



# **AGENDA**

## **ORDINARY COUNCIL MEETING**

To Be Held

Wednesday, 28<sup>th</sup> of September 2022  
Commencing at 5.00pm

At

Shire of Dardanup  
ADMINISTRATION CENTRE EATON  
1 Council Drive - EATON

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## NOTICE OF AN ORDINARY COUNCIL MEETING

Dear Council Member

The next Ordinary Meeting of the Shire of Dardanup Council will be held on Wednesday, the 28<sup>th</sup> of September 2022 in the Council Chambers, Shire of Dardanup – Administration Centre Eaton, 1 Council Drive, Eaton – Commencing at 5.00pm.

**MR ANDRÉ SCHÖNFELDT**

Chief Executive Officer

Date: 23<sup>rd</sup> of September 2022

**Note:** If interested persons would like to make comment on any items in this agenda, please email [records@dardanup.wa.gov.au](mailto:records@dardanup.wa.gov.au) or hand deliver written comment to the Shire of Dardanup – Administration Centre Eaton, 1 Council Drive, Eaton. To be included in the meeting comments are to be delivered no later than 48 hours prior to the meeting.

The Chief Executive Officer will use his discretion as to whether the written comments are relevant and applicable to the meeting before approving their inclusion in the meeting.

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## VISION STATEMENT

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

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## COUNCIL ROLE

<b>Advocacy</b>	When Council advocates on its own behalf or on behalf of its community to another level of government / body /agency.
<b>Executive/Strategic</b>	The substantial direction setting and oversight role of the Council e.g. Adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.
<b>Legislative</b>	Includes adopting local laws, town planning schemes and policies.
<b>Review</b>	When Council reviews decisions made by Officers.
<b>Quasi-Judicial</b>	<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

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

**RISK CATEGORY CONSEQUENCE TABLE - GUIDELINE**

Rating (Level)	Health	Financial Impact	Service Interruption	Legal and Compliance	Reputational	Environment
<b>Insignificant (1)</b>	Near miss Minor first aid injuries	Less than \$10,000	No material service interruption - backlog cleared < 6 hours	<b>Compliance</b> - No noticeable regulatory or statutory impact. <b>Legal</b> - Threat of litigation requiring small compensation. <b>Contract</b> - No effect on contract performance.	Unsubstantiated, low impact, low profile or 'no news' item	Contained, reversible impact managed by on site response
<b>Minor (2)</b>	Medical type injuries	\$10,001 - \$50,000	Short term temporary interruption – backlog cleared < 1 day	<b>Compliance</b> - Some temporary non compliances. <b>Legal</b> - Single minor litigation. <b>Contract</b> - Results in meeting between two parties in which one party expresses concern.	Substantiated, low impact, low news item	Contained, reversible impact managed by internal response
<b>Moderate (3)</b>	Lost time injury <30 days	\$50,001 - \$300,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	<b>Compliance</b> - Short term non-compliance but with significant regulatory requirements imposed. <b>Legal</b> - Single moderate litigation or numerous minor litigations. <b>Contract</b> - Receive verbal advice that, if breaches continue, a default notice may be issued.	Substantiated, public embarrassment, moderate impact, moderate news profile	Contained, reversible impact managed by external agencies
<b>Major (4)</b>	Lost time injury >30 days	\$300,001 - \$1.5 million	Prolonged interruption of services – additional resources; performance affected < 1 month	<b>Compliance</b> - Non-compliance results in termination of services or imposed penalties. <b>Legal</b> - Single major litigation or numerous moderate litigations. <b>Contract</b> - Receive/issue written notice threatening termination if not rectified.	Substantiated, public embarrassment, high impact, high news profile, third party actions	Uncontained, reversible impact managed by a coordinated response from external agencies
<b>Catastrophic (5)</b>	Fatality, permanent disability	More than \$1.5 million	Indeterminate prolonged interruption of services – non-performance > 1 month	<b>Compliance</b> - Non-compliance results in litigation, criminal charges or significant damages or penalties. <b>Legal</b> - Numerous major litigations. <b>Contract</b> - Termination of contract for default.	Substantiated, public embarrassment, very high multiple impacts, high widespread multiple news profile, third party actions	Uncontained, irreversible impact

**RISK - LIKELIHOOD TABLE**

LEVEL	RATING	DESCRIPTION	FREQUENCY
5	<b>Almost Certain</b>	The event is expected to occur in most circumstances	The event is expected to occur more than once per year
4	<b>Likely</b>	The event will probably occur in most circumstances	The event will probably occur at least once per year
3	<b>Possible</b>	The event should occur at some time	The event should occur at least once in 3 years
2	<b>Unlikely</b>	The event could occur at some time	The event could occur at least once in 10 years
1	<b>Rare</b>	The event may only occur in exceptional circumstances	The event is not expected to occur more than once in 15 years

**LEVEL OF RISK GUIDE**

CONSEQUENCE		Insignificant	Minor	Moderate	Major	Catastrophic
LIKELIHOOD		1	2	3	4	5
Almost Certain	5	Moderate (5)	Moderate (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	Moderate (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

**SHIRE OF DARDANUP**

**AGENDA FOR THE SHIRE OF DARDANUP ORDINARY COUNCIL MEETING TO BE HELD ON WEDNESDAY, THE 28<sup>TH</sup> OF SEPTEMBER 2022, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 5.00PM.**

**1      DECLARATION OF OPENING/ANNOUNCEMENTS OF VISITORS**

The Presiding Member to declare the meeting open, welcome those in attendance, refer to the Disclaimer, Acknowledgement of Country, Emergency Procedure and the Affirmation of Civic Duty and Responsibility on behalf of Councillors and Officers:

*Acknowledgement of Country*

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

*Emergency Procedure*

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

*Affirmation of Civic Duty and Responsibility*

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



**2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE PREVIOUSLY APPROVED****2.1 Attendance****2.2 Apologies****2.3 Leave of Absence**

Cr. Stacey Gillespie

-

Elected Member

**3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

None.

**4 PUBLIC QUESTION TIME****5 APPLICATIONS FOR LEAVE OF ABSENCE****COUNCIL RESOLUTION**

**THAT ..... be granted leave of absence for the Ordinary Council Meeting to be held on the 26<sup>th</sup> of October 2022.**

**6 PETITIONS/DEPUTATIONS/PRESENTATIONS**

None.

**7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**

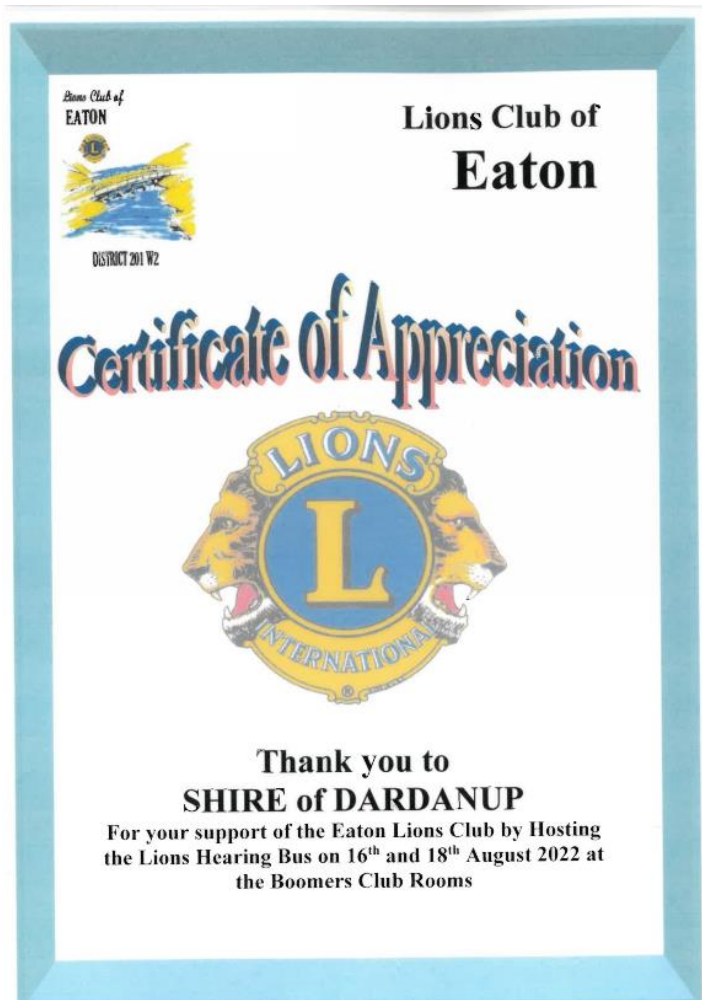
7.1 Ordinary Council Meeting Held on the 24<sup>th</sup> of August 2022

**OFFICER RECOMMENDED RESOLUTION**

**THAT** the Minutes of the Ordinary Meeting of Council held on the 24<sup>th</sup> of August 2022, be confirmed as true and correct subject to no/the following corrections:

**8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

8.1 Title: Certificate of Appreciation – Eaton lions Club



## 9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

9.1 Title: Consideration of New Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook

9.2 Title: Temporary Structure Realignment

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

## 10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

None.

## 11 DECLARATION OF INTEREST

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

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

- *Various Staff have declared a financial interest in item "12.4.2 - Biennial Policy Manual Review" as contributors to the review of the Council Policies they have a potential financial interest.*
- *Mr André Schönfeldt declared a Financial Interest in Item "12.4.4 – Bank Contract - Provision of Banking and Bill Payment Services" as his wife owns shares in other financial institutions.*
- *Mr Phil Anastasakis declared an Impartiality Interest in Item "12.4.4 – Bank Contract - Provision of Banking and Bill Payment Services" as he banks with the Commonwealth Bank of Australia.*
- *Mrs Natalie Hopkins has declared a Financial Interest in Item "12.4.4 – Bank Contract - Provision of Banking and Bill Payment Services" as she banks with the Commonwealth Bank of Australia.*
- *Cr. J Dow has declared a Financial Interest in Item "12.4.4 – Bank Contract - Provision of Banking and Bill Payment Services" as she holds shares for the Commonwealth Bank of Australia.*
- *Cr. P S Robinson has declared a Financial Interest in Item "12.4.4 – Bank Contract - Provision of Banking and Bill Payment Services" as he holds shares for the Commonwealth Bank of Australia.*
- *Cr. M T Bennett has declared a Financial Interest in Item "12.4.4 – Bank Contract - Provision of Banking and Bill Payment Services" as he holds shares for the Commonwealth Bank of Australia.*
- *Cr. M T Bennett declared an Impartiality Interest in item "12.4.1 - Eaton Bowling & Social Club Inc. – Request to Remove Palm Trees" as he is a member of the Eaton Bowling Club.*
- *Cr. E P Lilly declared an Impartiality Interest in item "16.1 - Consideration of New Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook" as she is a member of both the 'Dardanup Environment Action Group' and the 'Cleanaway Community Reference Group'.*

- *Cr. J P Dow declared an Impartiality Interest in item “16.1 - Consideration of New Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook” as she has signed a petition opposing the landfill site.*

*Note: Chairperson to ask Councillors and Staff if there are any Declarations of Interest to be declared.*

## 12      REPORTS OF OFFICERS AND COMMITTEES

### 12.1    EXECUTIVE REPORTS

#### 12.1.1 Title:    Southwest Development Commission Grant - Hydrogen Feasibility and Business Case

<i>Reporting Department:</i>	<i>Executive</i>
<i>Reporting Officer:</i>	<i>Mr André Schönfeldt - Chief Executive Officer</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.1.1A – Risk Assessment Tool</i>
	<i>Appendix ORD: 12.1.1B - Grant Agreement - Hydrogen Feasibility Study - Executed by SWDC</i>
	<i>Appendix ORD: 12.1.1C - Recommendation Report for a Written Quotation - Hydrogen Feasibility and Business Case - RFQ F0309444</i>

#### **Overview**

The Shire was successful in obtaining a grant from the South West Development Commission to undertake a Hydrogen Feasibility study. This report seeks Council's endorsement to amend the budget to reflect the additional income and expenditure.

#### **Background**

In December 2021 the Chief Executive Officer was made aware by the South West Development Commission of a funding round available to local governments to undertake feasibility studies. Based on discussions held with Councillors and also the Shire President the CEO submitted an application for funding towards a feasibility study for establishing a Hydrogen Refuelling Facility at the Shire's depot site along Martin Pelusey Road.

In May 2022 the Shire was informed that it was successful in its application for \$40,000 for the Hydrogen Feasibility Study. Due to the timing of the grant it was not included in the draft budget at the time, but acknowledged as income to be received.

#### **Legal Implications**

The Grant Funding includes some obligations on the Local Government which in the main relates to ensuring that the Funding Body is acknowledged in all relevant correspondence and opportunities.

#### **Council Plan**

- 6.1 - Increase awareness and adoption of sustainable practices.
- 6.3 - Work towards net zero carbon emissions.
- 11.1 - Support industry and business growth.
- 13.2 - Manage the Shire's resources responsibly.

**Environment**    -      None.

**Precedents**

In 2020 the Shire completed a feasibility study and business case into the provision of reticulated gas services to the townsites of Burekup and Dardanup with similar funding received from the South West Development Commission.

**Budget Implications**

It is recommended that Council agree to receive the additional \$40,000 grant income from the South West Development Commission and to increase Account 0412506 Consultants / Special Project by \$40,000.

**Budget – Whole of Life Cost**

The feasibility study will consider options for the Shire to establish a hydrogen facility at its depot site and will include considerations towards the Whole of Life Costs associated with such a facility.

**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: 12.1.1A] for full assessment document.

<b>TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.</b>		
Risk Event	Southwest Development Commission Grant - Hydrogen Feasibility and Business Case	
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Financial	There is minimal financial risk associated with Council receiving the grant.
	Reputational	There is minimal reputational risk associated with Council accepting the grant.

**Officer Comment**

There is a strong opportunity for the Shire Depot to be transformed into a leading application of a renewable energy and green hydrogen, enabling a zero emission footprint over time, and demonstrating what can be achieved to the Shire's local government peers across Australia. Similarly, the Waterloo Industrial Precinct and Bunbury Outer Ring Road projects can offer imminent and strategic opportunities for application of hydrogen for transport and other uses within the Shire.

A Hydrogen feasibility study and business case is intended to evaluate the technical and commercial feasibility of a range of potential hydrogen applications within the Shire, together with detail costing of procuring and establishing such capabilities. As a minimum the following questions will be considered in preparing the Feasibility study:

1. What is the Shire of Dardanup's current demand for fuel and what does this translate to in terms of hydrogen requirements?
2. What opportunities are there to change over the Shire's heavy and light fleet to hydrogen?
3. What is the minimum and maximum demand for hydrogen that the Shire of Dardanup will generate giving consideration to current and future fleet?
4. Questions 1-3 for the neighbouring local governments and government agencies within the Bunbury Geopraphe and/or South West Region?
5. Who are potential partners in local government or private sector partners in generation and primary users?
6. What are the likely costs?
7. What funding is available?

The purpose of this work is to illustrate where applications of hydrogen within the Shire are both technically and organisationally feasible, and to prepare a detailed proposal for hydrogen application in the Shire of Dardanup. The works will expand to preparing a business case for the establishment of such facilities with cost estimates, to support grant and funding proposals. As part of preparing the business case consultation with relevant public and private organisations including local governments within the region and particularly transport companies should be explored to consider the feasibility and establish the parameters of the business case.

Ideally the feasibility study would be able to identify the different scales of activity that may be required for the following scenarios:

1. Establishing a small scale plant, storage and distribution to service Shire of Dardanup needs only;
2. Establishing a medium scale plant, storage and distribution to service surrounding local governments' or other government agencies' needs;
3. Establishing a large scale plant, storage and distribution to allow commercial application;

A request for quotation process has been completed for this project and a consultant is intended to be appointed to undertake the above work once the budget is adjusted.

**Council Role** - Executive/Strategic.

**Voting Requirements** - Simple Majority.

#### **Change to Officer Recommendation**

No Change. **OR:**

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

#### **OFFICER RECOMMENDED RESOLUTION**

**THAT Council receives the \$40,000 grant from South West Development Commission and increases the expenditure on Account 0412506 Consultants / Special Projects by \$40,000.**



**12.1.2 Title: 2022 WALGA Annual General Meeting Agenda**

<b>Reporting Department:</b>	<i>Executive</i>
<b>Reporting Officer:</b>	<i>Ms Cathy Lee - Manager Governance &amp; HR</i>
<b>Legislation:</b>	<i>Local Government Act 1995</i>
<b>Attachments:</b>	<i>12.1.2A – WALGA AGM Agenda</i> <i>12.1.2B – Risk Assessment Tool</i>

**Overview**

Council is requested to consider the recommended motions and direct their delegates (Cr. M T Bennett and Cr. T G Gardiner) how they are to vote at the convention.

**Background**

The Annual General Meeting of the Western Australian Local Government Association is to be held on Monday the 3<sup>rd</sup> of October 2022 at Crown Perth.

A full copy of the AGM Agenda is included in [Appendix ORD: 12.1.2A].

**Legal Implications** - None.

**Council Plan**

- 8.1 - Support responsible planning and development.
- 13.1 - Adopt best practice governance.
- 14.2 - Ensure equitable, inclusive and transparent engagement and decision- making.

**Environment** - None.

**Precedents**

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

**Budget Implications**

There are no budget implications for attendance at the AGM itself. Budget allocations have been made for the Chief Executive Officer and elected members to attend the WALGA Annual Convention.

**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: 12.1.2B] for full assessment document.

TIER 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	2022 WALGA Annual General Meeting Agenda

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
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	There is a low risk to Council not providing specific direction on each of the items presented to the WALGA AGM.

### Officer Comment

The following motions are reproduced for Council’s consideration. For further details refer to the full WALGA AGM Agenda attached as [Appendix ORD: 12.1.2A].

### 3.1. Road Traffic Issues

IN BRIEF
<ul style="list-style-type: none"> <li>Request for WALGA to advocate for greater local input into road and intersection treatments.</li> </ul>

### Shire of Dardanup Comment

*The Shire of Dardanup and its community have experienced a number of instances where preventative action was only taken after fatalities occurred on roads and intersections, despite pleas and requests from the local government, community and stakeholders.*

*Recent examples include the following intersections:*

- Hynes Road on Forrest highway, fatalities occurred before safety concerns were addressed and speed limit reduced;*
- Hynes Road on South Western Highway, fatalities occurred before safety concerns were addressed and speed limit reduced;*
- South Western Highway section from Hynes Road westbound to Picton, high number of fatalities occurred before safety concerns were addressed and speed limit reduced;*
- Eaton Drive numerous intersection designs, almost 10 years of traffic studies paid for by the local government as requested by Main Roads which eventually culminated in a treatment plan for all intersection that was agreed to by Main Roads South West, but rejected by Main Roads Perth request further traffic studies delaying action and deferring addressing community and safety concerns.*

### MOTION

***That WALGA Advocate on behalf of the local government sector to the State Government and in particular, Main Roads, to increase importance and weight given to local knowledge and input regarding road traffic issues including requests for speed reduction, intersection treatments and overall preventative and traffic safety measures.***

### 3.2 Car Parking and Traffic Congestion Around Schools

#### IN BRIEF

- Car parking and traffic congestion around school sites has been and continues to be problematic.
- Causes arise from lack of parking, lack of adequate drop-off and pick-up areas and driver behaviour.
- Issues include illegal parking and traffic movements leading to conflict and potentially dangerous situations.
- Issues are not exclusive to City of Wanneroo.
- Requires a wide-ranging review of standards and school location.
- Requires better management of traffic by schools and development of driver education programs.
- Requires development of options and programs to alternative modes of travel to and from school.

#### City of Wanneroo Comment

*The City of Wanneroo has for some time been concerned about traffic congestion and car parking in and around school sites. In particular, the City is concerned about the car parking and congestion issues that occur over the morning drop-off and afternoon pick-up times due to the high demand and intensity of activity over relatively short periods of time. Causes seem to range from a lack of parking availability, lack of adequate drop-off and pick-up areas and driver behaviour. The results observed by the City include illegal parking and traffic movements leading to conflict and potentially dangerous situations.*

*As an outer metropolitan growth council, the City of Wanneroo will continue to face the issue of car parking and traffic congestion unless measures are taken to address the increasing challenges and issues associated with schools throughout the City.*

*It is apparent that the issue of car parking and traffic congestion around schools is not exclusive to the City of Wanneroo. It follows that a comprehensive and coordinated approach to the problem is called for. This motion is submitted to request that WALGA take a lead role in helping bring about such a solution on behalf of all member councils.*

*There is a need to approach the State Government to identify and implement new approaches that can contribute to a comprehensive solution. These include:*

- *Reviewing parking standards for educational establishments;*
- *Ensuring sufficient land is set aside for the provision of parking on school sites;*
- *Reviewing the co-location of schools to avoid issues being exacerbated;*
- *Restricting school access from major arterial roads;*
- *Developing plans to enable schools to manage school traffic;*
- *Develop programs to educate drivers; and*
- *Develop options and implement initiatives to encourage alternative modes of transport for travel to and from school.*

*The City's Councillors are very concerned about the issues and are supportive of the City pursuing options to reduce the problems at existing schools and prevent them from occurring where new schools are developed. An example of the problem faced in relation to traffic and congestion has been highlighted by a Councillor. Mercy College in Koondoola is located at the intersection of two major roads (Beach Road and Mirrabooka Avenue) where it has been observed that:*

- *At school pick-up times, cars stop along Mirrabooka Avenue, approximately 200m before the intersection of Beach Road / Mirrabooka Avenue.*
- *The gate at Mercy College doesn't open until about 2:45pm. Cars are banked up from 2:30, causing significant congestion issues.*
- *A drop off / pick up entrance along Beach Road appears to be well managed, unlike the one on Mirrabooka Avenue.*

*The City has operated a school parking program to provide education, manage parking and where necessary take compliance/enforcement action. The City has also worked with the Department of Transport (DOT) Your Move team to help in the development of safe routes to school. Despite these efforts, issues of congestion and parking problems persist.*

*The City acknowledges the Department of Transport (DOT) report “The declining rate of walking and cycling to school in Perth” issued in November 2021. The City generally supports the conclusions and recommendations of the report and looks forward to the implementation of the actions proposed.*

*The City is also aware of the Department of Planning, Lands and Heritage Development Control Policy 2.4: School Sites and the draft operational Policy 2.4: Planning for School Sites. The former policy has been in place since 1998 and the issues of parking and traffic congestion have continued throughout its duration. While the draft policy discusses sufficient parking and embayments and facilities for drop-off and pick-up it does not appear to have measures in place to deal with the high demand and intensity of activity over short periods of time that deal with the resultant congestion and potentially dangerous situations. There is no requirement for schools to manage the traffic they generate.*

*The City of Wanneroo’s observations are that the issue of car parking and traffic congestion occurs at schools in the entire Local Government area regardless of the type (public or private), age and location. That is to say that the issue has been occurring for many years and according to the DOT report has become more of an issue as the rate of walking and cycling to school has declined over the past 40 years.*

*There is a need for WALGA, as representative of Local Government, to lead discussions with the State Government to find a solution to the issue of parking and traffic congestion around schools.*

*Addressing car parking provision, driver behaviour and mode of transport can help reduce the issues occurring at schools.*

*The City’s view is that addressing school location, improving safe pedestrian and cycle access routes, provision of safe bicycle storage facilities, ensuring sufficient car parking provision and drop-off/pick-up areas are provided, improving driver behaviour through education and mode of transport can help reduce the issues occurring in and around schools. Improved and safe pedestrian and cycle routes can lead to healthier outcomes for users and can contribute to stronger connected communities.*

## **MOTION**

***That WALGA engages with the State Government on behalf of Local Government to review issues associated with car parking and traffic congestion around school sites including but not limited to:***

- 1. Reviewing car parking standards for schools;***
- 2. Ensuring sufficient land is set aside for the provision of parking on school sites;***
- 3. Reviewing the co-location of schools to avoid issues being exacerbated;***
- 4. Restricting school access from major roads;***
- 5. Developing plans to enable schools to manage school traffic;***
- 6. Develop programs to educate drivers; and***
- 7. Develop options and implement initiatives to encourage alternative modes of transport to school.***

## **3.3 Proposal for Regional Road Maintenance Contracts with Main Roads WA**

### **IN BRIEF**

- \$29.7 billion total investment through QTRIP 2022-23 to 2025-26.
- 25,200 jobs supported over the life of program in Local Governments in Queensland.
- Main Roads WA Projects can be viewed [here](#).

### **Shire Of Dundas Comment**

*On 1 April 2022, the McGowan Labour Government [announced](#) it was returning up to 660 maintenance road workers back in-house to Main Roads.*

An interactive Q-Trip Funding Tool ([here](#)) provided by the Queensland Government, details the next four years of State Government and Local Government Partnership providing safer roads and sustainability to regional and remote Shires.

To enable the Shire of Dundas to be involved in the direction of WALGA to assist with issues impactingus directly, and other regional resource communities impacted by the related Acts and Regulations.

Given the recent State Government announcement, there is an opportunity for all Local Governments to look at this proposal from WA State Government on how this proposal to keep jobs in house within Main Roads WA and the possibility to work with local governments when contracting the required road maintenance to Local Governments (see [here](#)).

It is suggested that the Queensland Government model, which can be viewed [here](#), works well and allows Councils to recover costs for usage of plant and equipment and recoup plant costs as hire charges against activities to cover all maintenance, depreciation and operating costs for Local Governments as agreed when undertaking joint routine maintenance on State controlled roads.

It is important that when developing this type of model and contract terms to get the document standardsand the WHS and the Main Roads Preferred Suppliers correct. In Queensland, Main Roads assisted with these requirements in a partnership arrangement.

If Local Governments across WA are allowed into this space and work for the State Government on a contractual basis, it could be an opportunity to increase revenue significantly, especially in remote rural areas across WA. This would help Council cover cost relating to new imposed WHS Reforms, Local Government Reforms, Auditing Requirements, and associated costs.

