of Dardanup waste transfer station, green waste facility and the Water Corporation's Dardanup Wastewater Treatment Plant.

Beyond the immediate site the landscape consists of predominantly rural farmland with the closest residence being some 500m from the subject site's boundary.

The site currently operates a waste landfill facility that was originally given approval from the (then) Minister for Planning in 1999 and is subject to a DWER licence issued under Part V of the *Environmental Protection Act 1986*. This licence allows for the disposal of 353,000 tonnes of liquid waste per annum and 350,000 tonnes of Class II or Class III putrescible waste.

Currently the site has approval to operate three landfill cells (6, 7 and 8). Associated infrastructure also includes stormwater and leachate ponds, tailings storage, a site office and weigh bridge. Gravel extraction also occurs in the in the north-west corner of the site.

Access is via Banksia Road which is sealed only from the northern boundary of the site heading north. Current development approval conditions restrict access to the site to be only from the northern sealed portion of Banksia Road and prohibits heavy vehicle access to the site from the unsealed southern section.

Council staff have prepared a responsible authority report (RAR) to be submitted to the JDAP. Please refer to [Appendix ORD: 12.2.3A] for a copy of the RAR.

Location PlanProposal

The outline of the proposal is as follows:

Region Scheme	'Rural' zoning
Local Planning Scheme	'General Farming' zoning
Structure Plan/Precinct Plan	Local Development Plan – Lot 2 Banksia Road, Crooked Brook
Use Class and Permissibility	Use not listed – 'Waste Disposal Facility'
Lot Size	121.66 hectares
Existing Land Use	Waste disposal facility (use not listed) and extractive industry
State Heritage Register	No
Local Heritage	No
Bushfire Prone Area	Yes

Please refer to [Appendix ORD: 12.2.3B] for a copy of the development application and associated plans. Further details of the proposal are also contained in the RAR.

The application also contains several specialist reports addressing the following matters:

- Stormwater;
- Dust;
- Landscape and Visual Assessment;
- Rehabilitation and Closure;
- Bushfire Management; and
- Acoustic Assessment.

All of these reports were publically advertised as part of the application and have been provided to Council electronically as part of the Agenda's circulation.

Legal Implications

The *Planning and Development (Development Assessment Panels) Regulations 2011* stipulate that the JDAP must determine mandatory applications rather than the relevant local government.

Strategic Community Plan

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

Environment

In April 2021 the proponent self-referred the application to the Environmental Protection Authority (EPA). Pursuant to s39A (1) of the *Environmental Protection Act 1986* the EPA has decided to assess the proposal. Please refer to [Appendix ORD: 12.2.3C] for a copy of the EPA's notice of decision to assess proposal.

Given the above the Shire staff sought an extension of time from the applicant to defer the application until such time as the EPA had concluded its assessment of the application. Unfortunately the applicant did not agree to this request. As a result this puts the Shire in a challenging position of having to make a recommendation to the JDAP on the application without knowing the outcomes of the EPA's assessment of the potential environmental impacts which include:

- Inland waters from stormwater runoff and leachate seepage into groundwater;
- Social surroundings from interference with amenity values;
- Generation of greenhouse gas emissions from flaring; and
- Air quality from dust and odour.

Key aspects of this application predominantly involve environmental matters which is evidenced by both the submissions received and the fact that the EPA is currently assessing the application.

As the decision-making authority, the JDAP cannot make a decision (under s41 of the *Environmental Protection Act 1986*) on this proposal which would cause or allow the proposal to be implemented, but may consider the proposal. In considering the proposal the JDAP may refuse the application as this would not cause or allow the proposal to be implemented.

Further details are provided in the RAR.

Precedents

Council have considered a number of applications related to the site including previous waste cells, stormwater management and the local development plan.

Consultation

Public Consultation

The application was advertised in accordance with the cl. 64(1)(a) of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Council Policy *SDev CP505 – Public Consultation – Planning Matters*.

In response to the advertising a total of 53 public submissions were received. All submissions objected to the application. Please refer to [Appendix ORD: 12.2.3D] for a copy of the submissions.

The key issues raised in the submissions are summarised below and further details are provided in the RAR.

- Increase in heavy vehicle traffic.
- Visual impact and negative effect on tourism branding of the area.
- Noise impacts.
- Dust and odour impacts.
- Litter.
- Groundwater contamination.
- Close proximity to the Dardanup Conservation Park.
- Current location is inappropriate and the facility should be moved.
- The application should be considered a noxious or hazardous industry land use and not a 'use not listed' under the Scheme.
- Hours of operation should be restricted to 7am to 5pm weekdays, 8am to noon on Saturday and closed Sunday and public holidays.

Consultation with Government/Service Agencies

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

- Department of Biodiversity, Conservation and Attractions
- Department of Mines, Industry Regulation and Safety
- Department of Planning, Lands and Heritage
- Department of Primary Industries and Regional Development
- Department of Water and Environmental Regulation
- Department of Fire and Emergency Services
- Main Roads WA
- Water Corporation

In response comments were received from all eight agencies. Please refer to [Appendix ORD: 12.2.3E] for a copy of the agency comments.

Further details are provided in the RAR.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

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

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	JDAP Development Application for Landfill Waste Cells – Lot 2 Banksia Road, Crooked Brook
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Environment Recommending approval in the absence of environmental matters being assessed by the EPA

Officer Comment

The following matters have been identified as key considerations for the determination of this application:

- Greater Bunbury Region Scheme
- Zoning and Land Use Class Permissibility
- Local Development Plan
- Environmental Protection Act 1986
- Environmental Impacts
- Visual Amenity
- Bushfire Management

Further details are provided in the RAR.

Conclusion

Without knowing the outcomes of the EPA’s assessment of potential significant environmental effects a precautionary principle approach has to be adopted. It would be contrary to the principles of orderly or proper planning to recommend approval of the application in the absence of these matters being assessed.

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 application is therefore recommended for refusal.

As the applicant has not agreed to an extension of time, in accordance with r.12 of the Planning and Development (Development Assessment Panels) Regulations 2011 the Shire has until noon, Monday the 15th of November 2021 to provide the RAR to the JDAP and therefore deferring the matter is not recommended.

Council Role - Advocacy.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION

THAT Council:

1. Notes the proponent's refusal to the request for an extension of time for the application.
2. Endorses the responsible authority report Staff recommendation that the Regional JDAP resolves to:
 - a) Accept that the DAP Application reference DAP/21/02063 is appropriate for consideration as a "Waste Disposal Facility" land use and compatible with the objectives of the zoning table in accordance with Clause 2.4.2 of the Shire of Dardanup Local Planning Scheme No. 3; and
 - b) Refuse DAP Application reference DAP/21/02063 and accompanying plans for the reasons detailed below:
 - i. As the decision-making authority, the JDAP is restricted from making a decision (under s41 of the Environmental Protection Act 1986) on this application which would cause or allow the proposal to be implemented, however may consider the proposal. Until the Environmental Protection Authority has concluded its assessment approval cannot be recommended and the application should be refused.
 - ii. The application is inconsistent with the aims and provisions of the Scheme and would significantly impact on the rural character and appearance of the land.
 - iii. It would be contrary to the principles of orderly and proper planning to approve the application in the absence of knowing the outcomes of the EPA's assessment of potential significant environmental effects.
 - iv. The application is not considered to be consistent or sensitive to the character and quality of the landscape and is therefore inconsistent with State Planning Policy 2.0 – Environment and Natural Resources Policy.
 - v. The development would be visually dominant and is not considered to be visually compatible with surrounding land uses and is therefore inconsistent with State Planning Policy – 2.5 Rural Planning.
 - vi. There are a number of matters outstanding with regard to groundwater that require full assessment in accordance with State Planning Policy 2.9 – Water Resources.
 - vii. The current bushfire management plan does not comply with State Planning Policy 3.7 – Planning in Bushfire Prone Areas.

- viii. The application proposes a significant departure from the Local Development Plan in terms of height that would result in development that would not be compatible with its setting or the character of the locality.
- ix. The waste cells will not be substantially landscaped for an extensive period of time and would therefore not be compatible with the desired future character of its setting and would have a detrimental impact on the amenity and character of the locality.
- x. The impacts of heavy vehicle traffic on the public road network has not been adequately addressed.

Discussion:

Cr. M T Bennett advised that he would move the above recommendation with an amendment to Part 2 (amendment highlighted purple).

2. *Endorses the responsible authority report Staff recommendation that the Regional JDAP resolves to:*
 - a) *Accept that the DAP Application reference DAP/21/02063 is appropriate for consideration as a "Waste Disposal Facility" land use and compatible with the objectives of the zoning table in accordance with Clause 2.4.2 of the Shire of Dardanup Local Planning Scheme No. 3; and*
 - b) *Refuse DAP Application reference DAP/21/02063 and accompanying plans for the reasons detailed below:*
 - i. *As the decision-making authority, the JDAP is restricted from making a decision (under s41 of the Environmental Protection Act 1986) on this application which would cause or allow the proposal to be implemented, however may consider the proposal. Until the Environmental Protection Authority has concluded its assessment ~~approval cannot be recommended~~ ~~and~~ the application should be refused.*

Cr. P S Robinson seconded.

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 ascertain that the application should be refused until the Environmental Protection Authority has concluded its assessment.*

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

320-21 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council:

- 1. Notes the proponent's refusal to the request for an extension of time for the application.**
- 2. Endorses the responsible authority report Staff recommendation that the Regional JDAP resolves to:**
 - a) Accept that the DAP Application reference DAP/21/02063 is appropriate for consideration as a "Waste Disposal Facility" land use and compatible with the objectives of the zoning table in accordance with Clause 2.4.2 of the Shire of Dardanup Local Planning Scheme No. 3; and**
 - b) Refuse DAP Application reference DAP/21/02063 and accompanying plans for the reasons detailed below:**
 - i. As the decision-making authority, the JDAP is restricted from making a decision (under s41 of the Environmental Protection Act 1986) on this application which would cause or allow the proposal to be implemented, however may consider the proposal. Until the Environmental Protection Authority has concluded its assessment the application should be refused.**
 - ii. The application is inconsistent with the aims and provisions of the Scheme and would significantly impact on the rural character and appearance of the land.**
 - iii. It would be contrary to the principles of orderly and proper planning to approve the application in the absence of knowing the outcomes of the EPA's assessment of potential significant environmental effects.**
 - iv. The application is not considered to be consistent or sensitive to the character and quality of the landscape and is therefore inconsistent with State Planning Policy 2.0 – Environment and Natural Resources Policy.**
 - v. The development would be visually dominant and is not considered to be visually compatible with surrounding land uses and is therefore inconsistent with State Planning Policy – 2.5 Rural Planning.**
 - vi. There are a number of matters outstanding with regard to groundwater that require full assessment in accordance with State Planning Policy 2.9 – Water Resources.**
 - vii. The current bushfire management plan does not comply with State Planning Policy 3.7 – Planning in Bushfire Prone Areas.**

12.2.7 Title: Reconsideration of Conditions - Approval for Sea Container – Bunbury and Districts Dog Club – Glen Huon Reserve

Reporting Department:	Sustainable Development Directorate
Reporting Officer:	Ms Lucy Owen-Conway - Manager Place & Community Engagement
Legislation:	Local Government Act 1995
Attachments:	Appendix ORD: 12.2.7A – Risk Assessment Appendix ORD: 12.2.7B – Plan for Proposed Placement of Sea Container

Overview

On the 29th of September 2021 Council approved the installation of a sea container by the Bunbury and Districts Dog Club (the Club) at Glen Huon Oval to facilitate their relocation to the Shire of Dardanup. The purpose of this report is for Council to consider the works required to allow for the sea container in the endorsed location, as well as alternative options for placement.

Background

Council at the Ordinary Council Meeting held on the 29th of September 2021, resolved (280-21):

“THAT Council approves the installation of a 20 or 40 foot painted sea container on the Glen Huon Oval with the Bunbury & Districts Dog Club for a 2 year period commencing October 2021, subject to:

- a) *The establishment of a written lease Agreement to occupy portion Glen Huon Oval Reserve.*
- b) *The sea container must not be used for any purposes other than the storage of Dog equipment & club equipment without the further written consent of Council.*
- c) *Sea container being brought onto the Glen Huon Oval Reserve, the external surfaces of the sea container must be painted to match the colour of the existing football change rooms. Thereafter the sea container is to be maintained in a good condition free of graffiti.*
- d) *Colours to be approved by Shire of Dardanup before being painted and to be fully completed within 2 months of being located on Glen Huon Oval Reserve.*
- e) *The Club implements measures to ensure that the sea container does not move unless written approval of the Shire of Dardanup.*
- f) *The approval is granted for a limited period only, namely the 1st October 2021 until the 30th September 2023.*
- g) *Within three (3) months of ceasing the use of the sea container, the following works must be undertaken to the satisfaction of the Shire of Dardanup:*
 - *the sea container and any fixtures to the land must be removed from Glen Huon Oval Reserve; and*
 - *the lawn must be reinstated to the satisfaction of the Shire of Dardanup.*

- h) *The Club is to provide the Shire with a copy of a valid public liability insurance policy to operate the activity, prior to commencement of the use and works. The policy shall indemnify both the Club and the Shire against any death or injury to a person or property arising from the works and use associated with the sea container for a minimum value of \$10 million.*
- i) *The Club shall not move equipment to and from the sea container during large events where an event permit has been issued by the Shire, or where the Shire is running an event on the Glen Huon Oval Reserve, unless the Club is involved in the event or through negotiation with event organisers they are permitted by the Shire of Dardanup to do so.*
- j) *Approves the location of the painted sea container in accordance with the plans contained in [Appendix ORD: 12.2.3A page 6].*
- k) *Vegetation is to be put in place to screen the container from residences in Cowan Gardens (between the trees) at the cost of the Bunbury Districts Dog Club.*
- l) *All current bookings have precedence i.e. Bunbury and Districts Dog Club may have to change some of their training days / times."*

Council Officers have since assessed the site endorsed and identified some limitations. Council is requested to consider the implications and financial impact, and reconsider the location. These matters are discussed further in the "Officer Comment" section of the report.

Legal Implications

Shire of Dardanup Local Government Property local Law 2007. Clause 1.4 (2)(b) enables Council to enter into an agreement with any person regarding the use of any local government property.

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

Strategic Community Plan

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

Strategy 3.3.1 -Promote and encourage volunteering within the Shire of Dardanup. (Service Priority: High)

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

Environment - None.

Precedents

At the Ordinary Council Meeting held on the 25th of August 2021, Council approved a sea container on the Eaton Foreshore by Coast Rowing WA Inc. for a 2 year period (258-21):

"THAT Council:

1. **Revokes Part 1 of Resolution [227-21] dated 28th of July 2021.*
2. *Approves the installation of a 40 foot Sea Container on the Eaton Foreshore by Coastal Rowing WA Inc. for a 2 year period commencing July 2021, subject to:*
 - a) *The establishment of a written Agreement to occupy Reserve 24359.*

- b) *The sea container must not be used for any purposes other than the storage of rowing boats and associated rowing club equipment without the further written consent of Council.*
- c) *Prior to the sea container being brought onto Lot 500 Pratt Road, the external surfaces of the sea container must be painted to match the colour of the existing ablution block to the east of the parking area. Thereafter the sea container is to be maintained in a good condition free of graffiti.*
- d) *No vegetation is permitted to be felled or removed without the written approval of the Shire of Dardanup.*
- e) *The Club implements measures to ensure that the sea container does not move from its location during floods.*
- f) *The approval is granted for a limited period only, namely the 28th of July 2021 until the 28th of July 2023.*
- g) *Within three (3) months of ceasing the use of the sea container, the following works must be undertaken to the satisfaction of the Shire of Dardanup:*
- *the sea container and any fixtures to the land must be removed from Lot 500; and*
 - *the lawn must be reinstated to the satisfaction of the Shire of Dardanup.*
- h) *The Club is to provide the Shire with a copy of a valid public liability insurance policy to operate the activity, prior to commencement of the use and works. The policy shall indemnify both the Club and the Shire against any death or injury to a person or property arising from the works and use associated with the sea container for a minimum value of \$10 million.*
- i) *The Club shall not move rowing boats and/or equipment to and from the sea container during large events where an event permit has been issued by the Shire, or where the Shire is running an event at the Eaton Foreshore, unless the Club is involved in the event or through negotiation with event organisers they are permitted by the Shire of Dardanup to do so.*
- j) *Approves the location of the sea container in accordance with the plans contained in [Appendix ORD: 12.2.9E].”*

Budget Implications

The costs to proceed with the Council adopted option as resolved (280-21) at the Ordinary Council Meeting held on the 29th of September 2021, are approximately \$19,500:

- Landscaping with mature trees, \$3,500;
- Earthworks, \$5,000;
- Services locator, \$1,000; and
- Reticulation relocation, \$10,000.

This does not include the costs incurred by the Club for the relocations costs, footings and tie-downs, and painting of their sea container. In addition, there would be unforeseen costs to move the sea container in the event of access being required for the underground services that run underneath it.

The Officers have considered an alternative option for the placement of the container and represents a reduction in the cost burden to Council and/or the Club as well as reducing the risk of having to move the container to access services. The approximate cost for Alternative Option A is \$1,000; and for Alternative Options B \$3,000.

Officers recommend that all costs associated with the relocation and placement of the sea container, including but not limited to landscaping, site works, painting, and tie-down requirements including engineering certification, are to be at the expense of the Bunbury Districts Dog Club.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

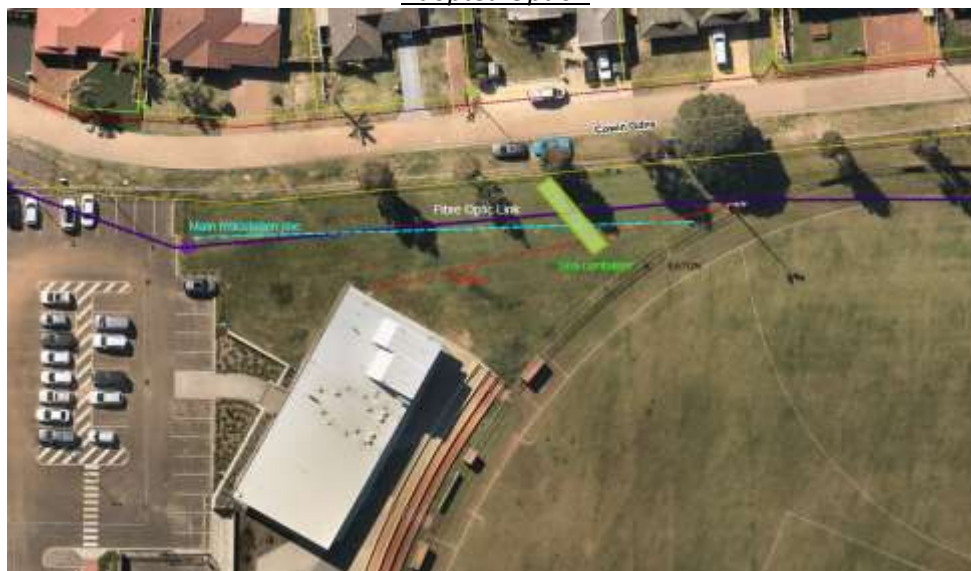
The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to [Appendix ORD: 12.2.7] for full assessment document.

TIER 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Reconsideration of Conditions - Approval for Sea Container – Bunbury and Districts Dog Club – Glen Huon Reserve
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Placement of sea container in alternative location that doesn't compromise services access.
Residual Risk Rating (after treatment or controls)	Low (1 - 4)
Risk Category Assessed Against	Financial Financial impact to Council should the sea container require relocation to access services.
	Service Interruption Inability to effectively access underground services in the event of maintenance or repair.
	Legal and Compliance Failure to comply with the Dog Act 1976 will result in prosecution.
	Reputational Sea container location may be received negatively by the community, particularly Cowin Gardens residents.

Officer Comment

Officers have assessed the adopted location and identified the works required to make this site suitable for a 40 foot sea container. Per the information contained below this would result in a significant cost to Council and/or the Club due to the requirement for earthworks and the main reticulation, power, and critical fibre link running directly underneath requiring relocation or provision to move the container for maintenance and upgrades to these services as required. Two alternative locations have therefore also been assessed and Officers recommend that Alternative Option B is the preferred option. The alternative locations were considered to meet the selection criteria based on access to oval and surrounding training spaces, minimised visual impact, minimised interference with existing infrastructure such as power and reticulation, and minimised impact for existing users.

Adopted Option



Consideration	Officer Comment
Site	The site is not level and will require retaining and fill to make it suitably level for the placement of a sea container at an estimated cost of \$5,000. This site is low-lying and can get very wet during winter.
Reticulation	The main bore reticulation line runs directly under the proposed placement of the sea container. Therefore, this will need to be relocated at an estimated cost of \$10,000. Should the reticulation line not be relocated there could be issues with accessing the line for required maintenance requiring the sea container and retaining to be removed. The area is reticulated by scheme water, however due to the proximity to the bore water that reticulates the oval it will become bore stained reasonably quickly due to bore drift. This is seen on the fencing and dugouts.
Underground Services	The location is directly over the power line running from the club house to lighting tower 1. The upgrade of the sports oval lighting to Glen Huon Reserve is due for upgrade in 2022/23 (subject to obtaining funding) and therefore the sea container may need to be moved during this time to allow access to the power. The Fibre Optic Link also runs directly under this location. This is a critical link for the Eaton Recreation Centre, Depot, Dardanup Shire Office, Library, and public WI-FI that all run across this link. Care must be taken when installing and completing earthworks, and there may be the requirement to move the container in the event of access being required to the services. Services locators will be required prior to any earthworks at an approximate cost of \$1,000.
Landscaping	The landscaping is extensive due to the proximity to the houses on Cowin Gardens. It will need to be screened on all three sides or for a large portion of the fence line with mature trees. Approximate cost is \$3,500. The trees will need to be hand watered for their first summer as the Shire is prevented from watering with scheme water during the hours of 9am to 6pm. Therefore there will be a daily impact on staff resourcing.
Community and Club	The position of the sea container close to the oval fence per the resolution will impact the spectator use of the area. Officers suggest a 6m set-back from the Oval fence in-line with the setback of the clubrooms to allow spectators to view the football in front of the container as well as providing vehicle access. The residents on Cowin Gardens will be impacted by this placement as it will be obstructive of their views over the football oval. Consultation has not been undertaken with affected residents. Parking is limited to the Eaton Boomers and Shire of Dardanup Offices carparks. Parking should be discouraged on Cowin Gardens due to the impact on residents.

Alternative Option A



Consideration	Officer Comment
Site	The site is level and will not require site works to be undertaken. There is an existing sea container onsite and adjacent to the proposed location at the ERC.
Reticulation	This area was previously reticulated however this is no longer in operation. Minor works for the reticulation may be required to cap what is there, the cost and Officer time is negligible.
Underground Services	Officers do not believe there is underground power lines in this area however services locator will be required prior to any excavation required for the footings, at an approximate cost of \$1,000.
Landscaping	No landscaping will be required. If the sea container is painted in a colour to match the existing wall or sea container there will be little visual impact. ERC have advised that the location of the sea container adjacent to the existing one is preferable to reduce any visual impact on their customers.
Community and Club	<p>The position of the sea container is the least impactful for the general community and existing club use. The Club have identified that they would like to be as close as possible to the perimeter fence of the football oval and this location is the furthest distance of those considered. However, the site is out of the way of the existing club facilities and spectator areas and is in close proximity to the large public open space outside of the oval boundary that the Club will be required to use for training when the oval is utilised by the Eaton Boomers. It is a secure site within the Eaton Recreation Centre grounds and a key could be provided for their use on condition that the gate be locked upon completion of their activities to mitigate security concerns. It allows easier access to parking via the carpark in front of Eaton Recreation Centre as well as the Library carpark for overflow after school hours and on weekends.</p> <p>The agreement of the sea container being in this location would need to be conditional on the location being reviewed in future in line with facility upgrades of the Eaton Recreation Centre as per the master plan. This will not be an issue in the two-year period suggested.</p>

Alternative Option B



Consideration	Officer Comment
Site	The site is reasonably level and would not require extensive site works to be undertaken. It may require adjusted footings for the sea container to sit level.
Reticulation	Minor works for the reticulation are required to cap several existing sprinklers. The cost and time required to do so is negligible.
Underground Services	Locator services will be required to ensure the sea container is not placed over the power lines from the club house to lighting tower 1, at an approximate cost of \$1,000. This may result in the container being further forward than indicated on the site plan to allow clearance. This could impact pedestrian movement from the club rooms to that area.
Landscaping	The landscaping requirement is less extensive than the adopted options as it will only require one side to be screened with mature trees. Approximate cost is \$2,000. There may be some minor landscaping required between the club house paving and the sea container. The trees will need to be hand watered for their first summer as the Shire is prevented from watering with scheme water during the hours of 9am to 6pm. Therefore there will a daily impact to resourcing.
Community and Club	The position of the sea container is less impactful on the residents in Cowin Gardens, particularly once painted to match the existing change room building. The Club have indicated that they would prefer this location to Alternative Option A. However, it is important that it does not impede foot traffic from spectators and football teams. Parking is limited to the Eaton Boomers and Shire of Dardanup Offices carparks. Parking should be discouraged on Cowin Gardens due to the impact on residents.

Other Considerations:

Planning Officers have advised that Glen Huon is a reserve for recreation vested with the Shire, and the dog club use is consistent with that vesting. Whilst Council has approved the placement of the sea container for the purposes of storage from a landowners perspective the sea container is considered a development and will require a development application to be lodged. This is consistent with the Coastal Rowing WA sea container at the Eaton Foreshore which required the submission of a development application. It is therefore recommended that once a final location is decided upon the Bunbury and Districts Dog Club be required to submit a development application which will be advertised for public comment prior to determining the application. Please note building approval is not required, however the Club should submit to the Shire engineered-certified drawings for the concrete footings and tie-down solution.

Officers also recommend that a permit be entered into as part of a formal User Agreement, as per what was entered into with Coastal Rowing WA. This is a less onerous and less formal process for both the Club and Shire Officers. Use of the change rooms and Eaton Sports Club Pavilion will be required to be negotiated separately as a user agreement.

Summary:

Officers recommend that Council amends the location of the sea container to Alternative Option B as detailed above and [Appendix ORD: 12.2.7B]. This will result in the least amount of impact to the existing users, residents, services, as well as costs incurred by Council and/or the club to make the location suitable. Officers also recommend that Council approve a two-year permit and that a development application be required which is to be advertised to surrounding landowners.

To allow for the proposed Officer recommended changes, Council will be required to revoke Resolution (280-21) from the Ordinary Council meeting dated 29th of September 2021.

PROCESS - REVOCATION OF RESOLUTION
<p>In accordance with Shire of Dardanup Standing Orders Local Law 2014 and S10 of Local Government (Administration) Regulations 1996 a Notice to Revoke Resolution (280-21) of the 29th of September 2021 Ordinary Council Meeting was signed by Cr. M T Bennett, Cr. T G Gardiner and Cr. P S Robinson</p> <p>The signed notice was accepted by the Chief Executive Officer, Mr André Schönfeldt prior to the meeting.</p>

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Note: Cr. P S Robinson returned to the room [6.11pm].

OFFICER RECOMMENDED RESOLUTION 'A' & COUNCIL RESOLUTION

322-21 MOVED - Cr. M T Bennett SECONDED - Cr. T G Gardiner

THAT Council revokes Resolution (280-21) from the Ordinary Council meeting dated 29th of September 2021.

CARRIED
5/4

AND

OFFICER RECOMMENDED RESOLUTION 'B'

THAT Council:

1. Approves the installation of a 40 foot painted sea container on the Glen Huon Oval by the Bunbury & Districts Dog Club for a 2 year period commencing November 2021, subject to:

- a) The establishment of a written Agreement to occupy portion Glen Huon Oval Reserve.
- b) Approves the location of the sea container in accordance with the Plan as shown in [Appendix ORD: 12.2.7B].
- c) The sea container must not be used for any purposes other than the storage of Bunbury and Districts Dog Club equipment without the further written consent of Council.
- d) Prior to sea container being brought onto the Glen Huon Oval Reserve, the external surfaces of the sea container must be painted to match the colour of the existing Eaton Sports Club Change room facility. Colours to be approved by Shire of Dardanup before being painted. Thereafter the sea container is to be maintained in a good condition free of graffiti.
- e) Vegetation is to be put in place to screen the container from residences in Cowin Gardens.
- f) The sea container is to be fixed to the land to an engineering certification is to be submitted to the Shire of Dardanup prior to installation.
- g) The approval is granted for a limited period only, namely the 1st November 2021 until the 31st October 2023.
- h) Within three (3) months of ceasing the use of the sea container, the following works must be undertaken to the satisfaction of the Shire of Dardanup:
 - the sea container and any fixtures to the land must be removed from Glen Huon Oval Reserve; and
 - the lawn must be reinstated to the satisfaction of the Shire of Dardanup.
- i) The Club is to provide the Shire with a copy of a valid public liability insurance policy to operate the activity, prior to commencement of the use and works. The policy shall indemnify both the Club and the Shire against any death or injury to a person or property arising from the works and use associated with the sea container for a minimum value of \$10 million.
- j) The Club shall not move equipment to and from the sea container during large events where an event permit has been issued by the Shire, or where the Shire is running an event on the Glen Huon Oval Reserve, unless the Club is involved in the event or through negotiation with event organisers they are permitted by the Shire of Dardanup to do so.
- k) All current bookings have precedence i.e. Bunbury and Districts Dog Club may have to change some of their training days / times.
- l) All costs associated with the relocation and placement of the sea container, including any landscaping and site works required, are to be at the expense of the Bunbury and Districts Dog Club.

2. Requires the Bunbury and Districts Dog Club to submit a development application for the proposed sea container.

Discussion:

Cr. J P Dow advised that she would like to move the following alternate resolution:

THAT Council:

1. Approves the installation of a 40 foot painted sea container on the Glen Huon Oval by the Bunbury & Districts Dog Club for a 2 year period commencing November 2021, subject to the establishment of a written Agreement to occupy a portion of the Glen Huon Oval Reserve.
 - a) Approves the location of the sea container in accordance with the Plan as shown on page 35 of the Agenda.
 - b) The sea container must not be used for any purposes other than the storage of Bunbury and Districts Dog Club equipment without the further written consent of Council.
 - c) Prior to sea container being brought onto the Glen Huon Oval Reserve, the external surfaces of the sea container must be painted to match the colour of the existing Eaton Sports Club Change room facility. Colours to be approved by Shire of Dardanup before being painted. Thereafter the sea container is to be maintained in a good condition free of graffiti.
 - d) The approval is granted for a limited period only, namely the 1st November 2021 until the 31st October 2023.
 - e) Within three (3) months of ceasing the use of the sea container, the following works must be undertaken to the satisfaction of the Shire of Dardanup:
 - the sea container and any fixtures to the land must be removed from Glen Huon Oval Reserve; and
 - the lawn must be reinstated to the satisfaction of the Shire of Dardanup.
 - f) The Club is to provide the Shire with a copy of a valid public liability insurance policy to operate the activity, prior to commencement of the use and works. The policy shall indemnify both the Club and the Shire against any death or injury to a person or property arising from the works and use associated with the sea container for a minimum value of \$10 million.
 - g) The Club shall not move equipment to and from the sea container during large events where an event permit has been issued by the Shire, or where the Shire is running an event on the Glen Huon Oval Reserve, unless the Club is involved in the event or through negotiation with event organisers they are permitted by the Shire of Dardanup to do so.

