



A G E N D A

ORDINARY COUNCIL MEETING

To Be Held

Wednesday, 30 September 2020
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, 30 September 2020 in the Council Chambers, Shire of Dardanup – Administration Centre Eaton, 1 Council Drive, Eaton – Commencing at 5.00pm.

A handwritten signature in black ink, appearing to read "A. Schönfeldt", is positioned above the printed name.

MR ANDRÉ SCHÖNFELDT
Chief Executive Officer

Date: 16 September 2020

Note: If interested persons would like to make comment on any items in this agenda, please email 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.

VISION STATEMENT

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

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COUNCIL ROLE

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

DISCLAIMER

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

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

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

RISK ASSESSMENT

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

RISK CATEGORY CONSEQUENCE TABLE - GUIDELINE

Rating (Level)	Health	Financial Impact	Service Interruption	Legal and Compliance	Reputational	Environment
Insignificant (1)	Near miss Minor first aid injuries	Less than \$10,000	No material service interruption - backlog cleared < 6 hours	Compliance - No noticeable regulatory or statutory impact. Legal - Threat of litigation requiring small compensation. Contract - No effect on contract performance.	Unsubstantiated, low impact, low profile or 'no news' item	Contained, reversible impact managed by on site response
Minor (2)	Medical type injuries	\$10,001 - \$50,000	Short term temporary interruption – backlog cleared < 1 day	Compliance - Some temporary non compliances. Legal - Single minor litigation. Contract - 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
Moderate (3)	Lost time injury <30 days	\$50,001 - \$300,000	Medium term temporary interruption – backlog cleared by additional resources < 1 week	Compliance - Short term non-compliance but with significant regulatory requirements imposed. Legal - Single moderate litigation or numerous minor litigations. Contract - 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
Major (4)	Lost time injury >30 days	\$300,001 - \$1.5 million	Prolonged interruption of services – additional resources; performance affected < 1 month	Compliance - Non-compliance results in termination of services or imposed penalties. Legal - Single major litigation or numerous moderate litigations. Contract - 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
Catastrophic (5)	Fatality, permanent disability	More than \$1.5 million	Indeterminate prolonged interruption of services – non-performance > 1 month	Compliance - Non-compliance results in litigation, criminal charges or significant damages or penalties. Legal - Numerous major litigations. Contract - 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	Almost Certain	The event is expected to occur in most circumstances	The event is expected to occur more than once per year
4	Likely	The event will probably occur in most circumstances	The event will probably occur at least once per year
3	Possible	The event should occur at some time	The event should occur at least once in 3 years
2	Unlikely	The event could occur at some time	The event could occur at least once in 10 years
1	Rare	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	Moderate (5)	Moderate (10)	High (15)	Extreme (20)	Extreme (25)
	Likely	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
	Possible	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
	Unlikely	Low (2)	Low (4)	Moderate (6)	Moderate (8)	Moderate (10)
Rare	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, 30 SEPTEMBER 2020, 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.

Emergency Procedure

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

Affirmation of Civic Duty and Responsibility

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

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

2.1 Attendance

2.2 Apologies

2.3 Leave of Absence

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 28 October 2020.

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

None.

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 Ordinary Meeting Held 26 August 2020

OFFICER RECOMMENDED RESOLUTION

THAT the Minutes of the Ordinary Meeting of Council held on 26 August 2020, be confirmed as true and correct subject to no / the following corrections:

7.2 Special Meeting Held 16 September 2020

OFFICER RECOMMENDED RESOLUTION

THAT the Minutes of the Special Meeting of Council held on 16 September 2020, be confirmed as true and correct subject to no / the following corrections:

8 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

9 ANNOUNCEMENTS OF MATTERS FOR WHICH MEETING MAY BE CLOSED

9.1 Title: Covid 19 Response Fees and Charges Update

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

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

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

Note: Shire President to advise that the meeting will go behind closed doors toward the end of the meeting to discuss S 5.23, Part 2.

10 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

None.

11 DECLARATION OF INTEREST

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

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

- *Mr André Schönfeldt declared a Financial Interest in Item 12.10 “South West Zone WALGA Recommendations – Local Government Act Review” Part 55 of the Panel Recommendations Only as the matter relates to the Item 55 f), g) & h) as the recommendation refers to Chief Executive Officer Contracts. Subject to Council’s approval, Chief Executive Officer, André Schönfeldt has advised that he would like to remain in the room for the discussion of this item.*
 - *The following Officers have declared a Financial Interest in this report as contributors to the review of the Council Policies – Item 12.11:*
 - *Mr André Schönfeldt - Chief Executive Officer*
 - *Mr Phil Anastasakis – Deputy Chief Executive Officer*
 - *Ms Susan Oosthuizen – Director Sustainable Development*
 - *Mr Luke Botica – Director Infrastructure*
 - *Mr Sudi Mishra – Manager Information Services*
 - *Mrs Natalie Hopkins – Manager Financial Services*
 - *Ms Cathy Lee – Manager Governance & HR*
 - *Mr Troy Williamson – Manager Assets*
 - *Mr Nathan Ryder - Manager Infrastructure Planning & Design*
 - *Mr Sergio Massimini – Manager Operations*
 - *Ms Lucy Owen-Conway – Manager Place & Community Events*
 - *Mrs Donna Bullen - HR/WHS Coordinator*
- Chief Executive Officer, André Schönfeldt has advised that he would like to request Council agree for staff to remain in the room for the discussion of this item.*