#### **MOTION**

***That WALGA assist Local Governments and work with the Hon Minister Rita Saffioti to introduce a similar program that is currently in play in Queensland and introduce a sole invitee Program for Local Governments to engage in a Road Maintenance Performance Contract with Main Roads WA.***

### **3.4 Northern Australia Beef Roads Program**

#### **IN BRIEF**

- At the 2022-23 Budget, the Australian Government extended the Northern Australia Roads Program by committing a further \$380 million to road projects in Northern Australia over four years from 2022-23 to 2025-26.
- Projects to be funded from this new \$380 million commitment will be determined following engagement with stakeholders and project delivery partners.
- This extension builds on the Australian Government's initial \$600 million which is nearing completion. Roads identified in Infrastructure Australia's Northern Australia Audit, along with other roads identified as priorities by the states and territories, such as those connecting communities, or regional towns to ports, were considered for funding.

#### **Shire of Dundas Comment**

The extension to the south of the country of Roads and BeefRoad Funding will be vital to get cattle to the saleyards and become competitive with their counterparts from the North who receive [Federal Funding](#) to assist them in their efforts to transport cattle.

Reliable access has always been the most significant issue facing the community and businesses operating in the remote

Northern Nullarbor region and is a serious concern for those emergency service personnel who are called upon in times of crisis. The 2019-2020 bushfires which closed the Eyre Highway (effectively the gateway into WA) is an example of inaccessibility. The Trans Access Road is the only road servicing this area and has in the past been impassable for months due to flooding. This project would deliver transport efficiencies, stimulate and support economic activity, and provide a safer access road for regular users, tourists, and emergency service personnel. The Eyre highway is the number one strategic link into Western Australia. The Trans-Access Road is the only road east linking the Aboriginal Communities, remote roadhouses, and pastoral stations. Linking the two roads increases accessibility, safety, and improves the social service access between the communities on both roads. Cattle and sheep movements can be hampered when the Trans Access Road is closed, and WA freight movements (in and out) are hampered when the Eyre highway is closed, as per the bushfire season of 2020.

This road improvement will shorten the distance from 1,041 to 91.7km (within our Shire), making traffic movements more efficient, as well as safer with a better-quality formed road. The Commodities can get to market with increased certainty, safety, and more efficiently.

This is only the situation with one road and their numerous pastoral leaseholders having the same issues in Western Australia and all the southern pastoral leaseholders across Southern Australia.

See [here](#) a map showing Northern Australia Local Government Roads receiving Funding.

## MOTION

***That WALGA work with the Hon Madeleine King MP Minister for Resources and Minister for Northern Australia to make Beef Road Funding available to all Australian Local Governments north and south, or establish a Southern Australia Beef Road Funding Program to allow for equitable support across Australia's beef and agriculture industries.***

### 3.5 3D House Printing Building Compliance

#### IN BRIEF

- The section of the National Building Code that would need to change is National Construction Code, Building Code of Australia 2019 Volume 1 Amendment 1
- Australian Standards Adopted by Reference
- The Building Act 2011
- Building Regulations 2012

#### Shire of Dundas Comment

Australia's construction industry may be in for a shake-up, with the arrival of commercial 3D house-printing technology capable of slashing build times and costs.

On the heels of the country's first 3D-printed house – erected in three days Melbourne in January - COBOD, an international leader in the disruptive field, has partnered with Australian company Fortex to distribute its equipment.

COBOD has spearheaded the development of 3D house-printing, having sold about 50 systems featuring multifunctional construction robots across the globe since 2019. They were used to help build the first single-, two- and three-storey 3D-printed dwellings in Europe, the first 3D-printed house and school in Africa, and first wind turbine tower base.

Unfortunately, laws, codes and regulations rarely keep pace with technology. This is the case for using 3D printing to construct houses.

*The Shire of Dundas Elected Members supported this motion at the Ordinary Council Meeting on 28 July 2022 (item 10.1.2 WALGA AGM item – 3D Building Compliance).*

*Australia is currently experiencing an unprecedented housing crisis. Staff and material shortages are now affecting all industries and especially impacting critical industries like housing construction. The construction of buildings in Australia is controlled through a legislative framework that includes reference to the need to comply with the National Construction Code (NCC) and the Building Code Australia (BCA). The NCC is a uniform set of technical provisions for the design and construction of buildings and other structures, including building systems throughout Australia. In WA the NCC/BCA is called up in the Building Act 2011 and the Building Regulations 2012. It is a statutory requirement that a building or system must be demonstrated to achieve NCC/BCA compliance. The NCC is a performance-based code, containing all performance requirements for the construction of buildings. It's built around a hierarchy of guidance and code compliance levels, with the performance requirements being the minimum level that buildings, building elements, and systems must meet. A building will comply with the NCC if it satisfies the performance requirements, which are the mandatory requirements of the NCC. The performance requirements are also supported by general requirements. These cover other aspects of applying the NCC including its' interpretation, reference documents, the acceptance of design and construction, including related evidence of suitability/documentation, and the classification of buildings within the NCC. The key to the performance-based NCC is that there is no obligation to adopt any particular material, component, design factor or construction method. This provides for a choice of compliance pathways.*

## **MOTION**

***That WALGA requests:***

- 1. Assistance from Minister for Industry and Science The Hon Ed Husic MP, Minister for Housing and Homelessness, Small Business The Hon Julie Collins MP, Minister for Infrastructure, Transport, Regional Development and Local Government The Hon Catherine King MP to work with Ministers from all State and Territory Governments who have Building and Construction in their portfolios, to collaborate and to consider removing impediments within the National Construction Code Series and associated Australian Standards, that dissuade industry from adopting 3D printing as a building method.***
- 2. That the Government provide instruments to incentivise private industry to develop 3D printing and include this as an acceptable building practice.***

### **3.6 South West Native Title Settlement**

#### **IN BRIEF**

- *WALGA to advocate for a review into how Local Governments are requested to consider land to potentially be transferred as part of the South West Native Title Settlement.*

#### ***Shire of Gingin Comment***

*The Shire of Gingin and many other Local Governments are being requested to consider parcels of land to be allocated for transfer as part of the South West Native Title Settlement.*

*The Shire of Gingin has received its third request, totalling approximately 45 parcels of land, for consultation as part of this process and in each instance is provided only 40 days to provide feedback to the Department.*

*For each land parcel in question, which can be numerous, Council is requested to consider the following:*

- 1. Is the Shire supportive of the transfer of this land to the Noongar People under the Settlement?***

2. *Does the Shire have any interest in the land?*
3. *Does the Shire have existing or planned infrastructure within the land parcel that requires protection? If yes, please provide details and advise if access to this infrastructure will need to be maintained.*
4. *Is the land parcel subject to any mandatory connection to services?*
5. *Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?*
6. *Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe?*
7. *Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local Government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?*
8. *Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).*
9. *Please provide any additional comments on the proposed transfer of this land as part of the Settlement.*

*The 40-day consultation does not provide any ability for Local Government to consult with the community regarding Council's support for the land transfer and as such is ignorant as to the changes in land management.*

*Local Governments, as part of this process, are not advised as to any intent for the future purpose of the land and/or how it is proposed to be managed into the future and this is creating angst as part of the consultation with Council. For example, it is difficult for any Local Government to approve the transfer of the land without understanding as to what purpose the land is being requested for and who will manage the area, and will it be freehold transfer? This advice may be as simple as the site is requested for cultural significance or for commercial purposes and will be administered by SWLCC as a reserve vested.*

*The Shire of Gingin, through consultation with the Department, have been advised that within the Shire there are an additional some 230 more locations identified for potential transfer. The Shire, and all Local Governments, should be provided this full list to be able to undertake early due diligence on the land identified.*

*Without knowing what other Councils are being requested to consider, the Shire requested the Department to ensure that the Shire of Gingin and other Local Governments are not being targeted due to the commercial potential for land. There should be more clarity surrounding the lands that have been requested and identified across all Local Government and this be publicly accessible.*

## **MOTION**

***That WALGA advocate to the State Government that Local Governments be provided with the full list of potential land to be requested for transfer as part of the South West Native Title Settlement and that a minimum of three months be provided for Council to provide feedback.***



### 3.7 Land Offset Compensation to Local Governments

#### IN BRIEF

- State Government to legislate that Developers requiring Land Offsets within another Local Government pay for the loss of that rateable land to the Local Government whose land is being used as the offset.

#### Shire of Gingin Comment

*It is proposed that Councils similar to the Shire of Gingin who are having large sections of rateable land locked away due to Developer Land Offsets need to be compensated for the loss of revenue.*

*The Shire of Gingin recently met with the Department of Biodiversity, Conservation and Attractions (DBCA) representatives regarding this matter, and they agreed that the Shire of Gingin is being targeted due to the type of Banksia bush that is within the Shire. The Shire of Gingin is not and will not be the only Local Government targeted through this type of scheme into the future.*

*The issues for the Shire of Gingin, other Local Governments and future Local Governments are as follows:*

- 1. The requirement of land offsets is currently 1/7. Being that for every acre of land required by a developer, seven acres needs to be provided as offset.*
- 2. What is currently rateable land for the Shire is being purchased and then handed to DPIRD for management.*
- 3. The Shire of Gingin's loss of rates on a once off may seem minimal (last year the reduction was approximately \$10,000) but accumulating every year and then compounding becomes a significant amount of future income.*
- 4. Council still needs to maintain the assets surrounding the site, providing access and egress from the blocks for DBCA and other adjoining ratepayers.*
- 5. The land within the Shire of Gingin is in high demand due to its proximity to the metropolitan area and intensive agriculture and horticulture is dominant.*
- 6. DBCA receives a 7-year management payment from the Developer to manage the newly offset land which is not enough for DBCA to manage the property, yet Council receives nothing other than a negative rates bill and continuous maintenance cost.*
- 7. Whilst the metropolitan based Developer is making large amounts of money from the development and the metropolitan Council is receiving an increased rate book, the loser in the equation is the Local Government where the land is being offset and DBCA.*
- 8. The current amount of non-Rateable land within the Shire is in excess of 30% and growing each year.*
- 9. The additional land that is added to DBCA requires this Department to be appropriately funded, however advice received is that DBCA is underfunded and this in turn affects Local Government in regard to land management and increased fire risk.*

*The Shire of Gingin is not unique with this matter, however we are being significantly affected at this current time and will be well into the future and as such, request that WALGA advocate to the State to ensure that Local Governments losing rateable land through offset purchases are properly compensated for the loss of rates and continued maintenance.*

**MOTION**

***That WALGA advocate to the State Government that the Developer requiring land offsets within another Local Government be required to pay a fee to the Local Government for the loss of rates and ongoing maintenance of infrastructure to the Land.***

**3.8 Review of the Rating Methodology used by the Valuer-General****IN BRIEF**

- Landgate conducts valuations of property based on the GRV and UV of a property.
- In Victoria valuations are conducted using the capital improved value of a property. This method should be explored.

*Shire of Serpentine-Jarrahdale Comment*

*The Valuer-General is an entity created under the Valuation of Land Act 1978. The Valuer-General forms part of Landgate's functions.*

*Landgate valuers conduct independent valuations of property based on the Gross Rental Values (GRVs) or and Unimproved Values (UVs) of a property.*

*These valuations are used by local governments, government agencies and emergency services as a basis to determine property rates, service charges and levies as well as land tax.*

*In Victoria, valuations are conducted using the capital improved value of a property. Capital improved value is based on the value of the land plus the buildings on it and any other capital improvements. This method may provide a more fair and equitable assessment of the value of land across various landuses in Western Australia including agriculture, residential, commercial and mining. This in turn would provide a more fair and equitable basis for local government rating.*

*A review of rating methodologies set in the Valuation of Land Act 1978 would ensure that valuation methods relied upon by local government represent the most appropriate method.*

**MOTION**

***Advocate for a full review of the rating methodology used by the Valuer-General to value all land in the State of Western Australia.***

**3.9 WA Local Government Rating Model****IN BRIEF**

- WALGA to advocate for a full rating process review with potential of removing all UV rates and only rating GRV.

*Shire of Gin Gin Comment*

*The Shire of Gingin and many other Local Governments struggle to have appropriate rates raised that are adequate for the correct use of the land within the Shire that addresses the impacts that these ratepayers have on the Shire's Assets.*

*For example, within the Shire of Gingin, there are large numbers of Unimproved Value (UV) rated properties that have large scale infrastructure servicing significant commercial operations but are captured within the definition as a Rural Pursuit. Some of these properties have tens of millions of dollars of infrastructure but only contribute a UV valuation and an additional differential rate.*

*If all properties were rated Gross Rental Value (GRV) or the rates based on Capital Value (value that the land would likely sell for on the open market), all rural land would still hold an appropriate GRV/Capital Value that would not be too dissimilar to their current rates, however those that intensify their land would achieve a naturally higher GRV/Capital Value making the rating across a Shire far more equitable, easier to manage and would simplify and reduce the cost of the valuation process.*

*Whilst not every Council may wish to take this step, it is proposed that the Local Government has the ability to review and decide if it wishes to remove the UV rate. With the Valuer Generals' Office conducting routine valuations for both UV and GRV it would not be out of the question for the valuation to be changed to meet this process.*

*It is noted that within South Australia and Victoria 89% of the Local Governments use Capital Value, Tasmania is progressing to Capital Value whilst New South Wales is based on Land Value only, Northern Territory is based only on Unimproved Capital Value, Queensland is Site Value and Unimproved Value and the ACT is Unimproved Value only. It is clear that whilst there is a range of valuations across Australia there is a bias growing towards utilising Capital Value of Land.*

*For example, we have a location within the Shire that has a water license and two bore holes. Whilst this is the extent of the infrastructure, they pump water out 24/7 for bottling in Perth, a GRV/Capital Value would be much higher in value to Council than the minimum rates currently being received. This company has significant heavy vehicles utilising Council roads every day of the week to keep up with the demand and creates significant road maintenance issues for Council.*

*The impacts of water licenses within the Shire have been dramatic as they are now a strong trading commodity and have doubled the value of land with a water license, yet it is not being considered by the Valuer Generals' Office as part of the overall valuation assessment of the land. Water licenses are incredibly valuable to producers as it increases their productivity and profits from smaller properties and as water licenses are very difficult to access, as allocations are full in most areas, many are trading or selling off portions of licenses clearly showing that water licenses have an inherent value that is increasing rapidly.*

*Again, the Shire calls on WALGA to advocate to the Minister and Valuer Generals' Office to undertake a review of the rating system to either abolish the UV valuation or provide the ability for the Local Government to choose its rating structure.*

## **MOTION**

***That WALGA advocate to the State Government and the Valuer Generals' Office that a different rating model be trialled across several Councils whereby the Unimproved Value rate is abolished, and all properties are rated for Gross Rental Value or Capital Value.***

### **3.10 Reform of the Cat Act 2011**

#### **IN BRIEF**

- Statutory review into the Cat Act 2011 was undertaken in 2019.
- No reforms or amendments to the Cat Act have resulted from the review.
- Request that WALGA advocate for the reforms to be undertaken.

*Shire of Capel Comment*

*The Western Australian State Government through the (then) Department of Local Government released a Discussion Paper (January 2011) titled Proposal for Domestic Cat Control Legislation.*

*This consultation and proposed reform process ultimately led to the Cat Act 2011 (Cat Act) receiving Royal Assent on 1 November 2012. The Cat Act fully commenced in 2013 and was introduced to:*

- *provide for the control and management of cats; and*
- *promote and encourage the responsible ownership of cats, and for related matters.*

*The Department of Local Government, Sport and Cultural Industries (DLGSC) commenced a statutory review of the Cat Act 2011 and the Dog Amendment Act 2013 in May 2019. The review undertaken by DLGSC was tabled in the WA Parliament by the Minister for Local Government on 27 November 2019.*

*Findings of the Review in relation to Cat Act included:*

1. *Registration of cats is strongly supported. The current three options for periods of registration should remain.*
2. *Registration periods for cats and dogs should be the same.*
3. *A central registration database for cats should be explored.*
4. *Feedback indicated that the wearing of collars and tags achieves the purpose of enabling a cat to be identified by rangers — including making it obvious that it is a domestic cat that has an owner. There is strong support for this to continue with no change.*
5. *Strong support from the public, local governments and industry exists for the practice of microchipping cats to continue.*
6. *Improvements could be made to the way microchip details are stored — this could be in either a national or State-based database.*
7. *Feedback indicated that education on the current requirements of microchipping, focusing on obligations of owners/breeders/rescues when a cat is transferred to a new owner and the need to keep information up-to-date, is necessary to achieve the desired outcomes of reuniting pets with their owners and the obligations of being a responsible cat owner.*
8. *There is strong support for cat numbers and confinement/curfews of cats to be implemented State-wide (in legislation) rather than through individual local laws — to provide consistency among local governments.*
9. *As a means of controlling cat numbers, there were multiple requests in the feedback received for the Cat Act to be brought into alignment with the Dog Act by placing greater restrictions on cat owners in relation to the number of cats that people can own.*
10. *The provisions in the Cat Act for cats to be sterilised should remain.*
11. *Feedback indicated that the age of cat sterilisation should be lowered, although further expert consultation on this will be needed.*

*Outcomes from the Statutory Review were:*

*The Dog Amendment (Stop Puppy Farming) Act 2021 received Royal Assent on 22 December 2021 with the aim to:*

- *to amend the Dog Act 1976 to provide for matters relating to the sterilisation and breeding of dogs and the supply of dogs to and by relevant pet shop businesses;*
- *to amend the Dog Act 1976 and the Cat Act 2011 to provide for a centralised registration system; and*
- *to make other amendments to the Dog Act 1976*
- 

*No further amendments, nor reforms of the Cat Act 2011 have occurred since.*

## **MOTION**

***That the WA Local Government sector requests the WA State Government prioritise reforms to the Cat Act 2011, in accordance with the Statutory Review undertaken and tabled in the State Parliament on 27 November 2019.***

### 3.11 WALGA Best Practice Governance Review – Principles

#### IN BRIEF

- State Council commissioned a Best Practice Governance Review to consider and engage with members on alternative governance models.
- The Steering Committee, appointed by State Council to oversee the project, has put forward principles to the 2022 Annual General Meeting for member consideration.
- The principles have been endorsed by State Council at their 22 August 2022 Special Meeting.
- Following consideration of the principles, a thorough consultation and engagement process will be undertaken with members on potential future models.

*Executive Member Comment [Refer to main agenda for full Comments]*

*State Council commissioned the WALGA Best Practice Governance Review in March 2022 to ensure that WALGA's governance model is contemporary and agile and maximises engagement with members.*

*Governance Reviews allow organisations to re-examine their membership structure, constitution, board role, board composition, governance approach and policies.*

*For WALGA, the Best Practice Governance Review represents an opportunity to review and reshape the governance model to ensure WALGA is well-placed to:*

- *Deliver strong, clear, focused, and consistent policy positions on strategic matters of the most importance to Local Governments in WA,*
- *Drive advocacy outcomes and impact on behalf of Local Government in WA, and the communities they serve, and*
- *Embed agility and responsiveness, ensuring member concerns are heard, respected, and represented in a timely, efficient, and effective manner.*

*There are several drivers for the review.*

*WALGA's Corporate Strategy 2020-2025 identifies the governance model as a key enabler of performance, with the following description: We have contemporary governance and engagement models.*

*Member and stakeholder feedback from a range of sources over several years has highlighted dissatisfaction with the governance model. Specifically, feedback relates to:*

- **Structure** – *WALGA's governance structure is seen by members and stakeholders as creating roadblocks, hindering decision-making, and holding WALGA back.*
- **Responsiveness** – *there is a perception among members and stakeholders that WALGA's governance model is slow and bureaucratic in an environment that requires agility.*
- **Prioritisation and focus** – *members and stakeholders acknowledge the challenges of developing unified Local Government policy positions and advocacy priorities given the diversity of Local Government sector interests.*
- **Transparency and accountability** – *feedback from members and stakeholders suggests that WALGA should be more transparent about its decision-making processes.*
- **Zones** – *Feedback from members and stakeholders in relation to Zones and Zone meetings is mixed. A proportion of WALGA's membership believes that Zones are not as representative, strategic nor effective as they potentially could be.*

*Legislative reforms could also impact WALGA's governance arrangements. The Minister for Local Government's reforms to the Local Government Act 1995 propose to remove WALGA from being constituted under the Local Government Act. Secondly, the Review of WA's Industrial Relations Act 1979*

*provides an opportunity for WALGA to be constituted as a registered employer organisation, which would enable WALGA to make applications in its own right on behalf of the sector.*

*Following several reviews and amendments, the Best Practice Governance Review also represents an opportunity to ensure alignment between WALGA's governance documentation. In addition, State Council resolved in September 2021 for amendments to the Constitution to be developed to deal with matters related to State Councillors' candidature for State or Federal elections.*

## **MOTION**

***That:***

- 1. The update on the Best Practice Governance Review project be noted, and***
- 2. The principles to inform WALGA's future governance model, as follows and as per the attached Principles document, be endorsed:***
  - a) Representative – WALGA unites and represents the entire Local Government sector in WA and understands the diversenature and needs of members, regional communities and economies.***
  - b) Responsive – WALGA is an agile association which acts quickly to respond to the needs of members and stakeholders.***
  - c) Results Oriented – WALGA dedicates resources and efforts to secure the best outcomes for Local Government and supports the delivery of high-quality projects, programs and services.***

At the Ordinary Council Meeting held on the 25<sup>th</sup> of August 2022 Council resolved (Res: 218/22) as follows:

***“THAT Council:***

- 1. Nominate Cr. M T Bennett and Cr. T G Gardiner as Council's voting delegates to the 2022 WA Local Government Association Annual General Meeting and to attend the Convention.***
- 2. Authorise Chief Executive Officer, Mr André Schönfeldt; Cr. P S Robinson, Cr. P R Perks and Cr. S L Gillespie to attend the Convention and Annual General Meeting as observers.”***

The election of proxy voting members was not formalised at the time. Council are asked to formalise proxy members in the case that either voting delegate may be unable to attend.

**Council Role** - Executive/Strategic.

**Voting Requirements** - Simple Majority.

## **Change to Officer Recommendation**

No Change. **OR:**

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

**OFFICER RECOMMENDED RESOLUTION****THAT Council:**

1. Direct Council's delegates to the Western Australian Local Government Association 2022 Annual General Meeting (Cr. M T Bennett and Cr. T G Gardiner to vote as follows:

ITEM FOR DECISION	FOR ✓	AGAINST ✓
3.1. Road Traffic Issues	✓	
3.2 Car Parking and Traffic Congestion Around Schools		
3.3 Proposal for Regional Road Maintenance Contracts with Main Roads WA		
3.4 Northern Australia Beef Roads Program		
3.5 3D House Printing Building Compliance		
3.6 South West Native Title Settlement		
3.7 Land Offset Compensation to Local Governments		
3.8 Review of the Rating Methodology used by the Valuer-Genera		
3.9 WA Local Government Rating Model		
3.10 Reform of the Cat Act 2011		
3.11 WALGA Best Practice Governance Review – Principles		

2. Endorses Cr. P R Perks and Cr. S L Gillespie as proxy voting members at the WA Local Government Association 2022 Annual General Meeting.

## 12.2 SUSTAINABLE DEVELOPMENT DIRECTORATE REPORTS

### 12.2.1 Title: Approval of Local Planning Scheme Amendment No. 204 – ‘Additional Use’ for Lot 10 Temple Road, Picton East

<i>Reporting Department:</i>	<i>Sustainable Development Directorate</i>
<i>Reporting Officer:</i>	<i>Melanie Young – Senior Planning Officer</i>
<i>Legislation:</i>	<i>Planning and Development Act 2005</i>
<i>Applicant:</i>	<i>Harley Dykstra on behalf of J&amp;P Group Pty Ltd</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.2.1A – Amendment 204 Report</i> <i>Appendix ORD: 12.2.1B – EPA Notice of Decision</i> <i>Appendix ORD: 12.2.1C – Revised Bushfire Management Plan</i> <i>Appendix ORD: 12.2.1D – Schedule of Submissions</i> <i>Appendix ORD: 12.2.1E – Submissions</i> <i>Appendix ORD: 12.2.1F – Risk Assessment Tool</i>

#### **Overview**

Council at its meeting held on the 23<sup>rd</sup> of March 2022 (Res: 46-22) resolved to initiate Amendment 204 and the advertising period has now concluded with 6 submissions received. The purpose of this report is to seek Council approval of Amendment 204 to the Shire of Dardanup Local Planning Scheme No. 3 without modification.

The purpose of Amendment 204 is to rezone the subject site by adding an ‘Additional Use’ for a mobile crushing plant and industrial storage.

#### **Background**

Lot 10 Temple Road (the subject site) is located approximately 2.8km north east of the South Western Highway / Willinge Drive intersection and approximately 2.3km north of the Picton Industrial area. The site is a battle-axe lot, with an access leg running south to connect with Temple Road.

Land to the east and south is used for industrial purposes. The owners of the subject site also operate part of their industrial business on this adjoining land. Land to the north and west are vacant and predominantly vegetated with some partial clearing. There are no residential structures on any of the adjoining lots.



### Location Plan



### Proposal

Amendment 204 seeks to add an 'Additional Use' (A22) to the site whilst retaining the current 'General Farming' zoning. The additional uses proposed are for a mobile crushing plant and industrial storage. Please refer to [Appendix ORD: 12.2.1A] for a copy of the Amendment 204 report.

The outline of the proposal is as follows:

<b>Region Scheme</b>	Greater Bunbury Region Scheme 'Rural' zone
<b>Local Planning Scheme</b>	Town Planning Scheme No. 3 'General Farming' zone
<b>Structure Plan/Precinct Plan</b>	Preston Industrial Park (North Precinct) Structure Plan
<b>Lot Size</b>	24.1651 hectares
<b>Existing Land Use</b>	Storage
<b>State Heritage Register</b>	No
<b>Local Heritage</b>	No
<b>Bushfire Prone Area</b>	Yes

### **Legal Implications**

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

50. *Consideration of submissions on standard amendments*

(2) *The local government –*

(a) *must consider all submissions in relation to a standard amendment to a local planning scheme lodged with the local government within the submission period; and*

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

### **Council Plan**

8.1 - Support responsible planning and development.

### **Environment**

The Environmental Protection Authority advised that the amendment should not be assessed by them under Part IV of the *Environmental Protection Act 1986*. Please refer to [Appendix ORD: 12.2.1B] for a copy of the decision.

### **Precedents**

Council at its meeting held on the 23<sup>rd</sup> of March 2022 (Res: 46-22) resolved to initiate this amendment for the purpose of public advertising.