- h) All current bookings have precedence i.e. Bunbury and Districts Dog Club may have to change some of their training days / times.
 - i) Container to be secured safely
2. Requires the Bunbury and Districts Dog Club to submit a development application for the proposed sea container.

Cr. M R Hutchinson seconded the motion.

SUSPENSION OF STANDING ORDERS

COUNCIL RESOLUTION

323-21 MOVED - Cr. S L Gillespie SECONDED - Cr. P R Perks

THAT Council suspend standing orders in order to hear from the President of the Bunbury and Districts Dog Club, Mr Wally Cook [6.12pm].

CARRIED
8/1

COUNCIL RESOLUTION

324-21 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council resumes standing orders [6.51pm].

CARRIED
9/0

RESUMPTION OF STANDING ORDERS

Note: Cr. S L Gillespie advised that she would like to move an amendment motion to include an additional point (j) to Part 1 of Cr. J P Dow's Elected Member Motion.

Cr. E P Lilly seconded.

AMENDMENT RESOLUTION & COUNCIL RESOLUTION

325-21 MOVED - Cr. S L Gillespie SECONDED - Cr. P R Perks

THAT Council add a further condition to the Elected Member Motion that reads:

"All costs associated with the relocation and placement of the sea container, including Building and Contents Insurance, landscaping and any site works required, are to be at the expense of the Bunbury and Districts Dog Club."

CARRIED
9/0

- f) The Club is to provide the Shire with a copy of a valid public liability insurance policy to operate the activity, prior to commencement of the use and works. The policy shall indemnify both the Club and the Shire against any death or injury to a person or property arising from the works and use associated with the sea container for a minimum value of \$10 million.**
 - g) The Club shall not move equipment to and from the sea container during large events where an event permit has been issued by the Shire, or where the Shire is running an event on the Glen Huon Oval Reserve, unless the Club is involved in the event or through negotiation with event organisers they are permitted by the Shire of Dardanup to do so.**
 - h) All current bookings have precedence i.e. Bunbury and Districts Dog Club may have to change some of their training days / times.**
 - i) Container to be secured safely**
 - j) All costs associated with the relocation and placement of the sea container, including Building and Contents Insurance, landscaping and any site works required, are to be at the expense of the Bunbury and Districts Dog Club.**
- 2. Requires the Bunbury and Districts Dog Club to submit a development application for the proposed sea container.**

CARRIED
5/4

12.3.3 Title: Glenhuon Boulevard - Street Trees Replacement

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

Overview

There are 22 London Plane Trees (*Platanus acerfolia*) located along Glenhuon Boulevard between Clydesdale Drive and Gromark Gate. London Plane Trees are large, deciduous trees that grow a large maple shaped leaf. They also generate large seed pods which fluff up as they degenerate.

The deciduous nature of Plane Trees, and the subsequent volume of leaf litter and seed pods from the more mature trees, has generated numerous customer requests for leaf litter removal, compensation for the work required to clean gutters, complaints of seed pod fluff spoiling outdoor living areas and the total removal of these trees.

Most customer concerns arise from residences immediately abutting Glenhuon Boulevard along Mustang Loop, Dare Cove and Charolais Mews. These properties have back yards which are exposed to the seasonal leaf and pod litter from the nearby Plane Trees.

Conversely, there have been some requests to preserve these trees, including a request to plant infill trees along the Gromark Park road edge.

There are several other Plane Trees in the area, that are not part of this report, including:

- Two Plane Trees at Peninsula Lakes Park, which form a 'gateway' effect on the access path;
- A single mature Plane Tree as a landscape feature in the Glenhuon Boulevard / Lusitano Avenue roundabout; and
- Four Plane trees along Glenhuon Boulevard at Gromark Park.

This report seeks to strike a balance between preservation of the above listed street scape trees and appropriately responding to Council resolution (104-17) and the ongoing nuisance aspects of these trees impacting on residents.

Background

This issue has been deliberated for several years. There are complaints from affected residents that date back to 2017.

During that time, a number of Plane Trees have died, and have been replaced with similar species, which have themselves been subject to damage, possibly vandalism.

Each autumn, as the trees shed their leaf litter and seed pods, the Shire receives a variety of phone calls or emails requesting the verge to be cleaned, support for affected land owners to clean their yards or for the trees to be removed.

On the 12th of April 2017 the Eaton Townscape Committee considered the matter and decided (ETC 10-17):

“That the Eaton Townscape Committee recommends to Council that the Plane trees along Glen Huon Drive are not replaced with Plane trees and are instead replaced with a suitable native species nominated by the Shires Parks and Environment Supervisor taking into consideration the constraints of the location.”

This position was consolidated by Council at its Ordinary Council Meeting held on the 26th of April 2017 when it adopted the Minutes of the Eaton Townscape Committee, and decided (104-17):

“THAT Council advise the Chief Executive Officer that the Plane trees along Glen Huon Drive are not replaced with Plane trees and are instead replaced with a suitable native species nominated by the Shire’s Parks & Environment Supervisor taking into consideration the constraints of the location.”

Council adopted the Tree Management Policy in May 2020 (123-20), which was reviewed and adopted again in September 2020 (270-20).

Legal Implications - None.

Strategic Community Plan

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

Strategy 2.5.1 Develop, review and implement Townscape Plans. (Service Priority: 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

This report recognises the environmental value of street trees and recommends the replacement, over time, of non-native species with endemic species.

Precedents - None.

Budget Implications

It is recommended that 22 London Plane Trees along Glenhuon Boulevard (Clydesdale Drive to Gromark Gate) be replaced over a three year period, commencing in 2022/23.

Cost estimates have been obtained to remove 6 mature London Plane Trees (December 2020), which totalled \$5,490. This price includes stump grinding, but given it is nearly 12 months old, the quote will need to be renewed.

The replacement Peppermint Trees (*Agonis flexuosa*) will cost in the order of \$300 per plant. This price reflects the procurement of more mature trees (200L tubs). It should be noted that there are 14 spatial gaps between the existing Plane trees, and the cost estimate reflects infilling of these spaces.

The following table provides a cost estimate for the proposed works:

Year	Remove Plane Trees (22)	Purchase Peppermint Trees (36)	Labour, Plant & OH	Total
2022/23	\$6,000 (7 mature trees)	\$3,600 (12 trees)	\$3,200	\$12,800
2023/24	\$5,500 (6 mature trees)	\$3,600 (12 trees)	\$3,200	\$12,300
2024/25	\$4,500 (one mature tree, 9 small trees)	\$3,600 (12 trees)	\$3,600	\$11,700
Totals	\$15,500	\$9,300	\$8,600	\$36,800

This cost estimate does not include provision for any ground cover, or utility services.

Budget – Whole of Life Cost

The new trees will need to be pruned and maintained to ensure they grow to a good shape and healthy formation, and do not obstruct the footpath or the adjoining fence line.

Annual pruning of this section of trees can be done in two days. These costs can be absorbed in the annual maintenance budget.

Periodically, larger trees will need to be more heavily pruned, but this may take many years to be realised. More probable, is the risk of some trees being damaged and needing to be replaced. This can occur through motor vehicle crashes or deliberate vandalism.

Council Policy Compliance

The following Council policies apply:

- Infr CP057 – *Residential Road verge;*
- Infr CP058 – *Roadside vegetation;*
- Infr CP066 – *Shire of Dardanup Guidelines for Subdivisional Development;*
- Infr CP074 – *Asset Management;*
- Infr CP117 – *Maintenance of Verges by the Shire;*
- Infr CP120 – *Environment; and*
- Infr CP121 – *Tree management Policy.*

Under CP121 – *Tree Management Policy*, the Shire accepts ownership and responsibility for the care, control and management of all trees on property owned and/or managed by the Shire, including road reserves. The policy specifically details the circumstances under which a tree may be removed, including:

- *An endemic tree, alive or dead, that is covered by an exemption to clearing permits, under part V of the Environmental Protection Act of 1986, or is subject to a clearing permit obtained from the Department of Environmental Regulation;*
- *A tree that is either:*
 - *Dead;*
 - *In a state of decline to the point that survival is unlikely;*
 - *Structurally unsound, to the point of constituting;*
 - *Damaging or likely to damage property, where alternatives to prevent damage are not possible;*
 - *Part of a tree replacement program;*

- *Obstructing a Council approved works program, such as road and drainage work;*
- *Places the public at unacceptable risk; or*
- *A landscape or planted verge tree that is not on the Shire’s approved species list.*

The policy also stipulates that trees will NOT be removed for the following reasons, unless under extenuating circumstances:

- *Leaf debris and any arboreal windborne material;*
- *Leaves, nuts, fruiting bodies, bark, roots;*
- *Shading of solar panels;*
- *Aesthetics and views; or*
- *Fauna, including insects, birds and mammals.*

Given the nature of the customer requests cannot be easily resolved through policy, this matter now needs to be considered by Council for resolution.

Risk Assessment

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

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Reputational - Community Objection to Council Decision
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Council Decision to adopt a three year tree replacement program for Glenhuon Boulevard.
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)
Risk Category Assessed Against	Financial Unbudgeted expenditure without a program.
	Service Interruption Ongoing customer requests in the absence of a decision.
	Reputational Ongoing complaints if nothing is done.
	Environment Positive replacement of non-native trees with endemic trees.

Officer Comment

This issue has been on the public agenda since at least 2017 and needs to be resolved.

The Council has previously decided in 2017 to not replace the dead Plane Trees on Glenhuon Boulevard with the same species and to replace them with a with a suitable native species instead (Council resolution 104-17). This decision was made at that time in response to several trees dying (suspected of being poisoned), and concern of adjacent landowners with the leaf and seed pod litter that these trees spill onto the road reserve and private property.

Since that time there have been ongoing complaints and requests for the trees to be removed or for the litter in private property to be removed by Council. There has also been some requests for the Plane Trees to be retained, prompting recent planting of three new trees at Gromark Park.

The Council decision raised some concern as the decision speaks to the replacement of dead trees, but is silent on what to do with the remaining mature and healthy trees. The ongoing complaints and customer request are unlikely to cease for as long as the litter affects adjoining property.

It is therefore timely to formally make a decision on the remaining healthy and mature trees between Clydesdale Drive and Gromark Gate.

There are seven Plane Trees north of Gromark Gate, which are in open spaces, away from private property (two in Peninsula Lakes Park, one in the Lusitano Avenue roundabout and four in the Gromark Park). These are not the subject to this report and can be retained.

There are 22 London Plane Trees located along Glenhuon Boulevard between Clydesdale Drive and Gromark Gate. Of these, 12 have a large diameter trunk and are considered mature.

The following table provides a description of the Glenhuon Boulevard Plane tree streetscape, between Clydesdale Drive and Gromark Gate:

Item	SLK	Description	Comment
1	0.28	Clydesdale Drive	Roundabout with palm tree
2	0.33	Rear facing Properties start	Start of streetscape verge
3	0.34	Small Jacaranda tree	Not subject to this report
4	0.35	Walkway to Mustang Loop	
5	0.35 – 0.39	Vacant verge	Space for 4 x infill trees
6	0.39 – 0.43	5 x mature Plane trees	Remove in year 2
7	0.43 – 0.47	Vacant verge	Space for 4 x infill trees
8	0.47 – 0.54	7 x immature Plane trees	Remove in year 3
9	0.54 – 0.61	7 x mature Plane trees 1 x immature Plane tree	Remove in year 1
10	0.62	Walkway to Charolais Mews	Opposite Cheviot Way
11	0.63	1 x immature Plane tree	Remove in year 3
12	0.64 – 0.65	Vacant verge	Space for 2 x infill trees
13	0.66	1 x mature Plant tree	Most substantial tree in the street, adjacent to utility infrastructure service area Remove in year 3
14	0.67 – 0.70	Vacant verge	Space for 4 x infill trees
15	0.72	Gromark Gate	End of streetscape verge, 4 x Plane trees at Gromark Park

Given the ongoing nature of customer complaints and requests, it is recommended that all Plane Trees between Clydesdale Drive and Gromark Gate be replaced with mature Peppermint trees, over a three year program.

Council Role - Advocacy.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION 'A'

THAT Council:

1. Replaces the London Plane Trees between Clydesdale Drive and Gromark Gate with mature Peppermint Trees (*Agonis flexuosa*), over a three year program, commencing in 2022/23; and
2. Requests the Chief Executive Officer to make provision in the Long Term Financial Plan for this project.

OR

OFFICER RECOMMENDED RESOLUTION 'B'

That Council retains the London Plane Trees as its preferred street tree for Glenhuon Boulevard (Clydesdale Drive to Gromark Gate).

Note: Cr M T Bennett advised that he would like to move a motion to defer this item to the 15th of December 2021 Ordinary Council Meeting to allow Shire Officers time to consult with the public before making a decision regarding the London Plane Trees on Glenhuon Boulevard (Clydesdale Drive to Gromark Park).

Cr. P R Perks seconded.

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 defer making a decision regarding the replacement of the London Plane Trees along Glenhuon Boulevard (Clydesdale Drive to Gromark Park) until the 15th of December 2021 Ordinary Council Meeting.*
- *To consult with the public before making a decision regarding the replacement of the London Plane Trees along Glenhuon Boulevard (Clydesdale Drive to Gromark Park).*

PROCEDURAL MOTION & COUNCIL RESOLUTION

327-21 MOVED - Cr. M T Bennett SECONDED - Cr. P R Perks

THAT Council defer this item to the 15th of December 2021 Ordinary Council Meeting to allow time to consult with the public before making a decision on the replacement of the London Plane Trees along Glenhuon Boulevard (Clydesdale Drive to Gromark Park).

CARRIED
9/0

Note: Cr. S L Gillespie left the room and returned to the room[6.42pm].

12.3.4 Title: FOGO Waste Collection – Modified Fee Structure

<i>Reporting Department:</i>	<i>Infrastructure Directorate</i>
<i>Reporting Officer:</i>	<i>Mr Jason Gick - Manager Operations</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD 12.3.4 – Risk Assessment</i>

Overview

Collection of the Food Organics / Garden Organics (FOGO) waste stream commenced on the 4th of October 2021. The roll out has been largely successful, however there are some customers that are seeking alternative general waste collection arrangements.

In the lead up to the FOGO roll out, the Shire prepared for customer enquiries, requests and complaints, anticipating that the change to FOGO would affect some households. The Shire has documented 78 customers who have sought a modified service arrangements.

The service arrangements for FOGO affected households have changed in the following way:

Waste Stream	Two Bin System		Three Bin System		Change
	Week 1	Week 2	Week 1	Week 2	
General waste	240L	240L	140L	-	-340L
Recycling	-	240L	-	240L	Nil
FOGO	-	-	240L	240L	480L
Weekly Total	240L	480L	360L	480L	
Fortnightly Total	720L		840L		140L

Each eligible household has received an increased waste stream capacity of 140L, which is reflected in a moderate increase of \$4.00 in the compulsory domestic three bin annual fee from \$225.70 (2020/21) to \$229.70 (2021/22).

Through the FOGO roll out, a number of customers have contacted the Shire seeking additional services, more frequent services, options to opt out of the FOGO system and general assistance with the transition from a two bin system to a three bin system.

The Shire has maintained a register of interested customers with legitimate queries and issues and has been actively engaging with them within resource capacity. Some customers have expressed frustration and anger at the impact the FOGO rollout has had on their households and have sought options to address their household waste generation. Although the Shire has received and handled many calls from angry and sometimes abusive customers, they were not registered for action if they did not provide a legitimate request for information or action. This process was necessary to filter non actionable requests.

At the time of writing this report the Shire had recorded 78 customer enquiries and requests. The themes of these customer requests are broadly captured as:

- Request to opt out of the FOGO system;
- Request for additional general waste capacity;
- Request to retain weekly general waste frequency;
- Request for additional FOGO waste capacity;
- Special hardship circumstances, including domestic medical waste disposal;
- Operational enquiries on collection dates and times; and
- Clarification of waste material streams and other waste education.

The Councils adopted 2021/22 Schedule of Fees and Charges makes provision for two compulsory waste services (three bin system and two bin system) and three additional option waste services, as follows:

- Additional Full 3 Bin Service \$208.90 (All service frequencies stay the same);
- Additional Service – general waste \$130.55 (additional 140L bin, fortnightly); and
- Additional Service – recycling \$ 78.35 (additional 240L bin, fortnightly).

The additional general waste service (extra 140L bin collected fortnightly) can address a number of customer requests, should they wish to pay for this service option.

Additionally, the Shire has introduced an Administrative Policy ADO - *Waste Services Special Considerations*, which makes provision for a 240L general waste bin (in addition to the already distributed 140L bin) for:

1. Households that generate substantial and ongoing medical waste; and
2. Large family households that demonstrate financial hardship.

The Chief Executive Officer has approved 12 applications for special dispensation, under this administrative policy.

This report seeks Council approval to introduce the following additional service fees:

- Additional Service – general waste: 240L bin (replacing the existing 140L bin) picked up fortnightly;
- Additional Service – FOGO waste: Additional 240L bin.

Background

24th of June 2020 (Council Decision 171-20)

THAT Council:

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

12th of November 2020 (Council Decision 308-20)

THAT Council:

1. *Accepts the offer from the Waste Authority for Better Bins Plus funding to be received in the 2020-2021 and 2021-2022 financial years.*
2. *Authorises the Chief Executive Officer to sign the funding agreement (Contract DWERTV6131) between the State and the Shire of Dardanup.*
3. *Approves unbudgeted income of \$59,051 to be received in the 2020-2021 Budget under the agreement.*
4. *Endorses the following processes to be undertaken by the Chief Executive Officer in order to fulfil the requirements of Point 4 of Resolution 171-20:*
 - a) *A workshop with Councillors is undertaken to consider the updated Waste Management Plan following closure and assessment of tenders;*
 - b) *Community consultation is undertaken on the draft Waste Management Plan and the possibility of introducing a FOGO service and;*
 - c) *A report is brought back to the April 2021 Ordinary Meeting of Council to consider the outcomes of the community consultation and to award the contract(s).*

20th of November 2020

Better Bins Plus: Go FOGO funding agreement is signed.

31st of March 2021 (Council Decision 95-21)

THAT Council:

1. *Endorses the amended Waste Management Plan as presented (Confidential Appendix ORD: 16.1B).*
2. *Resolves to award a new waste service contract that includes the rollout of a FOGO service via a three-bin service.*
3. *Instructs the Chief Executive Officer to make arrangements through the new waste contract for the introduction of a FOGO service that will aim to commence in the week commencing 4th of October 2021.*
4. *Raise a loan in the 2021/22 Budget to partly fund the purchase and delivery of bins and associated materials for the roll-out of the FOGO service.*
5. *Draw down \$55,000 from the Refuse and Recycling Bin Replacement Reserve to partly fund the purchase and delivery of bins and associated materials for the roll-out of the FOGO service.*

10th of June 2021

Better Bins Plus: Go FOGO funding agreement deadline extension of time to 30th of June 2022.

1st of July 2021

Contract CON-F0198267 (Suez Recycling and Recovery) kerbside collection and FOGO rollout commences, including adjustment to new collection days.

28th of July 2021 (Council Decision 234-21)

That Council:

1. *Endorses the establishment of a contract between the Bunbury Harvey regional Council (BHRC) for the provision of Organics Processing Services for a seven year contract term starting on the 4th of October 2021; and*
2. *Authorises the Chief Executive Officer to finalise contract negotiations and execute the contract on behalf of Council.*

31st of August 2021

Contract CON-F0223420 (Bunbury Harvey Regional Council) organics processing signed.

20th of September 2021

FOGO bin rollout commences.

4th of October 2021

FOGO collection commences.

Legal Implications

The Better Bins Plus: Go FOGO Kerbside Collection Program is a scheme funded from the Western Australian State Government's Waste Avoidance and Resource Recovery Account, which under section 80(1)(a) of the Waste Avoidance and Resources Recovery Act 2007 (WA) may be used to fund program relating to the management, reduction, reuse, recycling, monitoring or measurement of waste.

The Better Bins Plus program does make provision for grant funding variations for non-standard services, which are subsequently removed from funding calculations.

Setting of Fees and Charges is regulated under section 6.16-6.19 of the Local Government Act (1995).

6.16. *Imposition of fees and charges*

- (1) *A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

** Absolute majority required.*

- (2) *A fee or charge may be imposed for the following —*
 - (a) *providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
 - (b) *supplying a service or carrying out work at the request of a person;*
 - (c) *subject to section 5.94, providing information from local government records;*
 - (d) *receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
 - (e) *supplying goods;*
 - (f) *such other service as may be prescribed.*

- (3) *Fees and charges are to be imposed when adopting the annual budget but may be —*
- (a) *imposed* during a financial year; and*
 - (b) *amended* from time to time during a financial year.*

** Absolute majority required.*

6.17. *Setting level of fees and charges*

- (1) *In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —*
- (a) *the cost to the local government of providing the service or goods; and*
 - (b) *the importance of the service or goods to the community; and*
 - (c) *the price at which the service or goods could be provided by an alternative provider.*
- (2) *A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.*
- (3) *The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —*
- (a) *under section 5.96; or*
 - (b) *under section 6.16(2)(d); or*
 - (c) *prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.*
- (4) *Regulations may —*
- (a) *prohibit the imposition of a fee or charge in prescribed circumstances; or*
 - (b) *limit the amount of a fee or charge in prescribed circumstances.*

6.18. *Effect of other written laws*

- (1) *If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not —*
- (a) *determine an amount that is inconsistent with the amount determined under the other written law; or*
 - (b) *charge a fee or charge in addition to the amount determined by or under the other written law.*
- (2) *A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.*

6.19. *Local government to give notice of fees and charges*

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) *its intention to do so; and*
- (b) *the date from which it is proposed the fees or charges will be imposed.*

Subdivision 3 — Borrowings

Strategic Community Plan

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

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

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

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

Environment

The three bin FOGO system was introduced to reduce the amount of waste going to landfill, which is consistent with the Western Australian Waste Avoidance and resource recovery Strategy 2030.

Precedents

Council has considered the introduction of new or modifications to existing fees previously.

Budget Implications

The overall impact on the budget is designed to be zero (or negligible at worst), based on a fee for service arrangement.

The additional fees have been calculated based on the following input parameters:

- Supply of additional bin;
- Distribution of bin to property & collection from property;
- Addition weekly bin collection (as per Contract CON-F0198267);
- Disposal of general waste (as per Contract CON-F0211469);
- Processing of FOGO waste (as per Contract CON-F0223420);
- Administrative cost recovery; and
- Offset the loss of Better Bins funding.

The specific details of these contracts are commercially confidential. The workings of the proposed fee structure is presented to Councillors [Confidential Under Separate Cover Document].

The FOGO roll out has been subsidised through the Better Bins Plus: Go FOGO Program, offered through the Waste Authority. Council has entered into an agreement with the Waste Authority to roll out the FOGO program with the standard configuration of a three bin system. The funding agreement subsidises each standard roll out by \$25 per property.

Each household that receives a non-standard service becomes ineligible for this funding. As such, if all 78 customers registered for an alternative collection arrangement, a funding shortfall of \$1,950 could be realised.

Budget – Whole of Life Cost

Not applicable.

Council Policy Compliance

Policy Infr CP069 – *Waste Management Policy*, applies, however, it require review to include provision for the new FOGO system.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to [Appendix ORD: 12.3.4] for full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	FOGO Waste Collection – Modified Fee Structure
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Option for a weekly collection fee Fee for service arrangement offsets losses Waste education outreach to minimise number of weekly collections Alternative fee options available Waste education outreach to increase waste diversion to FOGO
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Health Putrescible wastes causing odours (e.g. nappies)
	Financial Loss of funding for variations to grant structure
	Service Interruption Isolated weekly collections disrupt regular waste collection runs
	Reputational Community backlash by NOT having alternative fees in place
	Environment Reduced diversion of organic waste to landfill

Officer Comment

The Waste Avoidance and resource recovery Strategy 2030 includes three objectives to guide the Western Australian Community and enable the development of a sustainable, low waste and circular economy. They are:

- Objective 1: Avoid – Western Australians will generate less waste;
- Objective 2: Recover – Western Australians will recover more value and resources from waste; and
- Objective 3: Protect – Western Australians will protect the environment by managing waste responsibly.

Provision of FOGO and reduction of waste to landfill is an important part of the waste recovery objective, which aims to increase material recovery to 70%.

The Better Bins Plus: Go FOGO Program is the vehicle by which the Shire of Dardanup is contributing to the Strategy objectives.

In the lead up to the FOGO roll out, the Shire prepared information to ensure that it could respond to customer enquiries and enable a smooth transition from the two bin system to the three bin system. This included:

- Preparation of Frequently Asked Questions, for front counter enquiries;
- Councillor briefings with staff and Suez;
- Integration of broadcast messaging with waste education materials;
- Review of affected properties;
- Mapping of inclusion zones;
- Correction of rating anomalies discovered;
- Ongoing and frequent messaging on social media, websites and information bulletins;
- Letters to all affected properties;
- Development of an Administrative Procedure to recognise the needs of hardship cases;
- Development of a requests register;
- Frequent staff operations meetings with Suez (ongoing);
- Procurement for contracts and purchase orders; and
- Ongoing and frequent dealings with customers.

Notwithstanding the 78 registered customers seeking an alternative service arrangement, the rollout to over 5,000 households has been largely successful, with any minor distribution issues dealt with promptly and professionally.

The potential for negative customer response to the change to the three bin system was acknowledged in the planning phase of the roll out. The inclusion of an additional 240L general waste bin or provision of a weekly collection of the 140L general waste bin has been avoided, for the following reasons:

- The success of the FOGO rollout is measured by the number of households transitioning to the three bin system;
- The objective of the FOGO roll out is to re-direct compostable and organic waste from general waste landfill to resource recovery;
- The FOGO rollout is a significant change to individual households which takes time to settle in;
- Individual and community behavioural change is more likely to succeed if 'easy options' are not readily available; and
- Community feedback prior to the FOGO roll out gave no indication of the number and veracity of objectors.

In preparation of the FOGO system, the 2021/22 Schedule of Fees and Charges made provision for an additional 140L general waste bin (\$130.55) and recognised a potential need for an additional 240L FOGO bin, but did not allocate a fee structure.

This report recommends that Council adopt three new waste fees, that have been calculated based on costs, administration overheads and encouraging people to continue with the standard FOGO system.

The three new fees proposed are:

Item	Service	Description	Fee
1	Additional Service – general waste	Additional 240L bin (240L bin retaining the existing 140L bin – to be collected fortnightly)	\$174.34
2	Alternative Service – general waste	Replacement 240L bin (240L bin replacing the existing 140L bin – to be collected fortnightly)	\$182.34
3	Additional Service – FOGO waste	Additional 240L bin (fortnightly collection)	\$190.18

The introduction of these fees will address the majority of registered customers seeking choice in the waste service, and provide people with an option to address their household needs. The fees are rounded up to the nearest dollar in the recommendation.

The introduction of these fees will NOT:

- Provide an option for people to opt out of the program;
- Provide a free service for additional service requests;
- Address individual household waste generation; nor
- Address FOGO and recycling waste contamination.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION

THAT Council adopts the following additional waste service fees into its 2021/22 Schedule of Fees and Charges:

1. Additional Service – General Waste (240L bin retaining the existing 140L bin – to be collected fortnightly) - \$175.00;
2. Alternative Service – General Waste (240L bin replacing the existing 140L bin – to be collected fortnightly) - \$182.00; and
3. Additional Service – FOGO Waste (240L bin collected fortnightly) - \$191.00;

and give local public notice of Council’s intention to introduce the new fees and charges from the 15th of November 2021.

Note: Cr. S L Gillespie advised that she would like to move a motion to defer this item to the 24th of November 2021 Ordinary Council Meeting to allow Shire Staff to investigate further bin options.

Cr. E P Lilly seconded the motion.

ELECTED MEMBER MOTION

MOTION MOVED - Cr. S L Gillespie SECONDED - Cr. E P Lilly
 LOST

THAT Council defers this item to the 24th of November 2021 Ordinary Council Meeting to allow Shire Staff to investigate further bin options.

MOTION LOST
 4/5

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

Note: Cr. M T Bennett advised that he would like to move the Officer Recommended Resolution with an additional Part 4 to request that the Chief Executive Officer bring a report back to Council in February 2022 regarding the option to allow the smaller 140L FOGO bin and the larger 240L General Waste bin and how this will apply to non-urban areas.

Cr. P S Robinson seconded.

ELECTED MEMBER MOTION

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

THAT Council adopts the following additional waste service fees into its 2021/22 Schedule of Fees and Charges:

1. Additional Service – General Waste (240L bin retaining the existing 140L bin – to be collected fortnightly) - \$175.00;
2. Alternative Service – General Waste (240L bin replacing the existing 140L bin – to be collected fortnightly) - \$182.00; and
3. Additional Service – FOGO Waste (240L bin collected fortnightly) - \$191.00;
4. Requests the Chief Executive Officer to bring back a report to Council in February 2022 regarding the option to allow the smaller 140L FOGO bin and the larger 240L Waste Bin and how this will apply to non-urban areas.

and give local public notice of Council's intention to introduce the new fees and charges from the 15th of November 2021.

Note: Cr. S L Gillespie advised that she would like to move an amendment motion to remove the words "and how this will apply to non-urban areas" from Part 4 of Cr. M T Bennett's Elected Member Motion above. Cr. P R Perks seconded.

AMENDMENT RESOLUTION & COUNCIL RESOLUTION

328-21 MOVED - Cr. S L Gillespie SECONDED - Cr. P R Perks

THAT the words "and how this will apply to non-urban areas" be removed from Part 4 of the Elected Member Motion.

CARRIED
7/2

Process:

As the amendment motion was carried, the substantive motion was put as follows:

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 request the Chief Executive Officer to bring back a report to Council in February 2022 regarding the option to allow the smaller 140L FOGO bin and the larger 240L Waste bin.*

ELECTED MEMBER RESOLUTION & COUNCIL RESOLUTION

329-21 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council:

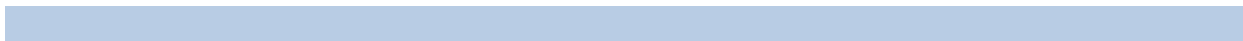
- Adopts the following additional waste service fees into its 2021/22 Schedule of Fees and Charges:**
 - Additional Service – General Waste (240L bin retaining the existing 140L bin – to be collected fortnightly) - \$175.00;**
 - Alternative Service – General Waste (240L bin replacing the existing 140L bin – to be collected fortnightly) - \$182.00; and**
 - Additional Service – FOGO Waste (240L bin collected fortnightly) - \$191.00;**
- Requests the Chief Executive Officer to bring a report back to Council in February 2022 regarding the option to allow the smaller 140L FOGO bin and the larger 240L Waste Bin.**
- Gives local public notice of Council’s intention to introduce the new fees and charges from the 15th of November 2021.**

CARRIED
8/1

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

PROCESS

Having dealt with the matters that were of interest to the members of public in the gallery, the council returned to the order of business in the agenda.