Note: Shire President, M T Bennett to ask Councillors and staff if there are any further Declarations of Interest to be made.

12 REPORTS OF OFFICERS AND COMMITTEES

12.1 Title: South West Montessori Children’s Club – Lease Negotiations

Reporting Department: *Corporate & Governance Directorate*
Reporting Officer: *Mrs Donna Bailye - Personal Assistant to D/CEO*
Legislation: *Local Government Act 1995*

Overview

Council provided an extension of the South West Montessori Children’s Club lease, for a period of six months to allow for time to carry out further negotiations with the group. This report provides an update on those negotiations.

Background

The South West Montessori Children’s Club have held a lease with the Shire of Dardanup since 2011 over the front half of the Dardanup Community Centre. The recent 3 year lease with the Shire was due to expire on the 31 May 2020.

Due to COVID-19 restrictions and the SW Montessori Committees uncertainty of the group’s viability and future at the Centre, a report was taken to Council on 29 April 2020, wherein Council resolved [Res: 84-20].

THAT Council:

1. *Approve an extension to the South West Montessori Lease Agreement for a period of 6 months with the same conditions as provided for in the current Lease Agreement with the exception of the rental fee being waived for the period of the lease extension.*
2. *Requests that a report be brought back to Council in September 2020 regarding the status of the negotiations with the South West Montessori Group.*
3. *Authorise the Shire President and the Chief Executive Officer to execute an Addendum to the current lease agreement.*

Due to COVID-19 restrictions the group ceased playgroup activities in March 2020, and recommenced at the end of July 2020.

Legal Implications

Leasing of Council property falls under Section 3.58 of the Local Government Act “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.*

Strategic Community Plan

Strategy 3.2.1 - To encourage social connectedness in our community through participation in positive social networks, interaction and events. (Service Priority: Very High)

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

Environment - None.

Precedents

The South West Montessori Children's Club have held a lease with the Shire of Dardanup over the front half of the Dardanup Community Centre since 2011.

Budget Implications

The Lessee pays an annual rental fee of \$1,000 per annum. The South West Montessori Children's Club is also responsible for electricity and water usage charges, gardening, minor internal maintenance and their own public liability, workers compensation and other insurances.

Budget – Whole of Life Cost

Council is responsible for the major maintenance on the building, with the Club in the past reimbursing Council for the annual cost of building insurance. Council have recently resolved to no longer seek reimbursement of building insurance costs from all lessees of Council buildings.

Council has recently undertaken an inspection and review of many of its buildings, with future uses of the land and buildings in the Dardanup townsite under consideration.

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: 12.1A – Part 1, Page 1) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	South West Montessori Children’s Club – Lease Negotiations
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	<p>Legal and Compliance Failing to review and renew the lease agreement will be in breach of current lease terms</p> <p>Reputational Council would be seen in a negative light if we failed to meet our contractual and legislative requirements</p>

Officer Comment

At the easing of restrictions, the SW Montessori Children’s Club recommenced playgroup sessions at the Community Centre and negotiations resumed with the group in regards to their intentions for the groups future.

The SW Montessori forwarded an email (Appendix ORD: 12.1B – Part 1, Page 4) advising of the groups future plans for the Centre. The group is proposing to engage a paid Montessori Guide (teacher) to run Montessori sessions at the Centre. The guide will conduct 2 sessions per week at the centre, one session will continue in the playgroup format and the second session will be more structured and will resemble a Montessori classroom format.

The group is proposing to increase fees and conduct fund raising activities to cover the costs of running the centre and hiring a guide. The group’s current membership sits at 8 families with a possible increase next term to 14 families.

Based on the group’s future proposal, the SW Montessori is now requesting a renewal of their lease with the Shire for a further 3 years.

Taking into consideration Council’s current ongoing discussion in regards to the future plans of the Dardanup Community Centre, and coupled with the discussion with the community through the Dardanup Advisory Group and the Dardanup Community Facilities Plan, it is recommended that the Shire of Dardanup enter into a new lease arrangement with the SW Montessori for a 1 year period only, with a 1 year option to renew.