Also at the meeting held on the 23<sup>rd</sup> of March 2022 (Res: 47-22) Council resolved to support Amendment 203 to Town Planning Scheme No. 3 without modifications which proposed the rezoning of part Lot 103 and Lot 110 Harris Road and Lot 436 Martin Pelusey Road, Picton East to the 'Development' zone to facilitate industrial development.

### **Consultation**

The amendment was publicly advertised in accordance with the requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Council Policy SDev CP505 – Public Consultation – Planning Matters. The advertising period was for 42 days (concluding on the 12<sup>th</sup> of August 2022) and included the following:

- A public notice appeared in the South Western Times on the 30<sup>th</sup> of June 2022;
- The amendment details were made available on the Shire's website and a copy of the document was made available at the Shire's offices in Eaton and Dardanup;
- A sign was placed on site;
- All landowners and occupiers within 500m were written to and advised of the amendment;
- The amendment was referred to the following government agencies and statutory authorities:
  - Aqwest
  - Department of Fire and Emergency Services (DFES)
  - Department of Biodiversity, Conservation and Attractions (DBCA)
  - Department of Health
  - Department of Planning, Lands and Heritage (DPLH)

- Department of Water and Environmental Regulation (DWER)
- Environmental Protection Authority
- Harvey Water
- Main Roads Western Australia
- Water Corporation
- Western Power

At the conclusion of the public advertising period a total of 6 submissions were received all from government agencies and statutory authorities. No submissions were received from surrounding landowners or the general public.

The only issues raised during the consultation were from the Department of Fire and Emergency Services (DFES) regarding vegetation classification, BAL contours, vehicular access and water availability. The proponent submitted a revised bushfire management plan in response to the matters raised. Please refer to [Appendix ORD: 12.2.1C] for the revised Bushfire Management Plan.

Please refer to [Appendix ORD: 12.2.1D] for the 'Schedule of Submissions' which contains recommendations for each submission. Please refer to [Appendix ORD: 12.2.1E] for a copy of the actual submissions.

**Budget Implications** - None.

**Budget – Whole of Life Cost** - None.

#### **Council Policy Compliance**

- SDev CP505 – Public Consultation – Planning Matters

#### **Risk Assessment**

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

<b>TIER 2 – 'Low' or 'Moderate' Inherent Risk.</b>	
Risk Event	Approval of Town Planning Scheme Amendment No. 204 – 'Additional Use' for Lot 10 Temple Road, Picton East
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Legal and Compliance      Failing to pass resolution in accordance with the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> .

#### **Officer Comment**

Amendment 204 has been assessed against the following planning framework applicable to the amendment as detailed below.

Greater Bunbury Region Scheme (GBRS)

The subject land is zoned 'Rural' under the GBRS and Amendment 204 proposes to retain the 'General Farming' zoning of the site. The limited additional uses proposed, along with the conditions associated with the uses will ensure that the conservation values of the site and rural landscape is retained.

Greater Bunbury Strategy 2013

This Strategy guides urban, industrial and regional land use planning; and associated infrastructure delivery in the Greater Bunbury sub-region in the short, medium and long terms. The Strategy contains the Greater Bunbury Sub-regional Structure Plan 2013 which identifies land ahead of the rezoning process so that future development can occur in a logical manner in response to future growth trends.

Amendment 204 is consistent with the Structure Plan which identifies the subject land as an 'Industrial expansion area' and also is adjacent to an 'Environmental significance area/corridor'.

Bunbury – Geographe Sub-regional Strategy 2022

The purpose of this Strategy is to plan for and manage growth in the Bunbury-Geographe sub region to the year 2050. The Strategy identifies principles which drive the formulation of broad strategic directions to guide planning activities for the sub-region.

The amendment is consistent with the principle of '*strengthen and diversify the economy*' and the strategic direction of '*ensure adequate supply of industrial and commercial land across the sub-region to facilitate local employment*'.

Town Planning Scheme No. 3 (TPS3)

The subject site is zoned 'General Farming' under TPS3 and the objectives of the zone are:

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

The ability for the site to be used for rural purposes is constrained by the extent and significance of the remnant vegetation on-site and the proximity to industrial uses nearby. Whilst the agricultural viability of the site is limited, the current 'General Farming' zone provides the most applicable zoning to ensure the continued protection of the vegetation.

In order to facilitate some limited industrial uses on the site (which had been previously allowable in the 'General Farming' zone), the Amendment proposes to include additional uses on the site as per clause 3.15 of TPS3:

## 3.15 DIVISION 5 – SPECIAL ZONES

*Additional Use Zones*

- 3.15.1 *Those portions of the Scheme Area which are specified in the Appendix IV are classified as Additional Use Zones.*

- 3.15.2 *Notwithstanding that a parcel of land described in Appendix IV is within another zone, the land or any building or structure thereon may be used for the purpose set against that parcel of land in Appendix IV in addition to the other uses permitted in the Zone in which the land is situated. The use of the parcel of land is also subject to any additional conditions stated opposite the parcel in Appendix IV.*

Amendment 204 proposes to introduce the following additional uses and associated conditions into Appendix IV of TPS3 as follows:

ADDITIONAL USE PERMITTED	CONDITIONS
Storage (D use)  Industry – mobile crushing plant (D use)	<ol style="list-style-type: none"> <li>Wherever suitable alternatives exist, development is to be located outside of areas which would require the removal of vegetation.</li> <li>Where suitable alternatives do not exist, vegetation and flora and fauna habitat surveys may be required to determine locations where development could occur with the least possible impact. Surveys should be undertaken in accordance with the applicable EPA technical guidance.</li> <li>In considering any application the local government shall have due regard to the <i>Guidance for the Assessment of Environmental Factors – Separation Distances between Industrial and Sensitive Land Uses</i> (EPA) and may require the preparation of a management plan to address odour, noise, dust, landscaping and stormwater management.</li> <li>No further subdivision shall be supported unless it can be demonstrated that it is essential for the on-going effective management of any existing development or for demonstrable environmental benefit and / or protection.</li> <li>Stored items must achieve the following setback distances: <ul style="list-style-type: none"> <li>An average of 5m from the western boundary.</li> <li>A minimum of 5m from northern boundary.</li> <li>A minimum of 20m from eastern and southern boundaries.</li> </ul> </li> <li>In considering any application the local government shall have due regard to any relevant issues raised in the s16(e) <i>Advice on areas of conservation significance in the Preston Industrial Park</i>, (EPA Bulletin 1282).</li> <li>The local government will require the preparation of a local development plan that clearly identifies the spatial extent of the additional use area as shown on the scheme map.</li> </ol>

It is important to note that prior to 2010, in the 'General Farming' zone the following use was allowable:

*"Premises for the temporary or permanent storage of engineering equipment and material and the parking of earthmoving equipment and machinery"*

Amendment 204 is seeking to essentially re-introduce similar uses that were previously allowable for this zone and on the site.

#### Preston Industrial Park (Northern Precinct) Structure Plan

This Structure Plan identifies the principal planning considerations to be taken into account in successfully developing the area predominantly for industrial development. Amendment 204 proposes to retain the 'General Farming' zoning of the site and is therefore consistent with the Structure Plan which identifies the subject land as 'rural'.

In March 2008 the Environmental Protection Authority (EPA) gave advice on areas of conservation significance in the Preston Industrial Park (EPA, Bulletin 1282). This report identified the vegetated portions of the subject site as being within 'Investigation Area 3' which is a regionally significant natural area of high value that should be retained within future planning.

Amendment 204 proposes to introduce specific conditions for the additional uses to ensure development is located within the existing cleared areas to minimise further vegetation clearing and is therefore considered to be consistent with the recommendations from Bulletin 1282.

#### Shire of Dardanup Local Planning Strategy

This Strategy provides a strategic plan for the future of the Shire. The subject site is identified as 'Industrial' and also adjacent to an 'Environmental Significance Area'. The Strategy acknowledges that the Preston Industrial Park is highly constrained by environmental features, particularly remnant vegetation which will limit the area that can be used for industry.

Amendment 204 responds to the environmental constraints of the site and the desired future industrial development for the locality by retaining the 'General Farming' zoning yet providing for limited additional industrial type uses.

#### **Conclusion**

Amendment 204 is considered to be consistent with the local planning framework and future planning context for the area. There were no matters raised in the advertising period that warrant any modification to the amendment itself however a revised Bushfire Management Plan was submitted in response to matters raised by DFES. Officers therefore recommend that Council support the amendment without any modifications.

Officers do not recommend Council defer the matter as the *Planning and Development (Local Planning Schemes) Regulations 2015* states that the local government must pass a resolution on the amendment and provide it to the WAPC no later than 60 days after the advertising period (being the 11<sup>th</sup> of October 2022).

**Council Role** - Quasi-Judicial.

**Voting Requirements** - Simple Majority.

#### **Change to Officer Recommendation**

No Change. **OR:**

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

#### **OFFICER RECOMMENDED RESOLUTION**

**THAT Council supports Amendment 204 to the Shire of Dardanup Town Planning Scheme No. 3 without modifications.**

**12.2.2 Title: All West Australians Reducing Emergencies (AWARE) Grants Program 2022-2023**

<i>Reporting Department:</i>	<i>Sustainable Development Directorate</i>
<i>Reporting Officer:</i>	<i>Mrs Erin Hutchins - Coordinator - Emergency &amp; Ranger Services</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.2.2A – Correspondence from the Minister Emergency Services</i> <i>Appendix ORD: 12.2.2B – Risk Assessment Tool</i>

**Overview**

The Shire has been successful in its grant submission to the State Emergency Management Committee for the All West Australians Reducing Emergencies (AWARE) Grants Program 2022-23 to facilitate the Local Emergency Welfare Support Project. The purpose of this report is for Council to consider accepting the \$10,000 grant.

**Background**

The AWARE grants program focuses on enhancing WA's Emergency Management arrangements by investing in capacity building and preparedness activities at a local level. The current program sets out to fund projects that build emergency management capability at the local level, which may include the following:

- Furthering the emergency risk management process;
- Facilitating capability-based exercises;
- Assisting in reviewing Local Emergency Management Arrangements (LEMA);
- Delivering emergency management training; or
- Hosting or facilitating emergency management events or forums.

In April 2022, the Shire made an application for grant funding of \$10,000 to create and promote internal emergency support arrangements and processes for opening up Dardanup local emergency welfare centre/s in the absence or delay of the Department of Communities (DC). The plan will guide internal preparedness and response by enhancing capacity, capability, knowledge and understanding of Local Government responsibilities for opening an emergency welfare centre for an impacted community needing to evacuate.

By undertaking this project that incorporates the development of a Local Emergency Welfare Support Plan and a functional exercise with Shire of Dardanup staff, it is anticipated the following benefits will be achieved, including;

- Support for the Local Emergency Management Arrangements and Department of Communities Local Emergency Welfare Plan in the coordination of opening an emergency welfare centre in the absence of Department of Communities.
- Define roles and responsibilities for Shire staff in the coordination of opening an emergency welfare centre(s) for impacted residents.
- Provide useable tools and templates to assist in the management of impacted persons presenting at the Welfare Centre in an emergency.

- Increased staff understanding of Local Governments role and responsibilities in opening a Welfare Centre for evacuating community members in an emergency.

On the 24<sup>th</sup> of August 2022, the Minister for Emergency Services, informed that the Shire's application for grant funding was approved in full to the amount of \$10,000 [Appendix ORD: 12.2.2A].

**Legal Implications** - None.

### **Council Plan**

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

**Environment** - None.

### **Precedents**

The Shire has received AWARE grant funding previously, which has been successfully acquitted.

### **Budget Implications**

The AWARE grant income and expenditure will need to be incorporated in the 2022-23 Annual Budget by increasing the Grant Revenue General Ledger 0524501 by \$10,000 to recognise the grant revenue and increasing Job Number J05031 Emergency Response and Recovery Expenditure by \$10,000 to recognise the corresponding expenditure for the project.

**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: 12.2.2B] for full assessment document.

<b>TIER 2 – 'Low' or 'Moderate' Inherent Risk.</b>	
Risk Event	Failure to accept, or comply with the conditions of, the All West Australians Reducing Emergencies (AWARE) Competitive Grants Program 2022-2023
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Financial Failure to comply with the conditions of the 2022-2023 AWARE Competitive Grants Program will cause payment of grant funding to be declined resulting in financial losses.



TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
	Legal and Compliance	Failure to comply with the conditions of the 2022-2023 AWARE Competitive Grants Program will cause the termination of the agreement for default.
	Reputational	Failing to accept or comply with the conditions of the 2022-2023 AWARE Competitive Grants Program Funding will cause the grantor to decline future grant applications made by the Shire.

### **Officer Comment**

The AWARE Grants Program 2022-2023 presents a unique opportunity for the Shire to create and promote internal emergency support arrangements and processes for opening up Dardanup local emergency welfare centre/s in the absence or delay of the Department of Communities (DC). The project will enhance capacity, capability, knowledge and understanding of Local Government responsibilities for opening an emergency welfare centre for an impacted community needing to evacuate. As part of the project the Shire will be contributing circa \$11,000 in-kind.

Officers therefore recommend that Council accepts the All West Australians Reducing Emergencies (AWARE) Grants Program 2022-2023 funding. Once received, the Shire will be required to execute a Grant Agreement and issue an invoice for the grant amount in a timely manner, therefore deferring the matter is not recommended.

**Council Role** - Executive/Strategic.

**Voting Requirements** - Simple Majority.

### **Change to Officer Recommendation**

No Change. **OR:**

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

## **OFFICER RECOMMENDED RESOLUTION**

### **THAT Council:**

- 1. Authorises the Chief Executive Officer to accept and sign the All West Australians Reducing Emergencies (AWARE) Grants Program 2022-2023 Funding Agreement once received to enable the Shire to create and promote internal emergency support arrangements and processes for opening up Dardanup local emergency welfare centre/s; and**
- 2. Incorporates the grant income and expenditure in the 2022-23 Annual Budget by:**
  - a) Increasing the Grant Revenue General Ledger 0524501 by \$10,000 to recognise the grant revenue for the project; and**
  - b) Increasing Job Number J05031 Emergency Response and Recovery Expenditure by \$10,000 to recognise the corresponding expenditure for the project.**

**12.2.3 Title: Naming of the R & J Fishwick Pavilion (Eaton Oval Junior Football Club)**

<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>Local Government Act 1995</i>
<i>Attachments:</i>	<i>Appendix ORD: 12.2.3A – Request from Noeline Fishwick</i> <i>Appendix ORD: 12.2.3B – Risk Assessment Tool</i>

**Overview**

The purpose of this report is for Council to consider a slight amendment to the naming of the R & J Fishwick Pavilion to the R **D** & J **E** Fishwick Pavilion.

**Background**

In October 2020 a request was received from Noeline Fishwick requesting the new Eaton Junior Football Club Pavilion be named the R & J Fishwick Pavilion after Reg and Jocey Fishwick who were integral in the foundation of the Eaton Junior Football Club. The request was considered by Council at the meeting held on the 16<sup>th</sup> of December 2020 (Res: 341-20) where it was resolved to:

1. *Endorse renaming of the Eaton Oval Junior Football Club pavilion to R & J Fishwick Pavilion.*
2. *Request the Chief Executive Officer to write to Eaton Junior Football Club and family of Reg Fishwick informing them of Councils decision.*

A further request has been received from Noeline Fishwick requesting a slight amendment to the name to the R **D** & J **E** Fishwick Pavilion as this was essentially the nomenclature used for all paperwork and correspondence. Please refer to [Appendix ORD: 12.2.3A] for a copy of the request.

**Legal Implications**

Landgate's Geographic Names Committee is responsible under the *Land Administration Act 1997* for naming features, localities and roads. Under the *Policies and Standards for Geographical Naming in Western Australia* the naming of components of local parks or recreational reserves, for example pavilions and other structures may be named in honour of living community members who have contributed towards the establishment of the particular feature or towards the community in general. The formal approval from Landgate is not required in this instance as the reserve has already been named as a whole (i.e. Eaton Oval).

The Policies and Standards discourages the uses of initials as it may lead to some confusion. For example, a feature named Smith Park is easier to identify than one named J K Smith Park as it could be incorrectly referred to as J K Park or Smith Park by the public.

**Council Plan**

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

**Environment** - None.

**Precedents**

Council at its meeting held on the 16<sup>th</sup> of December 2020 (Res: 341-20) approved the name R & J Fishwick Pavilion.

**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: 12.2.3B] for full assessment document.

<b>TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.</b>	
Risk Event	Naming of the R & J Fishwick Pavilion (Eaton Oval Junior Football Club)
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 Ensuring that Council buildings and facilities are appropriately named based on community members contribution.

### **Officer Comment**

Other similar naming of features in the Shire includes the Glen Huon Oval, Wells Reserve and the Don Hewison Centre. Landgate's *Policies and Standards for Geographical Naming in Western Australia* discourages the uses of initials as it may lead to some confusion. However as Council has already endorsed the name of R & J Fishwick Pavilion Officers recommend retaining this name.

**Council Role** - Executive/Strategic.

**Voting Requirements** - Simple Majority.

### **Change to Officer Recommendation**

No Change. **OR:**

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

### **OFFICER RECOMMENDED RESOLUTION**

**THAT Council retains the current naming of the Eaton Oval Junior Football Club Pavilion as the ‘R & J Fishwick Pavilion’.**

**12.2.4 Title: Corbett and King Tree Road Dedications, Wellington Forest**

<b>Reporting Department:</b>	<i>Sustainable Development Directorate</i>
<b>Reporting Officer:</b>	<i>Mr Murray Connell - Manager Development Services</i>
<b>Legislation:</b>	<i>Land Administration Act 1997</i>
<b>Applicant:</b>	<i>Department of Planning, Lands and Heritage</i>
<b>Attachments:</b>	<i>Appendix ORD: 12.2.4A – Location Plans Appendix ORD: 12.2.4B – Deposited Plans Appendix ORD: 12.2.4C – Risk Assessment</i>

**Overview**

This report seeks Council's support to request the Minister for Lands to approve the dedication of a number of land parcels that make up Corbett and King Tree Roads, Wellington Forest.

**Background**

Some time ago the Department of Biodiversity, Conservation and Attractions (DBCA) initiated the process of excising some land from State Forrest for inclusion into the Wellington National Park. As part of this process there was a need to provide formal legal access to properties that are currently land-locked.

The Department of Planning, Lands and Heritage (DPLH) have completed the survey of the land that is required for road purposes and have forwarded the Deposited Plans. The following land parcels are required to be dedicated as road:

- UCL Lots 301, 302, 303, 304 and 306 on DP 419903;
- UCL Lot 3004 on DP 420658; and
- UCL Lot 311 on DP 423359.

Please refer to [Appendix ORD: 12.2.4A] for the location plans and [Appendix ORD: 12.2.4B] for the Deposited Plans.

**Location Plan**

Lot 3069 – Corbett Road

Officers are aware that the owner of Lot 3069 (Mr. Hough) did request that the southern access track (off Newmans Road) also be dedicated as road, however DPLH has advised that this request was not received by them in time to include it as part of this survey process.

Mr. Hough does not currently have any formal/informal arrangement with DBCA to access his property via the southern access track, however this can be provided upon written request to DBCA. DBCA have also confirmed that it is not likely to restrict Mr Hough's access from his southern boundary except for periodical DBCA works such as prescribed burning, weed control, etc.

Additional to this southern access track, Mr. Hough also has a registered right-of-carriageway easement over the adjoining Lot 3373 to Newmans Road however this is not utilised.

In terms of formally dedicating the southern access track as road, this can be initiated as a separate process and would require an excision from the National Park. The road dedication would require Mr. Hough to obtain approval from the Conservation and Park Commission and the Minister of Environment as the management body of the National Park. Following those approvals, DPLH would excise the land from the National Park which would require the Minister of Lands to firstly advertise the proposal in the West Australian for 30 days before tabling the proposal in both Houses of Parliament. All costs associated with the survey, advertising, etc. would be at Mr. Hough's expense.

**Legal Implications**

Section 56 of the *Land Administration Act 1997* provides for the dedication of land as road as follows. In addition Council must also indemnify the Minister against any costs associated with the construction and maintenance of the road which becomes the responsibility of the local government:

56. *Dedication of land as road*

(1) *If in the district of a local government –*

- (a) *land is reserved or acquired for use by the public, or is used by the public, as a road under the care, control and management of the local government;*

*and that land is described in a plan of survey, sketch plan or document, the local government may request the Minister to dedicate that land as a road.*

- (4) *On the Minister granting a request under subsection (3), the relevant local government is liable to indemnify the Minister against any claim for compensation (not being a claim for compensation in respect of land referred to in subsection (6)) in an amount equal to the amount of all costs and expenses reasonably incurred by the Minister in considering and granting the request.*

**Council Plan**

8.1 - Support responsible planning and development.

10.3 - Improve road safety, connectivity and traffic flow.

**Environment** - None.

**Precedents**

Council has previously resolved to support the dedication of various land parcels for Mungalup Road, Wellington Forrest at its meeting held on the 15<sup>th</sup> of December 2021 (Res: 420-21).

**Budget Implications**

The dedication of the roads does not put the Shire under any obligation to upgrade the roads and the current maintenance levels will remain similar to other remote roads providing access to isolated properties. Any decision to construct/upgrade any road ultimately comes down to budget priorities and also any risk factors associated with the access.

**Budget – Whole of Life Cost**

The new roads will need to be included in the Road Asset Management Plan.

**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: 12.2.4C] for full assessment document.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Corbett and King Tree Road Dedications, Wellington Forest
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Legal and Compliance      Section 56 of the <i>Land Administration Act 1997</i> requires a local government to make a resolution to request the Minister for Lands to dedicate land as road.

**Officer Comment**

The lots have been excised from the State Forest and are currently UCL pending dedication as road reserves. These roads will then provide formal legal access to land-locked properties and therefore the option to refuse is not recommended. Officers also do not recommend the option to defer as there is considered sufficient information for Council to determine the matter and the DPLH have requested Council’s road dedication resolution as a matter of urgency.

In terms of formally dedicating the southern access track for Lot 3069, Officers have no issue with this becoming a gazetted road. It can be initiated as a separate process however the associated costs should not be borne by the Shire.

**Council Role** - Legislative.

**Voting Requirements** - Simple Majority.

**Change to Officer Recommendation**

No Change. **OR:**

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

## **OFFICER RECOMMENDED RESOLUTION**

### **THAT Council:**

- 1. Requests the Minister for Lands to dedicate the following land parcels as road:  
  
UCL Lots 301, 302, 303, 304 and 306 on DP 419903;  
UCL Lot 3004 on DP 420658; and  
UCL Lot 311 on DP 423359.**
- 2. Indemnifies the Minister for Lands against any claim for compensation in considering and granting the above request;**
- 3. Advises the owner of Lot 3069, the Department of Biodiversity, Conservation & Attractions and the Department of Planning, Lands & Heritage that Council would be willing to support the southern access track to Lot 3069 being dedicated as road subject to no expense being incurred by the Shire for the road dedication process.**



**12.2.5 Title: Determine Tender RFT F0294742 Glen Huon Oval Lighting – Softball and AFL – as advertised and recorded in the Tenders Register**

**Reporting Department:** Infrastructure Directorate

**Reporting Officer:** Mr James Reilly - Project Development Engineer  
Mr Allan Hutcheon - Procurement Officer

**Legislation:** Local Government Act 1995  
Local Government (Functions and General) Regulations 1996

**Attachments:** Confidential Attachment RFT-F0294742 - Evaluation Panel Report circulated as separate confidential attachment as per s.5.23(2)(e)(ii)(iii)

Confidential Attachment RFT-F0294742 – Stiles Electrical & Communication Services Submission

Confidential Attachment RFT-F0294742 – Burgess Enterprises Australia Pty Ltd submission

Appendix ORD: 12.2.5 – Risk Assessment Tool

**Overview**

This report provides Council with the results of the evaluation of tenders for Tender RFT F0294742 Glen Huon Oval Lighting – Softball and AFL – as advertised and recorded in the Tenders Register, and recommends that Council award a contract for this service to the preferred Tenderer.

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

**Background**

This RFT was managed as an open tender, which was issued to the open market via the Shire's e-tendering portal ([www.tenderlink.com/dardanup/](http://www.tenderlink.com/dardanup/)). This will be a new contract, as there are no existing contracts in place to service this requirement.

TENDER DETAILS		
RFT Number	RFT F0294742	
RFT Title	Glen Huon Oval Lighting – Softball and AFL	
Recommended Tenderer(s)	Burgess Enterprises Australia Pty Ltd	
Contract Term	Initial:	22 Weeks
	Extension Options:	Not Applicable
	Defects Liability Period:	12months
Tendered Rates/Cost	Refer to Item 12.2.5 Confidential Attachment RFT-F0294742 - Evaluation Panel Report	
Advertising:	02 July 2022	West Australian
	07 July 2022	South Western Times
Tender Deadline:	19 August 2022	14:00AWST
Tender Opening:	19 August 2022	14:05AWST
Tender Observers:	Two (2) Shire of Dardanup Employees were present	

TENDER DETAILS	
	Nil (0) members of the public were present

CONTRACT	
Commencement Date of New Contract:	On signing
Completion Date of New Contract:	Expected 28 February 2023
Upfront Capital Expenditure:	\$771,984 (GST Excl) – Option 1 \$437,015 (GST Excl) – Option 2

### **Legal Implications**

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

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

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

- *accept a tender [F&G.r.18(4)]*

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

A letter has been received from the Bunbury & Districts Softball Association (BDSA) confirming a contribution from the club of \$100,000 towards the proposed lighting project.

The BDSA have indicated that they would be willing to contribute towards a self-supporting loan for \$20,000 over a 5 year term, however Council is yet to confirm if this self-supporting loan is required.

### **Council Plan**

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

**Environment** - None.

### **Precedents**

The Shire of Dardanup has previously entered into contracts for the Wells Reserve Lighting and Eaton Skate Park lighting.

### **Budget Implications**

In 2021/22 the Shire incurred \$13,425 for the detailed design and costings of the lighting system at the Glen Huon Reserve.