12.1 EXECUTIVE REPORTS

None.

12.2 SUSTAINABLE DEVELOPMENT DIRECTORATE REPORTS

12.2.1 Title: Bush Adventure Learning Camp Selection Panel

<i>Reporting Department:</i>	<i>Sustainable Development Directorate</i>
<i>Reporting Officer:</i>	<i>Ms Isabel Cody - Place & Community Officer</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.2.1 – Risk Assessment</i>

Overview

Council is requested to select and recommend the appointment of the 2022 Bush Adventure Learning Camp selection panel to Council.

Background

During the Ordinary Council Meeting held on the 28th of July 2021 Council were asked to consider the expenditure for the youth development programs for the 2021/2022 financial year. Council resolved (231-21):

“THAT Council:

- 1. Accepts the \$5,000 of funding received from the Department of Communities for the COVID19 Youth Recovery Grant Program;*
- 2. Acknowledges and authorises unbudgeted grant revenue of \$5,000 from Department of Communities COVID-19 Youth Recovery Grant Program in GL 0827501 Grant Revenue – Other Welfare;*
- 3. Authorises the following expenditure from J08712 with additional funding to be sourced from corporate sponsorship:*
 - a) \$4,000 towards the three-day Bush Adventure Learning Camp program; and*
 - b) \$1,000 towards the Innovate Youth Program (previously named Community Engagement Program).*
- 4. Notes that the Youth Advisory Group nominees will no longer attend the conference with Youth Leadership Academy Australia unless additional funding can be sourced from corporate and community sponsors.*
- 5. Requests that the Chief Executive Officer investigate a regional approach with regard to youth leadership programs and report his conclusions back to Council within 12 months.”*

Legal Implications - None.

Strategic Community Plan

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

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

Strategy 5.2.3 - Deliver a high level of library facility and community services to enhance the sharing of knowledge for our community. (Service Priority: High)

Environment - None.

Precedents

The selection panel for the 2020/21 Leeuwin Scholarships comprised of Cr Patricia Perks and Cr Stacy Gillespie. Place and Community Officer, Isabel Cody, was also involved in the panel process. The Bush Adventure Learning Camp replaces the Leeuwin program.

Budget Implications

During the Ordinary Council Meeting held in November 2020, Council endorsed funding towards the Bush Adventure Learning Camp. Since then, Right Foot Forward have made changes to their three-day Bush Learning Adventure Camp program and now only run this duration of camp for teenage girls aged 13-18 year or young people aged 11-13 years. The five-day camps are still offered for all young people aged 13-18 years at a cost of \$1,400 per person. To have a three-day camp opened to all young people aged 13-18 years, the Shire would need to host a dedicated camp. This would be beneficial as:

- It is inclusive to all young people aged 13-18 years that live in the Shire;
- Young people can create connections and lifelong friendships with other young people within their community;
- It gives young people the opportunity to collaborate with their peers on Shire-related activities; and
- There will be more promotional opportunities.

Eight to ten places are required to enable a dedicated Shire of Dardanup 3 day camp to take place at a cost of approximately \$6,800 - \$8,500. The full cost of each scholarship for the 3 day camp is valued at \$850. There is currently \$4,000 allocated in the 2021/2022 budget (J08712) to support the program. Officers therefore will need to source between \$2,800 and \$4,500 from sponsorships, and will be seeking additional funding from various corporate and community sponsors to allow for the Shire to run a dedicated Shire of Dardanup camp.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

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

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Bush Adventure Learning Camp Selection Panel
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Reputational Council’s reputation could be affected if they do not adhere to the recommendation of the Grants Awards and Scholarships Committee

Officer Comment

As per previous years, it is recommended that the Place and Community Officer holding the youth portfolio participate as a panel member in the interview and selection process, due to the level of background knowledge on the scholarships and relationships with young people in the community.

Council is requested to consider and appoint two Councillors as panel members to participate in the 2021/22 Bush Adventure Learning Camp scholarship interviews.

The date of the Bush Adventure Learning Camp is yet to be confirmed; however, Officers are anticipating that the camp will be held during the April school holiday period. It is expected that applications will open late November with interviews held in March.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

330-21 MOVED - Cr. P S Robinson SECONDED - Cr. P R Perks

THAT Council support the appointment of the following Elected Members and staff to the Bush Adventure Learning Camp Selection Panel to interview and recommend to Council the preferred recipients of the Bushfire Adventure Learning Camp Scholarship for 2021/22:

- Cr. Ellen Lilly
- Cr. Luke Davies
- Place and Community Officer

CARRIED
9/0

12.2.2 Title: Unbudgeted Income: Eaton Community Library Relocation

Reporting Department:	<i>Sustainable Development Directorate</i>
Reporting Officer:	<i>Mr Dean Pitts – Coordinator Library Services</i>
Legislation:	<i>Local Government Act 1995</i>
Attachments:	<i>Appendix ORD: 12.2.2A – Letter to Shire of Dardanup from Department of Education</i> <i>Appendix ORD: 12.2.2B – Risk Assessment Tool – Eaton Community Library Relocation</i>

Overview

The purpose of this report is for Council to consider a contribution from the Department of Education for the cost of relocating Eaton Community Library to Sanford Way as unbudgeted income.

Background

At the Council meeting held on the 30th of June 2021, Council resolved (223-21):

“THAT Council:

- 1. Endorses 2 Sanford Way, Eaton as the preferred option for the relocation as the Eaton Community Library;*
- 2. Provides notice of termination of the lease to the Eaton Senior Citizens over the property at the 2 Sanford Way, Eaton effective 30 November 2021;*
- 3. Authorises the Chief Executive Officer to work with the Eaton Senior Citizens to facilitate a seamless move to their new location at the Eaton Bowling Club facility;*
- 4. Authorises the unbudgeted expenditure of \$69,249 for the cost of relocation;*
- 5. Authorises the unbudgeted ongoing operational expenditure of \$42,045 per annum;*
- 6. Requests the Chief Executive Officer writes to the Department of Education to request a financial contribution toward the upfront and ongoing costs associated with the relocation.”*

The Chief Executive Officer wrote to the Department of Education requesting a financial contribution per point 6 of the abovementioned resolution, and on the 16th of September were notified by Ms Anna Brown, Executive Director, Infrastructure, Department of Education that the State Government will contribute \$25,000 toward the relocation costs of Eaton Community Library, see [Appendix ORD: 12.2.2A].

Legal Implications

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

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

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
- (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
 - (b) *is authorised in advance by resolution*; or*
 - (c) *is authorised in advance by the mayor or president in an emergency.*
- * Absolute majority required.*
- (1a) *In subsection (1) — additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.*
- (2) *Where expenditure has been incurred by a local government —*
- (a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
 - (b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

**Local Government Act 1995 -
S6.10. Financial Management Regulations**

Regulations may provide for —

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

Local Government (Financial Management) Regulations 1996

R11. *Payments, procedures for making etc.*

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

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

Strategic Community Plan

Strategy 5.2.3 - Deliver a high level of library facility and community services to enhance the sharing of knowledge for our community. (Service Priority: High)

Strategy 2.6.1 - Provide a variety of places to live, work and play that meet the current and future needs of the community. (Service Priority: Very High)

Environment - None.

Precedents - None.

Budget Implications

Due to the early termination of the joint use agreement with the Department of Education being unforeseen, the relocation costs are unbudgeted expenditure. At its meeting held on the 30th of June 2021 Council resolved (223-21) to authorise the unbudgeted expenditure of \$69,249 for the cost of relocation. The cash contribution from the Department of Education will reduce Council's financial burden for the relocation to \$44,249.

RELOCATION REQUIREMENT	COST
Estimated Relocation Cost	\$69,249
Department of Education Contribution	(\$25,000)
SHIRE OF DARDANUP ESTIATED CONTRIBUTION	\$44,249

Budget – Whole of Life Cost

At its meeting held on the 30th of June 2021, Council resolved (223-21) to authorise unbudgeted ongoing operational expenditure of \$42,045 per annum. This was derived from the estimated costs set out below.

ONGOING OPERATIONAL REQUIREMENT	COST (Per Annum)
Cleaning (based on current school holiday cleaning rate)	\$32,695
Grounds Maintenance (3 hrs per fortnight, 2 crew members, annual mulching, scheme water)	\$9,000
Utilities and services	\$4,350
1116014 EDWA Joint Facility Expenses (saving)	(\$4,000)
TOTAL ESTIMATED COST	\$ 42,045

It is expected that the library will remain in its new location until 2024/25. Therefore, the whole of life cost is estimated at:

LIFETIME REQUIREMENT	COST
Expenditure - estimated Relocation Cost	\$69,249
Income - Department of Education	(\$25,000)
Ongoing Operational Cost (per annum) x 3 years	\$126,135
TOTAL ESTIMATED COST TO COUNCIL	\$170,384

Council Policy Compliance - None.

Risk Assessment

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

TIER 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Eaton Community Library Relocation
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Undertake proposed treatments to ensure financial impact, reputation, and service interruption is minimised.
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)
Risk Category Assessed Against	Financial Significant unbudgeted expenditure for relocation.
	Service Interruption Library services will be interrupted for the moving process and renovations.
	Reputational Customer frustration at the change in venue, interruption to services, and additional expenditure.

Officer Comment

The Department of Education have acknowledged that Eaton Community Library will be vacated from its current location by the 17th of December 2021 due to the notice sent from the Principal of Eaton Community College on the 3rd of May 2021 terminating the joint use agreement. As specified in the agreement, a 12 month termination period as well as a termination cost is required and this early termination contribution has been calculated by the Department of Education to be \$12,459.11. However, in recognition of the additional costs the Shire of Dardanup will incur plus to align with clause 12 of the agreement, the Department of Education have agreed to contribute \$25,000 in total to our relocation costs.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

331-21 MOVED - Cr. T G Gardiner SECONDED - Cr. P S Robinson

THAT Council acknowledges receipt of unbudgeted income in the 2021-2022 Annual Budget of \$25,000 (GST included) in total from the Department of Education for the relocation of Eaton Community Library to 2 Sanford Way, Eaton.

CARRIED
9/0

12.2.3 Title: JDAP Development Application for Landfill Waste Cells – Lot 2 Banksia Road, Crooked Brook

Reporting Department: Sustainable Development Directorate
Reporting Officer: Mr Murray Connell - Manager Development Services
Legislation: Planning and Development Act 2005
Applicant: Harley Dykstra Pty Ltd on behalf of Cleanaway Solid Waste Pty Ltd
Attachments: Appendix ORD: 12.2.3A – Responsible Authority Report
Appendix ORD: 12.2.3B – Development Application and Plans
Appendix ORD: 12.2.3C – EPA Notice of Decision to Assess Proposal
Appendix ORD: 12.2.3D – Public Submissions
Appendix ORD: 12.2.3E – Agency Comments
Appendix ORD: 12.2.3F – Risk Assessment Tool

Note: *This item was dealt with earlier in the meeting – Please refer to Page 18 of these minutes.*

12.2.4 Title: Additional Income and Expenditure: Summer in Your Park

<i>Reporting Department:</i>	<i>Sustainable Development Directorate</i>
<i>Reporting Officer:</i>	<i>Ms Lucy Owen-Conway – Manager Place and Community Engagement</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.2.4 – Risk Assessment</i>

Overview

The purpose of this report is for Council to consider the unbudgeted income and expenditure as a result of the successful application to Healthway for the Summer Series of events.

Background

Over the 2020/21 summer period the Shire delivered a series of events in parks and open space across the Shire, marketed as the 'Summer in Your Park' series. This included Movies by Moonlight, Summer Sounds, Wellness, and Night Stalks in Eaton, Burekup, Dardanup and Crooked Brook Forest. Post event surveys with attendees and evaluations undertaken with place-based Advisory Groups showed that the events were well received by the community with a desire to see the 'Summer in Your Park' Series continue in future years. However, there were requests for additional entertainment elements at some of the events. Shire Officers also identified additional events that can be delivered as part of the series for the benefit of our community. As a result, an application was made to Healthway for funding of \$10,000 to enable the series to grow. This funding application was successful.

Legal Implications

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

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

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
- (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
 - (b) *is authorised in advance by resolution*; or*
 - (c) *is authorised in advance by the mayor or president in an emergency.*
- * Absolute majority required.*
- (1a) *In subsection (1) — additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.*
- (2) *Where expenditure has been incurred by a local government —*
- (a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
 - (b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

Local Government Act 1995 -**S6.10. Financial Management Regulations**

Regulations may provide for —

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

Local Government (Financial Management) Regulations 1996

R11. Payments, procedures for making etc.

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

(1) A payment may only be made from the municipal fund or the trust fund —

- (a) *if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
- (b) *otherwise, if the payment is authorised in advance by a resolution of the Council.*

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

The Shire of Dardanup will be responsible for meeting the obligations imposed under the grant agreement and acquitting the funds.

Strategic Community Plan

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

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

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

Environment - None.

Precedents - None.

Budget Implications

The adopted Annual Budget includes \$20,000 for Place Making Activities & Engagement (J11917) of which \$10,000 is allocated toward the Summer Series events and activations. An additional \$10,000 from the Events & Festivals budget (J11901) is allocated toward the Movies by Moonlight events that form part of the series.

Council was successful in receiving \$10,000 in funding from Healthway in support of the 2021/22 Summer Series. The total Place Making Activities & Engagement budget will therefore be \$30,000 should Council approve the additional expenditure; with a revenue increase of \$10,000 in GL 11 2 9502 Grants Revenue - Other Culture.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

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

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Unbudgeted Income and Expenditure: Summer in Your Park
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Service Interruption Failure to accept income and expenditure will result in reduced scale of event.
	Legal and Compliance Inability to meet terms of sponsorship.
	Reputational Community and food truck operator perceptions of alignment to LiveLighter messaging and conditions

Officer Comment

‘Summer in Your Park’ is a series of free to attend all-ages events and programs designed to build community and activate spaces. This year Officers are seeking to build on the series further with additional activations and expanded events in-line with feedback received from past participants and Advisory Groups. Launching on Saturday the 18th of December 2021 with the Burekup Christmas Movies by Moonlight, the series includes 29 events and activations concluding on the 26th of February 2022. The series will include outdoor movies, live music, outdoor fitness, story time in the park, possum night walks, and school holiday activities in various locations across Eaton, Dardanup, Burekup, and Crooked Brook.

The \$10,000 funding received from Healthway will allow the expanded and enhanced program to proceed while greatly increasing the marketing of the series and therefore anticipated attendance and community benefit. In return Healthway will receive exclusive naming rights associated with their chosen health promotion messaging being the *LiveLighter Summer Series*. The funding is conditional on the Shire working with WA School Canteen Association (WASCA) to increase healthy food options and to ensure stallholders and vendors do not display sugary drinks. Healthway provides WASCA assistance as a complimentary component of the sponsorship, at no cost to either the Shire of Dardanup or the vendor.

Officers have considered Healthway’s conditions and assessed that the risk is minimal for the ‘Summer in Your Park’ and that it can be managed through the messaging of the events. The Shire officers are not mandating the conditions of the grant through policy, i.e. that food truck menus contain percentages of red/green/yellow classes of food which will completely change their offering. Instead, in this case the WASCA will work with the food truck vendors to help them identify a small healthier change that can be added to their current menus if they don’t already have an option. For example, the ice cream vans can provide fruit jelly cups in addition to their ice creams or the burger van can have the option of a side salad instead of only chips. The Council should note that it’s also not mandatory that the vendors do so. If the food trucks are happy to work with WASCA they can then be included in the Healthier Vendor Guide and promoted to all event organisers who receive Healthway funding, which also presents a great opportunity to expand business and marketing exposure for the vendors. Officers would like Council to

also further note that this sponsorship only applies to the 'Movies by Moonlight' and 'Summer Sounds' events. The other smaller place activations in the 'Summer in Your Park' program of which there are 29 events in total do not have food trucks. No other events that the Shire runs are funded by Healthway so they are not affected.

The Healthway funding is an exciting opportunity to respond to the community's requests and expand upon the already popular Summer Series of events. Officers therefore recommend that the unbudgeted income and expenditure be authorised.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION

THAT Council:

1. Acknowledges and authorises additional grant income (Ref GL 11 2 9502 in the 2021-2022 Annual Budget of \$10,000 (GST exclusive) from Healthway for the 'Summer in Your Park' series of events.
2. Authorises additional expenditure (Ref J11917) in the 2021-2022 Annual Budget of \$10,000 (GST exclusive) for the 'Summer in Your Park' series of events.
3. Acknowledges and endorses the exclusive naming rights of the 'Summer in Your Park' series of events as 'Healthway's - LiveLighter Summer Series'.
4. Notes and endorses the conditions for the Healthway Grant naming rights endorsement, which is:
 - To increase healthy food options; and
 - To ensure stallholders and vendors do not display sugary drinks.

FURTHER INFORMATION

Note: Since publishing this report Officers have requested that the following changes be made to Parts 3 and 4 of the Officer Recommended Resolution (Amendments highlighted purple).

3. Acknowledges and endorses the exclusive naming rights of the 'Summer in Your Park' series of events as 'Healthway's - LiveLighter Summer **in Your Park Series**'.
4. Notes and endorses the conditions for the Healthway Grant naming rights endorsement, which is:
 - To increase healthy food options; and
 - To **ensure encourage** stallholders and vendors **do not to** display sugary drinks.

Note: Cr. S L Gillespie advised that she would move the Officer Recommended Resolution with the above amendments to Parts 3 and 4 and Cr. J P Dow seconded.

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 acknowledge and endorse the exclusive naming rights of the 'Summer in Your Park' series of events as 'LiveLighter Summer in Your Park Series'*
- *To encourage stallholders to not display sugary drinks.*

OFFICER RECOMMENDED ALTERNATIVE RESOLUTION & COUNCIL RESOLUTION

332-21 MOVED - Cr. S L Gillespie SECONDED - Cr. J P Dow

THAT Council:

1. **Acknowledges and authorises additional grant income (Ref GL 11 2 9502 in the 2021-2022 Annual Budget of \$10,000 (GST exclusive) from Healthway for the 'Summer in Your Park' series of events.**
2. **Authorises additional expenditure (Ref J11917) in the 2021-2022 Annual Budget of \$10,000 (GST exclusive) for the 'Summer in Your Park' series of events.**
3. **Acknowledges and endorses the exclusive naming rights of the 'Summer in Your Park' series of events as 'LiveLighter Summer in Your Park Series'.**
4. **Notes and endorses the conditions for the Healthway Grant naming rights endorsement, which is:**
 - **To increase healthy food options; and**
 - **To encourage stallholders and vendors not to display sugary drinks.**

CARRIED
9/0

12.2.5 Title: Funding Request: Lost & Found Festival 2022

Reporting Department:	<i>Sustainable Development Directorate</i>
Reporting Officer:	<i>Ms Lucy Owen-Conway - Manager Place & Community Engagement</i>
Legislation:	<i>Local Government Act 1995</i>
Attachments:	<i>Appendix ORD: 12.2.5A – Lost & Found Festival Funding Request</i> <i>Appendix ORD: 12.2.5B – Risk Assessment</i>

Overview

The purpose of this report is for Council to consider the sponsorship request from AHOY Management for the Lost & Found Festival 2022.

Background

At its meeting held on the 28th of October 2020 Council supported the inaugural 2021 Lost & Found Festival (287-20):

“THAT Council:

- 1. Supports the request from Ferguson Valley Marketing Inc. for a Regional Event grant contribution of \$10,000 towards the ‘Lost and Found’ event scheduled for September 2021.*
- 2. Acknowledges that if the event does not proceed, the funds are to be returned in full to the Shire of Dardanup.*
- 3. Notes that all businesses within the Shire of Dardanup will be eligible to participate in the event.”*

Preparations are now underway to deliver the 2022 event and a request for funding has been received by festival coordinators AHOY Management. The post event evaluation and request for funding for the 2022 event is available at [Appendix ORD: 12.2.5A].

Legal Implications - None

Strategic Community Plan

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

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

Environment - None.

Precedents - None.

Budget Implications

There was allocated funding in 2020/21 for \$25,000 and for 2021/22 there is \$35,000 allocated in GL 1312501 Tourism & Events Grants. This includes the following committed support per Council resolution (55-21).

- Bull and Barrel Festival: \$5,000
- Dardanup Art Spectacular: \$7,100
- Eaton Foreshore Festival: \$3,000
- Business South West Excellence Awards: \$5,000

Therefore there is a total of \$14,900 in contestable funding remaining. The requested funding amount of \$15,000 exceeds the available in the budget.

This is the first Tourism & Events grant funding request received for 2021/22.

Budget – Whole of Life Cost - None.

Council Policy Compliance

Under *SDev CP044 Community & Event Grants Policy* Regional Event Grants are available for events that:

- *Result in an economic impact to the Shire by way of increasing visitor numbers and expenditure;*
- *Attract media coverage that raises the profile of the region as a tourist destination;*
- *Involve and inspires the local community;*
- *Improve the vibrancy and vitality of the Shire of Dardanup;*
- *Support job creation; and*
- *Highlight and profile the unique features of the place and/or Shire.*

Funding is available up to \$10,000 per application and a maximum 50% of the total event cost. This grant is advertised and marketed through Shire website, social media releases and with event organisers.

The outcomes of the 2021 Lost & Found Festival demonstrates the event's ability to meet all of the above outcomes, however the funding request for \$15,000 exceeds the amount set-out in the policy.

Risk Assessment

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

TIER 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Funding Request: Lost & Found Festival 2022
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Reputational Council's reputation could be impacted dependant on their decision on the Regional Event grant application.

Officer Comment

The inaugural 2021 Lost & Found Festival was a very successful event held over four days from the 9th to the 12th of September. There were 22 events across 16 venues with a majority occurring within the Shire of Dardanup. Total attendance was approximately 4,000 with 30% coming from outside of the region and the social media marketing had reach of 297,552 people, with 64,000 post engagements. 74% of people explored businesses and areas they were previously unfamiliar with and 74% of people spent more than \$100 on their experience including on tickets, meals out, transport, accommodation, wine and other items. Direct business revenue was reported at \$56,000 and anecdotal feedback received directly by Officers from operators within the Ferguson Valley was very positive, e.g. the Market Day at Ferguson Farmstay was an incredible day, with approximately 1800 visitors through the space. A full post event report is available at [Appendix ORD: 12.2.5A].

Festival organisers, AHOY Management, have commenced planning for the 2022 festival. They aim to build on the foundations of the 2021 event by increasing the number of events, attracting more consumers, and expanding the experiences on offer in-line with the survey results. In order to achieve this growth, and in turn increase the outcomes for the region, a request for funding of \$15,000 plus GST has been made. This \$5,000 increase in funding will be leveraged dollar for dollar, as the City of Bunbury have indicated they will match funds invested by the Shire of Dardanup.

In return for this investment, the Shire of Dardanup will be acknowledged in the following ways:

- Major partner logo placement on all printed marketing collateral (programs, posters, flyers).
- Major partner logo and acknowledgement on website and EDMs.
- Major partner acknowledgement in all press releases.
- Welcome address in program.
- Welcome address from Shire representative at Launch Event.
- Tagging in all social posts.
- Social content creation specific to the Shire and shire businesses.
- Double page spread in program.
- Featured blog posts on website and social media (minimum x 2).
- Video content of the shire featured and available for Shire non-commercial use.
- Photography/images available for Shire non-commercial use.
- Minimum of 4 x double passes to events for Shire use.
- Facilitated family and media coverage of the region.
- 1 x workshop for businesses located within the shire facilitated by AHOY to assist businesses get the most out of the event.

Given that *SDev CP044 Community & Event Grants Policy* sets a maximum grant amount of \$10,000, and there is only \$14,900 remaining in contestable funding in the Tourism & Events Grants budget, Officers recommend that \$10,000 plus GST is granted to the 2022 Lost & Found Festival.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

333-21 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council supports the request from AHOY Management for a Regional Event grant contribution of \$10,000 from GL 1312501 Tourism & Events Grants towards the 'Lost and Found' event scheduled for September 2022.

CARRIED
9/0

12.2.6 Title: Leeuwin Ocean Adventure Program Sponsorship

Reporting Department:	<i>Sustainable Development Directorate</i>
Reporting Officer:	<i>Ms Isabel Cody - Place & Community Officer</i>
Legislation:	<i>Local Government Act 1995</i>
Attachments:	<i>Appendix ORD: 12.2.6– Risk Assessment</i>

Overview

The purpose of this report is for Council to consider the conditions outlined by the Lions Club of Dardanup regarding the sponsorship of the Leeuwin Ocean Adventure Scholarship Program.

Background

During the Ordinary Council Meeting held on the 25th of November 2020 Council were presented with several youth development options to consider for the 2021-22 financial year. Council resolved (318-20):

“THAT Council:

- 1. Endorses Option 1 – Bush Adventure Learning Camp Program and Option 4 – Community Engagement Program as the Youth Development Programs for 2021-22.*
- 2. Requests the Chief Executive Officer to provide a report to Council at the conclusion of the Youth Development Programs for consideration of its continuation into the future.*
- 3. Authorises the following expenditure from GL 08 2 7502 with additional funding to be sourced from corporate sponsorship:*
 - a) \$1,900 towards two scholarships for the three day Bush Adventure Learning Camp program; and*
 - b) \$3,000 towards the Community Engagement Program and conference with Youth Leadership Academy Australia.*
- 4. Requests the Chief Executive Officer informs Leeuwin Ocean Adventure Foundation of the outcome of this report.*
- 5. Requests that the Chief Executive Officer seek sponsorships specifically for Option 1 (Right Foot Forward) to enable a larger number of participants.*
- 6. Requests the Chief Executive officer to facilitate the Leeuwin Ocean Adventure Scholarships should external sponsors wish to continue sponsoring this event.”*

Legal Implications - None.

Strategic Community Plan

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

Strategy 5.2.3 - Deliver a high level of library facility and community services to enhance the sharing of knowledge for our community. (Service Priority: High)

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

Environment - None.

Precedents - None.

Budget Implications

Per resolution (318-20) there are no funds budgeted in the 2021-22 Annual Budget to support the Leeuwin Ocean Adventure Program. Should Council wish to facilitate the Leeuwin Ocean Adventure Scholarships on behalf of the Lions Club of Dardanup this will be unbudgeted income and expenditure.

The Lions Club have indicated verbally that if the Shire does not to agree to the outlined conditions they will independently sponsor a full scholarship (\$2,375) for the Leeuwin Ocean Adventure Program.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

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

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Leeuwin Ocean Adventure Program Sponsorship
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Reputational Council’s reputation could be affected if they decide to agree to the Lions of Dardanup conditions.

Officer Comment

Council resolved at its Ordinary Council Meeting in November 2020, to broaden its youth development opportunities and to not continue with a Shire of Dardanup sponsored Leeuwin Ocean Adventure Program. As requested by Council, the Place and Community Officer provided the Lions Club of Dardanup with the Bush Adventure Learning Program sponsorship proposal in September 2021 as part of its new youth program. Furthermore, as per Part 6 of Council resolution (318-20), the Lions Club of Dardanup were advised due to their long-standing affiliation with the Leeuwin Ocean Adventure Foundation, the Shire would continue to facilitate scholarships on their behalf should they wish to sponsor a full scholarship at a cost of \$2,375 in 2021-22.

After ongoing discussions, the Lions Club of Dardanup decided to continue sponsoring a full scholarship in 2021-22 with the following conditions:

1. One Dardanup Lions Club representative be on the interview panel; and
2. Scholarship is only open to residents of the Dardanup/Burekup districts.

At the Shire of Dardanup Grants Awards & Scholarships Committee meeting held on the 8th of October 2020, Members considered similar sponsorship conditions requested by the Lions Club of Dardanup. The Officer Recommended Resolution – Option B included these conditions; however, after some discussion, the GAS Committee did not favour these conditions, and a unanimous resolution was instead (GAS 03-20):

“THAT the Grants Awards and Scholarships Committee recommends that Council:

1. *Supports the appointment of the following Elected Members and staff to the Leeuwin Scholarship Selection Panel to interview and recommend to Council preferred recipients of the Leeuwin Sailing Ship Scholarship for 2020/21:*
 - *Cr M T Bennett*
 - *Cr J Dow*
 - *Place and Community Officer, Isabel Cody*
2. *Supports the acknowledgement of all sponsorships on all written marketing material, includes Logos on the Leeuwin Scholarship poster and sends Invitations to sponsors inviting them to the presentation afternoon.”*

This was subsequently endorsed by Council at its Ordinary Council Meeting resolution (298-20) held on the 28th of October 2021.

Officers consider there is a risk of the Shire being perceived negatively in the community if Council is seen to be supporting and promoting a scholarship program that excludes certain localities within the community. Officers therefore recommend that the Leeuwin Ocean Adventure Scholarship 2021-22 not be facilitated by the Shire of Dardanup. Officers will continue to provide guidance as needed to the Lions Club of Dardanup to assist them to independently sponsor a full scholarship.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

334-21 MOVED - Cr. P S Robinson SECONDED - Cr. S L Gillespie

THAT Council:

1. **Acknowledges that if the Lions Club of Dardanup wish to sponsor a Leeuwin Ocean Adventure Scholarship in 2021-22 it will be independent of the Shire of Dardanup; and**
2. **Requests the Chief Executive Officer to write to the Lions Club of Dardanup thanking them for the continuation of sponsoring a full scholarship in 2021-22 for the Leeuwin Ocean Adventure Program.**

CARRIED
9/0

12.2.7 Title: Reconsideration of Conditions - Approval for Sea Container – Bunbury and Districts Dog Club – Glen Huon Reserve

Reporting Department: Sustainable Development Directorate
Reporting Officer: Ms Lucy Owen-Conway - Manager Place & Community Engagement
Legislation: Local Government Act 1995
Attachments: Appendix ORD: 12.2.7A – Risk Assessment
Appendix ORD: 12.2.7B – Plan for Proposed Placement of Sea Container

Note: *This item was dealt with earlier in the meeting – Please refer to Page 28 of these minutes.*

12.3 INFRASTRUCTURE DIRECTORATE REPORTS

12.3.1 Title: Eaton-Millbridge Community Facilities Plan

<i>Reporting Department:</i>	<i>Infrastructure Directorate</i>
<i>Reporting Officer:</i>	<i>Mrs Vicki Pretorius – Landscape Design 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: 12.3.1A – Eaton-Millbridge Community Facilities Plan (advertised – now superseded)</i> <i>Appendix ORD: 12.3.1B – Eaton-Millbridge Community Engagement Outcomes Report</i> <i>Appendix ORD: 12.3.1C – Eaton-Millbridge Community Facilities Plan Report</i> <i>Appendix ORD: 12.3.1D – Eaton-Millbridge Community Facilities Plan (amended October 2021)</i> <i>Appendix ORD: 12.3.1E – Eaton-Millbridge Community Facilities Plan Risk Assessment</i> <i>Appendix ORD: 12.3.1F – Eaton-Millbridge Community Facilities Plan – Comparison between advertised and amended plans</i>

Overview

The draft Eaton-Millbridge Community Facilities Plan (The Plan) was advertised for community comment and subsequently amended following an internal review. The final Plan is now presented to Council for adoption.