The new lease would run from 1 December 2020 to 30 November 2021. The lease conditions would remain the same including the annual rental fee of \$1,000. The one year renewal will allow the group to continue and trial its proposed new format.

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 extension of the lease for the Dardanup Community Centre (front half) to the South West Montessori Club:**
 - a) for a period of one year expiring 30 November 2021, with an additional on year extension option; and**
 - b) with the lease fee being \$1,000 (plus GST) per annum.**
- 2. Authorises the Chief Executive Officer and Shire President to negotiate and execute the new lease.**

12.2 Title: Management Order Request – Lot 85 on Deposited Plan 415343

Reporting Department: Sustainable Development Directorate
Reporting Officer: Mr Gareth Webber - Planning Officer
Legislation: Local Government Act 1995

Overview

Council has received correspondence from the Department of Planning, Lands and Heritage (DPLH) requesting whether the Shire will be willing to accept the management of the proposed reserve, which has been ceded to the Crown for the purpose of 'Right of Way' (Appendix ORD: 12.2A – Part 1, Page 5). Officers have considered the request from the DPLH and are recommending that Council accept the Management order over Lot 85 on Deposited Plan 415343.

Location Plan



Site Plan



Background

Lot 85 is zoned 'Residential' under the Shire of Dardanup Town Planning Scheme No. 3 and is 448m² in size. On 18 May 2016, the Western Australian Planning Commission (WAPC) approved the subdivision of 'Evolve at Eaton', a copy of the subdivision approval WAPC No. 153278 is contained in (Appendix ORD: 12.2B – Part 1, Page 8). Lot 85 was created as a 'Right Of Way' on DP415343 at the Shire's request, to connect Evolution Loop to Illawarra Drive, in order to provide flexibility for a possible future link between Illawarra Drive and Forrest Highway. DP415343 is contained in (Appendix ORD:12.2C – Part 1, Page 18).

Legal Implications - None.

Strategic Community Plan

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

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost

Ongoing management and maintenance costs will need to be considered. These costs will be low as the lot is only 448m² in size and is to be maintained as a reserve for right of way purposes.

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: 12.2D – Part 1, Page 21) for full assessment document.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Unmanaged Crown land could look untidy.
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	Environment Unmanaged Crown land could look untidy.

Officer Comment

The Shire is not obliged to accept management of Crown land. The creation of Lot 85 was prior to the realignment of the Bunbury Outer Ring Road (BORR) when there was expected to be a link road between Illawarra Drive and the BORR. As the BORR has now been realigned further north, it is unlikely that the connection from Illawarra Drive to Forrest Highway will be required. However, Officers are of the opinion

that there may be potential for use of the Lot as an pedestrian access way to Millars Creek. It is therefore recommended that Council accept the Management Order over Lot 85 on Deposited Plan 415343.

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 Department of Planning, Lands and Heritage that Council is prepared to accept the Management Order over Lot 85 on Deposited Plan 415343.

12.3 Title: Bunbury Geographe Tourism Partnership Memorandum of Understanding Extension

Reporting Department: Executive
 Reporting Officer: Mr André Schönfeldt - Chief Executive Officer
 Legislation: Local Government Act 1995

Overview

Council is requested to consider endorsing a further four (4) year Memorandum of Understanding (MoU) for the Bunbury Geographe Tourism Partnership (BGTP) to allow the continued implementation of the Regional Tourism Development Strategy.

Background

In 2016, a MoU was entered into between the City of Bunbury, Shires of Collie, Harvey, Capel, Donnybrook-Balingup and Boyup Brook as well as the Shire of Dardanup to deliver outcomes listed within the Regional Tourism Development Strategy.

At the Council Meeting held 27 November 2019, Council resolved [354-19] to extend the term of the MoU:

THAT Council:

1. *Endorses an extension of the Bunbury Geographe Tourism Partnership (BGTP) Memorandum of Understanding (MoU) from 12 December 2019 through to 30 June 2020.*
2. *Notes that subject to point 1 of this resolution:*
 - a) *The extension is to allow the completion of a review of the MoU and consideration by all member Local Governments of their continuing involvement and investment into the BGTP by March 2020;*
 - b) *The outcomes of the March 2020 MoU review will be presented to each Council for consideration and confirmation of their position on the BGTP and their involvement past 30 June 2020; and*
 - c) *The financial provision of thirty percent of the Shire of Dardanup's annual contribution, by invoice from the City of Bunbury, to enable the ongoing engagement of the Tourism Marketing and Development Manager for the extended period of the MoU be approved.*

Legal Implications - None.

Strategic Community Plan

Strategy 1.1.1 - Ensure equitable, inclusive and transparent decision-making. (Service Priority: High)
 Strategy 1.5.2 - Foster strategic alliances with major industry groups and government agencies.
 (Service Priority: High)

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost

The new Memorandum of Understanding contains provision for an Operation/Marketing Budget each year over the four (4) years. The budget will incorporate capacity to fund the engagement and implementation of the Destination Tourism Marketing Campaign.