The estimated project cost was \$870,000 (\$366,300 for Softball plus \$503,700 for AFL) and is based on the Cost Schedule prepared by Sage Consulting Engineers in August 2021. The Building Asset Management Plan was adjusted to reflect total project expenditure of \$870,000 with \$450,000 being from grant funding (\$290,000 CSRFF plus \$160,000 LRCI 3) with a further contribution of \$120,000 for Bunbury & Districts Softball Association Inc. The balance of \$300,000 was from new borrowings by the Shire.

Please note that Council agree to \$45,000 of LRCI 3 funding to be allocated to the upgrade of Ironstone Road Bridge (J12397). The works have been completed or procured and the costs were significantly less than estimated, leaving the \$45,000 unused. It is recommended that Council request LRCI 3 funding be applied to the lighting project.

#### Option 1 – AFL and Softball Lighting

	CAPITAL COST
<b>Account Number:</b>	J11656 and J14325
<b>Budget Item:</b>	Sport Lighting
<b>Budget Amount:</b>	\$870,000 (GST Excl) plus \$10,000
<b>Amount Spent to Date:</b>	Nil
<b>Proposed Cost:</b>	\$771,984 + \$10,000 Shire PM costs
<b>Balance:</b>	\$98,016

The tendered project cost was \$771,984 (Preliminaries \$37,710, \$399,305 for Softball plus \$334,969 for AFL). If under the CSRFF model each club was to contribute one third of the total cost, then BDSA's total contribution required would be \$139,387 with the Boomers contribution required being \$117,941 (assuming an even split on the preliminaries). However the Boomers have indicated that the club will not be able to contribute to the lights, whilst initial discussions with BDSA, based on the estimate requested a contribution of only \$120,000. BDSA agreed to this contribution with \$100,000 cash contribution and requested a \$20,000 self-supporting loan.

As it stands the project could be funded from CSRFF funding (one third equals \$257,328) with a further contribution of \$100,000 from the Bunbury & Districts Softball Association Inc, and \$205,000 from LRCI 3 grant funding (\$160,000 plus \$45,000 reallocated from the Ironstone Bridge project). The balance of \$209,656 would be funded from new borrowings by the Shire. Due to the tendered price being lower than budgeted, it is proposed that the additional contribution of \$20,000 from BDSA through a self-supporting loan not be requested.

In addition to the Contract price and in accordance with Council's recently adopted Capital Works Policy CnG CP306, the Shire Staff costs associated with the project management of this Project are to be capitalised and costed against this Project. This is anticipated to be in the order of \$10,000.

#### Option 2 – Softball Lighting Only

	CAPITAL COST
<b>Account Number:</b>	J11656 and J14325
<b>Budget Item:</b>	Sport Lighting – Softball Only
<b>Budget Amount:</b>	\$366,300 (GST Excl) plus \$7,000
<b>Amount Spent to Date:</b>	Nil
<b>Proposed Cost:</b>	\$437,015 + \$7,000 Shire PM costs
<b>Balance:</b>	-\$70,715

Based on the lighting only being installed for BADSA, the total tendered project cost is \$437,015 (assuming the total preliminaries cost will be required). This could be funded from CSRFF funding (one third equals \$145,672), and the contribution of \$100,000 from the Bunbury & Districts Softball Association Inc., leaving \$191,343 to be funded by the Shire. This could be funded by LRCI 3 of \$160,000 + \$45,000 from the Ironstone Bridge project.

Being \$205,000 there will be \$13,657 of LRCI funding left over that can be attributed to another project.

This option 2 would not require any new loan borrowings by the Shire.

In addition to the Contract price and in accordance with Council's recently adopted Capital Works Policy CnG CP306, the Shire Staff costs associated with the project management of this Project are to be capitalised and costed against this Project. This is anticipated to be in the order of \$7,000.

### **Budget – Whole of Life Cost**

Estimated operation and maintenance costs were calculated by the Electrical Engineer (Sage Consulting) that carried out the design works for the project. These costs are presented in [Item 12.2.5 Confidential Attachment RFT-F0294742 - Evaluation Panel Report].

A summary of the estimated costs are shown in the table below, the costs shown in the table are the average yearly costs over the 20 year life of the lights;

	AFL LIGHTING
Average Yearly Running Costs *	\$14,500 per year (average over 20 year life of the lights)
Average Yearly Maintenance Costs	\$3,240

	SOFTBALL LIGHTING
Average Yearly Running Costs *	\$ 17,875 per year (average over 20 year life of the lights)
Average Yearly Maintenance Costs	\$4,360

\*Running costs to be paid by the clubs.

It is recommended that the Shire install the DALI Lighting System (further detail on this system provided in officer comments). There will be an additional annual cost of \$835 per year to cover sim card, licence and server costs using the DALI System.

The renewal cost is expressed as an annual average figure and is estimated at 2.5% or \$19,200 pa. This will be the Council as the owner's responsibility.

### **Council Policy Compliance**

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

### **Risk Assessment**

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

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Glen Huon Oval Lighting – Softball and AFL
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	<div>Financial</div> <div>Reputational</div> <div>Service Interruption</div> <div>Fixed Design and Price</div> <div>Involve user groups with any design changes</div> <div>Discuss with user groups to examine potential alternative locations to train under lights if required</div>

### ***Officer Comment***

#### Tender Submissions

Two (2) Tender submissions were received: -

- Burgess Enterprises Australia Pty Ltd
- Stiles Electrical & Communication Services Pty Ltd

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

#### Tender Evaluation Panel

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

- Allan Hutcheon – Procurement Officer/Tender Evaluation Chair
- James Reilly – Project Engineer
- Susan Oosthuizen – Director Sustainable Development
- Nathan Ryder – Manager Infrastructure Planning and Design

#### Probity Oversight

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

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

### Evaluation of Tenders

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

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

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

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

### Evaluation Justification

The Tender Evaluation Panel recommends Burgess Enterprises Australia Pty Ltd based on an assessment of submissions against the predetermined qualitative criteria shown above. The submission provided by Burgess Enterprises Australia Pty Ltd scored well across all of the aspects and was a complete and detailed representation of the services offered.

In determining Burgess Enterprises Australia Pty Ltd as the preferred Tenderer, officers have undertaken the following Due Diligence checks:

DUE DILIGENCE CHECKS	YES/NO
Has the recommended Tenderer(s) undergone Reference Checks successfully? – <i>Three (3) referees provided in the tenderers submission.</i>	YES
Has the recommended Tenderer(s) undergone Financial Viability assessment and been deemed acceptable? <i>ASIC information and the tenders Financials are attached to the Tender Evaluation Report</i>	YES
Was a Conflict of Interest declared? If yes, please specify how it was managed?	NO
Has the recommended Tenderer(s) undergone Occupational Safety and Health assessment and been deemed acceptable?	YES

The evaluation panel requested tenders consider the installation of the DALI Lighting System and issued a Tender Addendum with the following request;

*The Shire of Dardanup will consider as an option with the use of the DALI System.*

*The Tender document (section 3.3) in the itemised breakdown calls for Modifications to existing Switchboard including Halytech control system installation.*

*The DALI System needs to be priced as a separate item to the specified Halytech System giving the Shire of Dardanup the option of which system to choose.*

This was requested to enable dimming of the lighting to ensure other sporting groups or other community groups to utilise the spaces and set the lighting to a lower level if required. There are additional ongoing costs associate with this system which have been detailed previously in this report.

The tender price by Burgess Enterprises Australia Pty Ltd was \$767,924.00, with the Dali system at an additional cost of \$4,060.00 has been noted, bringing the total tendered price to \$771,984.00 which was still the lowest tendered price. Staff recommend inclusion of the DALI System in the contract with Burgess Enterprises Australia Pty Ltd.

Costs to implement the DALI system are similar to the Halytech System and the additional cost may be worthwhile long term.

The Evaluation Panel therefore recommends that the contract for the Glen Huon Oval Lighting – Softball and AFL be awarded to Burgess Enterprises Australia Pty Ltd at the rates listed in [Confidential Attachment RFT-F0294742 – Burgess Enterprises Australia Pty Ltd submission] at a total estimated contract cost provided in the confidential attachment.

**Council Role** - Executive/Strategic.

**Voting Requirements** - Simple Majority.

#### ***Change to Officer Recommendation***

No Change. **OR:**

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

#### **OFFICER RECOMMENDED RESOLUTION “A”**

##### **THAT Council:**

1. **Accepts the tender submission for Tender RFT F0294742 Glen Huon Oval Lighting – Softball and AFL advertised and recorded in the Tenders Register, received from Burgess Enterprises Australia Pty Ltd, named as ‘Burgess Enterprises Australia Pty Ltd in the Evaluation Panel Report recommendation detailed in [Confidential Attachment RFT-F0294742 – Burgess Enterprises Australia Pty Ltd submission] and identified as the most advantageous, for a lump sum value of \$771,984 (GST Excl);**
2. **Delegates to the Chief Executive Officer in accordance with s.5.42(1) of the Local Government Act 1995, by Absolute Majority, authority to negotiate minor variations to the contract for tender RFT F0294742 Glen Huon Oval Lighting – Softball and AFL as advertised and recorded in the Tenders Register before and / or after its execution in accordance Regulations 20 and 21A of the Local Government (Functions and General) Regulations 1996;**
  - a) **Minor variations before entry into the contract, in accordance with Regulation 20 of the *Local Government (Functions and General)***

- Regulations 1996, including minor variations to the scope to reduce the overall cost of the contract;**
- b) Variations, after the contract has been entered into, limited to variations which do not change the scope of the contract and which do not increase the contract value beyond 5%, in accordance with Regulation 21A of the *Local Government (Functions and General) Regulations 1996*;
  - c) Exercise the contract extension options as approved in Part 1 above, in accordance with Regulations 11(2)(j) and 21A of the *Local Government (Functions and General) Regulations 1996*.
3. Authorises the Chief Executive Officer to execute the contract for awarding tender RFT F0294742 Glen Huon Oval Lighting – Softball and AFL as advertised and recorded in the Tenders Register in accordance with s.9.49A of the Local Government Act 1995.
  4. Supports that the \$45,000 LRCI 3 funding allocated to the Ironstone Bridge (J12397) be applied to the Glen Huon Oval Lighting Project instead (J11656).
  5. Supports the BDSA Contribution being reduced to \$100,000 instead of \$120,000 and notes that no contribution will be received from the Boomers club.

OR

#### OFFICER RECOMMENDED RESOLUTION “B”

##### THAT Council:

1. Accepts the tender submission for Tender RFT F0294742 Glen Huon Oval Lighting – Softball and AFL advertised and recorded in the Tenders Register, received from Burgess Enterprises Australia Pty Ltd (for items 1 and 2 only, on the tender submission from Burgess Enterprises Australia Pty Ltd and removes the AFL lighting from the project, named as ‘Burgess Enterprises Australia Pty Ltd in the Evaluation Panel Report recommendation detailed in [Confidential Attachment RFT-F0294742 – Burgess Enterprises Australia Pty Ltd submission] and identified as the most advantageous, for a lump sum value of \$437,015 (GST Excl);
2. Delegates to the Chief Executive Officer in accordance with s.5.42(1) of the Local Government Act 1995, by Absolute Majority, authority to negotiate minor variations to the contract for tender RFT F0294742 Glen Huon Oval Lighting – Softball and AFL as advertised and recorded in the Tenders Register before and / or after its execution in accordance Regulations 20 and 21A of the Local Government (Functions and General) Regulations 1996;
  - a) Minor variations before entry into the contract, in accordance with Regulation 20 of the *Local Government (Functions and General) Regulations 1996*, including minor variations to the scope to reduce the overall cost of the contract;



- b) Variations, after the contract has been entered into, limited to variations which do not change the scope of the contract and which do not increase the contract value beyond 5%, in accordance with Regulation 21A of the *Local Government (Functions and General) Regulations 1996*;**
  - c) Exercise the contract extension options as approved in Part 1 above, in accordance with Regulations 11(2)(j) and 21A of the *Local Government (Functions and General) Regulations 1996*.**
- 3. Authorises the Chief Executive Officer to execute the contract for awarding tender RFT F0294742 Glen Huon Oval Lighting – Softball and AFL as advertised and recorded in the Tenders Register in accordance with s.9.49A of the Local Government Act 1995.**
- 4. Supports that the \$45,000 LRCI 3 funding allocated to the Ironstone Bridge (J12397) be applied to the Glen Huon Oval Lighting Project instead (J11656).**
- 5. Supports the BDSA Contribution being reduced to \$100,000 instead of \$120,000.**

## 12.3 INFRASTRUCTURE DIRECTORATE REPORTS

### 12.3.1 Title: Bunbury Harvey Regional Council – Organics Processing Service Contract

<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: 12.3.1 – Risk Assessment Tool</i>

#### **Overview**

This report seeks Council's endorsement for:

1. The establishment of a contract between the Bunbury Harvey Regional Council (BHRC) for the provision of Organics Processing Services; and
2. The Chief Executive Officer to be given delegation to finalise the negotiations and execute the contract on behalf of Council.

#### **Background**

At its 31<sup>st</sup> of March 2021 Ordinary Council Meeting, Council resolved to enter into new contracts for the provision of kerbside waste collections, processing and disposal, including provision of a Food Organics, Garden Organics (FOGO) waste collection service, which commenced on the 4<sup>th</sup> of October 2021.

In preparation for that new service Council resolved (Res: 99-21):

*“THAT Council authorises the Chief Executive Officer to negotiate a contract with the Bunbury Harvey Regional Council for the processing of organics collected through the new FOGO collection service.”*

Officers prepared a draft 7-year contract for consideration by BHRC. At its 28<sup>th</sup> of July 2021 Ordinary Council Meeting, the Council resolved (Res: 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 4<sup>th</sup> of October 2021; and*
2. *Authorises the Chief Executive Officer to finalise contract negotiations and execute the contract on behalf of the Council.”*

Subsequently, the BHRC decided not to sign the contract, citing excessive risk associated with the development of its new organics processing facility at Stanley Road. BHRC indicated (at that time) a preference for a 12-month contract in the first instance, and at the expiration of the initial contract, a further contract then be negotiated.

At its 25<sup>th</sup> of August 2021 Ordinary Council Meeting, the Council resolved (Res: 272-21):

*“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 12-month contract term starting on the 4<sup>th</sup> of October 2021;*
2. *Authorises the Chief Executive Officer to finalise contract negotiations and execute the contract on behalf of the Council; and*
3. *Authorises the Chief Executive Officer to negotiate a new contract with the Bunbury Harvey Regional Council and present the draft contract to Council for adoption prior to the expiry of the initial 12-month contract.”*

At its 22<sup>nd</sup> of June 2022 Ordinary Council Meeting, the BHRC adopted its fees and charges for its Stanley Road and Banksia Road facilities, for 2022/23, effective 1<sup>st</sup> of July 2022.

Officers have met with the BHRC, who has agreed to continue to support the Councils FOGO initiative, and receive kerbside FOGO waste at its newly adopted gate fees.

### **Legal Implications**

The BHRC is the only local provider of an organics processing service. As the BHRC is a Regional Council, the Shire is exempt from having to call public tenders for the provision of the service and can enter into direct negotiations with it. Section 11 (2) (e) of the Local Government (Functions and General) Regulations 1996 provides the exemption:

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

*11. When tenders have to be publicly invited*

- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —*
- (e) the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government; or*

### **Council Plan**

- 6.1 - Increase awareness and adoption of sustainable practices.
- 6.2 - Adopt innovative and more sustainable waste management solutions.
- 6.3 - Work towards net zero carbon emissions.
- 13.2 - Manage the Shire’s resources responsibly.

### **Environment**

The introduction of the three-bin system and the collection and processing of FOGO, is expected to reduce the amount of waste going to landfill by at least 40%.

### **Precedents**

Council has contracted this service previously with the Bunbury Harvey Regional Council, in support of its FOGO roll out in 2021.

### **Budget Implications**

Officers have been negotiating with BHRC to discuss the provision of a two year organics processing service contract, effective from October 2022.

BHRC has advised that its contract structure will necessarily follow its newly adopted gate fees of \$74.00 (incl. GST) / tonne. The current contract was based on its 2021/22 gate fees of \$42.00 (incl. GST) / tonne. Since October 2021, the Shire has collected 1,788 tonnes of FOGO waste diverted from landfill, at an average of 199 tonnes/month.

The 2022/23 budget implications of the new contract are:

Term of contract:	2 years
Time affected in 2022/23:	9 Months (October 2022 to June 2023)
2021/22 Organics Fees:	\$42.00/tonne (incl. GST)
2022/23 Organics Fees:	\$74.00/tonne (incl. GST)
Difference:	\$32.00/tonne (incl. GST)
Monthly average FOGO tonnage:	199 tonnes / month
Urban growth factor:	2% pa
Projected average monthly FOGO tonnage:	203 tonnes / month
Increased budget impact:	9 mths x 203 t/mth x \$32 increase = \$58,464 (incl. GST) = <b><u>\$53,149</u></b> (excl. GST)

This increase will need to be adjusted through the mid-year budget review.

The potential 2023/24 budget implications of the new contract, based on the same fees, average monthly tonnages and another 2% assumed growth, indicates an annual contract value of \$183,850 (incl. GST).

**Budget – Whole of Life Cost** - None.

### **Council Policy Compliance**

The following Council Policies apply:

- CnG CP034 Procurement Policy;
- Infr CP069 Waste Management Policy; and
- SDev CP093 Sustainability.

### **Risk Assessment**

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

<b>TIER 3 – ‘High’ or ‘Extreme’ Inherent Risk.</b>	
Risk Event	Bunbury Harvey Regional Council – Organics processing Contract
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)

TIER 3 – ‘High’ or ‘Extreme’ Inherent Risk.		
Risk Action Plan (treatment or controls proposed)	Collaborative industry approach to promote FOGO product sales and consumption	
Residual Risk Rating (after treatment or controls)	Moderate (5 - 11)	
Risk Category Assessed Against	Health	Operational injuries
	Service Interruption	FOGO stockpiling
	Legal and Compliance	Contract variations / non-compliances
	Reputational	FOGO stockpiling
	Environment	FOGO stockpiling

### **Officer Comment**

The Executive and Officers have met with the new BHRC CEO on four occasions to discuss the provision of an organics processing service for the Shire of Dardanup's kerbside collected FOGO waste. Meetings have been positive, with BHRC indicating it supports the Shire's FOGO initiative and is willing to continue to receive its kerbside FOGO waste stream.

At its 2<sup>nd</sup> of June 2022 Ordinary Council Meeting, the BHRC adopted new fees and charges for 2022/23 that are significantly higher than its 2021/22 fees and charges, including processing of organics waste at its Banksia Road processing facility. BHRC has initiated a number of significant changes to its Stanley Road and Banksia Road operations, which are necessary to meet regulatory compliance requirements. Financially, the BHRC has seen fit to increase its fees and charges to support its ongoing operations, including the fee to process organics.

There are no other viable destinations for FOGO waste in the South West. The alternative to disposing of FOGO waste locally is to transport it out of the region, which would make it financially unviable.

In discussions with BHRC, it was mooted that a contract is not necessarily required, as the BHRC's new gate fees include ongoing servicing under a simple Purchase Order arrangement. However, the prospective annual value of the service for 2023/24 is \$183,850, which justifies a higher level of contractual security for this service.

**Council Role** - Executive/Strategic.

**Voting Requirements** - Simple Majority.

### **Change to Officer Recommendation**

No Change. **OR:**

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

## **OFFICER RECOMMENDED RESOLUTION**

### **THAT Council:**

- 1. Endorses establishment of a contract with the Bunbury Harvey Regional Council (BHRC) for the provision of Organics Processing Services for a two-year term starting on the 3<sup>rd</sup> of October 2022; and**
- 2. Authorises the Chief Executive Officer to finalise contract negotiations and execute the contract on behalf of the Council.**

**12.3.2 Title: Pratt Road Car Park New Design**

<b>Reporting Department:</b>	<i>Infrastructure Directorate</i>
<b>Reporting Officer:</b>	<i>Mr Nathan Ryder - Manager Infrastructure Planning &amp; Design</i>
<b>Legislation:</b>	<i>Local Government Act 1995</i>
<b>Attachments:</b>	<i>Confidential Attachment Under Separate Cover <u>OCM-R1273876</u> – Probity Advice Pratt Road Appendix ORD: 12.3.2A – New Concept Design Appendix ORD: 12.3.2B – Risk Assessment Tool</i>

**Overview**

Council previously endorsed the design concept of the proposed car park upgrade opposite the Eaton Bowling Club, which was then publically tendered and the Shire entered into a contract with a civil contractor. Subsequently, before commencement of the works, the Shire considered a revised design to lower the road sufficiently to meet expectations. The design has been revised and the new design concept is now brought back to Council to seek formal endorsement. Endorsement of the design concept will enable the project to progress to detail design and final re-negotiation with the appointed civil contractor.

**Background**

At the Ordinary Council Meeting held on the 29<sup>th</sup> of September 2021, Council resolved the following (Res: 294-21):

*THAT Council:*

1. *Endorse the revised design of the Pratt Road Car Park as per the layout [Drawing No. 2021 – PRATT –SK1] included in the Infrastructure Directorate Appendices Booklet [Appendix ORD: 12.3.8B];*
2. *Authorises the Chief Executive Officer proceed with the calling of tenders for the construction of the Pratt Road Car Park.*

At the Ordinary Council Meeting held on the 15<sup>th</sup> of December 2021, Council resolved the following (Res: 425-21):

*THAT Council:*

1. *Accepts the tender submission for RFT F0257593 Pratt Road Carpark Redevelopment as advertised and recorded in the Tenders Register, received from Carbone Bros Pty Ltd, named in the Evaluation Panel Report recommendation detailed in [Appendix BCD: 16.4B] as the most advantageous, for a lump sum value of \$418,468.14 (excl. GST);*
2. *Delegates by Absolute Majority, to the Chief Executive Officer in accordance with s.5.42(1) of the Local Government Act 1995, to:*
  - a) *Negotiate minor variations to the contract for RFT F0257593 Pratt Road Carpark Redevelopment before its execution in accordance Regulations 20 and 21A of the Local Government (Functions and General) Regulations 1996;*
  - b) *Execute the contract for RFT F0257593 Pratt Road Carpark Redevelopment in accordance with s.9.49A of the Local Government Act 1995; and*
  - c) *Negotiate variations, after the contract has been entered into, limited to variations which do not change the scope of the contract and which do not*

*increase the contract value beyond 10%, in accordance with Regulation 21A of the Local Government (Functions and General) Regulations 1996.*

3. *Increases the 2021/22 budget allocation for J12904 Pratt Road and Carpark from \$349,954 to \$449,310 plus Contingency and Shire Project Design and Management costs estimated at \$43,900, funded from the Road Construction and Major Maintenance Reserve and reallocating Shire Project Design and Management costs from J12828.*

The new design concept was discussed informally with Councillors on the 27<sup>th</sup> of July 2022. Subsequently, the new design was discussed with the Eaton Bowling Club and Senior Citizens on the 12<sup>th</sup> of August 2022 and their feedback incorporated.

A road safety audit of the design concept was carried out on the 25<sup>th</sup> of August 2022 by a specialist consultant and a team comprising Road Safety Auditors from Main Roads and Shire of Capel as well as a Shire of Dardanup representative. The outcomes of the review were incorporated into the final concept design.

A copy of the new design concept is included in the Infrastructure Directorate Appendices Booklet [Appendix ORD: 12.3.2A].

Council is requested to endorse the new design concept to enable the Shire to progress to detail design and re-negotiation with the appointed civil contractor (CON-F0291634).

Further details are provided in the Officer Comment section of this report.

### ***Legal Implications***

Advice were sought from Stanton's International with regards to the proposed changes to the project after the contract has been awarded. The confidential advice is attached for Councillors information indicating that the variation is considered appropriate and within the relevant legal framework.

### ***Council Plan***

10.3 - Improve road safety, connectivity and traffic flow.

10.4 - Provide sufficient parking.

### ***Environment***

The design impacts planted trees in the existing car park, which are able to be removed without requiring a clearing permit. The design avoids vegetation in Reserve 25417 opposite Bobin St, which is a known possum habitat area.

### ***Precedents***

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

### ***Budget Implications***

There is an allocation of \$522,000 included in the 2022-2023 Annual Budget (Job Number J12904). The current contract with Carbone Bros Pty Ltd is for a lump sum value of \$418,468.14 excl GST.

### ***Budget – Whole of Life Cost***

The selected treatment, when constructed, will add road pavement to the Shire's road inventory. Additional pavement will add to the ongoing cost of maintaining and renewing the Shire's road network.



However, due to traffic growth and demands placed on the intersections in the Eaton area, such works are necessary to maintain a safe and efficient road network.

It should be further noted that the design will result in the section of Pratt Road between Foster Road and Bobin Street being renewed. Similarly, the existing carpark is in poor condition and the proposed design will effectively replace this asset.