Background

The Plan provides a visual representation of all current and proposed facilities in Eaton and Millbridge that are the result of investigations including community consultation.

This Plan was reviewed through the Eaton Advisory Group in 2020-21. The Draft Plan was endorsed by Council to enable public consultation at its meeting held on the 31st of March 2021 (Res: 52-21). The Draft Plan that was issued for public consultation is included in [Appendix ORD: 12.3.1A], for reference.

The Community Engagement Report details the outcomes from the public consultation, which ran for a period of four weeks from the 12th of July 2021 to the 9th of August 2021. This consultation was undertaken as a combined Eaton Community engagement to concurrently seek feedback on proposed improvements to Eaton Drive including intersection treatments. The consultation also featured a one-week shopping centre display at Eaton Fair in order to attract a greater level of community participation. The Eaton Youth Advisory Group also provided feedback. The combined outcomes report is included in [Appendix ORD: 12.3.1B].

Following the Community Engagement period, a report was presented to Council on the 29th of September 2021 to seek Council's decision on the proposed Eaton Drive strategic intersection treatments. At this meeting, it was resolved (287-21):

“THAT Council endorses the following proposed intersection treatments and complementary road treatments for Eaton Drive:

1. *Glenhuon Boulevard Traffic Signals (scheduled for construction 2021/2022);*
2. *Hamilton Road Roundabout and Hands Avenue intersection modifications, to be generally in accordance with the concept provided by Main Roads, including a left hand turn pocket on Hands Avenue (scheduled for construction 2022 /2023);*
3. *Forrest Highway Extra Turn Lane including traffic lights entering North from the West into Eaton Drive and/or full intersection traffic signals (Main Roads Project, timing unknown);*
4. *Lofthouse Avenue Traffic Signals (timing TBA, requires further modelling);*
5. *Peninsula Lakes Drive traffic signals (timing TBA, requires further modelling);*
6. *Left-out treatment at Ann Street;*
7. *Lavender Way and Eaton Drive intersection be converted to a left-in only intersection to address the U-turn issue at the Blue Wren intersection; and*
8. *New roundabout at the intersection of Millard Street with Lofthouse Avenue.”*

The above-proposed intersection improvements have therefore been reflected in the amended Plan.

Please refer to the Eaton-Millbridge Community Facilities Plan Report (The Plan Report) at [Appendix ORD: 12.3.1C] for the derivative list of proposed and possible future projects.

Council is requested to consider the outcomes of the consultations together with the Plan Report and the recommendation is to adopt the final Plan, which is included at [Appendix ORD: 12.3.1D].

Legal Implications - None.

Strategic Community Plan

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

Strategy 2.5.1 - Develop, review and implement Townscape Plans. (Service Priority: High)

Strategy 2.6.1 - To provide a variety of places to live, work and play that meet the current and future needs of the community. (Service Priority: Very High)

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

Environment

The Eaton-Millbridge study area includes reserves that are subject to Natural Area Resource Management Plans, used to assist the Shire with the preservation and enhancement of these areas for conservation and ecological reasons. The Elbow Wetlands (Eelup reserve) is regarded as a regionally significant area and is subject to special protective conditions to conserve and enhance its ecological values. Further detail is available in the Plan Report at [Appendix ORD: 12.3.1C].

Several reserve areas, including the Elbow Wetlands, are included in the new Kalgulup Regional Park. These are jointly managed by the Department of Biodiversity, Conservation and Attractions (DBCA) and the Shire to support regional conservation and community use.

It is important to consider any potential environmental impacts when planning for all proposed and possible future projects within the Eaton-Millbridge area, and to protect and preserve environmentally sensitive areas as a high priority wherever possible.

Precedents

The Shire developed and adopted the Burekup Community Facilities Plan on the 26th of August 2020 (Res: 225-20), the amended Dardanup Community Facilities Plan on the 21st of February 2021 (Res: 34-21) and the Ferguson Valley and Surrounds Community Facilities Plan on the 25th of August 2021 (Res: 261-21).

Budget Implications

The facilities and projects identified in the Community Facilities Plan are either already included in the 2020-2021 Budget, identified within the Shire's 10 Year Programs in the various Asset Management Plans or require further feasibility and consideration on where and how the improvements could be included in the Shire's forward capital works plans. As a result, some projects are already funded through Council's reserves, while some others will require further financial consideration by Council, rely on developer contributions and/or will require grant funding to be able to be delivered.

The Community Facilities Plan identifies the possible timeframes for implementation of the various facilities and projects using colour coding as follows:

Possible timeframes for implementation are defined as follows:

	Immediate - within 1 year (Year 1)
	Short term - between 1-4 years (Years 2 to 4)
	Medium term - between 5-10 years (Years 5 to 10)
	Long term - possible future projects (in more than 10 years)
	Projects requiring the cooperation of an external authority or group

Items in the green, yellow and orange categories – with proposed implementation timeframes within the following ten years and as shown above – are already included in the Shire's forward plans. Delivery timeframes could possibly change depending on funding availability and other changes made by Council including any changes in priority and associated budget allocations.

Items marked with a "\$" are subject to external funding such as grants. Items marked with a "#" relate to projects that will require further consideration including feasibility, funding or the cooperation of an external agency or group and so might not currently be included in the 10 Year Programs.

Items marked with an "E" relates to internal Environmental Projects and those marked with "EFS" have arisen from the endorsed Eaton Foreshore Master Plan.

Budget – Whole of Life Cost

The Plan contains projects that have proposed implementation timeframes ranging from within the current financial year to more than ten years in the future. There will be budget implications as Council considers which of the projects can be scheduled into the 10-year programs across the various Asset Management Plans. As some of the proposed improvements are still to have feasibility and cost estimates determined, the full budget implications for the Plan have not yet been determined. This will need to be undertaken on a case-by-case basis, with the higher priority projects most likely considered first.

It is important to consider not only the cost of implementation of any proposed improvements, but also the potential implications on the Shire's ongoing maintenance and associated costs.

Council Policy Compliance

Council Policy CP090 – *Community Engagement and the Community Engagement Framework* is applicable to master planning projects such as the Eaton-Millbridge Community Facilities Plan. In accordance with this policy and in development of the draft Plan, the community has been regularly engaged through the Eaton Advisory Group. The broader community was consulted in the first half of 2021 and engagement outcomes considered in a design review and amendment of the draft Plan dated June 2020.

The draft Plan was advertised to the community and other stakeholder groups for comment over a four-week period prior to it being reviewed internally. For details of this process please refer to the community engagement report at [Appendix ORD: 12.3.1B].

Risk Assessment

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

Tier 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Eaton-Millbridge Community Facilities Plan – Endorse final Plan
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Reputational Negative perception of the Shire if projects are not programmed to meet Community needs

Officer Comment

The Plan provides advice on the short, medium and long term community facilities to be considered for Eaton and Millbridge area. A map of the geographical study area is shown below, outlined in red. This is bounded to the north by the Collie River, to the east and south by the Forrest Highway and to the west by the Old Coast Road. Detailed statistical and other relevant information for the study area has been included in the Plan Report.



For the purposes of this project, the term 'facilities' is inclusive of all Shire assets and infrastructure, including buildings, formal recreational amenities, community playgrounds, public artworks, tourist amenities, paths, roads, drainage systems, precinct signage, lighting and other public amenities; as well as green spaces such as public open space, environmental corridors, trails and other nature spaces, and streetscapes.

Projects nominated in the Plan as proposed or possible future improvements were derived from a review of projects currently included in the Shire's ten year Asset Management Plans (AMP's) and are identified as such on the Plan. Any additional improvements included to date have been derived from consultation and engagement with the Eaton Advisory Group, the broader community and Shire Staff.

The list of proposed improvements derived from the Plan is included in the Plan Report at [Appendix ORD: 12.3.1C].

Please see [Appendix ORD: 12.3.1F] for a detailed comparison between the draft Plan that was advertised as part of the consultation process (March 2021) and the final draft Plan that is proposed for adoption by Council (October 2021).

Community facilities are generally funded by a range of sources including, but not limited to, Council funds, developer contributions and grants from organisations such as the Department for Sport and Recreation and Lotterywest. As a result, programming of projects must be flexible to reflect the variable nature and timing of grant funding.

It should be noted, however, that changes are to be expected, as a result of, but not limited to:

- Possible changes in community expectations and priorities in the future;
- Change in rate of development;
- 'One off' type funding opportunities (i.e. fulfilment of election promises); and
- Success or otherwise of routine grant funding applications.

Council Role - Review.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION 'A'

THAT Council adopts the final Eaton-Millbridge Community Facilities Plan [Appendix ORD: 12.3.1D] and Plan Report [Appendix ORD: 12.3.1C] with no further changes.

OR

OFFICER RECOMMENDED RESOLUTION 'B'

THAT Council adopts the final Eaton-Millbridge Community Facilities Plan [Appendix ORD: 12.3.1D] and Plan Report [Appendix ORD: 12.3.1C] subject to the following amendments:

- 1.
- 2.
- 3.
- 4.
- 5.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION 'A' & COUNCIL RESOLUTION

335-21 MOVED - Cr. P R Perks SECONDED - Cr. P S Robinson

THAT Council adopts the final Eaton-Millbridge Community Facilities Plan [Appendix ORD: 12.3.1D] and Plan Report [Appendix ORD: 12.3.1C] with no further changes.

CARRIED
9/0

12.3.2 Title: DUP Pathway Renewals 2021-2022

<i>Reporting Department:</i>	<i>Infrastructure Directorate</i>
<i>Reporting Officer:</i>	<i>Belinda Jansen van Vuuren – Project Officer</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.3.2A - Design Drawings</i>
	<i>- Peppermint Way [2021-FTP-003-01]</i>
	<i>- Charterhouse St [2021-FTP-106-01 & 2021-FTP-016-02]</i>
	<i>- Millard Street [2021-FTP-015-01 & 2021-FTP-015-02]</i>
	<i>- Diadem Street [2021-FTP-014-01 & 2021-FTP-014-02]</i>
	<i>Appendix ORD: 12.3.2B – Risk Assessment Tool</i>

Overview

Council has approved renewals of a number of path in the 2021-2022 annual budget, including:

- J12683 Peppermint Way \$7,224
- J12684 Charterhouse Street \$8,791
- J12685 Millard Street \$25,695
- J12686 Diadem Street \$54,210

Quotes have been obtained as part of a package of works, for these projects, which have come in over budget.

Council support is sought to increase the budget allocation for these projects and to increase the scope of works for J12684 Charterhouse Street, to include a missing path link.

Background

These projects were initially presented at the Integrated Planning Committee meeting held on the 14th of April 2021. They were subsequently included in the 2021/22 budget for delivery.

The original budget scope was estimated as follows:

- Peppermint Way - Renewal of 1m wide DUP of 77.65m (77.65m²)
- Charterhouse Street - Renewal of 1.5m wide DUP of 63m (94.5m²)
- Millard Street - Renewal of 2m wide DUP of 138.10m (276.20m²)
- Diadem Street - Renewal of 2m wide DUP of 252.90m (505.80m²)

The project scoping through the Asset Management Framework typically considers the renewal of assets based on desktop analysis of condition, need and priority. As such, project budgets are based on average unit rates, without the benefit of a detailed scope. The 10 year renewal program unit rates are reviewed and amended annually.

The design phase of these projects identified a number of on-site issues that require resolution, to meet contemporary standards and good project delivery outcomes. Unfortunately, in this case the design phase has occurred in the same financial year as the delivery phase, mainly due to significant increases in workload as a result of the increased number of projects delivered under the Local Roads and Community Infrastructure Funding Program (LRCI).

During planning and design, officers and designers consider factors that will influence the alignment and delivery of the paths. These include Australian Standards, SoD specifications, on site constraints, including trees and utilities, ground levels, existing infrastructure, drainage, safe crossing points, appropriate offsets from obstructions, verge conditions and crossovers, pathway links and how residents use the paths.

As such, the scope of works to achieve contemporary standards and good delivery outcomes had to be expanded beyond the original path renewal scope. This was included in the request for quotations, described below:

J12683 - Peppermint Way

The existing 1m wide path is an informal sand path through the MRWA reserve, and does not comply to any standard or SoD specification. Due to this path being “renewed” the Shire has to ensure that it now complies with standards and SoD specifications, which requires a 2m wide path in grey concrete. The length is also to be increased to 84.5m to allow for connection to an existing bus stop on Old Coast Road. The path will be upgraded for residents to make it safer and give them an even surface to walk/cycle on. Residents, the elderly and school children mostly use this path currently as a short cut from Peppermint Way to get to the bus stop on Old Coast Road as this bus route runs more frequently.

Budget	Quotation	Shortfall
\$7,224	\$13,157	\$5,933



The budget increase is due to additional length, 2m wide path (instead of 1m) as well as traffic management costs for works on Old Coast Road.

J12684 - Charterhouse Street

The existing 1.5m wide concrete pavers pathway is not to standard and not to SoD specification. The design process identified a need to widen the path to 2m grey concrete. The original budget allocation was for replacement of 94.5m² of existing pathway only. The design process identified the scope of works needs to include demolition of existing pathway and kerb, renewal of 2m wide (typical) pathway for a total of 141.68m², renewal of barrier kerb, widening of island to allow for standard concrete kerb ramps as per MRWA standards, replacement of existing side entry pit, new garden barrier kerbing and mulching, red concrete infill around power distribution box and 2 x new bollards for protection, 3 new pram ramps, additional line marking, and some paving reinstatement (building side).

Budget	Quotation	Shortfall
\$8,791	\$24,085	\$15,294



In addition to the existing project, it is considered opportune to link the Charterhouse path project to the existing path network at Hale Street. This link was not quoted on and would need to be considered by Council as a separate decision. Filling in this missing link would benefit the users of the Eaton Family Centre and would provide contiguous access to the surrounding path network for pedestrian’s cyclists and mobility scooters.

This link is not included in the quotation for \$24,085 (excl. of GST). Based on a simple scope of works of 61.5m of 2m wide grey concrete path and 1 kerb ramp, it is expected to cost an additional amount in the order of \$15,284.

J12685 - Millard Street

The existing 2m wide grey path is to be renewed. The original budget is for the renewal of existing pathway of 276.20m² only. The scope of works identified during the design phase identified demolition of existing pathway and kerb, renewal of 2m wide pathway and mountable kerb for a total of 286.19m², preservation of 4 x existing bollards to be, repainted and reinstated, 4 new pram ramps as per MRWA standard, additional line marking of school crossing lines, and coloured infill on Malabor Retreat corner.

Budget	Quotation	Shortfall
\$25,695	\$34,292	\$8,597



J12686 - Diadem Street

The existing 2m wide grey path is to be renewed. The original budget is for the renewal of 505.80m² existing pathway only. The scope of works identified during the design phase includes demolition of existing pathway and kerb for a total of 484.37m², renewal of 2m wide pathway, renewal of mountable kerb, preservation of 4 x existing bollards which are to be repainted and reinstated, 1 new grab rail, one new pram ramps as per MRWA standard, additional line marking of school crossing lines, terracotta coloured infill on Diadem Street corner and extensive level and verge correction of various residents. There is also a need to install SL62 RIO mesh in the path for approximately 86m due motorists parking on the path during school term.

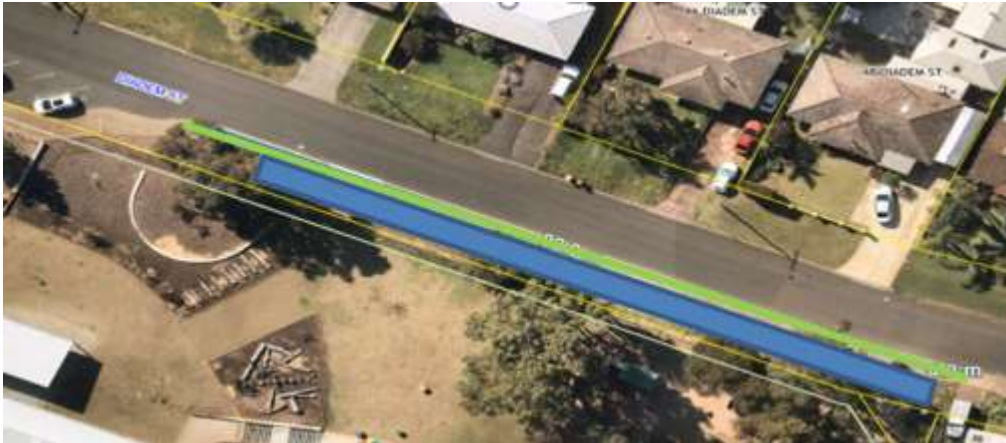
Budget	Quotation	Shortfall
\$54,210	\$62,230	\$8,020



This report seeks approval to reduce the scope of work (reducing the length of path to be renewed) for Diadem Street and to include demolition of existing pathway and kerb for a total of 269.6m², renewal of 2m wide pathway for the same length, renewal of mountable kerb, preservation of 4 x existing bollards which are to be repainted and reinstated, 1 new grab rail, one new kerb ramp as per MRWA standard, additional line marking of school crossing lines, terracotta infill on Diadem Street and extensive level and verge correction of 5 properties (no 39 – 45 Diadem Street). The reduced path length is indicated below, and is estimated to cost below the adopted budget of \$54,210.



As part of the planning and design investigation, a number of parents of Eaton Primary School suggested that a review be undertaken by the Shire for additional parking bays in this area (Blue rectangle indicate grass section and green line indicating pathway to be replaced). Officers are requesting this section of DUP to be excluded from the scope of work in this financial year, to allow a viability study, detailed scope of works, stakeholder engagement, Main Road's approval, and detailed drawings as well as establish costings to be undertaken for this section of Diadem Street. It was also observed that the existing 'kiss and ride' arrangement is not formalised, nor meets acceptable design criteria. For example, a pedestrian access way crosses into the 'kiss and ride' system, which can create pedestrian / vehicle conflicts. This will need to be corrected together with this future Diadem parking project.



Additional consultation is required to ensure users are adequately catered for. This, coupled with the request for additional parking should be considered as a separate project and is not included in this report. Future Diadem works (additional parking, additional 2m grey pathway, new kerbing, and correction of kiss and ride) to be considered as a future project and resubmitted to Council for consideration as a separate item.

Legal Implications

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

6.8. Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or*
- (b) is authorised in advance by resolution*; or*
- (c) is authorised in advance by the mayor or president in an emergency.*

** Absolute majority required.*

In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government —

- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
- (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

Local Government Act 1995 -

S6.10. Financial Management Regulations

Regulations may provide for —

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

Local Government (Financial Management) Regulations 1996

R11. Payments, procedures for making etc.

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

(1) A payment may only be made from the municipal fund or the trust fund —

- (a) if the local government has delegated to the CEO the exercise of its power to make payments from those funds — by the CEO; or*
- (b) otherwise, if the payment is authorised in advance by a resolution of the Council.*

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

Strategic Community Plan

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

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

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

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

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

Environment - None.

Precedents - None.

Budget Implications

The following table summarises the increase to funding required to undertake these projects to the increased scopes as described above:

Job number & name	Budget	Quotation	Shortfall/Excess
J12685 – Millard Street	\$25,695	\$34,292	\$8,597
J12683 – Peppermint Way through MRWA reserve	\$7,224	\$13,157	\$5,933
J12684 – Charterhouse Street Eaton	\$8,791	\$24,085	\$15,294
J12684 – Charterhouse Street Link to Hale Street path (New)	\$0	\$15,284	\$15,284
J12686 – Diadem Street	\$54,210	\$54,210	0
Total shortfall in funding across the 3 renewal and 1 new projects	\$95,920	\$141,028	\$45,108

It is proposed that the increased total expenditure be funded from the pathways reserve.

Budget – Whole of Life Cost

All capital projects included in the Corporate Business Plan have been derived from the Shire’s strategic and asset planning process. Renewal of like for like assets do not incur additional whole of life costs and assuming sufficient provisions have been made in the past no additional provision are required.

Any upgrade and new project will increase whole of life cost and required additional maintenance and renewal expenditure in future. Currently these provisions are not provided for in the high level asset planning process. The whole of life costs for the new Charterhouse Street link to Hale Street will include the following:

Whole of life cost

Asset Value	Useful life	Annual cost
\$15,294	50yrs	\$305.88
Additional maintenance 2%		\$305.88
Additional cost per annum		\$611.76

Additional provisions to be made for future renewal and maintenance, should this project be supported, will be in the order of \$612 per annum.

Although this is a small amount, it is the acknowledgement of this additional expense that is important as new infrastructure results in an increasing financial responsibility.

Council Policy Compliance

The following Council policies apply:

- CP034 - *Procurement Policy*; and
- CP017 – *Project Development Policy*.

Risk Assessment

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

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	DUP 2021-22 – Budget Variance
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Financial Projects exceed available funds.
	Service Interruption Works not undertaken and therefore a safety hazard for users of existing path getting injured due to uneven and broken surfaces
	Reputational Users/residents dissatisfied that path issues are not being addressed. If only path is renewed without additional scope of works undertaken then verge reinstatement will not be undertaken and residents will be very unhappy with how their verges are left.

Officer Comment

Detailed scoping of these projects was undertaken to ensure the projects meet contemporary standards and provide good delivery outcomes. Issues identified during the planning and design phase ensures the project delivery is not encumbered by issues during construction. Some factors impacting project costs are not equally present in all projects, such as demolition works, kerb replacement, crossover reinstatements, landscaping and garden reinstatement, level adjustments, drainage works and traffic management costs. These individual project specifics, therefore, can result in discrepancies between the adopted 10 year renewal program and actual project costs.

In this case, the additional works required to deliver these projects were captured in the request for quotes. It is recommended that Council approve allocation of additional funds to deliver the works to the required standards.

It is further recommended that additional funds be provided for the Charterhouse Street project, to ensure it can be linked to the existing path network.

Future scope of works to complete a parking section, renew remaining DUP as well as making kiss and ride facility compliant on Diadem street to be considered in the 22/23 Path Asset Management Plan.

Moving forward, it is recommended that provisional contingency be allowed for in future works programs. This will reduce the risk of projects being under budgeted. Additionally, work needs to occur on the scoping of future projects to ensure they are adequately planned and costed.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION

THAT Council:

1. Endorse the following 2021-22 budget amendments and Pathways Reserve transfers:
 - a) Increase J12685 from \$25,695 to \$34,292 (allocate an additional \$8,597);
 - b) Increase J12683 from \$7,224 to \$13,157 (allocate an additional \$5,933);
 - c) Increase J12684 from \$8,791 to \$24,085 (allocate an additional \$15,294);
 - d) Increases the budget for J12684 by approving an additional \$15,284 to undertake the link between the existing pathway on Charterhouse Street/Hale Street to Eaton Family Centre totaling 61.5m (123m²) of 2m wide grey path and 1 kerb ramp construction; and
 - e) Authorises the increased total expenditure of \$45,108 to be funded from the pathway reserve account.
2. Requests the Chief Executive Officer to include the proposed additional Diadem Dual Use Path scope of works in the 22/23 Pathway Asset Management Plan.

FURTHER INFORMATION

Note: Prior to the Ordinary Council Meeting Councillors requested an update on other pathway projects not part of the report including Charlotte Street / Railway crossing. Officers explained that these are considered independent projects, however Officers identified that further clarification regarding the Procurement Policy would be beneficial and requested Council's consideration to an additional part in the Officer recommended resolution (as highlighted below in purple).

Charlotte Street Pathway

A separate RFQ was prepared for the Charlotte Street project. This was specifically let out due to some ongoing deliberations for the Charlotte Street project, with respect to services, the toilet building and statutory approvals for the site. The table below outlines the budget provision and costs received for the path component.

JOB NUMBER	PROJECT	ORIGINAL BUDGET	RFQ	QUOTE VALUE	COUNCIL RECOMMENDATION
J10308	Charlotte Street Path and platform	\$100,000* (includes whole project)	F0257251	\$35,560	N/A

12.3.2 DUP Pathway Renewals 2021-2022

The four (4) pathway projects the subject of the report to Council were individually included in the 2021/22 Annual Budget as renewal projects. Additionally the new path proposed along Clarke Street was also included in the 2021/22 Annual Budget as an independent project.

Officers would generally undertake individual procurement processes for each of these projects. This year however considering the limited availability of contractors, Officers opted to bundle the five (5) projects into one Request for Quotation. Officer did prepare a procurement plan in accordance with the Council's adopted Policy CP 034 Procurement Policy. The following table sets out the budget estimates against the quotes received for the five projects. (Please note Clarke Street was not included in the Council report as this project is not a renewal project and is within budget estimates).

As the estimated total value, as per the adopted budget was expected to be below the \$150,000 threshold a RFQ process was followed rather than a RFT process. The quotes received for all five projects in total exceeds the budget estimates and also the \$150,000 threshold included in the Procurement Policy by \$4,894. However if the additional scope is included to construct a new path along Charterhouse street to provide better connectivity, this is increased to \$20,178.

JOB NUMBER	PROJECT	ORIGINAL BUDGET	RFQ	QUOTE VALUE	COUNCIL RECOMMENDATION
J12683	Peppermint Way Link to OCR	\$7,224	F0245175	\$13,157	Increase to \$13,157 Complete the job
J12684	Charterhouse Street Family centre carpark	\$8,791		\$24,085	Increase to \$24,085 Complete the job
J12685	Millard Street Harlequin Gardens to Malabor retreat	\$25,695		\$34,292	Increase to \$34,292 Complete the job
J12686	Diadem Street School to Millard	\$54,210		\$54,210	Retain \$54,210 Reduce scope of job
J12682	Clarke Street, Burekup	\$31,631		\$29,150	Not included in report. Quote within budget
	Subtotal	\$127,551		\$154,894	
New Project	Charterhouse Street Link to Hale Street path (New)	\$0		\$15,284	This is an increase in scope and was not part of the original project.
		\$127,551		\$170,178	

Whilst CP 034 provides for some flexibility for the CEO and Directors to act within their delegated powers in relation to the number of quotes received, it does not provide for these circumstances where the threshold is exceeded. Instead CP 034 requires as follows:

4.3 Purchasing Thresholds and Practices

Legislative / Regulatory / Policy Requirements

The Shire of Dardanup must comply with all requirements, including purchasing thresholds and processes, as prescribed within the Regulations, this Policy and associated purchasing procedures in effect at the Shire of Dardanup.

Purchasing that exceeds \$150,000 in total value (excluding GST) shall be executed by public tender unless a regulatory tender exemption is utilised.

It should be noted that the Local Government (Functions and General) Regulations 1996 only require tenders to be called where the contract is expected to be more than \$250,000:

11. When tenders have to be publicly invited

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is **expected to be, more, or worth more, than \$250 000** unless subregulation (2) states otherwise.*

Please note that the RFQ was distributed to seven local suppliers with only one providing a quote, by the nominated deadline. A number of suppliers specifically indicated they would NOT be lodging a price as it did not fit their schedule or they were simply not interested. Given the Shire's experience with the Eaton Drive path RFT (no tenders received), it is possible that calling a tender may not have yielded any more success.

Given the RFQ sought quotes for all five (5) projects as one procurement project, and considering the purchasing resulting from this procurement will exceed \$150,000 Officers believe it is prudent to ask Council's support to vary the policy to allow the CEO to accept the quotation received in order for all five of these projects to be delivered within this financial year inclusive of the additional scope for Charterhouse. As such the following addition to the Officer recommendation is provided to Council for consideration:

That Council:

3. **Authorises the Chief Executive Officer to accept the quotation from Jetline for the pathway works and acknowledges that this exceeds the \$150,000 threshold for request of quotations in Council Policy CP 034 – Procurement Policy.**

Discussion:

*Cr. M T Bennett advised that he would move the Officer Recommended Resolution with the inclusion of the additional Part 3 above and a further Part 4 that requested that all project were properly scoped and costed prior to being brought back to council for consideration in the budget.
Cr. T G Gardiner seconded.*

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 authorise the Chief Executive Officer to accept the quotation from Jetline for the pathway works and acknowledges that this exceeds the \$150,000 threshold for request of quotations in Council Policy CP 034 – Procurement Policy.*
- *Request that all projects be properly scoped and costed prior to being brought back to Council for consideration in the budget.*

OFFICER RECOMMENDED ALTERNATIVE RESOLUTION & COUNCIL RESOLUTION

336-21 MOVED - Cr. M T Bennett SECONDED - Cr. T G Gardiner

THAT Council:

1. **Endorse the following 2021-22 budget amendments and Pathways Reserve transfers:**
 - a) **Increase J12685 from \$25,695 to \$34,292 (allocate an additional \$8,597);**
 - b) **Increase J12683 from \$7,224 to \$13,157 (allocate an additional \$5,933);**
 - c) **Increase J12684 from \$8,791 to \$24,085 (allocate an additional \$15,294);**
 - d) **Increases the budget for J12684 by approving an additional \$15,284 to undertake the link between the existing pathway on Charterhouse Street/Hale Street to Eaton Family Centre totaling 61.5m (123m²) of 2m wide grey path and 1 kerb ramp construction; and**
 - e) **Authorises the increased total expenditure of \$45,108 to be funded from the pathway reserve account.**
2. **Requests the Chief Executive Officer to include the proposed additional Diadem Dual Use Path scope of works in the 22/23 Pathway Asset Management Plan.**
3. **Authorises the Chief Executive Officer to accept the quotation from Jetline for the pathway works and acknowledges that this exceeds the \$150,000 threshold for request of quotations in Council Policy CP 034 – Procurement Policy.**
4. **Requests that all projects be properly scoped and costed prior to being included in the Budget.**

CARRIED
9/0

12.3.3 Title: Glenhuon Boulevard - Street Trees Replacement

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

Note: *This item was dealt with earlier in the meeting – Please refer to Page 41 of these minutes.*

12.3.4 Title: FOGO Waste Collection – Modified Fee Structure

Reporting Department: Infrastructure Directorate
Reporting Officer: Mr Jason Gick - Manager Operations
Legislation: Local Government Act 1995
Attachments: Appendix ORD 12.3.4 – Risk Assessment

Note: *This item was dealt with earlier in the meeting – Please refer to Page 47 of these minutes.*

12.4 CORPORATE & GOVERNANCE DIRECTORATE REPORTS

12.4.1 Title: WALGA Policy Proposal - Elected Member Superannuation

<i>Reporting Department:</i>	<i>Corporate & Governance Directorate</i>
<i>Reporting Officer:</i>	<i>Mr Phil Anastasakis - Deputy CEO</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.4.1 – Risk Assessment</i>

Overview

The WA Local Government Association (WALGA) is seeking feedback on a draft policy position to advocate for Elected Members to be paid superannuation. The recommended advocacy approach by WALGA is to propose that the *Local Government Act 1995* be amended to facilitate the payment of superannuation to Elected Members in addition to fees and allowances.

Feedback from the Local Government sector will inform a State Council agenda item, which will be considered at the 1st of December 2021 meeting of State Council. Following a State Council decision, advocacy will be undertaken with the Minister for Local Government.

Background

Under current arrangements, Elected Members can voluntarily decide to have all or a portion of their allowances paid into a superannuation fund.