It is proposed that each Local Government will provide a cash contribution to the City of Bunbury annually for the term of the MoU (Refer to Confidential Attachment under separate cover – Appendix ORD: 12.3A).

The Shire of Dardanup's commitment is \$20,000 as per the Annual Budget and Long Term Financial Plan provisions.

From the Shire of Dardanup's perspective, the draft new MoU proposes that the Shire of Dardanup's contribution will remain fixed each year.

It is considered that the continuation of the MoU for a further four (4) years will allow a unified and coordinated approach to the development of tourism and marketing of the region to increase reach and the effectiveness of tourism marketing campaigns.

Council Policy Compliance - CP011 – Tourism Policy.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.3B – Part 1, Page 22) for full assessment document.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Bunbury Geographe Tourism Partnership Memorandum of Understanding Extension.
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 By not agreeing to extend the MoU it could cause the perception that the Shire of Dardanup is not supportive of a joint tourism/marketing initiative for the region.

Officer Comment

On 3 August 2020 a meeting of the Bunbury Geographe Tourism Steering Committee was held to consider the MoU and structure moving forward. As a result of this meeting, Members reviewed and developed a new MoU for the period 1 July 2020 to 30 June 2023. Members of the Bunbury-Geographe Tourism Advisory Working Group (TAWG), representing the tourism industry across the region were also in attendance and provided valuable input and sought the expedient introduction of a new MoU (Refer to Confidential Attachment under separate cover – Appendix ORD: 12.3C).

With the events surrounding COVID-19 and the state border closures, the Regional Tourism Strategy stakeholder group considered now more than ever, the benefit of a further four (4) year MoU. This will

establish a further operational and governance model, allow continued regional buy in and the development and implementation of a continued stronger regional brand. For this reason, the group considers the continued employment of the Tourism Marketing and Development Manager or the delivery of the action plan by a third party, to be beneficial in order to continue the delivery of high priority areas of destination marketing.

The renewed commitment to the Bunbury Geographe Tourism Strategy will continue to strengthen the regions tourism profile and partnerships. The continuation of the MoU will provide a coordinated approach to the development of tourism and marketing of the region that will see reduced competition between towns and a pooling of resources that will increase reach and effectiveness of tourism marketing campaigns.

The previous MoU was successfully implemented, and as a result of the previous Council Decision 27 November 2019, a comprehensive review of the MoU and structure was undertaken. The governance model that is proposed under the proposed four (4) year MoU will ensure an ongoing commitment to prioritisation, implementation and review of Bunbury-Geographe Regional Tourism and Marketing. This was developed in cooperation with the member Councils of the Steering Committee along with members of the Tourism Advisory Working Group, Australia's South West and the South West Development Commission, to create a unified approach to the management of tourism development, marketing and infrastructure.

It is intended that the Steering Committee, which is comprised of the CEO's of the member LGA's, will determine how the implementation of the Tourism Action Plan is delivered into the future. That is, the decision to have the implementation delivered by an employee (as it is currently) or by a third party, which is the preferred model at this point in time. Further details on this option will be circulated under separate cover.

The Councils in the Bunbury Geographe Region have the continued opportunity to take a regional approach to Tourism and Marketing and lift the profile of the region on both a State, National and once the COVID-19 restrictions ease, International stage. The purpose of the MoU is to create a unified approach to the management of tourism development, marketing and infrastructure and continue the relationship with the members and identify and promote key areas of focus including:

- Identifying tourism opportunities, priorities and gaps
- Developing a unified tourism brand for the region
- Marketing, governance and product development
- Identifying infrastructure and product development priorities.

To achieve this there needs to be a regional approach to tourism and marketing, and this has proven effective when lobbying for funding. Whilst this often crosses local government boundaries, there should not be conflicting positions when there is a true regional outcome.

The recommitment by each of the collaborating local governments toward its implementation will demonstrate a continued regional approach to tourism, which will continue to offer increased opportunities for tourism development initiatives particularly through State funding programs. Upon all member Councils agreeing to proceed with signing the new four (4) year Memorandum of Understanding, the implementation timeframes for the program to deliver the destination marketing, development and industry liaison will be able to will be effective immediately.

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 reaffirms the Shire of Dardanup's commitment to Regional Tourism by authorising the Chief Executive Officer to execute the Bunbury Geographe Tourism Partnership (BGTP) Memorandum of Understanding (MoU) for the period 1 July 2020 to 30 June 2024 with any modifications that may be required to give effect to the intent.