**Council Policy Compliance** - None

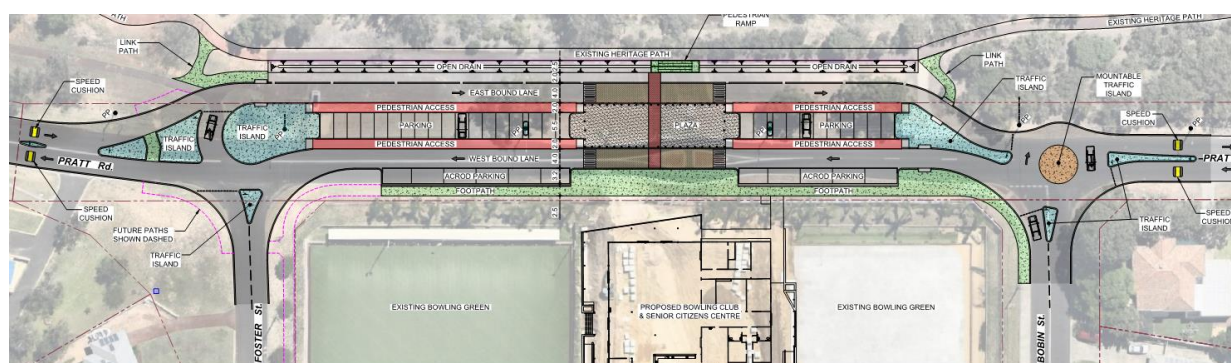
### **Risk Assessment**

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

<b>TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.</b>	
Risk Event	Pratt Road New Car Park Design
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	<p>Financial      Develop detailed design drawings and quantities of new design and renegotiate Contract CON-F0291634 within budget parameters.</p> <p>Reputational      No community consultation, however, new design concept adheres to existing Pratt Road alignment and existing car park.</p>

### **Officer Comment**

The following image shows the previously endorsed design:



The previous design concept included the following key features:

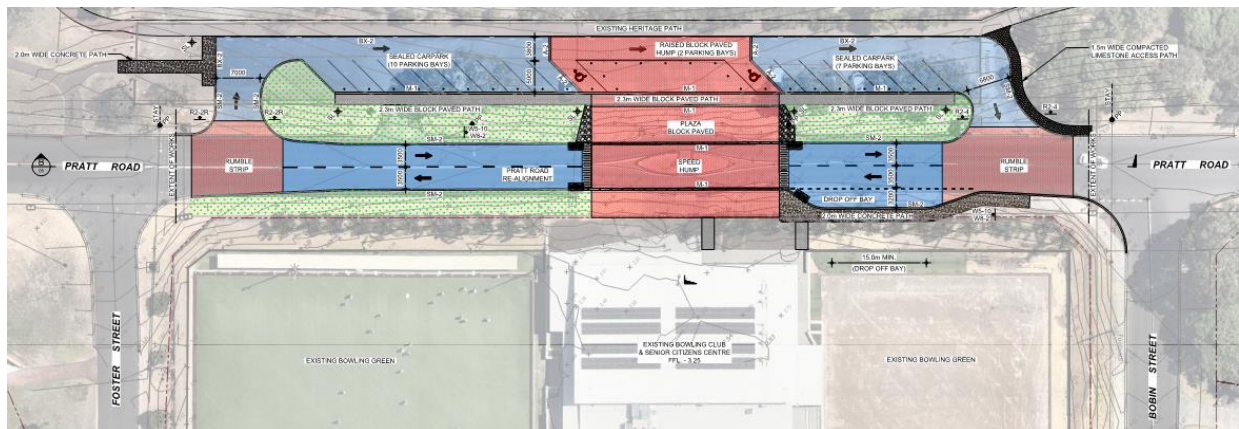
- 29 parking bays (90-degree) located between the east bound and west bound lanes;
- 11 ACROD parallel parking bays located on the Eaton Bowling Club side of Pratt Road;
- No right hand turn from Pratt Rd into Foster St;
- Inclusion of a roundabout and a traversable annulus at the Bobin Street intersection;
- Right hand turn from Bobin Street into Pratt Road via the roundabout;
- Clear area in front of the Eaton Bowling Club and road level slightly lowered; and
- Fully accessible pedestrian pathways and connecting footpaths.

The lowering of the road level was in the order of 350mm on the river side of the road. One of the aims of the design was to avoid impacting the existing services in the project area, including overhead power lines, buried gas pipeline, water pipelines, Telstra and stormwater drainage infrastructure. This design avoided the need to relocate any services.

Following Council appointment of the civil contractor for construction of the project, members of the Eaton Bowling Club and Senior Citizens raised concerns that the design would not meet the desired lowering of the road by 700mm. A different approach was taken in order to further lower the road, which incorporates the following key features:

- Maintains the existing alignment of Pratt Road with a new entrance / exit to the car park area;
- 17 angled parking bays;
- 2 angled ACROD parking bays;
- One drop off bay on the westbound lane of Pratt Road;
- Ramped and raised paved plateau centred in front of the Eaton Bowling Club, providing traffic calming and clear river views from the front of the Eaton Bowling Club; and
- Accessible pathways and connecting footpaths.

The following image shows the currently proposed new design:



Existing services are impacted by lowering the road 700mm in front of the Eaton Bowling Club. The impacted services are as follows:

- Telstra, which needs to be relocated;
- ATCO Gas, which needs to be relocated;
- Western Power pole(s), which will probably need to be lowered;
- Water main (asbestos cement pipe), which is out of service and can be avoided.

Shire Officers are currently liaising with the relevant Utilities and determining the cost impact of the affected services. Relocation of the services will also have a time impact on the delivery of the project, which is also still being ascertained.

The number of car parking bays in front of the Eaton Bowling Club is reduced in the new design compared to the previous design, however, formalisation of additional car parking bays in the existing area to the south of the existing Bowling Green is also contemplated in the new design.

A copy of the new design concept is included in the Infrastructure Directorate Appendices Booklet [Appendix ORD: 12.3.2A].

Community consultation was carried out for the previous design concept (letters to residents on surrounding roads, email to Eaton Bowling Club, Eaton Senior Citizens and Eaton Advisory Group,

website, public notices, social media, as well as an information booth held at the Eaton Recreation Centre). This consultation led to several key design changes to address the comments and concerns received through this process. Council has advised Shire Officers that public consultation for the new design concept will not be carried out.

Council is requested to endorse the new design concept to enable the project to progress to detail design and re-negotiation with the appointed contractor.

**Council Role** - Executive/Strategic.

**Voting Requirements** - Simple Majority.

***Change to Officer Recommendation***

No Change. **OR:**

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

**OFFICER RECOMMENDED RESOLUTION**

**THAT Council:**

1. **Endorse the new design of the Pratt Road Car Park as per the layout included in the Infrastructure Directorate Appendices Booklet [Appendix ORD: 12.3.2A];**
2. **Authorises the Chief Executive Officer to proceed with detail design, service relocations and to re-negotiate the existing Contract (CON-F0291634) with the appointed civil contractor for the construction of the Pratt Road Car Park.**

## 12.4 CORPORATE & GOVERNANCE DIRECTORATE REPORTS

### 12.4.1 Title: Eaton Bowling & Social Club Inc. – Request to Remove Palm Trees

**Reporting Department:** Corporate & Governance Directorate  
**Reporting Officer:** Ms Cathy Lee - Manager Governance & HR  
 Mr Jason Gick – Manager Operations  
 Mrs Aly Smith- Building Property Management Officer  
**Legislation:** Local Government Act 1995  
**Attachments:** Appendix ORD: 12.4.1 - Risk Assessment Tool

#### DECLARATIONS OF INTEREST

Cr. M T Bennett declared an Impartiality Interest in this item as he is a member of the Eaton Bowling Club.

#### Overview

The purpose of this report is for Council to consider a request received from the Eaton Bowling & Social Club Inc. to remove 26 palm trees along Pratt Road located just inside the property boundary.

#### Background

The Eaton Bowling & Social Club Inc. has requested the Shire of Dardanup remove 26 palm trees along Pratt Road that are located just inside the property boundary and shown as a red x below.



Plan showing location of trees





Street view of the trees

The request was an outcome of the meeting held by the Joint Management Committee at its meeting held on Monday 13<sup>th</sup> of June 2022. The excerpt from the Committee minutes of the meeting relating to this request is as follows:-

*3.4 Les advised that EBSC had submitted a request to remove the palm trees along Pratt Rd side of the building inside the boundary. The reason the request was made as the large fronds drop onto green causing damage and have dropped on the ground narrowly missing one of members mowing the lawns. Also, the roots of these trees are causing damage to the new paving on Pratt Rd entrance and to the grounds. After discussion the joint meeting agreed to this request for removal.*

The Club has advised that one trees' root system is disrupting the entry path pavers, causing a trip hazard; this tree is identified in the above plan circled blue. Fallen seeds and leaf litter are causing damage to the green. Operations staff have rectified the disrupted pavers once already. Ladder maintenance or cherry picker hire is required to maintain them to a high standard. The Club has indicated that they do not have funds to carry out works to remove the trees.

### **Legal Implications**

Reserve 27516 is vested with the Shire of Dardanup for the purpose of "Recreation", with a power to lease up to 21 years. The land is zoned "Recreation, Other Community" within the Shire of Dardanup Town Planning Scheme No.3.

The Eaton Bowling & Social Club Inc. has a 20 year Lease with the Shire of Dardanup to 2041 for Reserve 27516. Clause 5.6 requires the Lessee to seek the Lessors approval to remove any trees:

#### **5.6 Gardens**

Not without the prior written consent of the Lessor to cut down or remove any trees or shrubs or sell remove or otherwise dispose of any clay, sand, gravel, timber or other materials from the Premises.

The Lease is silent on the financial responsibility for large landscaping tasks, however it could be reasonably claimed that clause 5.6 implies that the Lessee is responsible for any costs, with the Lessors only obligation to provide consent, if inclined to do so.

### **Council Plan**

9.2 - Provide an urban tree canopy and attractive streetscapes.

13.2 - Manage the Shire's resources responsibly.

### **Environment**

The Palms trees are not endemic to Western Australia and have no impact on the natural habitat within the area. The trees are not on the Shire's recommended tree species list.

**Precedents** - None.

### **Budget Implications**

A quote of \$7,900 excl GST has been obtained to remove the 26 palm trees from site and grind stumps to ground level, which is not included in the Council's 2022/23 budget. EBSC have advised that they do not have the budget for these works.

A quote of \$600 excl GST to remove the one palm tree only that is damaging the footpath, which is not specifically included in the Council's 2022/23 budget but may be able to be funded from general parks and gardens maintenance. EBSC have advised that they do not have the budget for these works.

**Budget – Whole of Life Cost** - None.

### **Council Policy Compliance**

The following Council policies apply:

- 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.

### **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	Eaton Bowling & Social Club Inc. – Request to Remove Palm Trees	
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 Residual Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Financial	If Council elects to undertake this project fully, there will be an unbudgeted cost.
	Reputational	Reputational impact of removing established trees.
	Reputational	Reputational impact from disgruntled users if the EBSC request is denied.

### ***Officer Comment***

#### *Infrastructure Comments*

An inspection of the palms has been undertaken by Officers, which determined them to be in a healthy condition. The 26 palms currently range in height from 4 to 9 meters tall and can reach up to 20 meters when fully grown.

These trees require some initial maintenance to improve their presentation and maintain their health. Maintenance is recommended on a bi-annual basis to remove heavy fruit bunches, remove unhealthy and dead fronds, prevent pests nesting in the tree and to inspect them for damage and general health. Given the size of the trees this ongoing maintenance will require a cherry picker to undertake the work and most likely will need a specialist contractor to do this.

It is acknowledged that as the trees are considered a large tree, that the tree roots may disturb the pavers surrounding the trees causing a trip hazard. The palm that is causing minor damage to the pavers is not causing sufficient damage to warrant its removal. Monitoring for and repair of displaced pavers can be attended to under maintenance to remove the trip hazard.

As stated in this report the trees are not endemic to Western Australia and have no impact on the natural fauna of the area.

#### *Sustainable Development Comments*

The palm trees provide a sense of definitive place character to the foreshore area on Pratt Road. In terms of urban design the palm trees provide a tree-lined boulevard effect for Pratt Road and should Council support the request for removal, a landscaping plan for the whole of Pratt Road needs to be considered as this is a main connector for both pedestrians and cars to the Foreshore, Eaton Activity Centre and surrounding areas such as Harvey and Bunbury. Council should be encouraging greening of the streets to counter the heat-island effect and encouraging walking for pedestrians in order to connect to the foreshore, whilst creating a sense of place with a strong individual character that is identifiable as a boulevard or promenade street for Pratt Road.

#### *Building Property Management Comments*

Under the Lease, EBSC are required to seek written consent to remove any trees within their lease area. The subject trees do require maintenance and fallen debris may cause a hazard for users of the facility, however this was known when the lease was entered into. Further, the EBSC have advised that they do

not have the funds to remove the trees so would require unbudgeted expenditure of \$7,900 excl GST. It is the officers' recommendation that Council not support the removal of all 26 palm trees.

### Summary

Based on the comments and advice provided from various Council officers across multiple Directorates, it is recommended that Council not support the removal of the 26 palm trees along Pratt Road located just inside the property boundary of the Eaton Bowling & Social Club Inc. lease.

**Council Role** - Executive/Strategic.

**Voting Requirements** - Simple Majority.

### ***Change to Officer Recommendation***

No Change. **OR:**

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

### **OFFICER RECOMMENDED RESOLUTION**

**THAT Council advises the Eaton Bowling and Social Club Inc. that it does not consent to the removal of any of the 26 palms trees located on Pratt Road, Eaton within Reserve 27516.**



**12.4.2 Title: Biennial Policy Manual Review**

**Reporting Department:** Corporate & Governance Directorate  
**Reporting Officer:** Ms Cathy Lee - Manager Governance & HR  
**Legislation:** Local Government Act 1995  
**Attachments:** 12.4.2A – Risk Assessment Tool  
 12.4.2B – Amended Individual Policies Showing Changes  
 e-12.4.2C – Council Policy Manual to be Adopted

**DECLARATION OF INTEREST**

Officers have declared a Financial Interest in this report as contributors to the review of the Council Policies they have a potential financial interest:

Mr André Schönfeldt - Chief Executive Officer  
 Mr Phil Anastasakis – Deputy Chief Executive Officer  
 Ms Susan Oosthuizen – Director Sustainable Development  
 Mr Theo Naudé – Director Infrastructure  
 Mr Chris Murray – Manager Information Services  
 Mrs Natalie Hopkins – Manager Financial Services  
 Ms Cathy Lee – Manager Governance & HR  
 Mrs Sonja Pienaar – Manager Assets  
 Mr Nathan Ryder - Manager Infrastructure Planning & Design  
 Mr Jason Gick – Manager Operations  
 Mr Murray Connell – Manager Development Services  
 Mrs Cecilia Muller – Senior Planning Officer  
 Mr Gary Thomson – Manager Recreation Centre  
 Ms Cassandra Budge – Manager Development Services

Staff have acted in good faith updating the policies and are not required to leave the room.

**Overview**

The Shire of Dardanup policies are reviewed throughout the year on an as needs basis. A full review is carried out biennially. Council is requested to consider amendments to policies and adopt the full policy manual as amended.

**Background**

Council last carried out a full Policy manual review at the 30<sup>th</sup> September 2020 Ordinary Council Meeting. Since that time, several new policies and amendments to policies have been endorsed by Council, which are summarised below:

POLICY NUMBER AND NAME	OCM/SCM DATE	RES #	COMMENT
SDev CP044 – Community & Event Grants Policy	31/03/2021	54-21	Policy amended.
Exec CP201 – Execution Of Documents And Application Of Common Seal	20/01/2021	08-21	New
SDev CP100 – Local Planning Policy - Ancillary Dwellings, Grouped Dwellings And Caretaker's Dwellings – Small Holding And General Farming Zones	31/03/2021	61-21	Policy amended.
SDev CP084 – Local Planning Policy – Advertising Signage	31/03/2021	61-21	LPP Adopted after advertising.

POLICY NUMBER AND NAME	OCM/SCM DATE	RES #	COMMENT
SDev CP091 - Local Planning Policy – Exempted Development And Land Use	31/03/2021	61-21	LPP Adopted after advertising.
SDev CP100 – Local Planning Policy - Ancillary Dwellings, Grouped Dwellings And Caretaker's Dwellings – Small Holding And General Farming Zones	31/03/2021	61-21	LPP Adopted after advertising.
SDev CP505 – Public Consultation – Planning Matters	31/03/2021	61-21	LPP Adopted after advertising.
Exec CP089 –Advisory Groups	31/03/2021	93-21	Policy amended.
Infr CP402 – Vegetation Management To Mitigate Bushfire Risk In Urban Nature Spaces	30/06/2021	185-21	New policy created.
CnG CP098 - Covid19 Financial Hardship Policy For Rates And Sundry Debtors	30/06/2021	203-21	Policy amended.
CnG CP128 – Significant Accounting Policies	30/06/2021	204-21	Policy amended.
CnG CP042 – Councillor Fees Policy	25/08/2021	266-21	Policy amended.
SDev CP507 - Corporate Sponsorship (Incoming)	29/09/2021	297-21	New policy created.
Exec CP088 - Forums Of Council – Concept Forums, Agenda Forums And Workshops	29/09/2021	297-21	Policy amended.
Exec CP205 – Council Meeting Framework	29/09/2021	297-21	New policy created.
CnG CP306 – Accounting Policy For Capital Works	27/10/2021	338-21	New policy created.
Exec CP202 –Code Of Conduct Complaints Management Process	24/11/2021	377-21	Adopted in February 2022 and Policy amended in November 2022
SDev CP507 - Corporate Sponsorship (Incoming)	25/01/2022	3-22	New policy created.
Exec CP008 – Private Use Of Council's Motor Vehicle By The CEO	20/05/2022	111-22	Policy amended.
SDev CP506 – Burekup And Dardanup Recreational Vehicle Stop-Over Sites	22/06/2022	141-22	Created on September 21 and Policy amended. June 22
Exec CP203– Light Vehicle Fleet	27/07/2022	203-22	New policy created.
Exec CP122 – Private Use Of Motor Vehicles – Principal Compliance Officers	27/07/2022	203-22	Policy deleted when adopting Exec CP203

### **Legal Implications**

Policy review is undertaken as a matter of good governance with some policies being required under the *Local Government Act 1995*.

Strategic policies that set governing principles and guide the direction of the organisation to align with community values and aspirations, are outlined in section 2.7 of the *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.

**Planning and Development (Local Planning Schemes) Regulations 2015****Schedule 2 – Deemed provisions for local planning schemes.****Sections 4, 5 & 6****4. Procedure for making local planning policy**

- (1) *If the local government resolves to prepare a local planning policy the local government must, unless the Commission otherwise agrees, advertise the proposed policy as follows —*
- (a) *publish a notice of the proposed policy in a newspaper circulating in the Scheme area, giving details of —*
    - (i) *the subject and nature of the proposed policy; and*
    - (ii) *the objectives of the proposed policy; and*
    - (iii) *where the proposed policy may be inspected; and*
    - (iv) *to whom, in what form and during what period submissions in relation to the proposed policy may be made;*
  - (b) *if, in the opinion of the local government, the policy is inconsistent with any State planning policy, give notice of the proposed policy to the Commission;*
  - (c) *give notice of the proposed policy in any other way and carry out any other consultation the local government considers appropriate.*
- (2) *The period for making submissions in relation to a local planning policy must not be less than a period of 21 days commencing on the day on which the notice of the policy is published under subclause (1)(a).*
- (3) *After the expiry of the period within which submissions may be made, the local government must —*
- (a) *review the proposed policy in the light of any submissions made; and*
  - (b) *resolve to —*
    - (i) *proceed with the policy without modification; or*
    - (ii) *proceed with the policy with modification; or*
    - (iii) *not to proceed with the policy.*
- (4) *If the local government resolves to proceed with the policy, the local government must publish notice of the policy in a newspaper circulating in the Scheme area.*
- (5) *A policy has effect on publication of a notice under subclause (4).*
- (6) *The local government —*
- (a) *must ensure that an up-to-date copy of each local planning policy made under this Scheme is kept and made available for public inspection during business hours at the offices of the local government; and*
  - (b) *may publish a copy of each of those local planning policies on the website of the local government.*

**5. Procedure for amending local planning policy**

- (1) *Clause 4, with any necessary changes, applies to the amendment to a local planning policy.*
- (2) *Despite subclause (1), the local government may make an amendment to a local planning policy without advertising the amendment if, in the opinion of the local government, the amendment is a minor amendment.*

**6. Revocation of local planning policy**

*A local planning policy may be revoked —*

- (a) *by a subsequent local planning policy that —*
  - (i) *is prepared in accordance with this Part; and*
  - (ii) *expressly revokes the local planning policy;*

*or*
- (b) *by a notice of revocation —*

- (i) prepared by the local government; and
- (ii) published in a newspaper circulating in the Scheme area.

### **Council Plan**

13.1 - Adopt best practice governance.

13.2 - Manage the Shire's resources responsibly.

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

**Environment** - None.

### **Precedents**

Guided by the principles of good governance, policies reflect the current positions of Council. Council reviews its policies regularly with the last full policy manual review took place on the 20<sup>th</sup> of September 2020.

### **Budget Implications**

While this report does not have any direct budget implications, various Policies contained within the Policy Manual have budget allocations and implications.

**Budget – Whole of Life Cost** - None.

**Council Policy Compliance** - All Council policies.

### **Risk Assessment**

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

<b>Tier 2 – 'Low' or 'Moderate' Inherent Risk.</b>	
Risk Event	Biennial Policy Manual Review
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Legal and Compliance Failure to regularly review and update policies could result in the Shire not meeting its obligations at law.

### **Officer Comment**

All Council policies prepared under the Local Government Act have been reviewed and are marked up with tracked changes to demonstrate to Council any amendments or recommended deletions [Appendix ORD: 12.4.2B]. The policies that have no changes are not included in this appendices. Note. Typographical, grammatical or updated title corrections have not be highlighted if the amendment did not change the intent of the policy. An example of this is amendments from the wording 'Shire's Strategic Community Plan' to read 'Shire's Council Plan' throughout the Policy Manual.

Those reviewed policies which have recommended amendments, additions or deletions are summarised below:

<b>EXECUTIVE POLICY NUMBER AND NAME</b>	<b>COMMENT</b>	<b>EXEC PAGE</b>
Exec CP026 – Social Media	Policy replaced. Previous Policy and New Policy provided.	16 & 20
Exec CP088 - Forums Of Council – Concept Forums, Agenda Forums And Workshops	Addition of Example of type of issues concept forums may include. Addition of elected member attendance at Meetings/Forums and Workshops to be recorded in each OCM Agenda. List to be recorded under Attendance and Apologies – with Previous Meeting being a separate heading.	25 - 30

<b>CORPORATE &amp; GOVERNANCE POLICY NUMBER AND NAME</b>	<b>COMMENT</b>	<b>CNG PAGE</b>
CnG CP015 – Study Leave / Study Assistance	Further reason for refusal of study leave added; and Criteria amended for assessment of study leave application.  Addition of 3.8 Promotion addition proposal. To implement this the costs would be:  Based on our current level of employee qualifications, the annual cost of the Qualifications Achievement Allowance would be \$72,410 per annum.  This could be introduced for the 2023/24 financial year to allow for it to be budgeted, and reduce the Performance Increase in 2023/24 from 1.0% (\$142,761) to 0.5% (\$71,381).	8-11
CnG CP022 – Use Of Closed Circuit Television [CCTV]	Principles 10 & 11 wording amended. Additional wording to modernise.	17-22
CnG CP024 – Records Management	Reference Documents updated	26
CnG CP034 – Procurement Policy	Several changes under Policy – refer red highlighted print. Purchasing thresholds amended in accordance with changes to LG (Function & General) Regulations 1996. Updated as per WALGA Template.	27 - 39
CnG CP035 – Payment Of Accounts	Update to authorised officers and addition of word EFT	40-43
CnG CP039 – Related Party Disclosures	Noting the Attain system is now used.	49-54
CnG CP043 – Use Of Unmanned Aerial Vehicle [UAV] - Drone	Update to drone licensing	59-61
CnG CP098 – COVID19 Financial Hardship Policy For Rates And Sundry Debtors	Removal of wording 'Covid19' from title and remain as general Financial Hardship policy.	66-69
CnG CP112 – Councillors' Induction Training And Professional Development	Policy to be reviewed biennially with policy manual review.	70-73

<b>CORPORATE &amp; GOVERNANCE</b> <b>POLICY NUMBER AND NAME</b>	<b>COMMENT</b>	<b>CNG PAGE</b>
	Surplus funds are not carried through at this stage unless requested.	
CnG CP124 – Superannuation	Amended to ensure that historical superannuation benefits are applied correctly.	74
CnG CP126 – Cyber Security	Cyber security training noted.	75
CnG CP128 – Significant Accounting Policies	Several amendments taking into changes to the 2022 updated Model.	79-92
CNG CP303 - Public Question Time	Minor operational amendments as highlighted	94

<b>INFRASTRUCTURE</b> <b>POLICY NUMBER AND NAME</b>	<b>COMMENT</b>	<b>INFR PAGE</b>
Infr CP048 - Plant & Vehicle Acquisitions And Disposal Policy	Reference to light vehicles (utes, cars) removed as this is covered by the new CP203 – Light Vehicle Fleet	15
Infr CP050 – Crossovers – Approvals, Standards And Subsidy	Updated to change reference of 375mm diameter pipes in the rural zones to 450mm diameter pipes.	19

- *Local Planning Policies – Advertising Requirements*

Local Planning Policies (LPPs) were also reviewed as part of the broader Policy Manual review. The process for adopting, amending or revoking a LPP comes under the Planning and Development (Local Planning Schemes) Regulations 2015.

In terms of amendments, there were only three LPPs that were Policy amended. Those amendments were considered minor and do not require advertising:

<b>SUSTAINABLE DEVELOPMENT</b> <b>POLICY NUMBER AND NAME</b>	<b>COMMENT</b>	<b>SDEV PAGE</b>
SDev CP030 - Local Planning Policy – Construction of Outbuildings in the ‘Small Holding’ Zone Prior to Completion of a Dwelling	Part 7 - Amendments made to provide flexibility to allow the structure to be used in accordance with SDev CP104.	7-8
SDev CP070 –Event Application Policy	Clarification on how Fees and Charges are applied – See Part 4.4	29-30
SDev CP078 - Liquor Licence Approvals <u>Relevant To Shire Facilities And Reserves</u>	Amend Title Only	33
SDev CP084 – Local Planning Policy - Advertising Signage.	5.3b - This is to clarify that some signs are allowed in the road reserve under infrastructure policies	37
SDev CP091 - Local Planning Policy – Exempted Development And Land Use	Clarification of exemption criteria under Vegetation Removal	63
SDev CP505 – Public Consultation – Planning Matters	Local Planning Policy Development/Review Addition of “#” to indicate “The minimum public consultation is 21 days, however additional workshops with key stakeholders may be required where deemed appropriate.” And Amendment to “ <u>Level ‘3’ – Consultation with owners and occupiers of the land in the locality</u> ”.	107-108

There were no LPPs subject to more significant amendments for which advertising is required; and no LPPs are to be revoked.

Note: Due to the size of the policy manual and the significant amount of paper required to produce hard copies, the reviewed policy manual has been provided electronically to elected members, staff and the public [e-Appendix ORD: 12.4.2C]. A printed hard copy is available upon request.