In addition, under the *Superannuation Guarantee (Administration) Act 1992* (Cth), local governments can unanimously resolve to be considered an 'eligible local governing body' through the *Taxation Administration Act 1953* (Cth). As a consequence of such a resolution, Elected Members would then be treated similarly to employees (for the purpose of payments) and the local government would be required to make superannuation contributions in addition to payment of allowances. The Shire of Dardanup has not made this determination in the past.

However, a resolution of this nature also has significant implications: pay as you go (PAYG) tax would be required to be withheld for remission to the Australian Taxation Office (ATO), and Fringe Benefit Tax (FBT) would be applicable to all benefits provided to Elected Members. For these reasons, local governments in Australia typically do not pursue this course of action.

Approaches in other jurisdictions are mixed, however the issue of superannuation entitlements for Elected Members has increasingly been the subject to public debate in other states of Australia.

In New South Wales, following a state-led discussion paper and consultation process, amendments to the Local Government Act have been put forward that would enable Councils to resolve to pay superannuation contributions from July 2022. This mirrors the approach in Queensland where, under the state's Local Government Act, Councils may resolve to pay superannuation contributions to Elected Members. Elected Members in Victoria are paid a cash loading equivalent to the superannuation guarantee, but this is not required to be paid into a superannuation fund. No superannuation is paid in Tasmania, South Australia or the Northern Territory.

Legal Implications

Local Government Act 1995.

Salaries & Allowances Tribunal.

Superannuation Guarantee (Administration) Act 1992 (Cth).

Strategic Community Plan

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

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

Strategy 1.2.1 - Provide elected member training and development. (Service Priority: Very High)

Strategy 1.2.2 Promote programs which encourage elector participation and diversity in local government elections. (Service Priority: Very High)

Environment - None.

Precedents

There is no precedent in WA for this Policy, however as noted in the Background, other states in Australia have considered such a Policy.

The proposed approach by WALGA seeks to advocate to the Minister for Local Government changes to the *Local Government Act 1995* to facilitate the payment of superannuation to Elected Members in addition to fees and allowances.

Budget Implications

Sitting fees for Elected Members are currently paid within a minimum/maximum band that is set annually by the Salaries and Allowances Tribunal. The Shire of Dardanup's current policy position is for Elected Members to be paid at 75% of the band. Utilising this assumption and the current superannuation guarantee contribution (SGC) of ten percent, the annual cost to the Council of mandatory SGC for Elected Members would be approximately \$17,500.

Budget – Whole of Life Cost

As no assets have been created, there is no whole of life cost applicable to this item.

Council Policy Compliance - None.

Risk Assessment

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

TIER 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	WALGA Policy Proposal - Elected Member Superannuation
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Financial There is a cost implication if this Policy was adopted by Council.
	Legal and Compliance Any payments would have to comply with relevant legislation.
	Reputational Additional payments made to elected members may be viewed by some community members as excessive.

Officer Comment

- *The case in support of WALGA’s proposed position*

As has been well documented through recent Inquiries into Local Government, “the role of a Councillor is challenging. Councillors are responsible for overseeing a complex business – that provides a broad range of functions, manages significant public assets, and employs in some cases hundreds of staff – all in a political and publicly accountable environment.” (*WALGA (2019) Final Submission: Select Committee into Local Government. Page 35*).

It is crucial to the functioning of Local Government that Elected Members are appropriately remunerated for their time and contribution.

Payment of superannuation to Elected Members aligns with the objective of the superannuation system, which is “to provide income in retirement to substitute or supplement the Age Pension.” (*Australian Government: The Treasury (2021) Superannuation Reforms*).

The suggested advocacy approach by WALGA is to propose that the *Local Government Act 1995* be amended to facilitate the payment of superannuation to Elected Members in addition to fees and allowances. This approach avoids the problems associated with the current arrangements around the need to withhold income tax and pay fringe benefits tax.

A fundamental question relates to whether the proposed amendment to the Local Government Act should *require* local governments to pay superannuation, or whether the decision to pay superannuation should be a decision of Council.

Under the principle of general competence, local governments should be empowered to manage their own affairs and the case could be made that this ought to extend to the payment of superannuation to Elected Members. However, as the superannuation system is underpinned by its universality, and there is potential for payment of superannuation to become a political debate around the Council table, a strong case can be made for the payment of superannuation to Elected Members to be a legislative requirement.

It could be argued that to achieve the objectives of the superannuation system and to avoid politicisation of the decision at a local level, payment of superannuation should be a universal entitlement for Elected Members and therefore a requirement of local governments contained in the *Local Government Act 1995*.

- *The case against WALGA's proposed position*

Elected Members can under current arrangements voluntarily decide to have all or a portion of their allowances paid into a superannuation fund.

The Salaries and Allowances Tribunal each year determines minimum/maximum bands for each level of local government, where under the Council's current policy position Elected Members are paid 75% of the Band 3 entitlement. An alternative to legislative amendment to mandate superannuation guarantee contributions could be for the Tribunal to review the band levels in this context, and for individual local governments to set its payments to Elected Members at an appropriate level.

Of relevance also is a statement by the Tribunal in its most recent determination for Local Government Chief Executive Officers and Elected Members dated 8th of April 2021, where the Tribunal emphasises at paragraph 17 of its preamble that:

"It is emphasised that fees and allowances, in lieu of reimbursement of expenses, provided to elected members are not considered payment for work performed in a manner akin to regular employment arrangements. Elected members are provided these fees and allowances to recognise the commitment of their time and to ensure they are not out of pocket for expenses properly incurred in the fulfilment of their duties. The Tribunal's original 2013 determination stated that "fees and allowances provided to elected members are not intended to be full time salaries for members". The Tribunal continues to recognise the degree of voluntary community service in the role of elected members."

WALGA will be advised of Council's decision in relation to this matter as soon as possible after the Council meeting, after which the matter will be considered by WALGA State Council at its meeting on the 1st of December 2021.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

OFFICER RECOMMENDED RESOLUTION 'A'

THAT Council does not support WALGA's proposed policy position that the Local Government Act 1995 be amended to require Local Governments to pay Elected Members into a nominated superannuation account, an amount equivalent to the superannuation guarantee determined with reference to fees and allowances paid to each Elected Member.

OR

OFFICER RECOMMENDED RESOLUTION 'B'

THAT Council supports WALGA's proposed policy position that the Local Government Act 1995 be amended to require Local Governments to pay Elected Members into a nominated superannuation account, an amount equivalent to the superannuation guarantee determined with reference to fees and allowances paid to each Elected Member.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION 'A' & COUNCIL RESOLUTION

337-21 MOVED - Cr. P R Perks SECONDED - Cr. J P Dow

THAT Council does not support WALGA's proposed policy position that the Local Government Act 1995 be amended to require Local Governments to pay Elected Members into a nominated superannuation account, an amount equivalent to the superannuation guarantee determined with reference to fees and allowances paid to each Elected Member.

CARRIED
9/0

12.4.2 Title: Title of Report – CnG CP306 Accounting Policy for Capital Works – New Policy

Reporting Department:	<i>Corporate & Governance Directorate</i>
Reporting Officer:	<i>Mr Phil Anastasakis - Deputy CEO Mrs Natalie Hopkins - Manager Financial Services</i>
Legislation:	<i>Local Government Act 1995</i>
Attachments:	<i>Appendix ORD: 12.4.2A – Draft CnG CP306 Accounting Policy for Capital Works Appendix ORD: 12.4.2B – Risk Assessment</i>

Overview

This report is provided to Council to consider and adopt the new policy *CnG CP306– Accounting Policy for Capital Works* [Appendix 12.4.2A], which provides guidance to Council Staff on the accounting treatment for capital works projects.

Background

This new Policy has been created to ensure a consistency approach across the organisation when capitalising capital works projects. The Policy is to be read in conjunction with Australian Accounting Standard (AASB) *AASB 116 Property, Plant and Equipment*, the *Local Government (Financial Management) Regulations 1996*, and other relevant legislation pursuant to the capitalisation of assets.

With recent changes to the *AASB 116 Property, Plant and Equipment* standard, administration costs can no longer be capitalised. This change has resulted in a secondary overhead rate specifically for capital works projects for the 2021/22 annual budget. *The primary overhead rate for Maintenance projects will continue to incorporate an Administration Overhead component.*

The draft Policy outlines the capital works definition, in accordance with the Australian Accounting Standards, and the process for asset recognition i.e. ‘what costs should be capitalised’ and ‘what costs should be expensed’. It is anticipated that this Policy will guide the decision making on the accounting treatment of all costs associated with the creation of an asset, and assist with budgeting and planning for capital works costs. An asset is defined as *a resource controlled by an entity as a result of past events and from which future economic benefits are expected to flow to the entity.*

This creation of a formal *Accounting Policy for Capital Works* policy will enable Council to formally recognise and endorse the process and accounting treatment of asset capitalisation.

Legal Implications

Local Government Act 1995

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

Local Government (Financial Management) Regulations 1996

17A. Valuation of certain assets for financial reports

(1) In this regulation—

carrying amount, in relation to a non-financial asset, means the carrying amount of the non-financial asset determined in accordance with the AAS;

fair value, in relation to a non-financial asset, means the fair value of the non-financial asset measured in accordance with the AAS;

right-of-use asset, of a local government, includes the local government's right to use —

- (a) Crown land; or
- (b) other land that is not owned by the local government,

that is vested in the local government at nil or nominal cost for an indefinite period for the purpose of roads or for any other purpose;

vested improvement, in relation to a local government, means a pre-existing improvement on land of which the care, control or management is vested in the local government at nil or nominal cost for an indefinite period.

(2) A local government must show in each financial report for a financial year ending on or after 30 June 2020 —

- (a) the fair value of all of the non-financial assets of the local government that are —
 - (i) land and buildings that are classified as property, plant and equipment; or
 - (ii) investment properties; or
 - (iii) infrastructure; or
 - (iv) vested improvements that the local government controls;
 and
- (b) the carrying amount of all of the non-financial assets of the local government that are plant and equipment type assets measured using the cost model in accordance with the AAS; and
- (c) the carrying amount of all of the right-of-use assets of the local government (other than vested improvements referred to in paragraph (a)(iv)) measured using the cost model in accordance with the AAS.

[(3) deleted]

(4) A local government must revalue a non-financial asset of the local government referred to in subregulation (2)(a) —

- (a) whenever the local government is of the opinion that the fair value of the asset is likely to be materially different from its carrying amount; and
- (b) in any event, within a period of no more than 5 years after the day on which the asset was last valued or revalued.

(5) A non-financial asset is to be excluded from the assets of a local government if the fair value of the asset as at the date of acquisition by the local government is under \$5 000.

Strategic Community Plan

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

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

Environment - None.

Precedents

The Council Policy Manual is reviewed regularly to ensure compliance with laws and regulations, and to maintain best practice governance systems.

Budget Implications

All capital works projects are budgeted within the relevant annual budget of that year. There are no direct budget implications associated with this new policy.

Budget – Whole of Life Cost

Assets that are created and capitalised are contained within the relevant Asset Management Plans.

Council Policy Compliance

Current Council Policy CnG CP127 – *Asset Capitalisation Threshold Policy*.

Current Council Policy CnG CP128 – *Significant Accounting Policies*.

Current Council Policy Infr CP074 – *Asset Management*.

Risk Assessment

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

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	CnG CP306 Accounting Policy for Capital Works – New Policy
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 Ad-hoc financial management practices lead to non-compliance with Australian Accounting Standards, Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.
	Reputational Non-compliance will impact on the Shire’s business reputation.

Officer Comment

This Policy has been developed utilising the industry best practice standards and provides consistent and clear guidelines, in accordance with relevant Australian Accounting Standards and other legislation, regarding Council’s non-current assets that are to be capitalised (as opposed to expensed).

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

338-21 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council adopts the new Council Policy ‘CP306 – Accounting Policy for Capital Works’ [Appendix 12.4.2A].



POLICY NO:-
CP306 – ACCOUNTING POLICY FOR CAPITAL WORKS

GOVERNANCE INFORMATION			
Procedure Link:	NA	Council Policy Link:	NA

ADMINISTRATION INFORMATION					
History:					
Version:	1	CP306	OCM 27/10/21	Res: 338-21	Synopsis: Council Policy Document endorsed

1. RESPONSIBLE DIRECTORATE

Corporate & Governance

2. PURPOSE OR OBJECTIVE

The purpose of this policy is to provide general guidance to Council staff and Elected Members to assist them in determining when and what costs associated with capital works projects should be capitalised. This Policy is to be read in conjunction with the following:

- AASB 116 *Property, Plant and Equipment*
- AASB 138 *Intangible Assets*

Accounting policies related to capital works projects are contained in the:

- Infr CP074 Asset Management
- CnG CP127 Asset Capitalisation Threshold;
- CnG CP128 Significant Accounting Policies (relevant to the year of adoption);
- CnG CP 074 Asset Management.

Relationship to International Financial Reporting Standards

The Accounting Policy for Capital Works is to be read in conjunction with the applicable Australian Accounting Standards. Australian Accounting Standards incorporate International Financial Reporting Standards issued by the International Accounting Standards Board, with the addition of paragraphs on the applicability of each standard in the Australian environment. This policy is aimed to assist Council in applying the requirements within Australian Accounting Standards to capitalise costs associated with capital works projects.

There is, however, no intention that this policy, *Accounting Policy for Capital Works*, will replicate the Accounting Standards.

Application Date

This policy applies to reporting periods on or after 27 October 2021.

3. REFERENCE DOCUMENTS

Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

Generally Accepted Accounting Principles (GAAP) - is a framework of accounting standards, rules and procedures defined by the professional accounting industry.

International Financial Reporting Standards (IFRS) - are a set of international accounting standards stating how particular types of transactions and other events should be reported in financial statements.

Australian Accounting Standards Board (AASB) – Australian Accounting Standards.

Dept Local Government Accounting Manual.

4. POLICY

4.1 Capital Works

4.1.1 Asset Definition

In determining whether to capitalise or expense costs associated with a capital works project, it must first be determined whether or not the capital works project meets the asset definition. An asset is defined as *“a resource controlled by the entity as a result of past events and from which future economic benefits are expected to flow to the entity” (AASB 116 para. 7).*

Future economic benefits are not limited to situations involving future cash inflows, as they are also synonymous with the notion of service potential. Future economic benefits refer to the capacity to provide goods and services in accordance with the entity’s objectives, including the provision of goods or services to the public e.g. provision of facilities to sporting clubs or groups.

4.1.2 Asset Recognition

Costs that meet the definition of an asset must also meet the recognition criteria before an asset can be recorded in the financial statements. The recognition criteria states that assets should be included in the financial statements when it is probable that the entity will receive future economic benefits and that the asset can be measured reliably (AASB 116 para. 7).

The concept of ‘probable’, included in the recognition criteria above, refers to an event being more likely than less likely of occurring, that is, there is a greater than 50% chance that the future economic benefits will occur.

The concept of reliable measurement refers to whether the nature of the asset is inherently difficult to measure. It is the nature of the asset that determines whether it can be measured reliably rather than an entity not having the systems in place to measure an asset reliably. Except in rare cases, the nature of the costs incurred in capital works projects will be able to be measured reliably. Appropriate accounting systems will be in place before the commencement of a project so that costs are recorded correctly.

Council Policy **CnG CP127 Asset Capitalisation Threshold** should also be considered when determining the recognition criteria for an asset, as this Policy requires that all assets with a value less than \$5,000 be expensed not capitalised. Additionally, those assets with a value of less than \$5,000 but greater than \$300, are to be recorded in the "Portable & Attractive Items Register" where the following criteria is met:

- They are defined as portable by nature, can easily be removed or concealed and are usually easily converted to cash or attractive for personal use;
 - a) are susceptible to theft or loss due to their portable nature and attractiveness for personal use or resale;
 - b) Items with a value below \$300 are not capitalized or recorded on the Portable and Attractive Items Register.

4.1.3 What costs should be capitalised

In general, an asset is measured at the cost of acquiring or constructing the asset. The cost of an item includes not only its purchase price or direct construction costs, but also includes any other costs that are 'directly attributable' in bringing the asset to a location and condition ready for use, as well as the initial estimate of the costs of dismantling and removing the item and restoring the site on which it is located (where there is a present obligation to do so) (AASB 116.16).

'Directly attributable' costs are costs that, if not incurred, would result in the asset not being able to be used and therefore not being able to provide future economic benefits to the entity. Examples of 'directly attributable' costs are (AASB 116.17):

- cost of site preparation;
- initial delivery and handling costs of materials for the capital works project;
- installation and assembly costs;
- costs of testing that the asset is functioning properly; and
- professional fees (i.e. architects, legal advisors, surveyors, quantity surveyors, project managers, auditors).

Certain costs may occur in connection with the construction or development of an asset that are not 'directly attributable' to the asset. These incidental costs are recognised as expenses when incurred. An example of a related cost that cannot be capitalised, is the cost of relocating staff into the new building at the completion of the project.

Once costs have been expensed they cannot subsequently be capitalised in future years (except where an error has occurred in the initial treatment). Costs expensed early in a capital works project, because at that time it was not probable that the asset would eventuate, cannot subsequently be capitalised if the project proceeds and the asset is built.

4.2 Project Classification and Accounting Treatment

4.2.1 Capital Works Program

The Shire of Dardanup's Capital Works Program is detailed in the relevant adopted Asset Management Plans, Long Term Financial Plan and the Annual Budget.

4.2.2 Capital Upgrades

Capital upgrades are activities or minor works intended to extend the effective useful life of an existing asset or improve an asset's service potential. An example of a capital upgrade project is the complete upgrade of a sporting club building so that the sporting club building is better and more functional than previously.

Expenditure on assets that does meet the required *Upgrade* recognition criteria can broadly be categorised into two sub-components; *Renewal* and *New*.

- Renewal/Replacement capital expenditure sustains the service at the same level on a like for like basis such as a road re-seal or a building re-roof.

- New capital expenditure can be further segregated into three areas, being -
 - a) New: Assets acquired for a new (never before provided) service to the community such as a new library building.
 - b) Upgrade: Which provides a higher level of service than previously offered, such as a lift in an existing building or a need to increase road pavement to accommodate increased vehicle mass. Upgrade costs are often combined with renewal costs but where practical should be separated.
 - c) Expansion: Extension of an asset at the same level of service as is currently enjoyed by the community but to a new group of users.

Where an existing building/structure is completely demolished, then any replacement building/structure would be treated as a new asset. It is considered best practice to disclose in the financial reports the separation of Renewal/Replacement and New capital expenditure. This practice will help greatly with the assessment process of a local government's capital expenditure program.

4.2.3 New Construction

Projects that are categorised as capital upgrades or new construction are capital in nature as the intention is to provide future economic benefits.

4.2.4 Repairs and Maintenance

Repairs and maintenance projects merely maintain assets in their original state. Repairs and maintenance is necessary to allow the continued use of existing assets. An example of a repairs and maintenance project is the replacement of old water taps in a sporting club building (so that the sporting club can continue to use the facility in its current capacity). A repairs and maintenance project is not capital in nature as it does not provide future economic benefits. Therefore, all repairs and maintenance costs are to be expensed.

4.2.5 Accounting Treatment of Capital Upgrades

The following table provides a step-by-step outline of the phases in a typical capital upgrades project. A detailed discussion of accounting issues relevant to new capital works projects is covered under Section 4.2.6 *Accounting Treatment of New Construction*.

The descriptions in Section 4.2.7 *Common Costs incurred throughout the Project* and Section 4.2.8 *Project Team Staff Costs* are also applicable to capital upgrades.

4.2.5(a) Phase 1 – Application for Capital Works Funding

The first step of a capital works project is to develop a strategic 'Asset Management Plan'. This plan is then used to develop a ten-year funding plan. This funding plan is then reviewed annually against Council's performance and the strategic Asset Management Plan.

The strategic 'Asset Management Plan' is generally completed in-house and funding will be from Council's own resources (that is Reserve funded, loan and or / grant funded). Also the staffing costs incurred in developing these plans will be incurred regardless of whether the plans are developed. As a result, these staffing costs should be expensed.

Table 1: Summary of Accounting Treatment of Capital Upgrades

PHASE	STEPS	COST ITEMS	ACCOUNTING TREATMENT
Phase 1 – Application for Capital Upgrade Funding	Preparation of strategic Asset Management Plan	Staff costs: - Project team - Everyday operational	Expense Expense

PHASE	STEPS	COST ITEMS	ACCOUNTING TREATMENT
Phase 2 - Forward Design	Engage Project Director/Manager	Staff costs: - Project team - Everyday operational Procurement costs: - Project Management costs Travel costs	Capitalise Expense Capitalise Capitalise
	Design Agent produces the required design documents	Architectural / Design Consultant costs Quantity Surveyor costs Specialist Consultant costs Travel costs	Capitalise Capitalise Capitalise Capitalise
	Design Acceptance	Staff costs: - Project team - Everyday operational	Capitalise Expense
Phase 3 – Construction	Pre-Construction Relocation (Staff are moved to temporary accommodation ([where applicable])	Staff costs: - Project team - Everyday operational Removalist costs Rental costs Minor fit out costs	Capitalise Expense Capitalise Expense Expense
	Project Director/Manager goes out to tender for construction	Staff costs: - Project team - Everyday operational Procurement costs: - Project Management costs - Tender costs Insurance Costs Travel Costs	Capitalise Expense Capitalise Capitalise Capitalise Capitalise
	Project Director/Manager engages Builder and other construction contractors	Staff costs: - Project team - Everyday operational Procurement costs: - Project Management costs - Construction costs	Capitalise Expense Capitalise Capitalise
	Defect period commences after formal handover. Staff, through Project Director (or Project Manager), ensure defects list is completed and defects fixed.	Staff Costs: - Project team - Everyday operational	Capitalise Expense
Phase 4 - Fit-Out	Tender for Project Manager	Staff costs: - Project team - Everyday operational Tender Costs	Capitalise Expense Capitalise

PHASE	STEPS	COST ITEMS	ACCOUNTING TREATMENT
	Project manager selected for fit-out	Staff costs: - Project team - Everyday operational Project Management costs Consultant costs	Capitalise Expense Capitalise Capitalise
	Purchase of fit-out items	Asset Purchase costs in accordance with capitalisation threshold greater than >\$5,000 per <i>Local Government (Financial Management) Regulations 1996 Reg. 17A</i>	Capitalise Expense if less than \$5,000
	Installation of assets	Fit-out costs in accordance with capitalisation threshold greater than >\$5,000 per <i>Local Government (Financial Management) Regulations 1996 Reg. 17A</i>	Capitalise Expense if less than \$5,000
Phase 5 – Post-Construction Relocation	Moving into completed building (where applicable)	Staff costs: - Project team - Everyday operational Removalist costs	Expense Expense Expense
Phase 6 - Running Costs	There are costs that Council should take note of after the project completion stage for planning their future funding requirements.	Depreciation Ongoing repair & maintenance Insurance cost	Expense Expense Expense
Whole of Project Costs	There are a number of costs that may be incurred during any phase of a capital works project.	Training costs - all phases Meeting costs - all phases Steering Committee costs - all phases Borrowing costs- all phases	Expense Expense Expense Expense

4.2.6 Accounting Treatment of New Construction

The following is a step-by-step outline of the phases in a typical new construction project. Based on the accounting principles, the appropriate accounting treatment for both common costs incurred throughout the project (regardless of which phase they occur in) and the costs incurred in each phase have been determined.

4.2.7 Common Costs incurred throughout the Project

There are a number of costs that may be incurred during any phase of a capital works project. The accounting treatment for these costs is consistent throughout the project, regardless of which stage they occur in:

- Everyday Operational costs
These are costs incurred as part of the everyday operations of Council, and would be incurred regardless of whether the capital works project proceeds. Note that where permanent staff are seconded to a capital works project team their costs should be accounted for in accordance with the below section titled 'Project Team Staff Costs'. All costs relating to the delivery of outputs are to be recorded in the Operating Statement as expenditure for the delivery of outputs.

Examples of such costs are:

- steering committee costs – including staffing costs as these costs will be incurred regardless of whether steering committee meetings occur;
 - a) on-going maintenance / capital acquisitions staff costs - including staff working on repair and maintenance projects, and staff responsible for general procurement and purchasing assets as part of their normal work duties. These costs relate to the delivery of outputs and are funded by General Municipal funds; and
 - b) generic training costs – including generic training for capital works staff e.g. business writing, financial management.
- Capital Works Specific Training costs
Council may incur costs for capital works training such as project management. These costs are expensed as they do not increase the future economic benefit of the capital works project.
- Borrowing costs
Although AASB 123 *Borrowing Costs* allows borrowing costs to be expensed or capitalised, CnG CP306 *Accounting Policy for Capital Works* requires borrowing costs to be expensed.

4.2.8 Project Team Staff Costs

Often, a project team is established to manage a major capital works project(s). Project team staff costs are distinct from on-going maintenance / capital acquisitions staff costs that are regarded as everyday operational costs (see above).

Project team staff spend the majority of their time working on a specific capital works project or are dedicated to managing a number of capital works projects. Where dedicated project team staff are working on multiple capital works projects, a reasonable basis for allocating project team staff costs must be established i.e.: Payroll Timecards.

Project team staff costs include the following costs in relation to Council staff seconded to the project team and any contractors employed for the team:

- salaries and wages;
- superannuation costs;
- overtime costs; and
- allowances e.g. meal allowances.

A 15% overhead provision is to be utilised to reflect the above costs of superannuation and allowances. General administration overhead costs are not to be capitalised. A Project team will often be established for the majority of the life of the project. There is no consistent treatment for project team staff costs throughout the project. The appropriate accounting treatment for project team staff costs i.e. whether they are expensed or capitalised, is dependent on the phase in which the costs are incurred.

Council recognise that an anomaly exists whereby costs incurred for indirect labour (i.e. works staff) may incorporate an overhead component that includes costs not directly attributable to the asset (e.g. training), however, this cost is deemed to be immaterial.

4.2.8 (a) Phase 1 - Concept Development

The first step of a major capital works project is to develop a 'Project Concept Brief'. A 'Project Concept Brief' involves preparing a brief description of the proposed project. This may include the perceived shortfall in service delivery capabilities, within the background, context and rationale of Council's objectives, whole-of-government outcomes and community needs. The 'Project Concept Brief' will generally be performed in-house, and will not be a time consuming process. Funding for this stage will be from Council's own resources.

Since the Concept Development Phase only involves the development of a 'Project Concept Brief', which contains a very basic outline of the project, there is no certainty the project will progress to the next stage, let alone the construction of the asset itself. As there is no certainty that the construction will occur, it is not probable that future economic benefits will flow to Council from the costs incurred in phase 1. As a result, all costs in this phase should be expensed when incurred.

4.2.8 (b) Phase 2 - Feasibility Study (Financial and Economic Business Case)

The first step in the Feasibility Study Phase is the preparation of a proposal requesting funding for the feasibility study (where Council require funding assistance).

Council may then undertake a feasibility study of the proposed capital works project. Based on the findings of the study, Council will then prepare a Forward Design Proposal and a Budget Request to request funding for the forward design of the proposed project (if funding is required). Funding for this stage may be from Council's own resources, grant funding or from capital works funding Reserves. The Forward Design Proposal and a Cost Benefit Analysis are generally performed in-house, however consultants can be engaged to assist in this process.

Although the project has progressed further than Phase 1, there is still insufficient certainty that the project will be approved in the capital works budget process. Thus, it is not probable as yet, that future economic benefits are likely to flow from the costs incurred in Phase 2. Therefore, all costs incurred at this stage should be expensed.

4.2.8 (c) Phase 3 - Forward Design

In the forward design phase, a project director/manager, responsible for managing the capital works project on behalf of Council, coordinates the completion of the design or specifics for the project.

The project director/manager may appoint agent(s) who produce the following:

- Conceptual Design Plans;
- Preliminary Sketch Plan (PSP);
- Final Sketch Plan (FSP); and
- Tender drawings/documents.

Even though the costs incurred in the Forward Design Phase arise before the final construction approval, it is considered probable that projects reaching this stage of the capital works process will go ahead and therefore the project will provide future economic benefits to Council. Also costs incurred during the forward design phase are 'directly attributable' in enabling the construction of the capital works project to proceed. Therefore all costs incurred in Phase 3 should be capitalised, with the exception of everyday operational costs which are expensed (see Section 4.2.7 *Common Costs Incurred throughout the Project* above).

Forward design costs are capitalised into a capital works in progress account and while in this account are not depreciated. Depreciation only commences when the entire capital works project is completed and transferred out of the capital works in progress account to the appropriate property, plant and equipment asset class (also see Section 4.2.8(g) *Phase 7: Running Costs*). This is because the Forward Design costs are not considered to be a separate asset from the physical asset being constructed, and as such should not be depreciated until such time as the asset is recognised as complete.

4.2.8 (d) Phase 4 - Construction

Pre-construction relocation is sometimes necessary when the occupants of a building are required to be relocated in order for the existing building to be demolished and rebuilt. The pre-construction relocation step in this phase will not occur in all projects.

As this step occurs immediately prior to the commencement of building, it is probable that the capital works project will be completed and will provide future economic benefits to Council. Removalist costs are incurred as part of the site preparation. Site preparation costs are classified as 'directly attributable' costs in AASB 116.17 (b) as without these costs the capital works project could not proceed. That is, unless staff are moved out of the existing building, the new building cannot be completed. Therefore removalist costs should be capitalised.

The displaced occupants of the building will require temporary accommodation, in the interim, to continue their usual operations. Minor fit-out costs may be incurred at the temporary premises to enable the continuation of day-to-day operations. As these costs are incurred for the purposes of the ordinary operations of Council and are not 'directly attributable' to the construction, and as such they should be expensed as part of Council's normal operating costs.

The construction step of this phase of the project involves the project director/manager undertaking a tender process and awarding a contract for the construction of the project. Tendering costs, including consultant costs, travel costs and advertising costs, are capitalised as they will generate future economic benefits.

Once the contract is finalised, construction of the project commences. Construction costs are capitalised as it is probable that the work will be completed and the new asset will provide future economic benefits to Council.

4.2.8 (e) Phase 5 - Fit-Out

Phase 5 will occur in many capital works projects. This phase involves the purchase and installation of items, in order for the capital works project to be ready for use. This phase will generally be applicable to the construction of buildings.

Project management of the fit-out can either be performed by Council, or Council may undertake a procurement and/or tender process and contract out the project management to an external provider. Project management costs are capitalised as they will generate future economic benefits and are 'directly attributable' to the project.

The purchase price and installation of the fit-out items (e.g. office partitioning) are capitalised, subject to the Office of the Auditor General (OAG) Grouped Asset capitalisation threshold and determination, and in accordance with the relevant *Local Government Financial Management Regulations 1996*. This is because the fit-out items provide future economic benefit and the installation costs are 'directly attributable' in bringing the fit-out items to the condition and location ready for use. These items are generally capitalised as a separate plant and equipment asset rather than capitalised into the building asset which has been constructed, however this will depend on the nature of the fit-out items.

4.2.8 (f) Phase 6 - Relocation

This Phase will not occur in all projects. Phase 6 involves relocating staff from their existing location to the newly constructed building. These costs are incurred once the new building is completed and ready for use by Council.

These costs are incurred to ensure that the normal recurring operations of the entity can continue. The costs do not increase the future economic benefits of the capital works project and are not 'directly attributable' to the project.