12.4 Title: Eaton Community College Board Member – Resignation and Nomination

Reporting Department: Executive
Reporting Officer: Ms Maddie Darch - Executive Assistant
Legislation: Local Government Act 1995

Overview

The Chief Executive Officer has resigned from the Eaton Community College Board. The Eaton Community College has requested that another representative from the Shire of Dardanup be nominated to be on the Eaton Community College Board. This report recommends Council nominate an elected member to represent the Shire of Dardanup.

Background

In October 2019 when Council appointed Councillors onto the different Committees they also endorsed the Chief Executive Officer to serve on the Eaton Community College Board. As the Chief Executive Officer has resigned from the Board, Council is requested to nominate an elected member to the Eaton Community College Board.

Legal Implications - None.

Strategic Community Plan

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

Environment - None.

Precedents

Council nominated elected members to represent the Shire on a number of other boards.

Budget Implications - None.

Budget – Whole of Life Cost - None.

Council Policy Compliance - None.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.4 – Part 1, Page 23) for full assessment document.

Tier 1 – No discernible Inherent Risk has been identified (no Risk Theme or Consequence).	
Risk Event	Shire Representative to serve on Eaton Community College Board.
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.

Officer Comment

The Chief Executive Officer has tendered his resignation as the delegated person representing the Shire of Dardanup. The resignation was tendered to ensure that there was no perceived conflict of interest between the role undertaken by the Chief Executive Officer of the Shire and a Board member of Eaton Community College.

An impartiality interest could arise where agreements are considered between the Department of Education and the Shire of Dardanup regarding the use of facilities. Given this has the potential for a perceived conflict of interest, the Chief Executive Officer has resigned from the Board.

It is recommended that an elected member take up the position as a replacement for the Chief Executive Officer.

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 notes the resignation of the Chief Executive Officer from the Eaton Community College Board and nominates Cr to serve on the Eaton Community College Board.

12.5 Title: Tender F0168846 - Supply Traffic Management Services

Reporting Department:	Infrastructure Directorate
Reporting Officer:	Mr Kal Falcone - Senior Project Officer
Legislation:	Local Government Act 1995

Overview

This report provides Council with the results of the evaluation of tenders for the supply of traffic management services and recommends the award of a contract for these services for the term of three years. The value of the contract exceeds the purchasing and contract threshold for the Chief Executive Officer and is therefore presented to Council for approval.

Background

Tenders were called to source an experienced and competent contractor to supply Council with the services associated with traffic management for the purpose of road construction and maintenance. The tender was structured so that a contract would be awarded as a single-supplier contract for a period of three years.

The proposed three-year contract will give certainty to contractors and in turn attract competitive pricing and guarantee service provisions to Council through a period of increased external activity relating to civil and road construction.

Tenderers were asked to submit a schedule of rates with prices being fixed for the first year of the contract, then adjusted annually using a "rise and fall" clause based on the Australian Bureau of Statistics (ABS) published Consumer Price Index (CPI) (ABS table reference 6401.0).

Legal Implications

The Tender was conducted in accordance with Part 4 of the Local Government (Functions and General) Regulations 1996.

Part 4 — Provision of goods and services

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

11. When tenders have to be publicly invited

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.*

Strategic Community Plan

- Strategy 1.1.1 - Ensure equitable, inclusive and transparent decision-making. (Service Priority: High)
- Strategy 1.1.3 - Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High)
- Strategy 1.1.4 - Maintain best practice governance systems and practices. (Service Priority: Moderate)
- Strategy 3.5.1 - Protect Public Health & Safety. (Service Priority: High)
- Strategy 4.3.3 - Plan and facilitate adequate transport, infrastructure and utility services to meet industry requirements. (Service Priority: Very High)
- Strategy 5.1.1 - Provide an efficient road network for the efficient movement of people and goods by road. (Service Priority: Very High)

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

Environment - None.

Precedents

The Shire of Dardanup has previously entered into agreements for the supply of traffic management services.

Budget Implications

If the Shire enters into a contract with the recommended tenderer, Advanced Traffic Management (W.A.) Pty Ltd, the estimated total cost for services for the 2020/2021 Financial Year is \$300,000, excluding GST. This is within the allowances included in the 2020/2021 Annual Budget.

Budget – Whole of Life Cost

Staff have explored the option of establishing its own traffic management crew. This would require at least three accredited traffic controllers, a leading hand with advanced traffic management qualifications and capability to prepare plans and coordinate the crew, three vehicles, a range of traffic signs and devices and a trailer. The crew would need to work longer than the construction crew in order to arrange the signs before works and after works each day. It has been estimated to cost (excluding Shire overheads) in the vicinity of \$470,000 per annum. Note that this is an operational cost and does not include the initial capital purchases for vehicles, trailer and signs. The operation of a Shire crew would also require careful coordination of construction and maintenance works to ensure the traffic crew is not over-committed, otherwise, the use of additional contractors may still be a requirement at times. It is therefore deemed more advantageous for the Shire to source contractors as required for traffic management rather than establish its own crew.