**Council Role** - Legislative.

**Voting Requirements** - Simple Majority.

**Change to Officer Recommendation**

No Change. **OR:**

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

**OFFICER RECOMMENDED RESOLUTION**

**THAT Council:**

1. Pursuant to Schedule 2, Part 2, Clause (4) of the *Planning and Development (Local Planning Schemes) Regulations 2015* makes amendments to the following local planning policies as contained within the Shire of Dardanup Council Policy Manual [e-Appendix ORD: 12.4.2C] identified as Tardis Electronic Record Number Reference: R0001278087 and determines such amendments are of a minor nature that do not warrant advertising:
  - a) SDev CP030 - Local Planning Policy – Construction of Outbuildings in the ‘Small Holding’ Zone Prior to Completion of a Dwelling;
  - b) SDev CP084 – Local Planning Policy - Advertising Signage.
  - c) SDev CP091 - Local Planning Policy – Exempted Development and Land Use
2. Adopts the Shire of Dardanup Council Policy Manual inclusive of all policies provided electronically [e-Appendix ORD: 12.4.2C] identified as Tardis Electronic Record Number Reference: R0001278087 , with no/the following changes:
3. Publishes an up to date copy of all Council policies on the Shire of Dardanup website.
4. Requests that the Chief Executive Officer undertake the next scheduled full review of the adopted policies in September 2024.

### 12.4.3 Title: Lease Paradise Reserve 18405 – Lot 52 Waterloo Road – Registration of Interest

**Reporting Department:** Corporate & Governance Directorate  
**Reporting Officer:** Ms Cathy Lee - Manager Governance & HR  
Mrs Aly Smith – Building Property Management Officer  
**Legislation:** Local Government Act 1995  
**Attachments:** Appendix ORD: 12.4.3A – Registration of Interest from Mr A Wroe & Ms T Snell  
Appendix ORD: 12.4.3B – Risk Assessment Tool

#### **Overview**

Council is requested to consider the Registration of Interest to lease Paradise Reserve 18405 and accept the offer received from Mr Adam Wroe and Ms Tracee Snell for a 2 year period at \$1,100 (ex GST) per annum with an option of a further two years.

#### **Background**

Paradise Reserve 18405 is a 2.1 hectare un-serviced parcel of vacant land located at Lot 52 Waterloo Road in Dardanup, shown below. It has been leased to Mr Adam Wroe since 1<sup>st</sup> of May 2018 at a rate of \$1,000 (ex GST) per annum. The Lease to Mr Adam Wroe expired on the 30<sup>th</sup> of April 2022 and has continued on through holding over terms at the current rate.



A Registration of Interest for the Lease of Paradise Reserve was advertised in the South Western Times on 21<sup>st</sup> of July 2022 seeking registrations of interest for a 2 year lease. At the close of the submission period, the Shire received one submission, that being a joint submission from Mr Adam Wroe and Ms Tracee Snell [Appendix ORD: 12.4.3A], both adjoining land owners to the Reserve, seeking to lease the parcel of land jointly.

The submission was for a 2 year lease for grazing purposes at \$1,100 per annum. The applicant made a note that as they had been leasing the land for the past 4 years and had supplied water and power to the site for their purposes, as well as implementing long term weed management practices, their preference would be for a 5 year lease with a 5 year option to renew.



## Legal Implications

Leasing of Council property falls under Section 3.58 of the *Local Government Act 1995* “Disposing of Property”.

### 3.58. *Disposing of property*

(1) *In this section —*

***dispose*** includes to sell, lease, or otherwise dispose of, whether absolutely or not;

***property*** includes the whole or any part of the interest of a local government in property, but does not include money.

(2) *Except as stated in this section, a local government can only dispose of property to —*

(a) *the highest bidder at public auction; or*

(b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*

(3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*

(a) *it gives local public notice of the proposed disposition —*

(i) *describing the property concerned; and*

(ii) *giving details of the proposed disposition; and*

(iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*

*and*

(b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the Council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

(4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*

(a) *the names of all other parties concerned; and*

(b) *the consideration to be received by the local government for the disposition; and*

(c) *the market value of the disposition —*

(i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*

(ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

The advertising of the disposal of property is not required in specific circumstances under the *Local Government (Functions and General) Regulations 1996* Section 30 (2)(a)(i).

### 30. *Dispositions of property to which section 3.58 of Act does not apply*

(1) *A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.*

(2) *A disposition of land is an exempt disposition if —*

(a) *the land is disposed of to an owner of adjoining land (in this paragraph called the transferee) and —*

*(i) its market value is less than \$5 000; and*

*(ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;*

*or*

(b) *the land is disposed of to a body, whether incorporated or not —*

*(i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*

*(ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;*

*or*

(c) *the land is disposed of to —*

*(i) the Crown in right of the State or the Commonwealth; or*

*(ii) a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or*

*(iii) another local government or a regional local government;*

*or*

(d) *it is the leasing of land to an employee of the local government for use as the employee's residence; or*

(e) *it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land; or*

(f) *it is the leasing of land to a person registered under the Health Practitioner Regulation National Law (Western Australia) in the medical profession to be used for carrying on his or her medical practice; or*

(g) *it is the leasing of residential property to a person.*

(2a) *A disposition of property is an exempt disposition if the property is disposed of within 6 months after it has been.....*

(2b) *Details of a disposition of property under subregulation (2a) must, for a period of 1 year beginning on the day of the initial auction or tender.....*

(3) *A disposition of property other than land is an exempt disposition if —*

*(a) its market value is less than \$20 000; or*

*(b) the entire consideration received by the local government for the disposition is used to purchase other property, and where the total consideration for the other property is not more, or worth more, than \$75 000.*

### **Council Plan**

13.2 - Manage the Shire's resources responsibly.

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

**Environment** - None.

### **Precedents**

A Lease has been in place with Mr Adam Wroe for the lease of the Reserve since 2018. Prior to this the Reserve was leased from 2009 to 2018 by adjoining property owners Mr B & G Yuill.

### **Budget Implications**

Rental payable for the previous lease was \$1,000 per annum. Mr Adam Wroe and Ms Tracy Snell have tendered a price of \$1,100 per annum rental for the reserve.

**Budget – Whole of Life Cost** - None.

### **Council Policy Compliance**

The endorsed Lease Agreement Template terms and conditions will be used as the form of contract for this lease. These terms include provision for an annual rent review of 1.5% or CPI whichever is the greater. The proposed lease fee of \$523 per hectare is just over the endorsed rate for commercial vacant land leases of \$175-\$500 per hectare.

### **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.

<b>TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.</b>	
Risk Event	Lease Paradise Reserve 18405 – Lot 52 Waterloo Road – Registration of Interest
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	<div>Financial</div> <div>Failure to establish a Lease Agreement could lead to financial implications to the Shire.</div> <div>Legal and Compliance</div> <div>Failure to establish a lease could lead to implications to the Shire.</div> <div>Reputational</div> <div>Council would be seen in a negative light if we failed to lease the land in a transparent manner.</div>

### **Officer Comment**

Mr Adam Wroe is the current Lessee of the land, with no issues arising from his land management.

*Local Government (Functions and General) Regulations 1996* Section 30 (2)(a)(i) and (ii) allows Council to lease the land to adjoining property owners without advertising the lease as a Disposition of Property, subject to certain conditions. As both Mr Wroe and Ms Snell are adjoining property owners, it is suggested that the lease be made for a two year period with an option of a further two years rather than their requested 5 year lease with a 5 year option to renew, to ensure the market value of the lease does not exceed \$5,000, which is an exemption condition under Regulation 30(2)(a)(i).

Conditions of the lease will see that the fencing, weed control and firebreaks within the Reserve are maintained by the Lessee.

It is recommended that Council authorise the Lease of Reserve 18405 to Mr Adam Wroe and Ms Tracee Snell at the rate of \$1,100.00 (plus GST) per annum for a term of two years with a further two year option. The Lease will be a joint lease agreement between both parties based on the Council endorsed Lease Agreement template.

**Council Role** - Executive/Strategic.

**Voting Requirements** - Simple Majority.

***Change to Officer Recommendation***

No Change. **OR:**

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

**OFFICER RECOMMENDED RESOLUTION****THAT Council:**

1. Approves the lease to Mr Adam Wroe and Ms Tracee Snell [both adjoining land owners] for Reserve 18405 – Lot 52 Waterloo Road, Dardanup, for a period of two years, with an option to renew for a further two years, at a lease fee of \$1,100 (plus gst) per annum plus annual rent review increases contained within the lease agreement;
2. Authorises the Chief Executive Officer to negotiate and execute a new lease for Reserve 18405 – Lot 52 Waterloo Road, Dardanup based on the Shire of Dardanup Lease Template Terms and Conditions.

**12.4.4 Title: Bank Contract - Provision of Banking and Bill Payment Services**

**Reporting Department:** Corporate & Governance Directorate  
**Reporting Officer:** Mr Phil Anastasakis - Deputy CEO  
 Mrs Natalie Hopkins - Manager Financial Services  
**Legislation:** Local Government Act 1995  
**Attachments:** Confidential Attachment Under Separate Cover OCM-R1274869 – Banks Services Contract – Draft Contract  
 Appendix ORD: 12.4.4 – Risk Assessment Tool

**DECLARATIONS OF INTEREST**

Chief Executive Officer, Mr André Schönfeldt declares a Financial Interest in this Item as his wife owns shares in other financial institutions.

Deputy Chief Executive Officer, Mr Phil Anastasakis declares an Impartiality Interest in this Item as he banks with the Commonwealth Bank of Australia.

Manager Financial Services, Mrs Natalie Hopkins declares a Financial Interest in this Item as she banks with the Commonwealth Bank of Australia.

Cr. J Dow has declared a Financial Interest in this Item as she holds shares for the Commonwealth Bank of Australia.

Cr. P S Robinson has declared a Financial Interest in this Item as he holds shares for the Commonwealth Bank of Australia.

Cr. M T Bennett has declared a Financial Interest in this Item as he holds shares for the Commonwealth Bank of Australia.

**Overview**

This report is provided to Council to consider a new Banking Services Contract with the Council's current supplier of banking services, Commonwealth Bank of Australia (CBA). The current agreement, which, which was extended in August 2020 for a period of 2 years, recently expired on the 20<sup>th</sup> of August 2022.

This report recommends that Council execute a new three (3) year contract with the Commonwealth Bank of Australia (CBA) to 2025.

**Background**

At the Ordinary Council Meeting dated 26<sup>th</sup> of June 2019 (Res: 183-19), Council agreed to enter into a 12 month banking contract with the Commonwealth Bank of Australia (CBA) for the provision of banking and bill payment services. On expiration of the one (1) year contract, at the Ordinary Council Meeting dated 27<sup>th</sup> of May 2020 (Res: 128-20), Council agreed to enter into an agreement with CBA to extend the current banking and bill payment contract for a further two (2) years, expiring in August 2022.

The banking and bill payment contract is again due for consideration by Council, and this report outlines that Council remain with its current banking and bill payment services provider, Commonwealth Bank of Australia (CBA).

The CBA currently offer banking and payment solutions including, but not limited to:

- Negotiated accounts for Council's Municipal Fund, Trust Fund and Reserve Account requirements;
- Business Online Saver Accounts to maximise interest earned on Council's accounts;
- CommBiz (Online Business Banking);
- Local Branch Support - Banking Deposits at local branch 'Eaton';
- Direct Debit Deposits;
- Merchant Facilities (i.e. Eftpos/Corporate Credit Card Facilities);
- Electronic Funds Payments including BPAY and Foreign Currency Payments;
- Online User Fees;
- Specialist Help Desk Access 24/7; and
- Competitive Investment Rates for Term Deposits.

Over the last 3 years the CBA have provided a high level of service to Council and the Financial Services staff. The CBA has a Local Government Banking Group Division within its business structure including a dedicated Relationship Advisor for Council, and have continued to maintain an open and transparent working relationship with Council Staff and Management. As the only bank with a local branch within the Shire of Dardanup, the Eaton branch is convenient and reduces travel time outside of the Shire's boundaries.

The CBA offers a competitive fee structure similar to most of the major banks within Australia. The fees structure contained within the draft contract agreement '*Schedule 1 Banking Services*' [Confidential Attachment Under Separate Cover OCM-R1274869] are per the current existing pricing structure, except for an improvement on Council's transaction accounts due to this being measured against the increasing cash rate.

Section 1.1(e) of the draft contract includes the '*Initial Term*' for a period of three (3) years (i.e. expiry August 2025) as follows:

#### *1.1 Definitions*

***Commencement Date*** means 20 August 2022.

***Initial Term*** means the period of three (3) years from the Commencement Date.

#### *3.1 Term of the Agreement*

*This agreement commences on the date of this Agreement and continues until the earlier of:*

- a) *The date it is terminated by either Party in accordance with this Agreement; and*
- b) *The expiration of the Term.*

Should Council choose not to continue its existing Banking and Bill Payment Services relationship with CBA, tenders will need to be called for the award of a new Banking and Bill Payment Services Contract. The decision for the supply of Council's Banking and Bill Payment Services is important when evaluating the true cost of continuing with provider CBA or proceeding to tender a new banking contract supplier via Council's tender management process. It should be noted a considerable amount of resources would be required should Council decide to tender for the Provision of Banking and Bill Payment Services.

### **Legal Implications**

#### *Local Government Act 1995*

##### ***Part 6 – Financial management***

##### *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**

### ***Part 2 – General financial management – s.6.10***

#### ***R5. CEO's duties as to financial management.***

- (1) *Efficient systems and procedures are to be established by the CEO of a local government —*
  - (a) *for the proper collection of all money owing to the local government; and*
  - (b) *for the safe custody and security of all money collected or held by the local government; and*
  - (c) *for the proper maintenance and security of the financial records of the local government (whether maintained in written form or by electronic or other means or process); and*
  - (d) *to ensure proper accounting for municipal or trust —*
    - (i) *revenue received or receivable; and*
    - (ii) *expenses paid or payable; and*
    - (iii) *assets and liabilities;**and*
  - (e) *to ensure proper authorisation for the incurring of liabilities and the making of payments; and*
  - (f) *for the maintenance of payroll, stock control and costing records; and*
  - (g) *to assist in the preparation of budgets, budget reviews, accounts and reports required by the Act or these regulations.*
- (2) *The CEO is to —*
  - (a) *ensure that the resources of the local government are effectively and efficiently managed; and*
  - (b) *assist the council to undertake reviews of fees and charges regularly (and not less than once in every financial year); and*
  - (c) *undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the local government regularly (and not less than once in every 3 financial years) and report to the local government the results of those reviews.*

#### ***R8. Separate bank etc. accounts required for some moneys***

- (1) *A local government is to maintain a separate account with a bank or other financial institution for each of the following purposes —*
  - (a) *money required to be held in the municipal fund (other than money for which an account is to be established under paragraph (c)); and*
  - (b) *money required to be held in the trust fund; and*
  - (c) *money required to be held in reserve accounts.*
- (2) *Money related to a purpose set forth in subregulation (1) is to be banked in the account maintained for that purpose.*
- (3) *Money from different accounts may be placed in a common investment authorised by the Act.*

**Local Government (Functions and General) Regulations 1996*****Part 4 – Provision of goods and services, Division 1 – Purchasing Policies******11A. Purchasing policies for local governments***

- (1) *A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$250 000 or less or worth \$250 000 or less.*
- (2) *A purchasing policy is to make provision for and in respect of the policy to be followed by the local government for, and in respect of, entering into contracts referred to in subregulation (1).*
- (3) *A purchasing policy must make provision in respect of —*
  - (a) the form of quotations acceptable; and*
  - (ba) the minimum number of oral quotations and written quotations that must be obtained; and*
  - (b) the recording and retention of written information, or documents, in respect of —*
    - (i) all quotations received; and*
    - (ii) all purchases made.*

**Banking Act 1959*****Section 5 - Interpretation***

*"authorised deposit-taking institution" means a body corporate in relation to which an authority under subsection 9(3) is in force.*

***9 Authority to carry on banking business***

*(3) If an application has been made, APRA may grant the body corporate an authority to carry on banking business in Australia. The authority must be in writing, and APRA must give the body corporate written notice of the granting of the authority.*

**Council Plan**

13.1 - Adopt best practice governance.

13.2 - Manage the Shire's resources responsibly.

**Environment** - None.

**Precedents**

Council's current contract for the provision of banking and bill payment services was awarded to Commonwealth Bank of Australia (CBA) in May 2019, and extended for a further two (2) year until August 2022.

Australian Prudential Regulation Authority (APRA) is an independent statutory authority which has the responsibility to regulate ADI's and other financial institutions in Australia in accordance with the



**Banking Act 1959.** APRA supervises institutions across banking, insurance and superannuation and is accountable to the Australian Parliament. Commonwealth Bank of Australia is listed as an Australian-owned authorised deposit-taking institution (ADI) in APRA's Register of Authorised Deposit-taking Institutions.

### **Budget Implications**

A provision of \$42,000 for Bank Fees and Charges is included in the adopted 2022/23 Annual Budget.

### **Budget – Whole of Life Cost**

The provision of banking services is funded from Council's annual operating budget as part of the budgeted Bank Fees and Charges. The execution of the banking services contract is in line with Council's budgeted Fees and Charges (GL 03 1 1004) and within budget estimates.

The below table shows Council's budget versus actual expenditure incurred over the last four (4) years for Bank Fees and Charges, noting that in 2019/20 the CBA was awarded Council's banking services contract from a previous provider and the fees have remained constant over time.

<b>BANK FEES AND CHARGES – MUNICIPAL FUND</b>		
<b>Year</b>	<b>Budget</b>	<b>Actual</b>
2021/22	\$42,000	\$39,043
2020/21	\$42,000	\$38,899
2019/20	\$42,000	\$39,703
2018/19	\$40,328	\$41,229

### **Council Policy Compliance**

Council Policy CP034 – Procurement Policy

Council aims to deliver quality services that are responsive to business and community expectations, demonstrably cost-effective and subject to public accountability. Council is committed to delivering its services equitably and in a way that meets customer needs, minimises costs and recognises Council accountability.

### **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.

<b>TIER 2 – 'Low' or 'Moderate' Inherent Risk.</b>		
Risk Event	Bank Contract – Provision of Banking and Bill Payment Services	
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)	
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.	
Risk Category Assessed Against	Financial	Risk that the current banking contract may expire and result in an increase in bank fees and charges.
	Service Interruption	Changing primary banking supplier has considerable ramifications to finance resources i.e. staff time/planning;

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
		implementation process; disruption to Council’s banking processes including transactional processing, Eftpos, and Payments of Accounts.
	Legal and Compliance	Risk of contract expiry and non-compliance to <i>Local Government (Functions and General) Regulations 1996</i> and Council’s Procurement Policy - CP034 – <i>Procurement Policy</i> .
	Reputational	Devoid of a banking contract, Council may be perceived as inefficient and/or lacking internal controls in managing its Contract Portfolio.

### Officer Comment

Since the closure of the Westpac branch at Bunbury Forum in November 2018, Council has formed a strong working relationship with the Commonwealth Bank of Australia. From the initial banking agreement contract established in May 2019 to the changeover from Council’s previous banking provider, a subsequent two year contract extension to the recently expired contract negotiations, the CBA has provided clear, transparent and timely communications to Council’s Finance team and Management. The additional benefit of a local branch has also improved efficiencies with Council’s banking process.

Whilst the reasoning behind the initial short term 12 month contract duration was to accommodate the timeframe by which WALGA had advised of their intention to include Banking Services in the WALGA Preferred Supplier Panel, recent communications from WALGA have advised that this decision has now been abandoned. WALGA received minimal submission from the banking services sector and have indicated that they will not be proceeding with a WALGA Preferred Supplier Panel for Banking Services.

The recommendation to remain with CBA and engage in a new three (3) year contract allows Management and staff to continue to provide a high level of service to its customers, with minimal impact to ongoing operations. Should Council decide to tender for the Provision of Banking and Bill Payment Services, this would require an increase or reallocation of resources and tasks plus disruption to Council’s transaction and payment processes. Lastly, feedback from finance staff that are primarily the main source of contact and communications with CBA has been extremely positive and staff are committed to building a trusting relationship with Council’s banking provider.

**Council Role** - Executive/Strategic.

**Voting Requirements** - Simple Majority.

### Change to Officer Recommendation

No Change. **OR:**

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

## **OFFICER RECOMMENDED RESOLUTION**

### **THAT Council:**

- 1. Enters into a new contract agreement with the Commonwealth Bank of Australia (CBA) for the provision of banking and bill payment services for a three (3) year period;**
- 2. Authorises the Chief Executive Officer or such other person that the Chief Executive Officer delegates to execute the agreement with the Commonwealth Bank of Australia for the provision of banking and bill payment services effective from the expiration of the current contract in August 2022; and**
- 3. Authorises all payments under this agreement.**

**12.4.5 Title: Schedule of Paid Accounts as at the 31<sup>st</sup> August 2022**

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

**Overview**

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

**Background**

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

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

**Legal Implications****Local Government Act 1995****S6.5. Accounts and records****Local Government (Financial Management) Regulations 1996****R11. Payments, procedures for making etc.****R12. Payments from municipal fund or trust fund, restrictions on making**

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

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

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared—*
  - (a) *the payee's name; and*
  - (b) *the amount of the payment; and*
  - (c) *the date of the payment; and*

- (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing—*
  - (a) *for each account which requires council authorisation in that month—*
    - (i) *the payee's name; and*
    - (ii) *the amount of the payment; and*
    - (iii) *sufficient information to identify the transaction; and*
  - (b) *the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under subregulation (1) or (2) is to be—*
  - (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
  - (b) *recorded in the minutes of that meeting.*

### **Council Plan**

13.1 - Adopt best practice governance.

13.2 - Manage the Shire's resources responsibly.

**Environment** - None.

**Precedents** - None.

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

### **Budget Implications**

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

**Budget – Whole of Life Cost** - None.

### **Council Policy Compliance**

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

### **Risk Assessment**

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

<b>TIER 2 – 'Low' or 'Moderate' Inherent Risk.</b>	
Risk Event	Schedule of Paid Accounts as at the 31 <sup>st</sup> August 2022
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.

TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
Risk Category Assessed Against	Financial	Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position.
	Reputational	Non-compliance that results in a qualified audit can lead stakeholders to question the Council’s ability to manage finances effectively

**Officer Comment**

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

**Council Role** - Executive/Strategic.

**Voting Requirements** - Simple Majority.

**Change to Officer Recommendation**

No Change. **OR:**

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

**OFFICER RECOMMENDED RESOLUTION**

**THAT Council receives the Schedule of Paid Accounts report from 1/8/2022 to 31/8/2022 as follows:**

**SHIRE of DARDANUP**  
**31-08-2022 Schedule of Paid Accounts**

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
<b>ELECTRONIC FUNDS TRANSFER</b>					
EFT48474	04/08/2022	A1 Sign Shop	Supply & Install ACM Sign With Pole and Brackets - La Trobe St	MUNI	618.20
EFT48475	04/08/2022	B & B Street Sweeping Pty Ltd	Street Sweeping - 7 x Shire Locations - 27/6-12/07/2022	MUNI	2,821.50
EFT48476	04/08/2022	BCE Surveying Pty Limited	Survey Pick Up and Control Set Out - Dardanup Cemetery	MUNI	1,584.00
EFT48477	04/08/2022	BOC Ltd	ERC Hire Of Oxygen Bottles - July 2022	MUNI	12.95
EFT48478	04/08/2022	Bunbury Auto One	Lights Required To Make "Spray Trailer" More Visible and Safe	MUNI	76.52
EFT48479	04/08/2022	Bunbury Coffee Machines	ERC - Cafe Goods	MUNI	340.00
EFT48480	04/08/2022	Bunbury Machinery	4 x 50mm Flat Hose With Fittings For Spray Trailer	MUNI	640.65
EFT48481	04/08/2022	Bunbury Plumbing Service	Investigate and Unblock Toilet At Dardanup Hall Public Toilets	MUNI	350.12
EFT48482	04/08/2022	Bunbury Towing	Tow of Abandoned Vehicle to Vehicle Impound Facility - 06/07/2022	MUNI	380.00
EFT48483	04/08/2022	Bunbury Truck Sales and Service Centre	Parts For Repairs - DA9581	MUNI	656.53
EFT48484	04/08/2022	Bunnings Group Limited	4 Bags Ashphalt, Scrapers, Adhesive, Exchange Oxygen Bottle, Pipe Fittings, Battery Torch	MUNI	972.92
EFT48485	04/08/2022	Chloe Scott	Umpire Recoup - 03/08/2022	MUNI	88.00
EFT48486	04/08/2022	Christine Worsfold	Umpire Recoup - 01 & 02/08/2022	MUNI	135.00
EFT48487	04/08/2022	City Of Bunbury	2022-2023 Annual Bunbury Wellington Regional Animal Shelter Fee	MUNI	3,580.00
EFT48488	04/08/2022	Claire Lee	Reimburse Uniform Purchase	MUNI	22.00
EFT48489	04/08/2022	Cleanaway Solid Waste Pty Ltd	Hard Waste Collection - 21-25/07/2022	MUNI	11,487.58

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT48490	04/08/2022	Construction Training Fund : BCITF	BCITF Remittance - June 2022	MUNI	6,486.53
EFT48491	04/08/2022	Dean Pitts	Reimburse Accommodation Cost - St Catherine's on Park (Ignite Leadership Training)	MUNI	414.20
EFT48492	04/08/2022	Donna Bastow	Umpire Recoup - 03/08/2022	MUNI	110.00
EFT48493	04/08/2022	Educa Aus	ERC - Educa Online Application Monthly Subscription	MUNI	990.00
EFT48494	04/08/2022	Ellen Patricia Lilly	Meeting Attendance	MUNI	1,267.25
EFT48495	04/08/2022	Eve Yoga	Eaton Recreation Centre Contracted Yoga Classes 16-27/07/2022	MUNI	420.00
EFT48496	04/08/2022	Fit2Work	Monthly Invoice For Police Checks - July 2022	MUNI	593.23
EFT48497	04/08/2022	Hanson Construction Materials Pty Ltd	71.45 Tonne Scalps	MUNI	1,296.85
EFT48498	04/08/2022	Heatleys	Coverall Disposable Type 456 White - 3 XL	MUNI	2,224.20
EFT48499	04/08/2022	Howson Technical	Project Management Support For Eaton Drive / Peninsula Lakes Drive Project	MUNI	522.50
EFT48500	04/08/2022	Hynes Contracting	Line Marking - Glen Huon Reserve	MUNI	1,100.00
EFT48501	04/08/2022	Janice Patricia Dow	Meeting Attendance	MUNI	1,267.25
EFT48502	04/08/2022	John Thompson	Umpire Recoup - 03/08/2022	MUNI	44.00
EFT48503	04/08/2022	Justine Eichner	Umpire Recoup - 03/08/2022	MUNI	44.00
EFT48504	04/08/2022	Kenny Pomare	Umpire Recoup - 03/08/2022	MUNI	22.00
EFT48505	04/08/2022	Kimberley Johnson	Umpire Recoup - 02/08/2022	MUNI	90.00
EFT48506	04/08/2022	Landgate	Rural UV Interim Valuations - 14/05/2022 - 10/06/2022	MUNI	86.94
EFT48507	04/08/2022	Les Mills Asia Pacific	Eaton Recreation Centre Monthly Les Mills License - August 2022	MUNI	1,479.37



PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT48508	04/08/2022	Local Government Professionals Australia WAR	Attend Smart Cities for Community Development Masterclass - S Occhipinti	MUNI	290.00
EFT48509	04/08/2022	Lucy Jane Scott	Umpire Recoup - 01/08/2022	MUNI	90.00
EFT48510	04/08/2022	Luke Wilkinson	Umpire Recoup - 03/08/2022	MUNI	44.00
EFT48511	04/08/2022	Luke William Davies	Meeting Attendance	MUNI	1,267.25
EFT48512	04/08/2022	Makenna Hill	Umpire Recoup - 01/08/2022	MUNI	135.00
EFT48513	04/08/2022	Mark Richard Hutchinson	Meeting Attendance	MUNI	1,267.25
EFT48514	04/08/2022	Marketforce	Advertising RFT - Dardanup Civic Precinct Landscaping - West Australian - 9/7/2022	MUNI	1,022.90
EFT48515	04/08/2022	Mckayhla Pomare	Umpire Recoup - 03/08/2022	MUNI	44.00
EFT48516	04/08/2022	Michael Bennett	Local Government Allowance	MUNI	1,209.83
EFT48517	04/08/2022	Patricia Rose Perks	Meeting Attendance	MUNI	1,267.25
EFT48518	04/08/2022	Perfect Landscapes	Weekly Reserves Mowing	MUNI	2,418.03
EFT48519	04/08/2022	Peta Nolan	Reimburse Purchase	MUNI	100.86
EFT48520	04/08/2022	Peter Robinson	Meeting Attendance	MUNI	1,267.25
EFT48521	04/08/2022	Picton Tyre Centre Pty Ltd - Bunbury Tyre Specialists	New Tyres, Balance & Disposal - DA9581	MUNI	3,897.00
EFT48522	04/08/2022	Sanctuary Golf Resort Bunbury	Executive Team Workshop - 29/07/2022 - Room, Equipment and Morning Tea	MUNI	262.00
EFT48523	04/08/2022	Sirsidynix Pty Ltd	Subscription To Symphony Library Management System (LMS) Software - 01/07/2022 - 30/06/2023	MUNI	11,362.18
EFT48524	04/08/2022	Stacey Gillespie	Meeting Attendance	MUNI	1,267.25

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT48525	04/08/2022	State Library Of Western Australia	Better Beginnings Bags 2022-23	MUNI	1,133.00
EFT48526	04/08/2022	Supreme Gutter Clean	Dardanup Community Centre Gutter Clean	MUNI	450.00
EFT48527	04/08/2022	Sushiru	ERC - Platters For Weekend Events	MUNI	200.00
EFT48528	04/08/2022	Synergy	Townsite Street Lights - 25/06-24/07/2022	MUNI	29,141.04
EFT48529	04/08/2022	Telstra	Telephone Use for West Dardanup BFB	MUNI	75.66
EFT48530	04/08/2022	Tiana Fraser	Umpire Recoup - 29/07 & 02/08/2022	MUNI	104.00
EFT48531	04/08/2022	Toll Transport - Ipec Pty Ltd	2022-2023 Postage & Freight - Environmental Health	MUNI	11.01
EFT48532	04/08/2022	Tyrrell Gardiner	Meeting Attendance	MUNI	1,859.17
EFT48533	04/08/2022	Veolia Recycling & Recovery Pty Ltd	Weekly Bin Collection Of Cardboard - July 2022	MUNI	163.91
EFT48534	04/08/2022	Water Corporation	Industrial Waste Charges	MUNI	336.11
EFT48535	04/08/2022	Woolworths Group Limited - Online Order Only	ERC - Cafe Goods	MUNI	763.50
EFT48536	04/08/2022	Woolworths Group Limited - Openpay Portal	General Items Purchased ( Milk, Grocery, Etc)	MUNI	171.07
EFT48537	11/08/2022	Amco Industries	Personalised Eaton Recreation Centre Welcome Mat	MUNI	828.85
EFT48538	11/08/2022	Amity Signs	Rural Street Number Signs 22/23	MUNI	53.90
EFT48539	11/08/2022	Angela Winter	First Aid Training 15 July 2022 - 7 x Shire Staff	MUNI	1,750.00
EFT48540	11/08/2022	Aquachill	Rental and Service Water Cooler In Gym - 12 Months	MUNI	686.40
EFT48541	11/08/2022	B L & R J Putt	FCO Annual Payment	MUNI	500.00
EFT48542	11/08/2022	Bailey Harkness	Umpire Recoup 09-08-2022	MUNI	45.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT48543	11/08/2022	Brownes Foods Operations Pty Ltd	ERC - Cafe Order	MUNI	182.31
EFT48544	11/08/2022	Bunbury Geographe Economic Alliance	BGEA Annual Membership Renewal For 2022/23	MUNI	14,850.00
EFT48545	11/08/2022	Bunbury Plumbing Service	Repair Leaking Tap to NW Corner of The Little Theatre	MUNI	330.00
EFT48546	11/08/2022	Bunbury Regional Toy Library	Quick Response Grant Payment 2022-2023.	MUNI	500.00
EFT48547	11/08/2022	Bunnings Group Limited	Plasterboard Sheet and Fixing Gun and Screws	MUNI	544.33
EFT48548	11/08/2022	Challis Builders	Additional Development Work - Eaton Recreation Centre Stage 1 Development Works	MUNI	9,487.50
EFT48549	11/08/2022	Chloe Scott	Umpire Recoup 10-08-2022	MUNI	88.00
EFT48550	11/08/2022	Christine Worsfold	Umpire Recoup 09-08-2022	MUNI	67.50
EFT48551	11/08/2022	Christopher Hynes	CBFCO Annual Payment	MUNI	850.00
EFT48552	11/08/2022	Clay Rose	DCBFCO Annual Payment	MUNI	680.00
EFT48553	11/08/2022	Cleanaway Solid Waste Pty Ltd	General Waste Disposal	MUNI	1,365.96
EFT48554	11/08/2022	Construction Training Fund : BCITF	BCITF Remittance - July 2022	MUNI	2,198.18
EFT48555	11/08/2022	Dapco Tyre and Auto Centre	Vehicle Service DA9287	MUNI	410.49
EFT48556	11/08/2022	Daryl Fishwick	Umpire Recoup 10-08-2022	MUNI	66.00
EFT48557	11/08/2022	Dataline Visual Link Pty Ltd	25 Door Fobs for Eaton Office	MUNI	424.88
EFT48558	11/08/2022	Department Of Mines, Industry, Regulations & Safety (DMIRS) - BSL	BSL Remittance - July 2022	MUNI	9,634.28
EFT48559	11/08/2022	Department Of Planning, Lands and Heritage	DAP - F0309765 - Lot 38 South Western Highway, Picton East	MUNI	5,815.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT48560	11/08/2022	Dindindi Drums	Enlighten - Find Your Beat Program 50% Deposit	MUNI	900.00
EFT48561	11/08/2022	Donna Bastow	Umpire Recoup 10-08-2022	MUNI	154.00
EFT48562	11/08/2022	Ductworks Australia Bunbury & Busselton Air	Replace Ducted Air Conditioner Controller, Time Clock and Wall Sensor to Eaton Admin Rear Offices	MUNI	1,125.80
EFT48563	11/08/2022	Exetel Pty Ltd	Exetel 200/200Mbit Data Communications - August 2022	MUNI	1,250.00
EFT48564	11/08/2022	Fits Training Services	Chainsaw Training 26/07/2022 - Keith Clarke	MUNI	350.00
EFT48565	11/08/2022	Flexi Staff Group Pty Ltd	General Hand Labour Hire - 18-22/07/2022	MUNI	1,329.24
EFT48566	11/08/2022	Go Go On Hold	On Hold Message Service - 6 Months (August 2022 - January 2023)	MUNI	455.40
EFT48567	11/08/2022	Hanson Construction Materials Pty Ltd	Scalps - Road Maintenance - Joshua Brook Road	MUNI	959.24
EFT48568	11/08/2022	Herbert Smith Freehill	Ongoing Legal Advice and Revisions To D&C Contract - Matter # 82716823	MUNI	10,243.09
EFT48569	11/08/2022	Illion Australian Pty Ltd (Tenderlink)	RFT-F0294742 Glen Huon Lighting	MUNI	627.00
EFT48570	11/08/2022	JCW Electrical Pty Ltd	Replace Faulty Security Light - Burekup Bushfire Brigade	MUNI	770.19
EFT48571	11/08/2022	John Thompson	Umpire Recoup 10-08-2022	MUNI	22.00
EFT48572	11/08/2022	Kings Tree Care	Emergency Call Out - Remove Storm Damaged Trees - Parkin Road	MUNI	2,079.00
EFT48573	11/08/2022	LGIS WA	Insurance Adjustment 2021-2022 - 10 x Shire Locations	MUNI	2,719.83
EFT48574	11/08/2022	Living Springs	Water Cooler Annual Rental - 1/8/22 To 31/7/23 - Waste Transfer Station	MUNI	277.50
EFT48575	11/08/2022	Lucy Jane Scott	Umpire Recoup 08-08-2022	MUNI	90.00
EFT48576	11/08/2022	Luke Wilkinson	Umpire Recoup 10-08-2022	MUNI	110.00
EFT48577	11/08/2022	Lyndon Damien Skeers	FCO Annual Payment	MUNI	500.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT48578	11/08/2022	Makenna Hill	Umpire Recoup 08 & 09-08-2022	MUNI	135.00
EFT48579	11/08/2022	Marketforce	Advertisements - June & July 2022	MUNI	5,464.45
EFT48580	11/08/2022	Matthew Pieter Mangano	Reimbursement of 50% Towards Study - CSG2341 Intelligent Systems & Project Methods and Professionalism	MUNI	1,002.00
EFT48581	11/08/2022	Mckayhla Pomare	Umpire Recoup 10-08-2022	MUNI	44.00
EFT48582	11/08/2022	Mcleods Barristers and Solicitors	Transfer and Amalgamation of Lot 300 (Reserve 49275) Kerr Road, Picton East - Matter # 47395	MUNI	608.71
EFT48583	11/08/2022	Michaela Jane Hayden	Reimburse Books Purchased	MUNI	40.11
EFT48584	11/08/2022	Murray Arthur Connell	Reimbursement of PIA Membership 22/23	MUNI	660.00
EFT48585	11/08/2022	Naturaliste Hygiene	Sharps Disposal Service August 2022 - 2 x Shire Locations	MUNI	165.00
EFT48586	11/08/2022	Neil W Dyer	FCO Annual Payment	MUNI	500.00
EFT48587	11/08/2022	Perfect Landscapes	Weekly Reserves & Lawn Mowing	MUNI	4,446.10
EFT48588	11/08/2022	Planning Institute Australia WA Division	Planning Institute Australia WA Membership 2022-23 - Andre Schönfeldt	MUNI	660.00
EFT48589	11/08/2022	QK Technologies Pty Ltd	ERC - QK Licence Bundle Web & QK Enrol	MUNI	2,758.80
EFT48590	11/08/2022	Readspeaker Pty Ltd	Readspeaker Webreader Annual Website Services - 1/07/2022 To 30/06/2023	MUNI	875.60
EFT48591	11/08/2022	Regional Media Specialists P/L	Advertising Space In Bunbury Herald Newspaper - July 2022	MUNI	943.80
EFT48592	11/08/2022	Robert Drennan	DCBFCO Annual Payment	MUNI	680.00
EFT48593	11/08/2022	Roldan Tomas	Umpire Recoup 10-08-2022	MUNI	22.00
EFT48594	11/08/2022	Scope Rentals Pty Ltd	Managed Print Service Contract Costs - August 2022	MUNI	2,592.70

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT48595	11/08/2022	Seek Limited	Recruitment and Employment Advertising - July 2022	MUNI	1,934.35
EFT48596	11/08/2022	Squash Magic Co	ERC - Incursion for July Holidays - Giant Inflatables 5th July 2022	MUNI	770.00
EFT48597	11/08/2022	Susan Lesley Howes	Refund Partial Dog Registration Due to Sterilisation	MUNI	150.00
EFT48598	11/08/2022	Suzanne Occhipinti	Reimburse Uniform Purchase	MUNI	289.00
EFT48599	11/08/2022	Synergy	Electricity 3 x Shire Locations	MUNI	1,632.95
EFT48600	11/08/2022	Telair Pty Ltd	Library NBN Enterprise Ethernet Services - Data Network Connection - July 2022	MUNI	658.90
EFT48601	11/08/2022	Telstra	Phones, Ipads & Internet Services - 3 x Shire Office Locations	MUNI	3,571.72
EFT48602	11/08/2022	Teresa Maree Partridge	Reimburse WALGA Forum Accommodation & Parking	MUNI	212.31
EFT48603	11/08/2022	Tiana Fraser	Umpire Recoup 05 & 09-08-2022	MUNI	126.00
EFT48604	11/08/2022	Tim Eva's Nursery	5L Potted Tree Order- Agonis Flexuosa, Eucalyptus Gomphocephala, Eucalyptus Rudis and Melaleuca Rhamphophylla	MUNI	1,308.13
EFT48605	11/08/2022	Total Eden Pty Ltd	Maintenance and Repairs Reticulation - Lofthouse Ave	MUNI	55.06
EFT48606	11/08/2022	Totally Sound	Connectors and Cables Repairs for Cycle Studio Projector.	MUNI	621.50
EFT48607	11/08/2022	Tutt Bryant Hire	Roller Hire For Shoulder Grading - 30/06-21/07/2022 - 2 x Shire Locations	MUNI	2,853.43
EFT48608	11/08/2022	WALGA	WALGA Elected Member Course - Professionally Speaking 19/10/2022 - Cr. Stacey Gillespie	MUNI	58.00
EFT48609	11/08/2022	Winc Australia Pty Ltd	Printing & Stationery Expense - Eaton Admin	MUNI	1,603.80
EFT48610	18/08/2022	Access Wellbeing Services	Employee Assistance Program Consultations - June 2022	MUNI	1,936.00
EFT48611	18/08/2022	Ampol Australia Petroleum Pty Ltd	Fuel - Shire Vehicles - July 2022	MUNI	21,152.86

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT48612	18/08/2022	Aquila Food Forest	Sustainable Living Workshop 11-08-2022	MUNI	300.00
EFT48613	18/08/2022	Australia Post	Monthly Invoice of Postage and Mail - July 2022	MUNI	894.90
EFT48614	18/08/2022	Australian Tax Office	PAYG - Payrun: 05/08/2022	MUNI	92,828.00
EFT48615	18/08/2022	B Watts Panel & Paint Repairs	Insurance Excess - Repair Damage To Vehicle DA8222 - Claim Number : MO005750	MUNI	500.00
EFT48616	18/08/2022	Bailey Harkness	Umpire Recoup 16-08-2022	MUNI	45.00
EFT48617	18/08/2022	Brandicoot	Final Monthly Web Hosting Charge	MUNI	927.00
EFT48618	18/08/2022	Brownes Foods Operations Pty Ltd	ERC - Cafe Goods	MUNI	217.19
EFT48619	18/08/2022	Bunbury Machinery	Electric Solenoid Kit For Spray Trailer	MUNI	1,605.00
EFT48620	18/08/2022	Bunbury Mower Service	Edger & Parts	MUNI	1,357.65
EFT48621	18/08/2022	Bunbury Subaru	62,500Kms Service - DA429	MUNI	693.96
EFT48622	18/08/2022	Bunnings Group Limited	Shelves, Shovels, Sleepers, Concrete	MUNI	3,709.93
EFT48623	18/08/2022	Buswest	ERC - Buswest Hire - July School Holidays 14/07/2022	MUNI	539.00
EFT48624	18/08/2022	Castledine Gregory	Sat Mediation Process - Lot 2 Banksia Rd - Amended LDP Refusal - Matter # 0463-0005	MUNI	9,917.60
EFT48625	18/08/2022	Chloe Scott	Umpire Recoup 17-08-2022	MUNI	66.00
EFT48626	18/08/2022	Christine Worsfold	Umpire Recoup 16-08-2022	MUNI	90.00
EFT48627	18/08/2022	City Of Busselton	SWLC Systems Administrator Contribution - 2022/23	MUNI	4,977.00
EFT48628	18/08/2022	Claw Environmental	Drummuster Servicing and Collection	MUNI	1,563.21
EFT48629	18/08/2022	Cleanaway Solid Waste Pty Ltd	General Waste Disposal - 3 Shire Locations	MUNI	2,806.85

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT48630	18/08/2022	Country Water Solutions	Reticulation Repairs & Maintenance	MUNI	209.55
EFT48631	18/08/2022	Craneford Plumbing	Shire Of Dardanup (Martin Pelusey Road) - Quarterly ATU Service	MUNI	146.67
EFT48632	18/08/2022	Craven Foods	ERC - Cafe Goods	MUNI	1,476.13
EFT48633	18/08/2022	CSStech Group Pty Ltd	Mitel (Shoretel) Phone System Support Agreement: Partner Support	MUNI	7,043.16
EFT48634	18/08/2022	Daryl Fishwick	Umpire Recoup 17-08-2022	MUNI	44.00
EFT48635	18/08/2022	Deputec Pty Ltd	ERC - Deputy Roster Schedule Software - July 2022	MUNI	104.39
EFT48636	18/08/2022	Donna Bastow	Umpire Recoup 17-08-2022	MUNI	44.00
EFT48637	18/08/2022	E-Recovery	12 Monthly Collection of E-Waste From Eaton, Dardanup and Waste Transfer Station	MUNI	5,720.00
EFT48638	18/08/2022	Element WAR	Ferguson Valley Public Art Trail Concept Plan	MUNI	5,835.50
EFT48639	18/08/2022	Erin Hutchins	Reimburse Accommodation Cost for SW Professional Development Forum	MUNI	180.00
EFT48640	18/08/2022	Flexi Staff Group Pty Ltd	General Hand Labour Hire	MUNI	7,540.39
EFT48641	18/08/2022	George Marshall	Refund Cat Cage Bond	MUNI	130.00
EFT48642	18/08/2022	Harvey Water	Annual Charges - Martin Pelusey Depot - Instalment 1	MUNI	154.10
EFT48643	18/08/2022	Heatleys	500 x Boot Covers - for Entry on Contaminated Sites	MUNI	107.80
EFT48644	18/08/2022	Hersey's Safety P/L	Depot Stores Works and Parks Safety and Consumable Items	MUNI	2,480.80
EFT48645	18/08/2022	Hocking Heritage & Architecture	Contract Award - F0307186 - Review Local Heritage Survey & Heritage List - May 2022	MUNI	5,346.00
EFT48646	18/08/2022	Hynes Contracting	Supply and Install 2 x Flag Poles at The Eaton Bowling Club	MUNI	5,857.50



PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT48647	18/08/2022	IT Vision User Group Incorporated	IT Vision User Group Membership 01/07/2022 To 30/06/2023	MUNI	770.00
EFT48648	18/08/2022	Jenni Gordon	Reimbursement of First Aid Course Completion	MUNI	136.00
EFT48649	18/08/2022	Jodie Hynes	Refund Hall Bond	MUNI	540.00
EFT48650	18/08/2022	Justine Eichner	Umpire Recoup 17-08-2022	MUNI	44.00
EFT48651	18/08/2022	Kilmore Group Pty Ltd	RFQ-F0245622 Wells Recreation Park Change Rooms and Cricket Nets	MUNI	150,550.07
EFT48652	18/08/2022	Kmart	ERC - Vacation Care Items	MUNI	105.65
EFT48653	18/08/2022	LGIS WA	CEO Breakfast - Emergency Response - 06/09/2022 - Andre Schönfeldt	MUNI	66.00
EFT48654	18/08/2022	Local Government Professionals Australia WAR	LG Professionals Annual Membership - Silver Local Government Membership - Shire Of Dardanup	MUNI	4,728.00
EFT48655	18/08/2022	Local Health Authorities Analytical Committee	Charge For Analytical Services 2022/23 (Food Sampling, Asbestos, and Environmental Contaminants)	MUNI	3,631.74
EFT48656	18/08/2022	Luke Wilkinson	Umpire Recoup 17-08-2022	MUNI	88.00
EFT48657	18/08/2022	M & J Essential Solutions Pty Ltd	Employee Assistance Program Consultation	MUNI	650.00
EFT48658	18/08/2022	Malatesta Road Paving and Hotmix	250Ltr Emulsion - Dowdells Line	MUNI	400.00
EFT48659	18/08/2022	Marketforce	Public Notice - Land For Lease Paradise Reserve - South West Times 21/07/2022	MUNI	414.41
EFT48660	18/08/2022	Mckayhla Pomare	Umpire Recoup 17-08-2022	MUNI	132.00
EFT48661	18/08/2022	MG Settlements	Rates Refund For Assessment A3489	MUNI	107.91
EFT48662	18/08/2022	MJ Goods	ERC- Wipes For Gym	MUNI	272.00
EFT48663	18/08/2022	Officeworks Superstores Pty Ltd	ERC - Stationary Order	MUNI	137.01
EFT48664	18/08/2022	PFD Food Services Pty Ltd	ERC - Cafe Order	MUNI	980.25

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT48665	18/08/2022	PFI Supplies	ERC - Cleaning Products	MUNI	403.75
EFT48666	18/08/2022	Publik Group	Final Payment For Dardanup Heritage Trail Signage	MUNI	5,981.80
EFT48667	18/08/2022	Roldan Tomas	Umpire Recoup 17-08-2022	MUNI	44.00
EFT48668	18/08/2022	Sanctuary Golf Resort Bunbury	Function Room Hire, Equipment & Catering - Ignite Program - 02/08/2022	MUNI	1,275.00
EFT48669	18/08/2022	Seek Limited	Recruitment and Employment Advertising - Seek Branded Ad Pack For 2022-2023 - 25-30 Branded Ads	MUNI	8,250.00
EFT48670	18/08/2022	Shire Of Dardanup	SOD Contribution	MUNI	500.00
EFT48671	18/08/2022	South West Tree Safe	Western Power Pruning Notice	MUNI	2,860.00
EFT48672	18/08/2022	Southern Cross Austereo	Eaton Recreation Centre 6 x Month Radio Advertisement Campaign - July 2022	MUNI	2,395.80
EFT48673	18/08/2022	Telstra	Telephone and Various Lines For Eaton Admin Centre	MUNI	3,485.19
EFT48674	18/08/2022	Tiana Fraser	Umpire Recoup 12 & 16-08-2022	MUNI	118.00
EFT48675	18/08/2022	Tim Eva's Nursery	Planting - 3 x Shire Locations	MUNI	2,200.00
EFT48676	18/08/2022	Toll Transport - Ipec Pty Ltd	2022-2023 Postage & Freight - Environmental Health	MUNI	11.01
EFT48677	18/08/2022	Upper Ferguson Bushfire Brigade	FCO Annual Payment	MUNI	500.00
EFT48678	18/08/2022	Vasse Civil & Drainage	Sewer Extension for New Charlotte Street/Boyanup-Picton Road Toilet & RV Dump Point	MUNI	23,474.00
EFT48679	18/08/2022	Voicex Communications	Renewal of Existing Subscription of Dictation/Voice Recording Software Used By CEO	MUNI	438.00
EFT48680	18/08/2022	WALGA	7 x Membership/Subscription Renewals	MUNI	38,521.02