These removalist costs are accounted for differently to Phase 4 removalist costs because Phase 4 removalist costs are part of the site preparation and are therefore classified as 'directly attributable' costs as the existing building must be vacated to enable building or demolition to commence. Conversely, in this Phase the building is already completed so that removalist costs are not 'directly attributable' in the completion of the building. As a result Phase 6 relocation costs are expensed.

4.2.8 (g) Phase 7 - Running Costs

Phase 7 occurs after the capital works project is completed. Running costs are the on-going costs associated with normal operations, such as repairs and maintenance, insurance costs, and depreciation. Running costs should be expensed, as they are incurred in the course of ordinary activities of Council rather than as part of the capital works project.

Depreciation of the asset commences when capital works projects are completed and ready for use (see AASB 116.55).

Table 2: Summary of Accounting Treatment of New Construction

PHASE	STEPS	COST ITEMS	ACCOUNTING TREATMENT
Phase 1 – Concept Development	Project Concept Brief	Staff costs: - Project team - Everyday operational	Expense Expense

PHASE	STEPS	COST ITEMS	ACCOUNTING TREATMENT
Phase 2 - Feasibility Study (Financial and Economic Business Case)	Proposal requesting Capital Works funding for a feasibility study	Staff costs: - Project team - Everyday operational Consultant costs Travel costs	Expense Expense Expense Expense
	Feasibility Study (Needs Assessment)	Staff costs: - Project team - Everyday operational Consultant costs Travel costs	Expense Expense Expense Expense
	Forward Design Proposal and Cost Benefit Analysis (both prepared using Feasibility Study results)	Staff costs: - Project team - Everyday operational Consultant costs Travel costs	Expense Expense Expense Expense
Phase 3 - Forward Design	Engage Project Director/Manager	Staff costs: - Project team - Everyday operational Procurement costs: - Project Management costs Travel costs	Capitalise Expense Capitalise Capitalise
	Design Agent produces the required design documents	Architectural / Design Consultant costs Quantity Surveyor costs Specialist Consultant costs Travel costs	Capitalise Capitalise Capitalise Capitalise
	Design Acceptance	Staff costs: - Project team - Everyday operational	Capitalise Expense
	Business Case Proposal for Construction Funding (using results from Feasibility Study and Forward Design)	Staff costs: - Project team - Everyday operational	Capitalise Expense
Phase 4 – Construction	Pre-Construction Relocation (Staff are moved to temporary accommodation ([where applicable])	Staff costs: - Project team - Everyday operational Removalist costs Rental costs Minor fit out costs	Capitalise Expense Capitalise Expense Expense
	Project Director/Manager goes out to tender for construction	Staff costs: - Project team - Everyday operational Procurement costs: - Project Management costs - Tender costs Insurance Costs Travel Costs	Capitalise Expense Capitalise Capitalise Capitalise Capitalise

PHASE	STEPS	COST ITEMS	ACCOUNTING TREATMENT
	Project Director/Manager engages Builder and other construction contractors	Staff costs: - Project team - Everyday operational Procurement costs: - Project Management costs - Construction costs	Capitalise Expense Capitalise Capitalise
	Defect period commences after formal handover. Staff, through Project Director (or Project Manager), ensure defects list is completed and defects fixed.	Staff Costs: - Project team - Everyday operational	Capitalise Expense
Phase 5 - Fit-Out	Tender for Project Manager	Staff costs: - Project team - Everyday operational Tender Costs	Capitalise Expense Capitalise
	Project manager selected for fit-out	Staff costs: - Project team - Everyday operational Project Management costs Consultant costs	Capitalise Expense Capitalise Capitalise
	Purchase of fit-out items	Asset Purchase costs in accordance with capitalisation threshold greater than >\$5,000 per <i>Local Government (Financial Management) Regulations 1996 Reg. 17A</i>	Capitalise Expense if less than \$5,000
	Installation of assets	Fit-out costs in accordance with capitalisation threshold greater than >\$5,000 per <i>Local Government (Financial Management) Regulations 1996 Reg. 17A</i>	Capitalise Expense if less than \$5,000
Phase 6 – Post-Construction Relocation	Moving into completed building (where applicable)	Staff costs: - Project team - Everyday operational Removalist costs	Expense Expense Expense
Phase 7 - Running Costs	There are costs that Council should take note of after the project completion stage for planning their future funding requirements.	Depreciation Ongoing repair & maintenance Insurance cost	Expense Expense Expense

PHASE	STEPS	COST ITEMS	ACCOUNTING TREATMENT
Whole of Project Costs	There are a number of costs that may be incurred during any phase of a capital works project.	Training costs - all phases Meeting costs - all phases Steering Committee costs- all phases Borrowing costs- all phases	Expense Expense Expense Expense

4.2.9 Implications for Budgets and Financial Reporting

The accounting treatment of costs incurred in relation to capital works projects should be based on the accounting principles as outlined in this accounting policy, in accordance with the relevant accounting standards. How Council funds its capital works project should not determine the accounting treatment applied to project costs i.e. all project costs should not be capitalised purely because the funding for the project was received as a capital injection.

Council should consider the appropriate accounting treatment for project costs when applying for grants and external funding, so that the funding requested reflects as much as possible the subsequent accounting for costs as either expenses or assets.

CARRIED
9/0

12.4.3 Title: Bunbury & Districts Softball Association – Sponsorship & Signage Request and Sub Leasing of Canteen Facilities

<i>Reporting Department:</i>	<i>Corporate & Governance Directorate</i>
<i>Reporting Officer:</i>	<i>Mrs Donna Bailye - Personal Assistant to D/CEO</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.4.3A – Correspondence from BADSA – Canteen Request</i> <i>Appendix ORD: 12.4.3B – Risk Assessment</i> <i>Appendix ORD: 12.4.3C – BADSA Sponsorship Packages</i>

Overview

Council is requested to approve the Bunbury & Districts Softball Association (BADSA) request for Sponsorship Signage on the fence line at the Bunbury & Districts Softball Association and the sub-leasing of their canteen for the 2021-22 Softball Season.

Background

BADSA have written to Council to request support and approval to their proposed 2021 Sponsorship program, wherein sponsorship signage is being offered to sponsors on the boundary fence line of the BADSA grounds.

BADSA are also proposing to sub-lease their Canteen Facilities to a third party operator for the duration of the 2021/22 softball season [Appendix ORD: 12.4.3A].

Legal Implications

BADSA currently lease the Softball Pavilion and grounds from the Shire of Dardanup. In accordance with the current lease agreement, approval is required by the Lessor for the installation of any signage within the lease boundary.

Section 20 of the lease agreement provides for the sub-leasing of the premises in accordance with the Lessors consent.

Strategic Community Plan

- Strategy 1.1.1 - Ensure equitable, inclusive and transparent decision-making. (Service Priority: High)
- Strategy 1.1.3 - Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High)
- Strategy 3.3.2 - Support volunteer groups within the Shire of Dardanup. (Service Priority: High)

Environment - None.

Precedents

Council has previously approved sponsorship signage to the Eaton Boomers Football club for internal advertising signage on Glen Huon Oval. The matter was brought to Council as a Development Application on the 26th of April 2017.

Council has also provided retrospective approval to the internal facing advertising at the Eaton Bowling Club (Lot 510 Pratt Road) at the Ordinary Council meeting held on the 27th of January 2016.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance

SDev CP084 – Advertising Signs.

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	Bunbury & Districts Softball Association – Sponsorship & Signage Request and Sub Leasing of Canteen Facilities				
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	<table border="0"> <tr> <td>Legal and Compliance</td> <td>Failure to comply with the terms of the lease agreement could lead to legal non compliance</td> </tr> <tr> <td>Reputational</td> <td>Not supporting the clubs requests could be seen in a negative light by the club and its members</td> </tr> </table>	Legal and Compliance	Failure to comply with the terms of the lease agreement could lead to legal non compliance	Reputational	Not supporting the clubs requests could be seen in a negative light by the club and its members
Legal and Compliance	Failure to comply with the terms of the lease agreement could lead to legal non compliance				
Reputational	Not supporting the clubs requests could be seen in a negative light by the club and its members				

Officer Comment

- *Sponsorship and Signage Request*

BADSA are proposing to offer business the opportunity to purchase advertising signs at locations along the softball internal boundary fence line. The club is offering two levels of signage, one being in the Home Run and Third Base locations. [Appendix ORD: 12.4.3C] Home Run signage is located on the inward facing side of the outer fencing and the Third Base is located on the internal fencing running out from the club rooms. The areas of coverage are provided in the red areas of the diagram below.

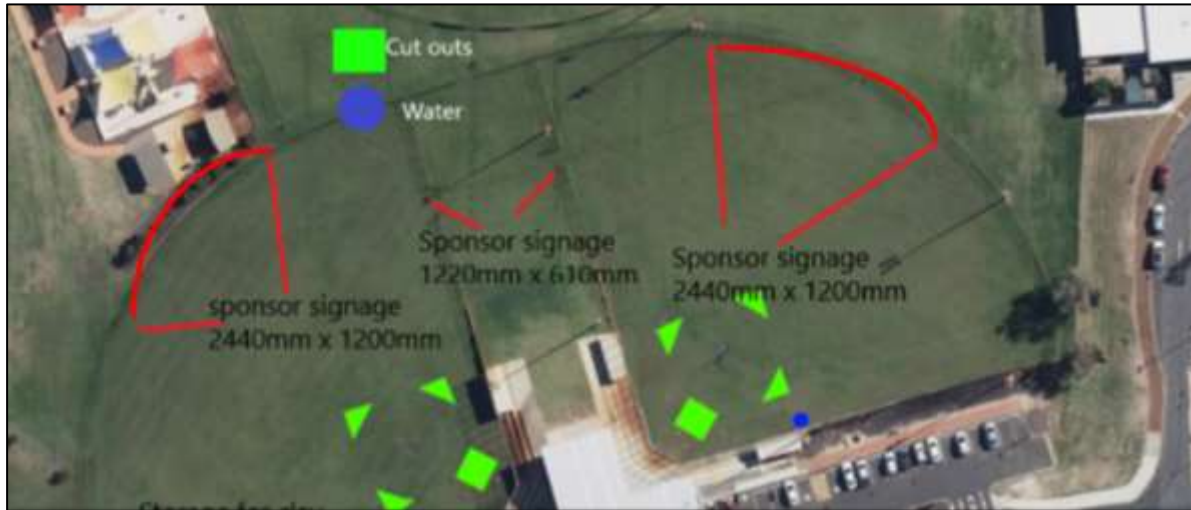


Diagram 1

BADSA have marked the above areas for signage but have also requested that should the need arise, approval also be given to extend along the fence line beyond the areas marked.

Council review of the Advertising Signs Policy in April 2021 exempts the need for a Development Application for this type of advertising, as long as the signs comply with the requirements of the policy. The policy provides the following:

<p><u>Signage for sponsorships at sports grounds/ovals</u></p>	<p><u>All zones and reserves where the use is permitted and approved.</u></p>	<p><u>Signs shall:</u></p> <ul style="list-style-type: none"> • be securely attached to a fence; • be no higher than 1.2m from the ground; • sit flush on the fence to which it is attached; • not be illuminated; • always be internally facing.
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The current Lease Agreement with Bunbury & Districts Softball Association requires the Lessors approval for any signage installation, and therefore the matter has been brought to Council for consideration.

- *Sub-Leasing of Canteen Facilities*

Due to difficulties in staffing and volunteer availability, BADSA are proposing to sub-lease the canteen facilities to an outside party for the 2021-22 softball season. They are proposing to enter into a sub-lease arrangement with Ms Rae Gray, who will be running the canteen on game days for the softball season, that being October through to April.

Ms Gray will be responsible for the full operations of the canteen, including employing staff, insurances and purchase of stock. BADSA will be entering into a written sub-lease agreement, and Council, as Lessors will be signatory to the sub-lease.

BADSA will be responsible for establishing the sub- lease agreement. It is also proposed that the club will be requested to report on this arrangement following the 2021-2022 softball season and to also provide for this arrangement in its future Business Plan.

Lessor approval is required under the current Lease Agreement for the sub-letting or sub-leasing of any facilities with the building. Therefore the sub-leasing of the BADSA canteen is brought to Council for consideration.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION 'A' & COUNCIL RESOLUTION

339-21 MOVED - Cr. P S Robinson SECONDED - Cr. J P Dow

THAT Council approves the Bunbury & Districts Softball Association request to install internally facing business sponsorship advertising signage on the areas identified within the Softball Oval boundary fencing on Lot 501 Recreation Drive, Eaton [refer to Appendix ORD: 12.4.3C], subject to the following conditions:

1. **The size and design meeting the requirements of Councils SDev CP084 – Advertising Signs Policy.**
2. **Any signage installed on the outer softball boundary fencing shall always be internally facing with no externally facing signage permitted without the further approval of Council.**
3. **The content of all signage shall be of a non-offensive nature to the satisfaction of the Chief Executive Officer.**
4. **Signage must only be placed in the locations identified in Diagram 1 of the *Bunbury & Districts Softball Association – Sponsorship & Signage Request and Sub Leasing of Canteen Facilities Report*.**
5. **Placement outside the areas identified in Diagram 1 will require prior written approval from Council.**
6. **All advertising signs are to be installed and maintained by Bunbury & Districts Softball Association.**

CARRIED
9/0

AND

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION 'B' & COUNCIL RESOLUTION

340-21 MOVED - Cr. P S Robinson SECONDED - Cr. J P Dow

THAT Council:

1. **Approves the Bunbury & Districts Softball Association request for sub-leasing of the canteen facilities at the Bunbury & Districts Softball building for the 2021-22 Softball Season with the following conditions.**
 - a) **Following the 2021-22 softball season Bunbury & Districts Softball Association provide a report to Council on the operations of the sub-lease and report these operations within its future Business Plan.**
 - b) **Lessor to be signatory to the sub-lease with Bunbury & Districts Softball Association and incoming sub-lessee.**
 - c) **The sub-lessee to obtain and maintain the relevant insurances, and to indemnify the Shire of Dardanup against any actions arising from the sub-lessees activities.**
 - d) **Lessor to be notified of any breaches or termination of the sub-lease agreement.**

2. **Authorises the Chief Executive Officer to execute any future Canteen sub-leasing arrangement between the Bunbury & Districts Softball Association and future sub-lessee parties.**

CARRIED
9/0

12.4.4 Title: Termination of Lease – South West Montessori and Future Use of Dardanup Community Centre

<i>Reporting Department:</i>	<i>Corporate & Governance Directorate</i>
<i>Reporting Officer:</i>	<i>Mrs Donna Bailye - Personal Assistant to D/CEO</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.4.4 – Risk Assessment</i>

Overview

This report is to advise Council of South West Montessori's (SWM) notice of termination for their Lease over the front section of the Dardanup Community Centre in Dardanup. Council are requested to receive this notice and to consider the future use of the site and building.

Background

The South West Montessori Children's club have held a lease at the Dardanup Community Centre since 2011. Prior to this, the SWM club operated out of the Eaton Community Library, where workshops provided support and information about the Montessori Philosophy for parents.

The group has continued to renew their lease with the Shire of Dardanup since 2011. Throughout this time the group's membership has significantly changed and in 2019 the Shire received notice that the group was struggling financially and were considering closing down. The membership at the time consisted of a committee of four people and a membership of seven, and was considered more of a playgroup rather than a formal South West Montessori Children's Club.

The group requested a six month extension to their lease to enable them to investigate other options for the running of the group. Council approved the six month extension (Res 84-20), expiring on the 30th of November 2020 and waived the rental fee for this period.

Due to COVID restrictions in 2020 the group ceased playgroup activities in March 2020 and recommenced at the end of July 2020.

Following the expiration of the six month period in November 2020, the SWM requested an extension of their lease over the centre for a 3 year period, as negotiations to engage a Montessori guide (teacher) to run sessions was ongoing. Council approved the extension of the lease for a 1 year period (Res 255-20) expiring on the 30th of November 2021 and waived the rental fee for this period.

On the 10th of September 2021, officers received notice from the SWM that they wished to terminate their lease with the Shire as they will cease to operate as a group.

Legal Implications

The current lease has an expiry of 30th of November 2021, however Section 7.12 of the Lease Agreement provides for the early termination of the lease, subject to the mutual agreement of each party.

Lot 45 Little Street, Dardanup has a total area of 4,278m² and is currently owned held as a freehold title property with the Shire of Dardanup, with no known easements or restrictions.

Strategic Community Plan

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

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

Environment - None.

Precedents

The SWM group have held a lease with the Shire of Dardanup over the front half of the Dardanup Community Centre since 2011.

Budget Implications

No Rental has been paid by the group since the expiration of the 2020 lease agreement. Insurance premiums are paid by the Shire.

Should Council wish to consider other options for the use of the building i.e.: sale of the property, subdividing the block, etc., there will be associated costs which could be examined if required in a future report.

Budget – Whole of Life Cost

Maintenance of the property and grounds will now be the responsibility of the Shire.

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: 12.4.4] for full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Termination of Lease – South West Montessori and Future Use of Dardanup Community Centre
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 There is a risk of not receiving adequate funds from the sale of the asset.]
	Legal and Compliance The sale process needs to be undertaken in accordance with the Local Government Act and Regulations
	Reputational Risk of perception that Council is not servicing the needs of the Community by selling the Community Centre

Officer Comment

The Dardanup Community Centre currently houses the SWMG (front half) and the back section of the building is available for hire by community groups. Over the past 12 months the back section of the building has been hired by:

- Dardanup Playgroup (Regular Wednesday booking during school terms)
- Private Hire - Children Birthday Parties
- Shire of Dardanup – Workshops (Sustainable Living Workshop)

Following negotiations with the SWMG, the group will be vacating the premises by the end of October 2021.

As a result of the lease termination with the SWMG, Council are now requested to consider the future use of building and the land located on Lot 45 Little Street Dardanup (refer below).



Lot 45 Little Street comprises the Dardanup Community Centre and the adjoining carpark and park. The site is owned by the Shire of Dardanup and has a total area of 4,278m², with a current zoning of “Other Community”.

The Objective of the zone is to provide for uses that are of a community nature and/or civic purpose that would ordinarily not be suitable in other zones. Uses that can be considered are:

- Aged or Dependant Person’s Dwelling
- Ancillary Accommodation
- Caretaker’s Dwelling
- Carpark
- Child care premises
- Civic use
- Communications infrastructure
- Community purpose
- Educational establishment

12.4.5. Title: Addendum to Lease Agreement – PTA – Dardanup Railway Reserve

Reporting Department: Corporate & Governance Directorate
 Reporting Officer: Mrs Donna Bailye - Personal Assistant to D/CEO
 Mr Nathan Ryder – Manager Infrastructure Planning & Design
 Legislation: Local Government Act 1995
 Attachments: Appendix ORD: 12.4.5 - Risk Assessment

Overview

This report requests that Council consider an Addendum to the current Lease Agreement in place over the Dardanup Railway Reserve. The Addendum provides for the inclusion of a corridor of land on the western side of the railway track into the existing Lease Agreement with the Public Transport Authority (PTA).

Background

Council currently holds a lease with the PTA for corridors of land adjacent to the railway track in Dardanup. The Shire is responsible for the maintenance of the leased area as identified in the diagram 1 below.

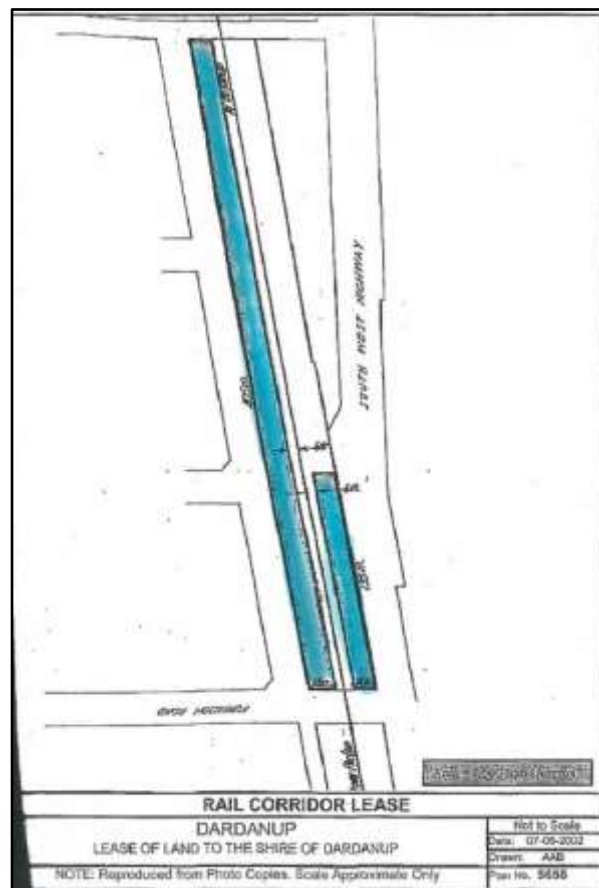


Diagram 1

The current lease (L5658) is a 10-year lease and has been in place since the 27th of July 2012, and is due to expire on the 26th of July 2022.

Burger Rawson is the managing agent for the PTA rail reserve leases. Burger Rawson has been liaising with the PTA, Arc Infrastructure and Shire officers in regards to the proposed Lease Addendum.

Legal Implications

The area subject to the Addendum is currently owned by the Commission of Railways and the PTA is the responsible agency for the Reserve.

Strategic Community Plan

- Strategy 1.1.1 - Ensure equitable, inclusive and transparent decision-making. (Service Priority: High)
- Strategy 1.1.3 - Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High)
- Strategy 1.1.4 - Maintain best practice governance systems and practices. (Service Priority: Moderate)

Environment - None.

Precedents

Council currently holds two lease agreements with the PTA, one being the Burekup Rail Reserve and the other at the Dardanup Rail Reserve. Council recently approved an addendum to the Burekup Rail Reserve to include an area of a reserve adjoining the Burekup Rail Reserve.

Budget Implications

The current Lease agreement has a peppercorn rental.

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: 12.4.5] for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Addendum to Lease Agreement – PTA – Dardanup Railway Reserve.
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 Failing to amend the Lease Agreement will not reflect the current leasing arrangement.
	Reputational Council would be seen in a negative light if we failed to meet our contractual and legislative requirements.

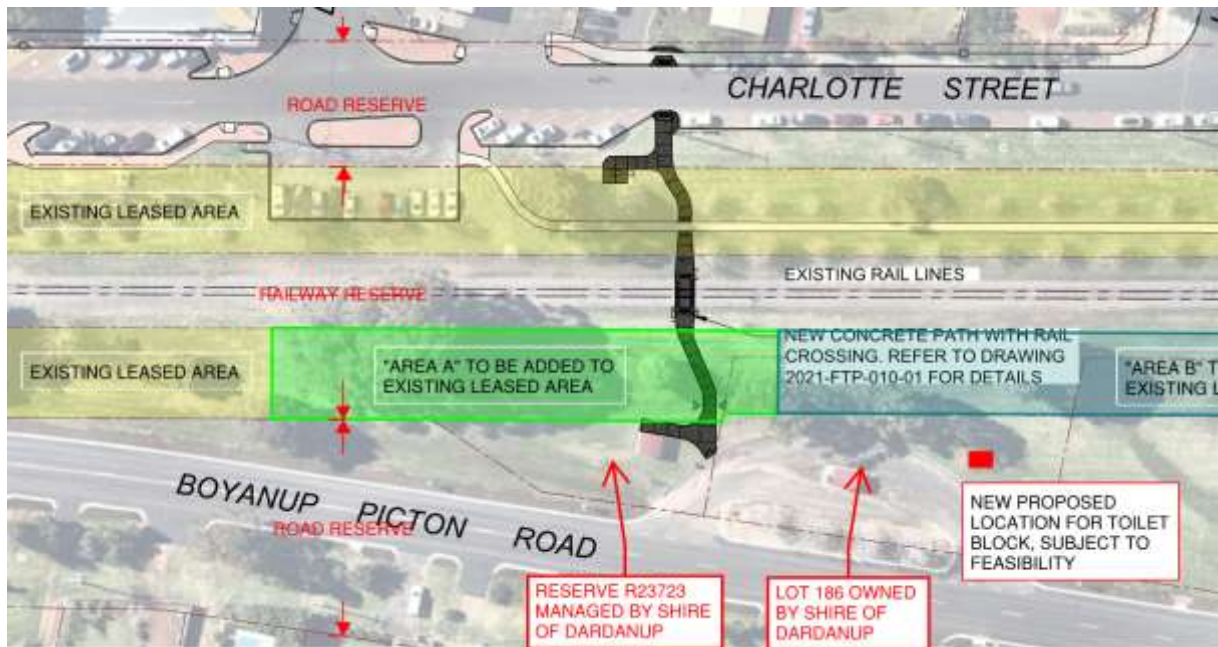
Officer Comment

Council has received funding through the Local Roads and Community Infrastructure Program Phase 2 to construct a new toilet block and pathway at Dardanup.

The location for the toilet block was initially proposed to be within the Charlotte Street road reserve, however, Western Power objected to the location due to conflicts with its utility corridor.

An alternative location for the toilet block was proposed to be inside the railway reserve, within the currently leased area, on the Charlotte Street side of the reserve. Shire officers corresponded with Burgess Rawson, managing agents for PTA, over the proposed location. PTA and Arc Infrastructure did not approve the location of the toilet block within the railway corridor. A new location for the toilet block is currently being investigated within Lot 186 Boyanup-Picton Road, which is owned by the Shire of Dardanup.

However, approval has been provided by PTA and Arc Infrastructure for the construction of the pathway and railway crossing. The condition is that PTA/Arc may require the removal of the railway crossing if the railway line becomes operational in the future. If this were to occur, Shire officers would work with PTA and Arc Infrastructure to come up with a suitable solution in order to keep the railway crossing.



To allow for the pathway works to be undertaken, PTA has requested that the Shire includes Areas A and B (as per the diagram below) in the current Lease – L5658 Dardanup.



The Shire currently already maintains Areas A and B, and therefore it is logical that they be added to the current Leased Area.

The proposed pathway and railway crossing cannot be constructed without amending the lease agreement.

Officers are recommending the amendments to the current lease agreement to accept management of these areas and allow for the works to be undertaken.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

342-21 MOVED - Cr. T G Gardiner SECONDED - Cr. P R Perks

THAT Council:

1. **Accepts amendments to the current Lease Agreement with the Public Transport Authority as provided below:**
 - a) **Vary the area of L5658 Dardanup to 8444M2 to include Areas 'A' and 'B' as per the plan shown in this report;**
 - b) **With all other terms and conditions of L5658 remaining unchanged;**
 - c) **And the variation of area and usage becoming effective upon signing of the Lease Addendum document.**

2. **Authorises the Chief Executive Officer to negotiate and execute the letter of variation to the lease agreement with the Public Transport Authority in relation to L5658 Dardanup.**

CARRIED
9/0

12.4.6 Title: Monthly Statement of Financial Activity for the Period Ended on the 30th of September 2021

Reporting Department:	Corporate & Governance Directorate
Reporting Officer:	Mr Ray Pryce - Accountant
Legislation:	Local Government Act 1995
Attachments:	Appendix ORD: 12.4.6A – Risk Assessment Appendix ORD: 12.4.6B – Monthly Financial Report - 31 st of August 2021

Overview

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

Background

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

Legal Implications

Local Government Act 1995 – Section 6.4

6.4. *Financial Report*

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

Local Government (Financial Management) Regulations 1996 r. 34

Part 4 — Financial Reports — s. 6.4

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

(1A) *In this regulation —*

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

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

- (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
- (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
 - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown —*
- (a) *according to nature and type classification; or*
 - (b) *by program; or*
 - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
- (a) *presented at an ordinary meeting of the Council within 2 months after the end of the month to which the statement relates; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

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

Strategic Community Plan

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

Environment - None.

Precedents

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

Budget Implications

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

Budget – Whole of Life Cost - None.

Council Policy Compliance

- CnG CP036 Investment Policy
- CnG CP128 Significant Accounting Policies.

Risk Assessment

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

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Monthly Statement of Financial Activity for the Period Ended 30 September 2021
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Legal and Compliance Non-compliance with the legislative requirements that results in a qualified audit.
	Reputational Non-compliance that results in a qualified audit can lead stakeholders to question the Council’s ability to manage finances effectively.
	Financial Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position.

Officer Comment

The Monthly Financial Report for the period ended on the 30th September 2021 is contained in [Appendix ORD: 12.4.6B] 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 \$802,208. This is higher than the estimated surplus of \$169,557 used in preparation of the 2021/22 budget. Please note that this revised surplus remains subject to possible change – dependent on the outcome from final audit review due late November 2021.

Taking into account the larger surplus brought forward, the forecast surplus for the year to the 30th of June 2022 has increased to an estimated \$646,479.

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 with the budget allocations. Generally, the budget is spread evenly over the year, however, revenue and expenses (especially asset acquisition and receipt of grants) are not occurring on the same regular pattern. Officers are working to improve this seasonality aspect of presentation of the budget estimates for future reporting.

At the 30th September 2021, the actual net current position (results of all operations this year to date) shows a surplus of \$11,919,300, as opposed to the year-to-date budget estimate surplus of \$12,174,686 – a variance of 2.1%.

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

The total investment portfolio is currently \$14,613,771 in Reserve Account term deposit funds. It is mainly invested with AA rated Australian banks (86% of the portfolio). Yield return on bank term deposit investments remain very low at between 0.1% and 0.4% for terms from 3 months up to 12 months. Government and Reserve Bank stimulus measures remain in place to assist with economic stability and recovery. Although some of the Reserve Bank stimulus arrangements are being paired back, the impact of this is not yet evident in interest rates.

Note 7 – Sundry Debtors Outstanding is currently \$90,518. Significant debt related to State Government grants for road construction projects that was reported last month has since been received.

Council Role - Review.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

343-21 MOVED - Cr. P R Perks SECONDED - Cr. L W Davies

THAT Council: receives the Monthly Statement of Financial Activity [Appendix ORD: 12.4.6B] for the period ended on the 30th September 2021.

CARRIED
9/0

12.4.7 Title: Schedule of Paid Accounts as at the 8th of October 2021

Reporting Department:	<i>Corporate & Governance Directorate</i>
Reporting Officer:	<i>Ms Jasmine Sillifant – Accounts Payable Officer</i>
Legislation:	<i>Local Government (Financial Management) Regulations 1996</i>
Attachments	<i>Appendix ORD: 12.4.7 – Risk Assessment</i>

Overview

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

Background

Council delegates authority to the Chief Executive Officer annually:

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

Legal Implications

Local Government Act 1995

S6.5. Accounts and records

Local Government (Financial Management) Regulations 1996

R11. Payments, procedures for making etc.

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

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

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

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

- (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee’s name; and
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction; and
 - (b) the date of the meeting of the council to which the list is to be presented.

- (3) A list prepared under subregulation (1) or (2) is to be —
 - (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

Strategic Community Plan

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

Environment - None.

Precedents

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

Budget Implications

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

Budget – Whole of Life Cost - None.