The estimated total whole of life cost for the recommended three year contract with Advanced Traffic Management (W.A.) Pty Ltd over the 2020/2021, 2021/2022 & 2022/2023 Financial Years is \$918,000, excluding GST based on an assumed CPI of 2%. This expenditure on traffic management is factored where required in the upcoming Capital Works and Maintenance budgets and the estimated total cost may vary depending on the type of activities and size of the Shire's programs.

Council Policy Compliance

This procurement activity has been undertaken in accordance with Council Policy CP034 – Procurement Policy.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.5 – Part 1, Page 24) for full assessment document.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Entering into 3-year contract with Advanced Traffic Management (W.A.) Pty Ltd (2020/2021 – 2022/2023)
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Implement controls as per risk assessment (Appendix ORD: 12.5).

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Health Contractor undertakes work in an unsafe or incompetent manner and puts themselves, Shire Staff and the public at risk of injury or death at any time during contract period.
	Financial Contract prices agreed to for whole term (3 years) are too high and Council are locked in to pay these for the contract duration.
	Service Interruption Contractor is unable to provide services as and when required throughout contract term.
	Legal and Compliance Unsuitable contractor is engaged and places the Shire of Dardanup at risk of litigation or non-compliance.
	Reputational Unsuccessful respondents are unhappy with outcome and processes utilised.
	Environment Successful contractor employs unsuitable practices and processes in regards to environmental sustainability.

Traffic is identified as one of the Shire’s most significant safety risks. Therefore, good traffic management during roadworks is essential not only to protect the Shire’s workers but also all other road users and pedestrians.

Officer Comment

Tenders closing on 10 August 2020 were publically advertised as per the below:

- South Western Times newspaper – 23 July 2020
- West Australian newspaper – 25 July 2020

The tender document, which also consists of the full contract documents and specifications, is not provided with the agenda as it is considered confidential; however, Councillors can view the tender document on the Councillor Portal.

Four submissions were received from the following businesses:

- (i) Traffic Management South West Pty Ltd (Traffic Force);
- (ii) SJ Traffic Management Pty Ltd;
- (iii) Advanced Traffic Management (W.A.) Pty Ltd; and
- (iv) CB Traffic Solutions Pty Ltd

All four tender submissions complied with the tender requirements and have therefore been considered.

The detailed schedule of prices submitted is provided to Councillors under confidential separate cover.

The assessment process recommends Advanced Traffic Management (W.A.) Pty Ltd (ATM) as the preferred contractor for the supply of traffic management services for the three Financial Years being 2020/2021, 2021/2022 & 2022/2023.

The Shire of Dardanup has previously entered into an agreement of this nature with ATM; being the supply of traffic management services for the 2019/2020 Financial Year. ATM carried out this duty competently and to the satisfaction of all officers involved.

ATM's tender submission conveyed a thorough understanding of the Shire's requirements, as well as extensive experience within the traffic management industry and a vast array of resources and backup available to the Shire throughout the contract period. Their submission indicates that they are more than capable of working to the requirements of the contract.

Referee checks carried out by staff has confirmed that ATM is a capable and reliable provider of traffic management services.

- *Tender Evaluation Panel*

The Tender Evaluation Panel comprised of three members of Shire Staff, being the Procurement Officer, Manager Operations and Senior Projects Officer.

All members of the evaluation panel have made a conflict of interest declaration confirming they have no relationships with any of the tenderers.

- *Evaluation of Tenders*

The objective of the evaluation panel is to recommend a suitably qualified and experienced contractor to satisfy the requirement of the above-mentioned Request for Tender (RFT). All responses to the qualitative criteria were assessed by the panel, as well as the rates tendered.

The tenders are assessed on the following criteria and weightings, and a total score was determined to compare the tenders:

ASSESSMENT CRITERIA		RAW SCORE	WEIGHTING	WEIGHTED SCORE
Tendered Rates		0 – 10	60%	6.0
Qualitative Criteria	Tenderers Resources	0 - 10	30%	3.0
	Sustainability	0 - 10	10%	1.0
TOTAL SCORE			100%	10.0

i.e. Weighted Score = Raw Score x Weighting

Price was scored on a percentage scale relative to the lowest tendered price, with the lowest price given a score of 10. Qualitative aspects were scored on the relative merits of the information provided by the tenderer in its tender submission.

- *Evaluation Justification*

The evaluation process determined that the recommended tenderer clearly represented the best value for money considering both the responses to the qualitative criteria and the tendered rates submitted.