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT48681	18/08/2022	Work Clobber	Protective Clothing - Aaron Shepard	MUNI	735.10
EFT48682	25/08/2022	A D Engineering International Pty Ltd	VMB Trailer - New Module And Cables Fix To Display Board	MUNI	313.50
EFT48683	25/08/2022	A1 Sign Shop	Supply of New RV Stop Over Sign - Burekup Oval	MUNI	577.06
EFT48684	25/08/2022	Access Wellbeing Services	Employee Assistance Program Services	MUNI	841.50
EFT48685	25/08/2022	All Aussie Truck And Bobcat Services	Waste Transfer Station Maintenance - July 2022	MUNI	1,650.00
EFT48686	25/08/2022	Australian Tax Office	PAYG - Payrun: 19/08/2022	MUNI	80,709.00
EFT48687	25/08/2022	Avery Ferguson	Reimburse Working With Children Check	MUNI	87.00
EFT48688	25/08/2022	Bailey Harkness	Umpire Recoup 24-08-2022	MUNI	67.50
EFT48689	25/08/2022	Blackwoods	Gloves & Earmuffs	MUNI	473.48
EFT48690	25/08/2022	Brecken Corporate Care	Paul Sydney-Smith Q Fever Initial Consult, Serology, Skin Test - 12/08/2022	MUNI	202.79
EFT48691	25/08/2022	Bunbury Holden & Mitsubishi	15000Km Vehicle Service - DA8673	MUNI	567.74
EFT48692	25/08/2022	Bunbury Mower Service	Chainsaw Cover	MUNI	78.00
EFT48693	25/08/2022	Bunnings Group Limited	Tree Loppers/Storage Tubs/Secateurs/Drill Bits/Air Hoses	MUNI	1,010.24
EFT48694	25/08/2022	Carbone Brothers Pty Ltd	Contract F0296481 - Construct Eaton Drive / Peninsula Lakes Intersection	MUNI	238,954.82
EFT48695	25/08/2022	Chloe Scott	Umpire Recoup 24-08-2022	MUNI	132.00
EFT48696	25/08/2022	Christine Worsfold	Umpire Recoup 19 & 23-08-2022	MUNI	105.00
EFT48697	25/08/2022	Ciphertel Pty Ltd T/A Gateway Internet Services	Monthly Account for Point to Point Microwave Service Depot and Dardanup - July 2022	MUNI	2,893.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT48698	25/08/2022	City Of Bunbury	July 2022 Cat & Dog Pound Sustenance Fees	MUNI	703.00
EFT48699	25/08/2022	Civil Projects Southwest	Bobcat and Truck - 3 x Shire Locations	MUNI	3,861.00
EFT48700	25/08/2022	Cleanaway Solid Waste Pty Ltd	General Waste Disposal - 2 x Shire Locations	MUNI	2,353.17
EFT48701	25/08/2022	Coates Civil Consulting Pty Ltd	Dardanup - Detailed Design of Water and Sewer Services for Proposed Toilet Block	MUNI	1,925.00
EFT48702	25/08/2022	Coates Hire Ltd	Hire of Flexi Drive, 18-08-2022	MUNI	323.08
EFT48703	25/08/2022	Connect Call Centre Services	July 2022 - After Hours Call Centre Service For The Shire Of Dardanup - All Services	MUNI	315.32
EFT48704	25/08/2022	CS Legal	Debt Recovery Claims Lodged - 01/08/2022 Total Of 11 Claims	MUNI	6,798.00
EFT48705	25/08/2022	Data #3 Limited	Microsoft CSP Azure Consumption Charges June 2022	MUNI	12.79
EFT48706	25/08/2022	Dell Financial Services Pty Ltd	Lease Contract 009-0141985-03 Lease 21 From 1/6/22 To 31/8/22	MUNI	1,290.75
EFT48707	25/08/2022	Devon Chang	Reimburse Uniform Purchase	MUNI	119.95
EFT48708	25/08/2022	Donna Bastow	Umpire Recoup 24-08-2022	MUNI	110.00
EFT48709	25/08/2022	DX Print Group Pty Ltd	500 x Business Cards - Aly Smith	MUNI	155.00
EFT48710	25/08/2022	Eve Yoga	Eaton Recreation Centre Contracted Yoga Classes - 30/07-13/08/2022	MUNI	300.00
EFT48711	25/08/2022	Flexi Staff Group Pty Ltd	Labour Hire Of General Hand, 08-12/08/2022	MUNI	2,223.43
EFT48712	25/08/2022	Fulton Hogan Industries WAR	Premix - Dowdells Line & Ferguson Rd	MUNI	1,614.80
EFT48713	25/08/2022	Genesis Accounting Pty Ltd	2022/23 Subscription - Fees And Charges GST Add-In Feature Through LG Solutions Cloud Application	MUNI	2,145.00
EFT48714	25/08/2022	Grace Records Management	Records Management External - Storage, Destruction And Consumables	MUNI	552.76
EFT48715	25/08/2022	Hanson Construction Materials Pty Ltd	60.45 Tonne Scalps	MUNI	1,893.07

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT48716	25/08/2022	Heatleys	OCC Health & Safety PPE - Public Works	MUNI	1,934.30
EFT48717	25/08/2022	Holcim Australia Pty Ltd	Road Maintenance - Illawarra Drive	MUNI	514.80
EFT48718	25/08/2022	Hooleys Catering Company	Ordinary Council Meeting Dinner - 24-08-2022	MUNI	795.00
EFT48719	25/08/2022	IPWEA - WA Division	Asset Management 101 Livestream Webinar - 1 x Shire Staff Member	MUNI	320.00
EFT48720	25/08/2022	Jeffrey Robert Duncombe	FCO Annual Payment	MUNI	500.00
EFT48721	25/08/2022	John Alister Thompson	Rates Refund For Assessment A3377	MUNI	72.96
EFT48722	25/08/2022	John Thompson	Umpire Recoup 24-08-2022	MUNI	66.00
EFT48724	25/08/2022	Justine Eichner	Umpire Recoup 24-08-2022	MUNI	66.00
EFT48725	25/08/2022	Kings Tree Care	Tree Removal - 5 x Shire Locations	MUNI	7,766.00
EFT48726	25/08/2022	Les Mills Asia Pacific	Eaton Recreation Centre Monthly Les Mills Licence - July 2022	MUNI	1,440.88
EFT48727	25/08/2022	Luke Wilkinson	Umpire Recoup 24-08-2022	MUNI	154.00
EFT48728	25/08/2022	M & J Essential Solutions Pty Ltd	Employee Assistance Program Consultation	MUNI	280.00
EFT48729	25/08/2022	Matt Edward Roberts	Rates Refund For Assessment A3543	MUNI	1,755.44
EFT48730	25/08/2022	McDonald Fencing	Remove/Dispose Current Fencing & Gates. Supply/Install New Fencing & Gates.	MUNI	4,048.00
EFT48731	25/08/2022	MJB Industries Pty Ltd	2 x 600Mm Class 4 Concrete Pipes, 2 x 600Mm Single Headwalls	MUNI	1,435.32
EFT48732	25/08/2022	Monadelphous Engineering Associates Pty Ltd	Repairs to Truck Tray - DA325	MUNI	1,072.50
EFT48733	25/08/2022	Nathan Gardiner	Half Day Screen Acting Workshop - July School Holiday Program 2022	MUNI	350.00
EFT48734	25/08/2022	Neil Turner	Commission of Customised Art Panels for Gnomesville Toilet Block	MUNI	5,802.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT48735	25/08/2022	Nightguard Security Service	Alarm Monitoring - July 2022	MUNI	836.00
EFT48736	25/08/2022	Officeworks Superstores Pty Ltd	6 x Rapidline Flip Tables & Pull-up Banner	MUNI	2,575.00
EFT48737	25/08/2022	PFI Supplies	Cleaning Products - Eaton Admin	MUNI	787.85
EFT48738	25/08/2022	Pirtek Bunbury	O-Ring	MUNI	4.40
EFT48739	25/08/2022	Prepress Skills Centre	Attendance at Adobe Indesign Essentials - 2 Day Course - Breeanna Batrick	MUNI	984.50
EFT48740	25/08/2022	R & S Co Pty Ltd T/As Fresh Floral Studio	Wreath - Vietnam Veterans Day - Brunswick War Memorial - 18/08/2022	MUNI	80.00
EFT48741	25/08/2022	Regional Media Specialists P/L	Advertising Space In Bunbury Mail - July 2022	MUNI	546.70
EFT48742	25/08/2022	Shire Of Dardanup	2022-2023 Burekup Rates - 2 Bin Waste Collection (Rubbish, Recycling)	MUNI	224.00
EFT48743	25/08/2022	Shirley Thomas	Refund Cat Cage Bond	MUNI	150.00
EFT48744	25/08/2022	Signs Plus	8 x Name Badges (Brodie Hilder, Rebecca Wilson And 6 Blank Hr)	MUNI	122.00
EFT48745	25/08/2022	SMR Psychology	Employee Assistance Program Consultation	MUNI	187.00
EFT48746	25/08/2022	South West Tree Safe	Remove and Stump Grind 21 x London Plane Trees - Clydesdale Drive and Cheviot Way, Eaton	MUNI	14,080.00
EFT48747	25/08/2022	Steve Miller's Excavations	Hire of Excavator and Mobilisation Due to Storm Damage	MUNI	640.00
EFT48748	25/08/2022	Synergy	Electricity Account - 4 x Shire Locations	MUNI	5,598.45
EFT48749	25/08/2022	T-Quip	Parts for 2016 Toro Mower	MUNI	1,665.40
EFT48750	25/08/2022	Technology One Ltd	Intramaps Subscription Plan License Fees - 01/07/2022 - 30/06/2023	MUNI	16,923.72
EFT48751	25/08/2022	Telstra	2 Months Internet Service For Waterloo Bush Fire Brigade	MUNI	300.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT48752	25/08/2022	The Cafe Merchant	Michaela's Leaving Morning Tea	MUNI	90.00
EFT48753	25/08/2022	Tiana Fraser	Umpire Recoup 23-08-2022	MUNI	110.00
EFT48754	25/08/2022	Total Eden Pty Ltd	Reticulation Maintenance and Repairs - Eaton Oval	MUNI	616.51
EFT48755	25/08/2022	WAR Laser Engraving	6 x Plastic Laser Engraved Labels for the Wooden Name Plates in the Council Chambers	MUNI	120.00
EFT48756	25/08/2022	WALGA	Understanding & Applying The Local Government Industry Award 2020 - WA - 1 Day Course 09/08/2022 - S Williams	MUNI	638.00
EFT48757	25/08/2022	West Coast Waste	Processing of Tyres at Waste Transfer Station	MUNI	1,523.50
EFT48758	25/08/2022	Westbooks	Local Book Stock - ECL	MUNI	220.30
EFT48759	25/08/2022	Winc Australia Pty Ltd	Stationery & Office Chair - Eaton Admin	MUNI	1,211.46
EFT48760	25/08/2022	Woolworths Group Limited	Stock for Staff Kitchen & Council Chambers	MUNI	234.30
EFT48761	25/08/2022	Work Clobber	Protective Clothing - Mark Atherton	MUNI	791.25

#### CHEQUES

#### CREDIT CARD

DD16726.1	26/08/2022	SAI Global	AS/NZS ISO 45001:2018 - Occupational health and safety management systems - Requirements with guidance for use	MUNI	203.73
DD16726.2	26/08/2022	Mailchimp	Monthly subscription and charge for Email Newsletters August 2022	MUNI	143.06
DD16726.3	26/08/2022	The River Hotel	Accommodation - 10 August 2022 - Mrs C Lee, Mrs D Bailye & Mrs C Barbetti - SW Professional Development Forum	MUNI	297.00
DD16726.4	26/08/2022	Ispring Solutions Inc	iSpring Suite Max (1 Year Subscription 01.09.22 - 30.06.23) \$725 USD	MUNI	1069.86

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD16726.5	26/08/2022	Department of Transport	Shire of Dardanup - Special Plate Series Number Plate Application 1002DA	MUNI	200.00
DD16726.6	26/08/2022	SAI Global	Design for access and mobility General Requirements for access - New Building Work AS 5667.5:2022 - Water Quality - Sampling guidance	MUNI	643.55
DD16726.7	26/08/2022	SurveyMonkey Europe	Subscription to online survey service - Survey Monkey 19/08/22 to 18/11/22	MUNI	111.00
DD16726.8	26/08/2022	SAI Global	Purchase of Australian Standards AS:8001:2021 Fraud and Corruption Control	MUNI	214.28
DD16726.9	26/08/2022	Facebook Ireland Limited	Eaton Recreation Centre Facebook Advertising Campaigns. - Our July promotion is here	MUNI	38.27

**DIRECT DEBIT****INTERNATIONAL**

DD16692.1	12/08/2022	Ispring Solutions Inc	Ispring Suite Max (1 Year Subscription 01.09.22 - 31.08.23) USD 870.00	MUNI	1,253.24
DD16703.1	18/08/2022	Dropbox International Unlimited Company	Dropbox Advanced User Licence - 04/08/2022 - 03/08/2023	MUNI	3,300.00

**TRUST****BPAY**

DD16669.1	02/08/2022	Mine Super	Presidential Allowance	MUNI	3,000.00
DD16681.1	10/08/2022	Shire Of Dardanup	22/23 ESL - Eaton Bowling Club A2192	MUNI	900.91
DD16682.1	10/08/2022	Edith Cowan University - Joondalup	Natalie Hopkins - Study Assistance - Semester 2 2002	MUNI	4,217.25
DD16687.1	11/08/2022	Department Of Transport	2022-2023 Department Of Transport - Vehicle Licensing Information Searches	MUNI	20.50



PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
<b>PAYROLL</b>					
DD16672.1	05/08/2022	Aware Super Pty Limited	Payroll Deductions	MUNI	39,059.34
DD16672.2	05/08/2022	Hostplus	Payroll Deductions	MUNI	1,457.65
DD16672.3	05/08/2022	Hughes Superannuation Fund	Superannuation Contributions	MUNI	44.25
DD16672.4	05/08/2022	MLC Super Fund	Superannuation Contributions	MUNI	1,302.21
DD16672.5	05/08/2022	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	528.07
DD16672.6	05/08/2022	One Path Masterfund	Superannuation Contributions	MUNI	139.23
DD16672.7	05/08/2022	Suncorp Brighter Super	Superannuation Contributions	MUNI	253.90
DD16672.8	05/08/2022	AMP Flexible Super - Super Account	Payroll Deductions	MUNI	1,020.15
DD16672.9	05/08/2022	ANZ Australian Staff Superannuation Scheme	Superannuation Contributions	MUNI	160.39
DD16672.10	05/08/2022	Local Government Super	Superannuation Contributions	MUNI	257.06
DD16672.11	05/08/2022	Hesta Super Fund	Payroll Deductions	MUNI	664.57
DD16672.12	05/08/2022	Asgard Infinity E Wrap Super	Payroll Deductions	MUNI	718.87
DD16672.13	05/08/2022	Meat Industry Employees Superannuation Fund	Superannuation Contributions	MUNI	1.95
DD16672.14	05/08/2022	ANZ Smart Choice Super (Onepath Masterfund)	Superannuation Contributions	MUNI	8.35
DD16672.15	05/08/2022	Miml - Macquarie Super Accumulator	Payroll Deductions	MUNI	1,059.50
DD16672.16	05/08/2022	Unisuper	Superannuation Contributions	MUNI	37.20

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD16672.17	05/08/2022	Sunsuper Pty Ltd	Superannuation Contributions	MUNI	172.70
DD16672.18	05/08/2022	Australian Ethical Superannuation	Payroll Deductions	MUNI	279.35
DD16672.19	05/08/2022	Australian Super	Superannuation Contributions	MUNI	125.05
DD16672.20	05/08/2022	MLC Superannuation Fund	Superannuation Contributions	MUNI	246.54
DD16672.21	05/08/2022	Rest Superannuation	Payroll Deductions	MUNI	2,494.51
DD16672.22	05/08/2022	The Bro Code Super Fund	Superannuation Contributions	MUNI	70.74
DD16672.23	05/08/2022	Media Super	Superannuation Contributions	MUNI	613.08
DD16672.24	05/08/2022	Construction & Building Industry Super	Superannuation Contributions	MUNI	135.08
DD16672.25	05/08/2022	Australiansuper	Payroll Deductions	MUNI	6,964.31
DD16672.26	05/08/2022	Hub24 Superannuation Fund	Superannuation Contributions	MUNI	307.39
DD16672.27	05/08/2022	AMP Superannuation Savings Trust	Superannuation Contributions	MUNI	12.50
DD16704.1	19/08/2022	AWARE SUPER PTY LIMITED	Payroll deductions	MUNI	36,604.44
DD16704.2	19/08/2022	AMP Superannuation Savings Trust	Superannuation contributions	MUNI	12.50
DD16704.3	19/08/2022	Hostplus	Payroll deductions	MUNI	1,414.77
DD16704.4	19/08/2022	HUGHES SUPERANNUATION FUND	Superannuation contributions	MUNI	59.46
DD16704.5	19/08/2022	MLC Super Fund	Superannuation contributions	MUNI	1,238.61
DD16704.6	19/08/2022	DIAMOND SEA SUPERANNUATION FUND	Payroll deductions	MUNI	432.10
DD16704.7	19/08/2022	One Path Masterfund	Superannuation contributions	MUNI	88.49
DD16704.8	19/08/2022	SUNCORP BRIGHTER SUPER	Superannuation contributions	MUNI	240.19

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD16704.9	19/08/2022	AMP Flexible Super - Super Account	Payroll deductions	MUNI	933.31
DD16704.10	19/08/2022	ANZ AUSTRALIAN STAFF SUPERANNUATION SCHEME	Superannuation contributions	MUNI	126.44
DD16704.11	19/08/2022	LOCAL GOVERNMENT SUPER	Superannuation contributions	MUNI	257.06
DD16704.12	19/08/2022	Asgard Infinity E Wrap Super	Payroll deductions	MUNI	702.50
DD16704.13	19/08/2022	Hesta Super Fund	Payroll deductions	MUNI	626.02
DD16704.14	19/08/2022	MIML - Macquarie Super Accumulator	Payroll deductions	MUNI	1,045.49
DD16704.15	19/08/2022	UNISUPER	Superannuation contributions	MUNI	114.15
DD16704.16	19/08/2022	Sunsuper Pty Ltd	Superannuation contributions	MUNI	169.94
DD16704.17	19/08/2022	AUSTRALIAN ETHICAL SUPERANNUATION	Payroll deductions	MUNI	265.87
DD16704.18	19/08/2022	ANZ Smart Choice Super (Onepath Masterfund)	Superannuation contributions	MUNI	6.32
DD16704.19	19/08/2022	Australian Super	Superannuation contributions	MUNI	130.08
DD16704.20	19/08/2022	MLC SUPERANNUATION FUND	Superannuation contributions	MUNI	232.61
DD16704.21	19/08/2022	REST Superannuation	Payroll deductions	MUNI	2,223.81
DD16704.22	19/08/2022	THE BRO CODE SUPER FUND	Superannuation contributions	MUNI	56.58
DD16704.23	19/08/2022	Media Super	Superannuation contributions	MUNI	581.61
DD16704.24	19/08/2022	Construction & Building Industry Super	Superannuation contributions	MUNI	188.65
DD16704.25	19/08/2022	AustralianSuper	Superannuation contributions	MUNI	6,565.23

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD16704.26	19/08/2022	The Templeman Family Superannuation Fund	Superannuation contributions	MUNI	8.13
DD16704.27	19/08/2022	HUB24 SUPERANNUATION FUND	Superannuation contributions	MUNI	293.51
<b>REPORT TOTALS</b>					<b>1,223,458.70</b>

EFT	1,095,094.24
Muni Cheque	0.00
Trust	0.00
Payroll	112,751.81
Credit Card	2,920.75
Direct Debit	0.00
International	4,553.24
BPAY	8,138.66
<b>TOTAL</b>	<b>1,223,458.70</b>

0.00

**CERTIFICATE of Chief Executive officer**

This schedule of accounts to be passed for payment, covering vouchers as above which was submitted to each member of Council has been checked and is fully supported by vouchers and invoices which are submitted herewith and which have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costings and the amounts shown are due for payment



**ANDRÉ SCHÖNFELDT**  
Chief Executive Officer

**12.4.6 Title: Monthly Statement of Financial Activity for the Period Ended on the 31<sup>st</sup> of August 2022**

<b>Reporting Department:</b>	<i>Corporate &amp; Governance Directorate</i>
<b>Reporting Officer:</b>	<i>Mrs Natalie Hopkins - Manager Financial Services</i> <i>Mr Ray Pryce - Accountant</i>
<b>Legislation:</b>	<i>Local Government Act 1995</i>
<b>Attachments:</b>	<i>12.4.6A – Risk Assessment Tool</i> <i>12.4.6B – Monthly Financial Report – 31<sup>st</sup> of August 2022</i>

**Overview**

This report presents the monthly Financial Statements for the period ended on the 31<sup>st</sup> of August 2022 for Council adoption.

**Background**

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

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

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

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

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

- (e) *the net current assets at the end of the month to which the statement relates.*
- (2) *Each statement of financial activity is to be accompanied by documents containing —*
  - (a) *an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and*
  - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
  - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown —*
  - (a) *according to nature and type classification; or*
  - (b) *by program; or*
  - (c) *by business unit.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
  - (a) *presented at an ordinary meeting of the Council within 2 months after the end of the month to which the statement relates; and*
  - (b) *recorded in the minutes of the meeting at which it is presented.*
- (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

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

### **Council Plan**

13.1 - Adopt best practice governance.

**Environment** - None.

### **Precedents**

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

### **Budget Implications**

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

**Budget – Whole of Life Cost** - None.

### **Council Policy Compliance**

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

### **Risk Assessment**

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

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

### **Officer Comment**

The Monthly Financial Report for the period ended on the 31<sup>st</sup> of August 2022 is contained in [Appendix ORD: 12.4.6B] and consists of:

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

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

The Statement of Financial Activity includes the end-of-year surplus brought forward from 2021/22 of \$184,453. This surplus is an estimate based on officer forecast and is subject to completion of year-end accrual adjustments, reconciliations, contract liabilities, reserve transfers and subsequent audit review.

As at the reporting date, officers forecast has the surplus at the 30<sup>th</sup> of June 2023 at \$119,399 compared to the budgeted surplus of \$137,167.

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

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

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

The total investment portfolio is currently \$6,014,530 in Reserve Account term deposit funds. 100% of the portfolio is invested with AA rated ANZ bank. Although this holding exceeds the maximum 50% of portfolio maximum permitted by the Council's investment policy, it is acceptable under the "grandfathering clause" as being due to a decrease in the size of the portfolio for liquidity purposes. It is expected that new investments to be taken out in September will rectify this portfolio diversification issue.

Yield return on term deposit investments have improved with the changing economic conditions and recent Reserve Bank decisions to raise interest rates for five successive months. Some major banks now offer more than 3% p.a. for a 3 month term and over 4% p.a. for 12 month deposits. At the same time last year, interest rates for comparable deposits were less than 0.5% for all terms up to 12 months.

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

**Council Role** - Executive/Strategic.

**Voting Requirements** - Simple Majority.

#### **Change to Officer Recommendation**

No Change. **OR:**

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

#### **OFFICER RECOMMENDED RESOLUTION**

**THAT Council receives the Monthly Statement of Financial Activity [Appendix ORD: 12.4.6B] for the period ended on the 31<sup>st</sup> of August 2022.**



## 12.5 COMMITTEES

### 12.5.1 Title: Audit and Risk Committee Meeting Minutes held on the 14th of September 2022

<i>Reporting Department:</i>	<i>Corporate &amp; Governance Directorate</i>
<i>Reporting Officer:</i>	<i>Mrs Ella Rafferty – Acting Personal Assistant to D/CEO</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>
<i>Attachments</i>	<i>Appendix ORD: 12.5.1 – Meeting Minutes</i>
	<i>8.1 Confidential Attachment – Under Separate Cover (Document Reference: MEE-R1274947)</i>
	<i>2022/2023 Internal Audit Annual Work Plan. (Appendix AAR: 8.3A)</i>
	<i>Office of the Auditor General – Interim Audit Results for the Year Ending 30th June 2022. (Appendix AAR 8.4A).</i>

**MINUTES OF THE SHIRE OF DARDANUP AUDIT & RISK COMMITTEE MEETING HELD ON WEDNESDAY, 14<sup>TH</sup> OF SEPTEMBER 2022, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 2.00PM.**

#### ***Officer Comment***

The Minutes of the Audit & Risk Committee Meeting held on the 14<sup>th</sup> of September 2022 [Appendix ORD: 12.5.1] are attached.

#### **OFFICER RECOMMENDED RESOLUTION**

**THAT Council receives the Minutes [Appendix ORD: 12.5.1] of the Audit & Risk Committee Meeting held on the 14<sup>th</sup> of September 2022.**

#### **AUDIT & RISK COMMITTEE RECOMMENDED RESOLUTION “A”**

##### **THAT Council**

- 1. Receives the information in 8.1 Confidential Attachment – Under Separate Cover (Document Reference: MEE-R1274947);**
- 2. Supports the Officer Recommendation A and B noted within the 8.1 Confidential Attachment –Under Separate Cover (Document Reference: MEE-R1274947);**
- 3. Supports the engagement of an external training firm to undertake organisational fraud awareness training. This training will align with our TRACES values, in particular Accountability – where all staff are accountable for fraud control in the organisation, and being committed to transparency.**

**AUDIT & RISK COMMITTEE RECOMMENDED RESOLUTION “B”**

**THAT Council endorses the Shire of Dardanup Internal Audit Strategic Plan, inclusive of the 2022/2023 Internal Audit Annual Work Plan. (Appendix AAR: 8.3A).**

**AUDIT & RISK COMMITTEE RECOMMENDED RESOLUTION “C”**

**THAT Council receives the Office of the Auditor General – Interim Audit Results for the Year Ending 30<sup>th</sup> June 2022. (Appendix AAR 8.4A).**

**AUDIT & RISK COMMITTEE RECOMMENDED RESOLUTION “D”**

**THAT Council notes the range of initiatives presented in this report to improve the Shire of Dardanup’s cyber security posture, to better protect the systems and data, and improve disaster recovery capabilities.**

<b>13</b>	<b>ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>
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None.

<b>14</b>	<b>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING</b>
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None.

<b>15</b>	<b>PUBLIC QUESTION TIME</b>
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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

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

**CONFIDENTIAL MATTERS BEHIND CLOSED DOORS****16.1 Title: Consideration of New Amendment to Local Development Plan – Lot 2 Banksia Road, Crooked Brook**

*Reporting Department:* Sustainable Development Directorate

*Reporting Officer:* Mr Murray Connell - Manager Development Services

*Legislation:* State Administrative Tribunal Act 2004

*Attachments:* Appendix BCD: 16.1A – Approved LDP  
 Appendix BCD: 16.1B – Amended LDP  
 Appendix BCD: 16.1C – Risk Assessment  
 Appendix BCD: 16.1D – New Amended LDP  
 Appendix BCD: 16.1E – LDP Text Changes  
 Appendix BCD: 16.1F – Landscape and Visual Assessment (EPCAD)  
 Appendix BCD: 16.1G – Visual Impact Assessment Review (Urbis)

**DECLARATIONS OF INTEREST**

Cr. E P Lilly declared an Impartiality Interest in this item as she is a member of both the 'Dardanup Environment Action Group' and the 'Cleanaway Community Reference Group'.

Cr. J P Dow declared an Impartiality Interest in this item as she has signed a petition opposing the landfill site.

**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.

**CONFIDENTIAL MATTERS BEHIND CLOSED DOORS****16.2 Title: Temporary Structure Realignment**

*Reporting Department:* Executive  
*Reporting Officer:* Mr André Schönfeldt - Chief Executive Officer  
*Legislation:* Local Government Act 1995  
*Attachments:* Confidential Attachment – Tardis Link: R0001277680

**UNDER SEPARATE COVER****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**

**THAT Council return from Behind Closed Doors [time].**

**Note:** In accordance with Standing Order 5.2(6) the Presiding Officer, may cause the motion passed by Council whilst behind closed doors to be read out.

<b>17 CLOSURE OF MEETING</b>
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The Presiding Officer advises that the date of the next:

- Ordinary Meeting of Council will be Wednesday, the 26<sup>th</sup> of October 2022, commencing at 5.00pm at the Shire of Dardanup - Administration Centre Eaton.

There being no further business the Presiding Officer to declare the meeting closed.