Council Policy Compliance

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

Risk Assessment

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

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
Risk Event	Schedule of Paid Accounts as at the 8 th of October 2021	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Financial	Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position.
	Reputational	Non-compliance that results in a qualified audit can lead stakeholders to question the

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
		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

344-21 MOVED - Cr. T G Gardiner SECONDED - Cr. L W Davies

THAT Council receives the Schedule of Paid Accounts report from 11/09/2021 to 8/10/2021 as follows:

Payment	Date	Name	Invoice Description	Fund	Amount
ELECTRONIC FUNDS TRANSFER					
EFT44423	16/09/2021	Action Kerbing	Supply And Construct SM-2 Semi-Mountable Concrete Kerbing To MRWA Specification - Eaton Drive Expansion	MUNI	7,992.60
EFT44424	16/09/2021	Activ Foundation Inc	Poppy Packs Creation for Community Workshop - Balling Wool and Packaging x 180	MUNI	396.00
EFT44425	16/09/2021	Ampol Australia Petroleum Pty Ltd	Fuel for Shire Vehicles - August 2021	MUNI	14,157.88
EFT44426	16/09/2021	Ardross Estates (SA) Pty Ltd	Rates Refund - Rates Paid Twice in Error for 4 x Properties	MUNI	6,600.88
EFT44427	16/09/2021	ATI - Mirage Training Solutions	Dealing With Difficult Customers Training Course - Perth - Gabriella Hayward - Customer Service Officer	MUNI	386.10
EFT44428	16/09/2021	AusQ Training	5 Day Advanced Traffic Management Planning For Bradley Batrick, Abhishek Nalawade & Robyn Kamo	MUNI	4,500.00
EFT44429	16/09/2021	Australia Post	2021/2022 Annual Rate Notice Mail out & Postage for August 2021	MUNI	8,642.72
EFT44430	16/09/2021	B & B Street Sweeping Pty Ltd	Sweep Road And Clean Storm Water Pits - Multiple Locations in Burekup and Dardanup	MUNI	4,422.00
EFT44431	16/09/2021	Bailey Harkness	Umpire Recoup 14/09/2021	MUNI	45.00
EFT44432	16/09/2021	Bell Fire Equipment Company Pty Ltd	Replacement Lay flat Hose 30M for Upper Ferguson Brigade	MUNI	495.00
EFT44433	16/09/2021	Blackwood Tanks	Wellington Mills & Joshua Crooked Brook Brigades - Supply And Install RT80 Tanks - Final Payment	MUNI	21,538.00
EFT44434	16/09/2021	BOC Ltd	ERC - Hire Of Oxygen Bottle	MUNI	12.54

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44435	16/09/2021	Boyles Plumbing And Gas	Water Device Testing - Eaton Administration Office & RPZD Device Testing - Lot 34 Ferguson Road, Dardanup	MUNI	594.00
EFT44436	16/09/2021	Brownes Foods Operations Pty Ltd	ERC - Cafe Order	MUNI	208.77
EFT44437	16/09/2021	Bunbury Auto One	2 Light Plugs And 2 Light Sockets For Truck And Ute Repair	MUNI	85.16
EFT44438	16/09/2021	Bunbury Bearings	4 x Jockey Wheels, 8 x Bearings & 4 x Seals For Trailer Repairs	MUNI	563.20
EFT44439	16/09/2021	Bunbury City Motorcycles	Regulator for DA8979 - Quad Bike	MUNI	60.00
EFT44440	16/09/2021	Bunbury Coffee Machines	ERC - Cafe Order	MUNI	514.00
EFT44441	16/09/2021	Bunbury Machinery	1 x Replacement Grease Gun & Roller Hire for Busher Road Works	MUNI	758.72
EFT44442	16/09/2021	Bunbury Mower Service	Service of Hedge Trimmer and Chainsaw & Brushcutter Harness x 2	MUNI	540.00
EFT44443	16/09/2021	Bunnings Group Limited	Replacement Hose Reel For Cleaner - Permanent Fixture In Service Duct - Eaton Foreshore Toilets	MUNI	42.65
EFT44444	16/09/2021	Busselton Civil Pty Ltd	Side Tipper Hire - Eaton Drive Extension - 25/06/201 - 26/06/2021	MUNI	2,475.00
EFT44445	16/09/2021	C.E.M. Alliance Pty Ltd	Waterloo BFB Shed Construction - 20% Claim	MUNI	83,494.40
EFT44446	16/09/2021	Cameron Baker	Umpire Recoup 15/09/2021	MUNI	44.00
EFT44447	16/09/2021	Carol Leanne Scown - Fox Ward	Rates Refund - Overpayment of Rates	MUNI	737.94

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44448	16/09/2021	CB Traffic Solutions	Produce Traffic Management Plan - Hynes Road - 30/08/2021	MUNI	605.00
EFT44449	16/09/2021	Chloe Scott	Umpire Recoup 15/09/2021	MUNI	66.00
EFT44450	16/09/2021	Christine Worsfold	Umpire Recoup 13/09/2021 & 14/09/2021	MUNI	135.00
EFT44451	16/09/2021	Cleanaway Solid Waste Pty Ltd	Clearing Of 4.5M Waste Bin And Environmental Fee At Eaton Recreation Centre - August 2021	MUNI	110.50
EFT44452	16/09/2021	Coastmac Trailers	Supply And Install Cages On Box Trailer	MUNI	400.00
EFT44453	16/09/2021	Coca-Cola Amatil Australia Pty Ltd	ERC - Cafe Order	MUNI	202.88
EFT44454	16/09/2021	Craneford Plumbing	Shire Of Dardanup Depot (Martin Pelusey Road) - Service Agreement For ATU - 7/09/2021	MUNI	169.95
EFT44455	16/09/2021	Dapco Tyre And Auto Centre	32,000Km Service - DA10181 Toyota Prado	MUNI	398.43
EFT44456	16/09/2021	Dardanup & Districts Residents Association	Budget Allocation - Donation - Dardanup & Districts Residents Association 2021-2022	MUNI	1,100.00
EFT44457	16/09/2021	Daryl Fishwick	Umpire Recoup 15/09/2021	MUNI	44.00
EFT44458	16/09/2021	Dell Australia Pty Ltd	Kit - Dell DA310 USB-C Mobile Adapter - SnP	MUNI	356.40
EFT44459	16/09/2021	Department Of Fire And Emergency Services	2021/22 ESL Quarter 1 Contribution - 30% Of ESL Levied	MUNI	220,051.37
EFT44460	16/09/2021	Deputec Pty Ltd	ERC - Deputy Roster Schedule Software - August 2021	MUNI	92.40
EFT44461	16/09/2021	Devon Chang	Reimbursement For Travel Expenses For Workshop At NGIS 9/09/2021	MUNI	181.24

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44462	16/09/2021	Diesel Force	Service To Vehicle - DA628	MUNI	1,142.76
EFT44463	16/09/2021	Donna Bastow	Umpire Recoup 15/09/2021	MUNI	66.00
EFT44464	16/09/2021	Donna Nicholls	Umpire Recoup 13/09/2021 & 14/09/2021	MUNI	90.00
EFT44465	16/09/2021	DX Print Group Pty Ltd	5000 x Receipt Paper Stock	MUNI	583.00
EFT44466	16/09/2021	Eaton Community Pharmacy	Key Sun Clear Zink - 200G x 1 Box - For Outside Crew	MUNI	383.76
EFT44467	16/09/2021	Empired Ltd	Oneplace Annual Support/Maintenance Renewal - 21/08/2021 - 20/08/2022 - Including Oneplace Mail And Oneplace Docs	MUNI	2,706.00
EFT44468	16/09/2021	Eve Yoga	ERC - Yoga Sessions Eve Yoga - July 2021 - July 2022	MUNI	180.00
EFT44469	16/09/2021	Fit2Work	Monthly Invoice For Employee Police Checks	MUNI	466.95
EFT44470	16/09/2021	Fortus Group	Grader Blades - JD 670GP - DA9774	MUNI	2,245.67
EFT44471	16/09/2021	Hanson Construction Materials Pty Ltd	48 Tonne Cracker Dust - Panizza Road	MUNI	385.39
EFT44472	16/09/2021	Heatleys	PPE - Parks And Gardens - Coveralls X 50 & Gloves X 6 Boxes	MUNI	878.90
EFT44473	16/09/2021	Howson Technical	Project Management Services - Various Projects - 15/08/2021 - 31/08/2021	MUNI	4,807.00
EFT44474	16/09/2021	Illion Australian Pty Ltd (Tenderlink)	Tenderlink Public Tender Fee - RFT-F0245687 Pile Road	MUNI	198.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44475	16/09/2021	Isabella Francis	Umpire Recoup 14/09/2021	MUNI	45.00
EFT44476	16/09/2021	Jim's Test And Tag	Electrical Test And Tag 2021/22 - Eaton Senior Citizens Centre & Eaton CWA	MUNI	333.61
EFT44477	16/09/2021	John Phillip Duce	Rates Refund - Overpayment of Rates	MUNI	67.44
EFT44478	16/09/2021	John Thompson	Umpire Recoup 15/09/2021	MUNI	44.00
EFT44479	16/09/2021	JP Group - CPSS Pty Ltd	Rates Refund - Council Approved Concession Resolution [156-20]	MUNI	957.29
EFT44480	16/09/2021	Justine Eichner	Umpire Recoup 15/09/2021	MUNI	44.00
EFT44481	16/09/2021	K's Home Kitchen	Catering For Prospective Candidates Session - 2021/22 Elections	MUNI	220.00
EFT44482	16/09/2021	Karyn Rowe	Umpire Recoup 13/09/2021 & 14/09/2021	MUNI	112.50
EFT44483	16/09/2021	Kenny Pomare	Umpire Recoup 15/09/2021	MUNI	66.00
EFT44484	16/09/2021	Kent Lyon Architect	Contract Administration & Project Management - Eaton Bowling Club Project - August 2021	MUNI	6,534.00
EFT44485	16/09/2021	Kmart	ERC - New Crèche Toys & Supplies for Various Library Programs & Displays	MUNI	1,213.75
EFT44486	16/09/2021	Larry Allen	Refund Of Bond For Animal Cage Hire	MUNI	150.00
EFT44487	16/09/2021	LGIS WA	LGIS Property Adjustment 2020-2021	MUNI	1,360.76
EFT44488	16/09/2021	LJ Hooker Bunbury	Rates Refund - Overpayment of Rates at Settlement	MUNI	634.83

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44489	16/09/2021	M & J Essential Solutions Pty Ltd	Counselling Services - Employee Assistance Program	MUNI	130.00
EFT44490	16/09/2021	Malatesta Road Paving And Hotmix	2 Tonne Hot Mix - Avon Gardens & 1 Tonne Hot Mix - Berkeley View	MUNI	600.00
EFT44491	16/09/2021	Marketforce	Recruitment Advertising - ERC Vacation Care, Strategic Planning Officer, Manager Information Services & Director Infrastructure	MUNI	3,250.94
EFT44492	16/09/2021	Mckayhla Pomare	Umpire Recoup 15/09/2021	MUNI	66.00
EFT44493	16/09/2021	Mcleods Barristers And Solicitors	Legal Advice/Services - Transfer And Amalgamation Of Lot 300 (Reserve 49275) Kerr Road, Picton East & Carriageway Easement for Emergency Access Pile Road & Nyleeta Close	MUNI	540.54
EFT44494	16/09/2021	Melanie May Ring	2021/22 Uniform Reimbursement	MUNI	33.00
EFT44495	16/09/2021	Modal Pty Ltd	MBTI Testing HR Recruitment Process	MUNI	505.01
EFT44496	16/09/2021	Nightguard Security Service	Security Callout Service - Depot Martin-Pelusey Road	MUNI	242.00
EFT44497	16/09/2021	Paradigm Cleaning & Professional Services	Cleaning Services at Shire Facilities - August 2021	MUNI	1,630.20
EFT44498	16/09/2021	Peel Resource Recovery P/L	100m3 x 2 Medium Grade Mulch - Delivered Eaton Foreshore & 40m3 Medium Grade Mulch - Shire Depot	MUNI	4,345.00
EFT44499	16/09/2021	Perfect Landscapes	Broadleaf Weed Spraying - Parks And Ovals & Mowing Week Commencing 6/09/2021	MUNI	6,690.48
EFT44500	16/09/2021	PFD Food Services Pty Ltd	ERC - Cafe Order	MUNI	710.20
EFT44501	16/09/2021	PFI Supplies	Cleaning Products for ERC & Various Other Shire Buildings	MUNI	680.70

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44502	16/09/2021	Rachel O'Donoghue	Reimbursement For Purchase Of Morning Tea For The Poppy Project Community Sessions	MUNI	62.64
EFT44503	16/09/2021	Raelene Tedd	Umpire Recoup 13/09/2021	MUNI	22.50
EFT44504	16/09/2021	Securepay Pty Ltd	Bank Fees - 2021-2022 Securepay Web & IVR Credit Card Payments - August 2021	MUNI	43.03
EFT44505	16/09/2021	SMR Psychology	Employee Assistance Program - Counselling	MUNI	187.00
EFT44506	16/09/2021	Southern Lock And Security	ERC - New Lock And Keys For Store Room 2 (BSW) Additional 4 Keys	MUNI	319.76
EFT44507	16/09/2021	Spotlight Pty Ltd	The Poppy Project - Poppy Making Items	MUNI	134.75
EFT44508	16/09/2021	Stanton International	Wanju Loan Funds - Probity Services - Developer Contribution Plan For Wanju/Waterloo - 13/08/2021 - 27/08/2021	MUNI	512.60
EFT44509	16/09/2021	Synergy	Town site Street Lights - 25/06/2021 - 24/08/2021 & Electricity Accounts for 6 x Other Shire Sites	MUNI	33,749.72
EFT44510	16/09/2021	Te Wairimu Elinor Pomare	Reimbursement For Catering Material For Cafe	MUNI	81.00
EFT44511	16/09/2021	Telstra	Shire Mobile Accounts - Sept 2021, Satellite Phones & Dardanup Phones and Fax	MUNI	4,065.35
EFT44512	16/09/2021	The Dardanup Bull And Barrel Festival	2021-22 Annual Budget Allocation - Donation To Dardanup Bull & Barrel Festival	MUNI	5,000.00
EFT44513	16/09/2021	The Print Shop	5500 x FOGO Mail out Letters	MUNI	734.80
EFT44514	16/09/2021	Toni Hotchin	Umpire Recoup 14/09/2021	MUNI	45.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44515	16/09/2021	Tutt Bryant Hire	Hire Of Multi Tyre Roller - 24/08/2021 - 31/08/2021 - Twomey Road, Joshua Brook Road And Crooked Brook Road & Bobcat Hire - 30/08/2021 - 31/08/2021 - Reading Place	MUNI	1,628.00
EFT44516	16/09/2021	Water Corporation	Water Use And Service Charges For 3 x Shire Sites	MUNI	104.77
EFT44517	16/09/2021	Westrac Pty Ltd	Cat Keys - Universal For Cat Equipment	MUNI	103.36
EFT44518	16/09/2021	Winc Australia Pty Ltd	Stationery Order - Eaton Admin Office	MUNI	531.10
EFT44519	16/09/2021	Woolworths Group Limited - Online Orders	ERC - Cafe Order & Vacation Care Supplies, Eaton Admin Centre Groceries and Depot Supplies	MUNI	1,004.85
EFT44520	16/09/2021	Woolworths Group Limited - In store Purchases	Milk for Eaton Admin Office, Supplies for Farewell Morning Tea & ERC Supplies	MUNI	237.13
EFT44521	23/09/2021	21 Graphic Design Pty Ltd	Monthly Graphic Design And Creation Of Artwork For Community News - August 2021	MUNI	99.00
EFT44522	23/09/2021	Access Wellbeing Services	Employee Assistance Program Consultations	MUNI	187.00
EFT44523	23/09/2021	Advanced Traffic Management WA P/L	Supply Traffic Management Sept 2021 - Eaton Drive Expansion, Moore Road, Martin-Pelusey Road & Wellington Mill Road	MUNI	13,512.96
EFT44524	23/09/2021	Advanteering Civil Engineers	Tender F0196739 - New Eaton Skate Park & Pump Track - Progress Claim #2	MUNI	293,737.79
EFT44525	23/09/2021	All Aussie Truck And Bobcat Services	Transfer Station Maintenance - Banksia Road - August 2021	MUNI	1,760.00
EFT44526	23/09/2021	All Seasons Sanctuary Golf Resort Bunbury	Director Infrastructure Interviews At Sanctuary Resort 03/09/2021 Venue Hire And Refreshments	MUNI	240.40

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44527	23/09/2021	Amity Signs	Street Signs - Various Locations	MUNI	1,660.67
EFT44528	23/09/2021	Angela Winter	First Aid Training - Provide CPR x 10 Participants	MUNI	550.00
EFT44529	23/09/2021	Arrow Bronze	Supply Of Bronze Plaque For Neil Reed As Per Quotation 847038 - C143117	MUNI	317.08
EFT44530	23/09/2021	Australian Tax Office	PAYG Withholding 17/09/2021	MUNI	73,677.00
EFT44531	23/09/2021	BGC Construction	Eaton Bowling Club Redevelopment - Design & Construct Rft-F0169664 - Progress Claim No. 10	MUNI	789,147.89
EFT44532	23/09/2021	Bunbury Bus Hire & Tint A Car Bunbury	Bus Hire - Suez Materials Recovery Facility Site - Councillor Bus Tour - 15 September 2021	MUNI	710.60
EFT44533	23/09/2021	Bunbury Machinery	Hire Of Pedestrian Roller - Avon Gardens 08/09 September 2021	MUNI	345.44
EFT44534	23/09/2021	Bunbury Subaru	24,000km Service And Check - DA955	MUNI	314.89
EFT44535	23/09/2021	Bunbury Truck Sales And Service Centre	Supply And Fit New Drivers Seat - DA9513	MUNI	1,119.72
EFT44536	23/09/2021	Bunnings Group Limited	Hardware and Materials for Repairs at Multiple Shire Sites	MUNI	439.94
EFT44537	23/09/2021	Cameron Baker	Umpire Recoup 22/09/2021	MUNI	66.00
EFT44538	23/09/2021	Christine Worsfold	Umpire Recoup 20/09/2021 & 21/09/2021	MUNI	112.50
EFT44539	23/09/2021	Coastal Rowing WA Inc	Quick Response Community Grant 2021-2022	MUNI	290.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44540	23/09/2021	Connect Call Centre Services	After Hours Call Centre Service 2021-2022	MUNI	433.29
EFT44541	23/09/2021	Culleys Tea Room	Councillor And Staff Bus Trip - Lunch - 15-09-2021	MUNI	148.60
EFT44542	23/09/2021	Dardanup Veterinary Centre	2021-2022 Animal Management Program - Sterilisation Voucher	MUNI	50.00
EFT44543	23/09/2021	Daryl Fishwick	Umpire Recoup 22/09/2021	MUNI	44.00
EFT44544	23/09/2021	David John Leek T/A Acefire	August Servicing Fire Extinguishers - Eaton Administration & Depot Buildings and Vehicles	MUNI	2,315.28
EFT44545	23/09/2021	Department Of Training And Workforce Development	Animal Welfare In Emergencies Training (Grant Funded) - Muresk Institute Northam - 3 x Attendees	MUNI	9,405.00
EFT44546	23/09/2021	Diesel Force	Vehicle Service - DA8170	MUNI	697.69
EFT44547	23/09/2021	Donna Bastow	Umpire Recoup 22/09/2021	MUNI	66.00
EFT44548	23/09/2021	Eaton Environmental Services	ERC - Inspect, Clean And Re bait Bait Stations	MUNI	143.00
EFT44549	23/09/2021	EIS Control	Investigate Bore No Flow Fault And Repair - Millbridge Lake	MUNI	209.00
EFT44550	23/09/2021	Eve Yoga	ERC - Yoga Sessions Eve Yoga - 8/09/2021 - 11/09/2021	MUNI	180.00
EFT44551	23/09/2021	Flexi Staff Pty Ltd	Temporary Labour Hire - Works - 30/08/2021 - 10/09/2021 & Parks & Gardens - 30/08/2021 - 3/09/2021	MUNI	7,652.26
EFT44552	23/09/2021	Glen Huon Primary School	Shared Bore Cost - Glen Huon Primary - Sindhi Park	MUNI	550.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44553	23/09/2021	Hersey's Safety P/L	Steel Guide Post Manual Driver And Replacement Inner Sleeve	MUNI	1,072.50
EFT44554	23/09/2021	Isabella Francis	Umpire Recoup 20/09/2021 & 21/09/2021	MUNI	67.50
EFT44555	23/09/2021	JCW Electrical Pty Ltd	Investigate And Repair Lighting - Millars Creek	MUNI	287.38
EFT44556	23/09/2021	Jenny Edwards	Refund Of Hall Hire Bond	MUNI	290.00
EFT44557	23/09/2021	Jetline Kerbing Contractors	Kerb Repairs - Avon Gardens, Berkeley View & Millbridge Blvd	MUNI	4,603.50
EFT44558	23/09/2021	Jim's Test And Tag	Electrical Test And Tag 2021/22 - Dardanup Equestrian Centre	MUNI	428.16
EFT44559	23/09/2021	Jo Jingles South West	Jo Jingles Sessions For August 2021 - Eaton, Dardanup And Burekup - 15 Sessions	MUNI	2,640.00
EFT44560	23/09/2021	John Thompson	Umpire Recoup 22/09/2021	MUNI	44.00
EFT44561	23/09/2021	Karyn Rowe	Umpire Recoup 20/09/2021 & 21/09/2021	MUNI	112.50
EFT44562	23/09/2021	LGIS WA	2020-2021 Motor Vehicle Contribution Adjustment For Hire Vehicles	MUNI	3,594.83
EFT44563	23/09/2021	Local Government Professionals Australia WA	LG Professionals WA E-Learning Program - Induction To Local Government & Job Vacancy Advertising - Director Infrastructure & Manager Information Services	MUNI	1,180.00
EFT44564	23/09/2021	Lyndon Damien Skeers	2021/22 Fire Control Officer Annual Payment	MUNI	500.00
EFT44565	23/09/2021	M & J Essential Solutions Pty Ltd	Counselling Services - Employee Assistance Program	MUNI	260.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44566	23/09/2021	Madison Hancock	Umpire Recoup 21/09/2021	MUNI	45.00
EFT44567	23/09/2021	Malatesta Road Paving And Hotmix	8 Tonne Hot Mix - Busher Road	MUNI	1,600.00
EFT44568	23/09/2021	Marsh Pty Ltd	Emergency Warden Training - August 2021	MUNI	3,520.00
EFT44569	23/09/2021	Maxwell Ross Kerr	2021/22 Fire Control Officer Annual Payment	MUNI	500.00
EFT44570	23/09/2021	Mckayhla Pomare	Umpire Recoup 22/09/2021	MUNI	44.00
EFT44571	23/09/2021	Meter Australia Pty Ltd	Contact Cover For Books - Eaton Community Library	MUNI	216.48
EFT44572	23/09/2021	Pamela Jean Vercoe	Rates Refund - Overpayment of Rates	MUNI	200.00
EFT44573	23/09/2021	Pat Dalton	ERC Membership Alteration Refund - Pat & Trish Dalton	MUNI	242.81
EFT44574	23/09/2021	Perfect Landscapes	Mowing Week Commencing 17/09/2021	MUNI	2,190.79
EFT44575	23/09/2021	PFD Food Services Pty Ltd	ERC - Cafe Order	MUNI	495.40
EFT44576	23/09/2021	PFI Supplies	Cleaning Supplies - Eaton Admin Office, Dardanup Office & Don Hewison Centre Toilets	MUNI	606.80
EFT44577	23/09/2021	Pirtek Bunbury	Repair To Hydraulic Seal - DA2833	MUNI	123.07
EFT44578	23/09/2021	QK Technologies Pty Ltd	ERC Quikkids Invoicing For 2021/2022	MUNI	40.21

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44579	23/09/2021	Raelene Tedd	Umpire Recoup 20/09/2021	MUNI	22.50
EFT44580	23/09/2021	SG Fleet	Early Termination Charge For 1GPA705 Ford Ranger Px Mk11 My18 3.2 Tdcu XI Crew 4X4	MUNI	4,314.87
EFT44581	23/09/2021	SMR Psychology	Employee Assistance Program - Counselling	MUNI	187.00
EFT44582	23/09/2021	Spotlight Pty Ltd	ERC Vacation Care Supplies	MUNI	188.60
EFT44583	23/09/2021	Statewide Cleaning Supplies Pty Ltd	Wow Fitness Cleaning Wipes x 12 Boxes - ERC Cleaning Supplies	MUNI	2,571.80
EFT44584	23/09/2021	Steven Monkhouse	Rates Refund - Double Payment of Rates	MUNI	2,476.02
EFT44585	23/09/2021	Synergy	Electricity Account For 4 x Shire Sites	MUNI	1,691.19
EFT44586	23/09/2021	T & V Fencing	Supply And Commission 6 Remote Controls For The Electronic Gate - Depot Site	MUNI	554.40
EFT44587	23/09/2021	Tiana Fraser	Umpire Recoup 17/09/2021 & 23/09/2021	MUNI	75.00
EFT44588	23/09/2021	Toni Anderson	Umpire Recoup 17/09/2021	MUNI	15.00
EFT44589	23/09/2021	Totally Workwear	Staff Uniform Allowance - 4 x Shirts And 1 x Jacket	MUNI	376.20
EFT44590	23/09/2021	Tutt Bryant Hire	Plant Trailer Hire - 31/08/2021 - Banksia Road	MUNI	20.05
EFT44591	23/09/2021	Water Corporation	Water Use And Service Charges For 19 x Shire Sites	MUNI	4,627.74
EFT44592	23/09/2021	Western Australia Treasury Corporation	Loan 59 Repayment - Eaton Recreation Centre Construction & Loan 65 Repayment - Admin Centre Extensions	MUNI	74,844.02

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44593	23/09/2021	Winc Australia Pty Ltd	Stationery Order - Eaton Community Library	MUNI	203.44
EFT44594	23/09/2021	Woolworths Group Limited - Openpay Portal	Milk and Morning Tea Items for Eaton Admin Centre	MUNI	61.19
EFT44595	01/10/2021	A1 Sign Shop	Signage for Gnomesville Public Toilets	MUNI	885.79
EFT44596	01/10/2021	Advanced Traffic Management WA P/L	Traffic Management - Ferguson Road & Martin-Pelusey Road	MUNI	2,449.43
EFT44597	01/10/2021	Amity Signs	Traffic Cones - Occupational Health And Safety - Depot Site & Quad Signs for Backhoe Loader - DA2833	MUNI	2,337.50
EFT44598	01/10/2021	Ann Rosina Lambert	Refund Of Bond For Animal Cage Hire	MUNI	150.00
EFT44599	01/10/2021	Australian Tax Office	PAYG Withholding Fortnight Ending 1/10/2021	MUNI	80,005.00
EFT44600	01/10/2021	Australind Senior High School	Budget Allocation - Leavers Ceremony Donation 2021	MUNI	300.00
EFT44601	01/10/2021	Blackwoods	4 x Replacement Filters for Respirators & 1 x Half Face Respirator	MUNI	230.10
EFT44602	01/10/2021	Brandicoot	Monthly Web Hosting For Shire Sites - September 2021	MUNI	907.00
EFT44603	01/10/2021	Bunbury Coffee Machines	ERC - Service Of The Coffee Machine And Replacement Of The Hot Water Solenoid	MUNI	383.00
EFT44604	01/10/2021	Bunbury Community Radio Inc	Spring Out Festival - Breakfast & Morning Session Plus Content Creation	MUNI	230.60
EFT44605	01/10/2021	Bunbury Harvey Regional Council	Disposal Of Bulk Annual Hard Waste Collection & Monthly Waste Disposal Charge - August 2021	MUNI	10,795.94

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44606	01/10/2021	Bunbury Holden	90,000km Service - DA8222	MUNI	946.80
EFT44607	01/10/2021	Bunbury Mower Service	Atom Edger Repair Parts	MUNI	105.50
EFT44608	01/10/2021	Bunbury Subaru	50,000km Service - DA0	MUNI	314.28
EFT44609	01/10/2021	Bunnings Group Limited	Wet and Dry Vacuum & Blower Kit for Cleaners, Moving Trolley for ERC, Toolboxes x 2 for Parks and Gardens Vehicles & Hoses x 2	MUNI	1,270.08
EFT44610	01/10/2021	Carbone Brothers Pty Ltd	100 Tonne Limestone Delivered To Shire Pit - Johnston Road	MUNI	1,763.24
EFT44611	01/10/2021	Carmel Nora Boyce	Meeting Attendance & ICT Allowance	MUNI	1,241.67
EFT44612	01/10/2021	Ciphertel Pty Ltd T/A Gateway Internet Services	Monthly Account For Point To Point Microwave Service Depot And Dardanup - August 2021	MUNI	2,893.00
EFT44613	01/10/2021	Coca-Cola Amatil Australia Pty Ltd	ERC - Cafe Order	MUNI	202.88
EFT44614	01/10/2021	Country Landscaping Pty Ltd	Relocate Mainline Of The Northern End Of Eaton Drive As Per Scope Of Works	MUNI	5,943.76
EFT44615	01/10/2021	Crown Perth	Accommodation At Crown Promenade Perth - Devon Chang - NGIS Training	MUNI	169.15
EFT44616	01/10/2021	Dardanup General Store	Milk For Depot & Dardanup Offices - August 2021	MUNI	38.00
EFT44617	01/10/2021	Dardanup Rural Supplies	15L Damit Sealer for Wellington Mills Brigade	MUNI	445.00
EFT44618	01/10/2021	Dardanup Senior Citizens	Budget Allocation - Dardanup Christmas Dinner	MUNI	2,000.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44619	01/10/2021	Dardanup Veterinary Centre	2021-2022 Animal Management Program - Sterilisation Vouchers	MUNI	200.00
EFT44620	01/10/2021	Eaton Community Pharmacy	ERC - Cafe Stock	MUNI	30.53
EFT44621	01/10/2021	Eaton Environmental Services	ERC - Annual Termite Inspection	MUNI	275.00
EFT44622	01/10/2021	Erin Hutchins	Istock Image For SW Emergency Management Conference Booklet And Fuel For DA329	MUNI	105.32
EFT44623	01/10/2021	Go Electrical Contracting	ERC - Replace 4 Outside (East Wall) Lights And Electrical Box Out Side On East Wall	MUNI	918.50
EFT44624	01/10/2021	Grace Records Management	Records Management External - Storage And Supply Of Consumables - August 2021	MUNI	1,256.98
EFT44625	01/10/2021	Heatleys	P2 Disposable Respirator Masks 10 Per Box - 20 Boxes	MUNI	1,100.00
EFT44626	01/10/2021	Herbert Smith Freehill	Legal Opinion - New Administration, Library And Community Building	MUNI	6,741.24
EFT44627	01/10/2021	Hooleys Catering Company	Council Meeting Meal - 29/09/2021 Ordinary Council Meeting - 16 x Attendees	MUNI	800.00
EFT44628	01/10/2021	Howson Technical	Project Management Services - 1/09/2021 - 15/09/2021 - Various Projects	MUNI	3,762.00
EFT44629	01/10/2021	Janice Patricia Dow	Meeting Attendance & ICT Allowance	MUNI	1,241.67
EFT44630	01/10/2021	Jason Signmakers	Supply And Delivery Of Signs And Posts - Eaton Drive Extension	MUNI	2,512.83
EFT44631	01/10/2021	Jim's Test And Tag	Supply And Replace Emergency Exit Light At Dardanup Equestrian Centre Which Failed Test On 15/09/2021	MUNI	253.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44632	01/10/2021	Kings Tree Care	Tree Inspection/Pruning/Removal - Millard St, Dardanup Town site, Stanton St, Hynes Rd & Lucretia St	MUNI	9,370.00
EFT44633	01/10/2021	Kmart	Crèche - October Program Resources & ERC Vacation Care Supplies	MUNI	627.15
EFT44634	01/10/2021	Lions Club Of Eaton	2021-22 Budget Allocation - Australia Day Breakfast 2022 & Christmas Hampers Project 2021	MUNI	10,300.00
EFT44635	01/10/2021	Lisa Maree Pye	Rates Refund - Refund at Settlement of Property	MUNI	439.59
EFT44636	01/10/2021	Local Government Professionals Australia Wa	Report Writing For Local Government - Rachel O'Donoghue - 2 Day Course - 14/09/2021 - 15/09/2021	MUNI	815.00
EFT44637	01/10/2021	Luke Davies	Meeting Attendance & ICT Allowance	MUNI	1,241.67
EFT44638	01/10/2021	M & J Essential Solutions Pty Ltd	Counselling Services - Employee Assistance Program	MUNI	130.00
EFT44639	01/10/2021	Mackenzie Julia Davis	Winner Of Early Rates Payment Prize Draw	MUNI	1,500.00
EFT44640	01/10/2021	Malatesta Road Paving And Hotmix	Road Works - Eaton Drive & 250L Emulsion for Wireless Road	MUNI	3,788.00
EFT44641	01/10/2021	Mantrac	Soccer Goal Sleeves, Removal Of Goals and Return To Depot - Burekup Oval	MUNI	330.00
EFT44642	01/10/2021	Mark Richard Hutchinson	Meeting Attendance & ICT Allowance	MUNI	1,241.67
EFT44643	01/10/2021	Michael Bennett	Local Government Allowance, Meeting Attendance & ICT Allowance	MUNI	4,112.50
EFT44644	01/10/2021	Mike Overheu	Partial Refund Of Upfront Membership Fees	MUNI	232.42