Each tenderer was scored and the results were as follows:

ASSESSMENT CRITERIA		Traffic Force	SJ Traffic Management	Advanced Traffic Management	CB Traffic Solutions
Tendered Rates		5.4	5.4	5.4	6.0
Qualitative Criteria	Tenderers Resources	2.7	2.4	3.0	1.5
	Sustainability	0.7	0.7	0.6	0.6
TOTAL SCORE		8.8	8.5	9.0	8.1

Based on the tender submission received, Advanced Traffic Management (W.A.) Pty Ltd was deemed as the most advantageous to Council.

Prices were assessed using the Shire's 2020-2021 Program as a guide. Based on the 2020-2021 Program, prices were relatively close, ranging from \$287,595 to \$297,948. It should be noted that based on the 2020-2021 Program, Advanced Traffic Management did not submit the cheapest tender and were \$4,620 more than the cheapest. However, the tender assessment panel found Advanced Traffic Management to have good capability, good resources and an impressive safety system. The scoring therefore indicates that the performance capacity of Advanced Traffic Management outweighs the relatively small difference in price, making them the most advantageous for the Shire.

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. Accepts the tender submission and rates from Advanced Traffic Management (W.A.) Pty Ltd for the supply of Traffic Management Services.**
- 2. Enters into a contract with Advanced Traffic Management (W.A.) Pty Ltd for the supply of Traffic Management Services at the rates tendered, for the three Financial Years being 2020/2021, 2021/2022 & 2022/2023.**
- 3. Authorises the Chief Executive Officer to sign and execute the Contract.**

12.6 Title: Kalgulup Regional Park – Amended Memorandum of Understanding

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

Overview

The Shire received correspondence from The Department of Biodiversity, Conservation and Attractions (DBCA) with proposed changes to the Memorandum of Understanding (MOU), which the Shire entered into in March 2020.

The report is in two parts. In Part 1, Officers are seeking authorisation by Council for the Chief Executive Officer to sign the Amended MOU. Part 2 of the report provides information on estimated resourcing for maintenance of the reserves and illustrates the effect on the MOU.

Background

The proposed Kalgulup Regional Park, includes a number of Crown Reserves vested with, and managed by, the Shire of Dardanup.

DBCA proposed a MOU that aimed to provide an interim management agreement for DBCA to access and undertake specific management activities on Crown Reserves vested and managed by the Shire (Shire's land) to complement the Shire's current objectives. The intention was that the MOU would be in place until the land tenure arrangements have been identified through the planning process and the agreed Crown Reserves are formally vested in the Conservation and Parks Commission, unless alternative arrangements were made. The MOU was based on the proposed land tenure provisions that appeared in the Draft Great Bunbury Regional Park Management Plan 2020, prior to Council consideration for it to go to the public consultation period. Council endorsed the MOU at its meeting held on 26 February 2020 (Resolution 20-20) and the Shire and DBCA entered into this agreement in March 2020.

Subsequent to signing of the MOU, Council deliberated on the specific contents of the Draft Great Bunbury Regional Park Management Plan 2020 at the Ordinary Council Meeting held on 24 June 2020. As part of Council's endorsement to proceed to the public consultation phase, Council requested some changes to the Draft Management Plan.

These requested changes are detailed in Council Resolution [169-20] repeated herewith:

THAT Council:

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

“It is proposed to change the off-leash areas of ~~Leicester Reserve (outside of eastern landscaped areas), bushland areas of Watson Reserve and bushland areas of Clifton Community Reserve to on-leash dog areas.~~”

- b) That on page 66, in Appendix 2, on the line in the table that corresponds to Unallocated Crown Land “(495732)” the column “Comments/proposal” to read as follows:

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

- c) That on page 66, in Appendix 2, on the line in the table that corresponds to Watson Reserve, “5536 on P15906 (11036318)” the column “Comments/proposal” to be deleted and replaced with:

“To remain with Shire of Dardanup”

- d) That on page 66, in Appendix 2, on the line in the table that corresponds to “Lot 500 on P405484 (12180397)” the column “Comments/proposal” to read as follows:

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

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

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

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

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

And as depicted in the following map:



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

The above changes were incorporated into the Draft Kalgulup Regional Park Management Plan, which has been approved by the Minister for Environment and released for public comment. The period for public comment closes Friday 15 October 2020 and is available on the DBCA website at www.dbca.wa.gov.au/haveyoursay as well as in hard copy at selected locations including the Shire of Dardanup's Offices and Library in Eaton.

Part 1 – Amended MOU

Following the above Council decision to retain some areas of Shire reserves in the Regional Park, DBCA has requested amendment of the current MOU to reflect the changes to the proposed land tenure. As with the current MOU, the intention is that the MOU will be in place until the land tenure arrangements have been identified through the planning process and the agreed Crown Reserves are formally vested in the Conservation and Parks Commission unless alternative arrangements are made. This period of time is anticipated to be in the order of 12 to 24 months.