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44645	01/10/2021	Modus Australia	Supply Of Yarra-2 Custom Toilet Building - 20% Deposit	MUNI	8,528.96
EFT44646	01/10/2021	Nutrien Ag Solutions	Nufa Gladiator & Fusilade Forte - Eaton Foreshore, Millard St Reserve, Pratt Rd Reserve & Millbridge	MUNI	1,056.00
EFT44647	01/10/2021	Parks And Leisure Australia	Non-Member - WA Deconstructed Conference - Leisure And Fitness Management - 11/06/2021 - Gary Thompson	MUNI	231.00
EFT44648	01/10/2021	Patricia Rose Perks	Meeting Attendance & ICT Allowance	MUNI	1,241.67
EFT44649	01/10/2021	Perfect Landscapes	Mowing Week Commencing 13/09/2021 & 20/09/2021	MUNI	3,469.80
EFT44650	01/10/2021	Peta Nolan	Staff Leaving Gift As Per CP016 - Elmarie Meinie	MUNI	49.22
EFT44651	01/10/2021	Peter Robinson	Local Government Allowance, Meeting Attendance & ICT Allowance	MUNI	1,819.09
EFT44652	01/10/2021	PFD Food Services Pty Ltd	ERC - Cafe Order	MUNI	512.55
EFT44653	01/10/2021	Sage Consulting Engineers Pty Ltd	Dardanup Sports Oval - Lighting Design - Progress Payment	MUNI	8,712.00
EFT44654	01/10/2021	Schweppes Australia Pty Ltd	ERC - Cafe Order	MUNI	1,158.37
EFT44655	01/10/2021	Scott Andrew Bradby	Reimbursement For Training Travel Costs	MUNI	193.00
EFT44656	01/10/2021	SMR Psychology	Employee Assistance Program - Counselling	MUNI	374.00
EFT44657	01/10/2021	SOS Office Equipment	Shire Printers Rental Charge - 11/09/2021 - 10/10/2021 & Printing Costs - August 2021	MUNI	7,460.37

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44658	01/10/2021	Stacey Gillespie	Meeting Attendance & ICT Allowance	MUNI	1,241.67
EFT44659	01/10/2021	Synergy	Electricity Account For Eaton Admin Centre 17/08/2021 - 20/09/2021	MUNI	3,424.54
EFT44660	01/10/2021	Telstra	Shire Main Telephone Lines & Wellington Mills BFB Telephone Account	MUNI	6,089.98
EFT44661	01/10/2021	The Cafe Merchant	Catering for WAERN Training Course	MUNI	230.00
EFT44662	01/10/2021	Total Eden Pty Ltd	Parts For Repairs - Hazelgrove Reticulation	MUNI	327.76
EFT44663	01/10/2021	Total Hygiene	ERC - Annual Service Of Sanitary Bins - Contract Period 03-10-2021 To 02-10-2022	MUNI	1,485.00
EFT44664	01/10/2021	Tyrrell Gardiner	Meeting Attendance & ICT Allowance	MUNI	1,241.67
EFT44665	01/10/2021	WA Automotive Pty Ltd - Lane Ford & Mandurah Mitsubishi	Purchase Mitsubishi GLX Triton Crew Cab 2.4L Automatic As Per Rft F0173048 x 2 & Trade In of Old Vehicles - DA9136 & DA10214	MUNI	31,264.55
EFT44666	01/10/2021	WM Resources Pty Ltd - Youth Leadership Academy Australia	Innovate Youth Program- Youth Leadership Academy Workshop - Final Payment	MUNI	1,512.50
EFT44667	01/10/2021	Woolworths Group Limited - Online Order Only	ERC - Cafe Order	MUNI	175.17
EFT44668	01/10/2021	Woolworths Group Limited - Openpay Portal	ERC - Vacation Care Resources, Morning Tea for Netball Teams, Staff Farewell Gift in Accordance with CP016 & Snacks for Youth Development Programs	MUNI	281.26
EFT44669	01/10/2021	Work Clobber	PPE - Parks And Gardens - 4 x Pants, 1 x Jacket & 6 x Shirts	MUNI	753.60

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44670	07/10/2021	21 Graphic Design Pty Ltd	Graphic Design - Events Calendar And School Holiday Events Calendar - September 2021	MUNI	445.50
EFT44671	07/10/2021	ABC Filter Exchange	ERC - Filter Exchange For Rangehood (2 Month Rotation)	MUNI	50.60
EFT44672	07/10/2021	Advanced Traffic Management Wa P/L	Supply Traffic Management - Eaton Drive Expansion & Hynes Road - 15/09/2021 - 30/09/2021	MUNI	7,167.48
EFT44673	07/10/2021	Amity Signs	Posts, Signs and Fittings - Banksia Road	MUNI	465.08
EFT44674	07/10/2021	Aquila Food Forest	Sustainable Living Workshops - Spring/Summer Vegie Garden Workshop 9/09/2021	MUNI	230.00
EFT44675	07/10/2021	Brownes Foods Operations Pty Ltd	ERC - Cafe Order	MUNI	249.96
EFT44676	07/10/2021	Bunbury Auto One	Narva 7 Pin Trailer Plugs x 6	MUNI	64.50
EFT44677	07/10/2021	Bunbury Machinery	Spray Gun and Nozzles & Boomless Nozzle Kit For Repairs To Tractor Boom Sprayer	MUNI	488.21
EFT44678	07/10/2021	Bunbury Mower Service	6 Whippersnipper Bump Heads	MUNI	198.00
EFT44679	07/10/2021	Bunbury Regional Entertainment Centre	50% Of Costs For Venue Hire/Catering - WA Emergency Management Conference - 13/10/2021	MUNI	8,035.50
EFT44680	07/10/2021	Bunnings Group Limited	Wood Tec Screws & Clips, 1 x Tub of Chain & 5L Sprayer & Masking Tape	MUNI	265.15
EFT44681	07/10/2021	Cameron John William Hunting	Refund Of Bond For Animal Cage Hire	MUNI	150.00
EFT44682	07/10/2021	Civil Projects Southwest	Bobcat Hire - Eaton Drive - 28/09/2021	MUNI	888.25

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44683	07/10/2021	Cleanaway Solid Waste Pty Ltd	CON-F0211469 - General Waste Disposal - 2021-2022	MUNI	3,778.50
EFT44684	07/10/2021	Craven Foods	ERC - Cafe Order	MUNI	2,181.69
EFT44685	07/10/2021	Diesel Force	Vehicle Service - DA325	MUNI	1,312.44
EFT44686	07/10/2021	Dormakaba Australia Pty Ltd	Preventative Maintenance On Eaton Administration Office Sliding Door	MUNI	198.00
EFT44687	07/10/2021	Eaton Environmental Services	Inspect Clean And Rebit Rodent Stations - Works Depot & Eaton Foreshore Toilets	MUNI	924.00
EFT44688	07/10/2021	Erin Hutchins	Uniform Reimbursement 21/22	MUNI	207.99
EFT44689	07/10/2021	Eve Yoga	ERC - Yoga Sessions Eve Yoga - 15/09/2021 - 25/09/2021	MUNI	360.00
EFT44690	07/10/2021	Fortius Patios & Maintenance	Install Flashing On High Side Of Air Conditioning Unit On The Roof Of Dardanup Administration Office	MUNI	391.00
EFT44691	07/10/2021	Hannah & Ryan William Cooper	Crossover Rebate	MUNI	328.60
EFT44692	07/10/2021	Heatleys	Gloves Disposable Pow/Free Nitrile Blue - Medium Box 100	MUNI	61.60
EFT44693	07/10/2021	Hpe Financial Services	Dell Desktop Laptop Refresh Lease & Sophos Firewall Lease - 1/10/2021 - 31/12/2021	MUNI	10,061.70
EFT44694	07/10/2021	Hynes Contracting	Enlarge And Stabilise The Seat 3 Area Near Fishing Jetty Along Promenade - Compact Layers To Ensure A Suitable Base Is Achieved For Concrete Pad	MUNI	2,900.00
EFT44695	07/10/2021	Jim's Test And Tag	Supply And Replace Emergency Exit Light - Ferguson Hall & Test and Tags at 8 x Shire Buildings	MUNI	1,602.11

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44696	07/10/2021	Kings Tree Care	Removal Of Cockatoo Tubes On Millars Creek And Pratt Road - 4 In Total	MUNI	264.00
EFT44697	07/10/2021	Landgate	Title Searches x 4 - August 2021	MUNI	114.11
EFT44698	07/10/2021	Les Mills Asia Pacific	ERC - Monthly Licence Fees - October 2021	MUNI	1,381.53
EFT44699	07/10/2021	Local Government Professionals Australia WA	ERC - Finance For Non-Financial People Workshop - 13/09/2021 - 1 x Participant	MUNI	400.00
EFT44700	07/10/2021	Luke Davies	Reimbursement For Meals - WALGA AGM Meeting - 22/09/2021	MUNI	38.00
EFT44701	07/10/2021	Lypa Pty Ltd	Replacement Seatbelt For All-Abilities Seat Flying Fox	MUNI	383.68
EFT44702	07/10/2021	M & J Essential Solutions Pty Ltd	Counselling Services - Employee Assistance Program	MUNI	260.00
EFT44703	07/10/2021	Malatesta Road Paving And Hotmix	Supply And Lay 30mm AC10 - Eaton Drive Expansion	MUNI	3,059.98
EFT44704	07/10/2021	Marzano & Co	Employee Assistance Program	MUNI	616.00
EFT44705	07/10/2021	NGIS Australia Pty Ltd	GIS Services Contract - 1/08/2021 - 31/08/2021	MUNI	7,590.00
EFT44706	07/10/2021	Officeworks Superstores Pty Ltd	Stationery for SW Emergency Management Conference & ERC Vacation Care Supplies	MUNI	490.72
EFT44707	07/10/2021	Peta Nolan	Uniform Reimbursement 21/22	MUNI	114.93
EFT44708	07/10/2021	Peter Robinson	Taxi Reimbursement 19/09/2021, 20/09/2021, 22/09/2021	MUNI	63.31
EFT44709	07/10/2021	PFI Supplies	Jumbo 2 Ply T/Rolls 6705 Rosche 8 Pk	MUNI	34.00

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44710	07/10/2021	Prime Supplies	Under Tray Tool Box Large x 2 - DA9136 & DA10214	MUNI	858.00
EFT44711	07/10/2021	PVR Industrial Pty Ltd	12 Monthly Services of UV Filter System - Depot	MUNI	1,271.78
EFT44712	07/10/2021	Qmani Pty Ltd	Qmani SMS Charges - September 2021	MUNI	66.00
EFT44713	07/10/2021	Rachel O'Donoghue	Uniform Reimbursement 21/22	MUNI	54.00
EFT44714	07/10/2021	Ronald Edwards & Shaila Dora Harper	Crossover Rebate	MUNI	254.40
EFT44715	07/10/2021	Schweppes Australia Pty Ltd	ERC - Cafe Order	MUNI	615.03
EFT44716	07/10/2021	Scope Electrical Contracting Pty Ltd	Electrical Repairs To BBQ - Lofthouse Park	MUNI	176.00
EFT44717	07/10/2021	Shire Of Harvey	Insurance Premium Recoup 2021-2022 Danjoo Koorliny (Treendale Bridge) - Joint Maintenance Agreement 68.77 Portion At 0.1478193	MUNI	20,893.73
EFT44718	07/10/2021	Signs Plus	Name Badges For Shire Staff As Required	MUNI	55.50
EFT44719	07/10/2021	Small's Bar & Bites Pty Ltd	Platters And Nibbles - Luke Botica Farewell Function 01-10-2022 - In Accordance With The Policy CP016	MUNI	300.00
EFT44720	07/10/2021	South West Fire	Waterloo LT - B Service - Bush Fire Brigade Vehicle	MUNI	8,705.40
EFT44721	07/10/2021	Synergy	Electricity Account For Martin Pelusey Road Depot & 44 Ferguson Road - 17/08/2021 - 20/09/2021	MUNI	1,917.56
EFT44722	07/10/2021	Tara Amanda Mcfarlane	Rates Refund - Overpayment of Rates	MUNI	3,025.59

Payment	Date	Name	Invoice Description	Fund	Amount
EFT44723	07/10/2021	Telstra	Telephone Use For West Dardanup BFB	MUNI	40.00
EFT44724	07/10/2021	The Print Shop	2 X Emergency Management Pull Up Banners & 9 x Membership Contract Books for ERC	MUNI	871.81
EFT44725	07/10/2021	Think Project Australia Pty Ltd	RAMM Training Online For Senior Assets Officer 14/09/2021 - 23/09/2021 - 7 Modules	MUNI	1,375.00
EFT44726	07/10/2021	Total Eden Pty Ltd	Parts For Repairs - Ord Park Reticulation	MUNI	69.17
EFT44727	07/10/2021	Tutt Bryant Hire	Hire Of Multi Tyre Roller 21/09/2021 - 24/09/2021 - Balweary Close	MUNI	1,006.50
EFT44728	07/10/2021	Vestone Capital Pty Limited	Executive Laptops Lease - 1/10/2021 - 31/12/2021	MUNI	1,505.24
EFT44729	07/10/2021	Vogue Furniture	Steel Frame Trestle Tables x 4 & Wall Unit x 1 - West Dardanup Brigade	MUNI	1,570.00
EFT44730	07/10/2021	Western Australian Rangers Association Inc	3 Year Membership WARA - Stephen Delane & 1 Year Membership - Kayli Plank & David Lanigan	MUNI	220.00
EFT44731	07/10/2021	Woolworths Group Limited - Online Order Only	Stock For Council Chambers & Staff Kitchens - Eaton Admin Office	MUNI	206.22
EFT44732	07/10/2021	Woolworths Group Limited - Openpay Portal	Farewell Gift For Luke Botica & Bruce Mapstone - As Per CnG CP016, Catering for Youth Advisory Group, Tie Dyeing Workshop, Council Meeting and Vacation Care & Milk for Eaton Admin Office	MUNI	877.53

CHEQUES**TRUST**

Payment	Date	Name	Invoice Description	Fund	Amount
PAYROLL					
DD16008.1	17/09/2021	Aware Super Pty Limited	Payroll Deductions	MUNI	37,444.76
DD16008.2	17/09/2021	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	344.87
DD16008.3	17/09/2021	One Path Masterfund	Superannuation Contributions	MUNI	119.23
DD16008.4	17/09/2021	Suncorp Brighter Super	Superannuation Contributions	MUNI	221.02
DD16008.5	17/09/2021	AMP Flexible Super - Super Account	Superannuation Contributions	MUNI	59.08
DD16008.6	17/09/2021	Hostplus	Superannuation Contributions	MUNI	199.99
DD16008.7	17/09/2021	ANZ Australian Staff Superannuation Scheme	Superannuation Contributions	MUNI	82.80
DD16008.8	17/09/2021	Local Government Super	Superannuation Contributions	MUNI	244.82
DD16008.9	17/09/2021	Commonwealth Essential Super	Superannuation Contributions	MUNI	274.22
DD16008.10	17/09/2021	Hesta Super Fund	Payroll Deductions	MUNI	564.11
DD16008.11	17/09/2021	ANZ Smart Choice Super (Onepath Masterfund)	Superannuation Contributions	MUNI	54.46
DD16008.12	17/09/2021	Asgard Infinity E Wrap Super	Payroll Deductions	MUNI	678.36

Payment	Date	Name	Invoice Description	Fund	Amount
DD16008.13	17/09/2021	MIML - Macquarie Super Accumulator	Payroll Deductions	MUNI	1,021.46
DD16008.14	17/09/2021	Unisuper	Superannuation Contributions	MUNI	37.60
DD16008.15	17/09/2021	Rest Superannuation	Payroll Deductions	MUNI	1,097.42
DD16008.16	17/09/2021	The Bro Code Super Fund	Superannuation Contributions	MUNI	96.18
DD16008.17	17/09/2021	Media Super	Superannuation Contributions	MUNI	544.91
DD16008.18	17/09/2021	Australiansuper	Payroll Deductions	MUNI	3,629.45
DD16008.19	17/09/2021	Hub24 Superannuation Fund	Superannuation Contributions	MUNI	321.46
DD16008.20	17/09/2021	MLC Super Fund	Superannuation Contributions	MUNI	603.85
DD16008.21	17/09/2021	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	175.81
DD16030.1	01/10/2021	Aware Super Pty Limited	Payroll Deductions	MUNI	37,382.57
DD16030.2	01/10/2021	One Path Masterfund	Superannuation Contributions	MUNI	100.33
DD16030.3	01/10/2021	Suncorp Brighter Super	Superannuation Contributions	MUNI	221.02
DD16030.4	01/10/2021	Amp Flexible Super - Super Account	Superannuation Contributions	MUNI	66.31

Payment	Date	Name	Invoice Description	Fund	Amount
DD16030.5	01/10/2021	Hostplus	Superannuation Contributions	MUNI	152.68
DD16030.6	01/10/2021	Anz Australian Staff Superannuation Scheme	Superannuation Contributions	MUNI	59.04
DD16030.7	01/10/2021	Local Government Super	Superannuation Contributions	MUNI	244.82
DD16030.8	01/10/2021	Commonwealth Essential Super	Superannuation Contributions	MUNI	274.22
DD16030.9	01/10/2021	Hesta Super Fund	Payroll Deductions	MUNI	564.11
DD16030.10	01/10/2021	MIML - Macquarie Super Accumulator	Payroll Deductions	MUNI	1,021.46
DD16030.11	01/10/2021	Unisuper	Superannuation Contributions	MUNI	82.36
DD16030.12	01/10/2021	Asgard Infinity E Wrap Super	Payroll Deductions	MUNI	678.36
DD16030.13	01/10/2021	The Bro Code Super Fund	Payroll Deductions	MUNI	23.32
DD16030.14	01/10/2021	Rest Superannuation	Payroll Deductions	MUNI	1,142.78
DD16030.15	01/10/2021	Media Super	Superannuation Contributions	MUNI	544.91
DD16030.16	01/10/2021	Diamond Sea Superannuation Fund	Superannuation Contributions	MUNI	382.39
DD16030.17	01/10/2021	Australiansuper	Payroll Deductions	MUNI	3,417.58
DD16030.18	01/10/2021	Hub24 Superannuation Fund	Superannuation Contributions	MUNI	321.46

Payment	Date	Name	Invoice Description	Fund	Amount
DD16030.19	01/10/2021	MLC Super Fund	Superannuation Contributions	MUNI	603.84
DD16030.20	01/10/2021	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	175.81
CREDIT CARD					
DD16039.1	29/09/2021	Facebook Ireland Limited	Marketing For Innovate Youth Leadership Academy & ERC Advertising Campaign	MUNI	40.00
DD16039.2	29/09/2021	Mailchimp	Monthly Subscription And Charge For Electronic Newsletters September 2021	MUNI	107.92
DIRECT DEBIT					
DD16017.1	15/09/2021	SG Fleet	Vehicle Lease 2021-2022 - Bushfire Risk Planning Coordinator For Period 15-09-2021 To 14-10-2021	MUNI	564.04
INTERNATIONAL					
BPAY					
DD16029.1	30/09/2021	linet Ltd	Monthly Charge For Business NBN	MUNI	174.94

Payment	Date	Name	Invoice Description	Fund	Amount
<u>REPORT TOTALS</u>					2,246,523.95
EFT	2,150,361.82		CERTIFICATE OF CHIEF EXECUTIVE OFFICER		
Muni Cheque	0.00		This schedule of accounts to be passed for payment, covering vouchers as above which was submitted to each member of Council has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costings and the amounts shown are due for payment.		
Trust	0.00				
Payroll	95,275.23				
Credit Card	147.92				
Direct Debit	564.04				
International	0.00				
BPAY	174.94				
TOTAL	2,246,523.95				



MR ANDRÉ SCHÖNFELDT
Chief Executive Officer

CARRIED
9/0

12.5 COMMITTEES

12.5.1 Title: Bush Fire Advisory Group Committee Meeting Minutes Held 6th of October 2021

Reporting Department: Corporate & Governance Directorate
 Reporting Officer: Mrs Donna Bailye – PA-Deputy CEO
 Legislation: Local Government Act 1995

MINUTES OF THE SHIRE OF DARDANUP BUSH FIRE ADVISORY COMMITTEE MEETING HELD ON WEDNESDAY, 6th OF OCTOBER 2021, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 7.00PM.

Officer Comment

The Minutes of the Bush Fire Advisory Committee Meeting held on the 6th of October 2021 [Appendix ORD: 12.5.1] is attached.

PROCESS

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

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

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

Note: Cr. P S Robinson and Cr. T G Gardiner moved and seconded the committee resolutions en bloc.

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

345-21 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council receives the Minutes [Appendix ORD: 12.5.1] of the Bush Fire Advisory Committee Meeting held on the 6th of October 2021.

CARRIED
9/0

BFAC RECOMMENDED RESOLUTION 'A' & COUNCIL RESOLUTION

346-21 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council:

1. **Supports the DFES Commissioner position regarding Vaccinations for DFES staff and volunteers as provided for in (DFES Circular No 147/2021 and 152/2021); and**
2. **Requests the Chief Executive Officer investigate options to implement a similar directive for all brigade activities.**

CARRIED
9/0

BFAC RECOMMENDED RESOLUTION 'B' & COUNCIL RESOLUTION

347-21 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council requests that the Chief Executive Officer research the requirements for Brigade names to be changed, to improve calls signs and report back to the Bushfire Advisory Committee on the process.

CARRIED
9/0

BFAC RECOMMENDED RESOLUTION 'C' & COUNCIL RESOLUTION

348-21 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council requests that the Chief Executive Officer investigate why spring burns are not allowed in the Shire, and report back to the Bushfire Advisory Committee.

CARRIED
9/0

BFAC RECOMMENDED RESOLUTION 'D' & COUNCIL RESOLUTION

349-21 MOVED - Cr. P S Robinson SECONDED - Cr. T G Gardiner

THAT Council:

1. Requests that the Chief Executive Officer investigates the inclusion in its 2022-23 fees and charges a charge for prescribed burning by brigades; and
2. Requests that the Chief Executive Officer bring a report on the matter back to the next Bush Fire Advisory Committee meeting.

CARRIED
9/0

13 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

None.

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

14.1 Title: Alternative Option for the New Shire of Dardanup Administration and Library Building

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

350-21 MOVED - Cr. S L Gillespie SECONDED - Cr. T G Gardiner

THAT the Alternative Option for the New Shire of Dardanup Administration and Library Building report be received as Business of an Urgent Nature to be heard Behind Closed Doors.

CARRIED
9/0

15 PUBLIC QUESTION TIME

None.

16

MATTERS BEHIND CLOSED DOORS

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

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

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

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

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

351-21 MOVED - Cr. S L Gillespie SECONDED - Cr. P R Perks

THAT in accordance with the Local Government Act 1995, S 5.23, sections (2)(a), (2) (c) and (2)(e)(iii) and Council goes Behind Closed Doors [7.19pm] to discuss a matter affecting an employee or employees, 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 and information about the business, professional, commercial or financial affairs of a person.

CARRIED
9/0

ADJOURNMENT

*Shire President, Cr. M T Bennett adjourned the meeting [7.19pm] in order to take a short break.
The meeting resumed at [7.22pm].*

RESUMPTION

16.1 Title: Bunbury & Districts Softball Association – 2021-2024 Business Plan and 2021 Annual Financial Report

Reporting Department: Executive
 Reporting Officer: Mr Phil Anastasakis – Deputy CEO
 Mrs Donna Bailye – Personal Assistant - DCEO
 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.

ELECTED MEMBER RESOLUTION & COUNCIL RESOLUTION

352-21 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council:

1. **Receives the Bunbury & Districts Softball Association [Confidential Document: Appendix ORD: 16.1A] Annual Financial Report for the Year Ended 30th of April 2021 and Business Plan 2021/2024, subject to the receipt of updated financial projections for 2021 to 2024.**
2. **Requests the Bunbury & Districts Softball Association to provide details regarding the impact of the sub-lease on its Financial Sustainability in the next Annual Financial Report.**

CARRIED
8/1

16.2 Title: ICT Review – ERP Project Initiation Report

Reporting Department: Executive
 Reporting Officer: Mr Phil Anastasakis – Deputy CEO
 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

353-21 MOVED - Cr. T G Gardiner SECONDED - Cr. P R Perks

THAT Council:

1. **Receive the IT Services & ERP Review Report – August 2021 [Appendix BCD: 16.2A] conducted by TANGO Information Technology.**
2. **Endorse the calling of Expressions of Interest for a new ERP system for the Shire of Dardanup, with the information provided through the EOI used to develop a detailed ERP Business Case and Project Plan (ERP Report) for Council's future consideration.**
3. **Endorse the proposed Information Services staffing realignment outlined in Confidential Item 16.3 and Attachment 1, including:**
 - a) **the creation of a contracted ERP Project Manager role (1.0 FTE) funded from the IT Reserve; and**
 - b) **the creation of a Cyber Security Administrator role (0.6 FTE with 0.2 FTE shared);**

with the Workforce Plan, 2021/22 budget and LTFP updated to reflect these changes.

CARRIED
8/1

16.4 Title: Alternative Option for the New Shire of Dardanup Administration and Library Building

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.

DECLARATION OF INTEREST

Cr. L W Davies declared a Financial Interest in this item. Refer to the list of Declarations of Interest.

Cr. L W Davies left the room [7.25pm].

PROCESS - REVOCATION OF RESOLUTION

In accordance with Shire of Dardanup Standing Orders Local Law 2014 and S10 of Local Government (Administration) Regulations 1996 a Notice to Revoke Resolution (309-21) of the 5th of October 2021 Ordinary Council Meeting was signed by Cr. M T Bennett, Cr. T G Gardiner and Cr. P S Robinson

The signed notice was accepted by the Chief Executive Officer, Mr André Schönfeldt prior to the meeting.

OFFICER RECOMMENDED RESOLUTION 'A' & COUNCIL RESOLUTION

355-21 MOVED - Cr. M T Bennett SECONDED - Cr. P S Robinson

THAT Council revokes Resolution (309-21) from the Ordinary Council meeting dated 29th of September 2021.

CARRIED
8/0

AND**OFFICER RECOMMENDED RESOLUTION 'B' & COUNCIL RESOLUTION**

356-21 MOVED - Cr. M T Bennett SECONDED - Cr. P R Perks

THAT Council:

- 1. Endorses Option 5 as presented by PHA and ATC Architects included in [Confidential Appendix BCD: 16.4B] as Council's preferred option;**

2. **Agrees to Perkins Pty. Ltd. being joined as one of the counterparties (either jointly, or as part of the counterparty consortium) to the Early Contractor Involvement Contract and for the 15% Schematic Design for Option 5 with detailed costings to be completed by the 30th of November 2021, with the intent to enter into a Design and Construct Contract with a Guaranteed Maximum Price of \$14,500,000;**
3. **Requires the contractor and architects to provide updated financial statements and insurance policies, before the ECI contract is finalised and before the contract progresses to a Design and Construction Contract.**
4. **Agrees that the intended \$14,500,000 Guaranteed Maximum Price is not intended to provide for fixed contingencies related to servicing the site or buildings and that such provisions are to be made as additional costs to the project;**
5. **Agrees that the total ECI Contract cost will not exceed \$167,500 and authorises the Chief Executive Officer to negotiate and finalise the ECI contract with PHA, ATC Studio and Perkins Pty Ltd as joint counterparties, and to commence preliminary negotiations on the Design and Construct Contract.**

CARRIED
7/1

<i>FOR THE MOTION</i>	<i>AGAINST THE MOTION</i>
<i>Cr. M T Bennett</i> <i>Cr. P S Robinson</i> <i>Cr. T G Gardiner</i> <i>Cr. E P Lilly</i> <i>Cr. P R Perks</i> <i>Cr. S Gillespie</i> <i>Cr. M Hutchinson</i>	<i>Cr. J Dow</i>

Note: Cr. L W Davies returned to the room [7.40pm].

OFFICER RECOMMENDED RESOLUTION & COUNCIL RESOLUTION

357-21 MOVED - Cr. T G Gardiner SECONDED - Cr. P S Robinson

THAT Council return from Behind Closed Doors [7.40pm].

CARRIED
9/0

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

17 CLOSURE OF MEETING

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

- Special Meeting of Council will be Wednesday 17th of November 2021, commencing at 5.00pm at the Shire of Dardanup – Administration Centre Eaton.
- Ordinary Meeting of Council will be Wednesday, the 24th of November 2021, commencing at 5.00pm at the Shire of Dardanup - Administration Centre Eaton.

There being no further business the Presiding Officer declared the meeting closed at 7.40pm.

**CONFIRMATION OF MINUTES**

“As the person presiding at the meeting at which these minutes were confirmed on the 24th of November 2021, I certify that these minutes have been confirmed as a true and accurate record of proceedings”.

Signature: 

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