In essence, the proposed Amended MOU changes the lands subject to the MOU, those that are currently vested with the Shire of Dardanup, by dividing the relevant Crown Reserves into two areas:

Area 1 (currently vested with Shire and proposed to be vested with DBCA):

- Crown Reserve 43641 - Northern portion of reserve including The Elbow/Eelup wetland and adjacent river foreshore strip.

Area 2 (currently vested with Shire and are proposed to remain with the Shire):

- Crown Reserve 25417 - Bushland portion of Watson Reserve;
- Crown Reserve 43641 - Bushland portion of Leicester Reserve and portion of Collie River foreshore strip lot; and
- Crown Reserve 43939 - Collie River foreshore strip immediately west of Eaton Drive and east of Eaton Drive.

This MOU is not intended to create legal rights or obligations on either party or in any way alter either party's legal obligations (under statute or otherwise).

The MOU seeks to establish the highest standards of cooperation and understanding between the Shire and the DBCA, within the resources available to both agencies, to achieve interim arrangements for DBCA to commence the management activities on the Shire's land referred to in the MOU. The MOU is an administrative document that seeks to ensure mutually beneficial working arrangements.

A copy of the request from DBCA and the Amended MOU (tracked changes on) is included in the (Appendix ORD: 12.6A – Part 1, Page 26). Maps of the above-mentioned areas are contained in the proposed Amended MOU.

The Amended MOU is put to Council for consideration and authorisation for the signing of the Amended MOU by the Chief Executive Officer.

Part 2 – Maintenance Resourcing

Item 3 of Council Resolution [169-20] (24 June 2020) reads as follows:

3. *Requests that the Chief Executive Officer provide a report on the resourcing required to maintain the land retained by Shire of Dardanup as part of this report and the effect on the Memorandum of Understanding with the Department of Biodiversity, Conservation and Attractions.*

It should be noted that the Shire currently undertakes maintenance activities in natural areas based on the Shire's Natural Area / Reserve Management Plans (March 2019). This plan covers all natural areas in the Shire, including the Leicester Reserve wetland area and the Watson reserve bushland area. It provides specific tasks in regards to weed management, revegetation and other works to maintain and improve these areas. It contains both operational activities as well as some capital items.

The Shire has a natural areas team within the Parks & Environment section that undertake daily activities in the Shire natural reserve areas and this is budgeted within the Parks & Reserves Maintenance Budget as well as the Environment allocation in the Budget.

The MOU and Regional Park Plan provides specific guidance on the uses, access and ongoing requirements for the Reserves that are to form part of the Regional Park. DBCA have advised that they will be undertaking specific activities if they were to manage the reserves. If the Shire was to maintain the reserves, the reserves may not necessarily be managed in the same way, and would be managed in accordance with the Shire's own plans and within the constraints of the available resources.

The following table outlines proposed activities for Area 2 (those areas in the MOU that are vested with the Shire and are proposed to remain with the Shire, as listed earlier in this report) and illustrates the effect of the Amended MOU. These are the areas that were originally suggested by DBCA to be managed by them instead of the Shire.

Activity	DBCA Proposed Activity under the Previous MOU	Shire Proposed Activity under the Amended MOU	Estimated Expenditure by Shire	Source of Funds from Annual Budget
Weed control	Yes	Yes	\$15k	Environmental
Access, fence and gate repairs	Yes	No	\$0	Parks & Reserves Maintenance
Boardwalk maintenance	Yes	As required	\$5k	Parks & Reserves Maintenance
Walk trails maintenance	Yes	As required, also includes vegetation maintenance along paths and open areas.	\$46k	Parks & Reserves Maintenance
Fox control	No	Yes	\$1k	Environmental
Rabbit control	Yes	Yes	\$1k	Environmental
Infill planting – Watson Reserve	Yes	Yes	\$800	Environmental

Activity	DBCA Proposed Activity under the Previous MOU	Shire Proposed Activity under the Amended MOU	Estimated Expenditure by Shire	Source of Funds from Annual Budget
Infill planting – Leicester Reserve	Yes	Yes	\$1,200	Environmental
Interpretive Signage	Yes	No	\$0	Parks & Reserves Maintenance

For the Shire to manage the area under its reserve management plan, it is estimated at \$70,000. It should be noted that the Shire would not be fencing some of the areas, however, the Shire is placing greater emphasis on vegetation control along pathways and open areas as part of its routine and general maintenance activities in the reserves.

It should be noted that there may be opportunities to utilise DBCA to undertake some of the activities where they are delivering similar activities in the general area. For example, if DBCA are undertaking fox control monitoring this could be delivered as a single larger package through a single contractor and could provide a more advantageous price for the Shire.

Legal Implications

Memorandums of Understanding (MOUs) are generally used to document a relationship of goodwill between the parties to the MOU and are generally not legally binding.

Strategic Community Plan

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

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

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

Environment

The proposed interim arrangements under the MOU will benefit the Shire, particularly in terms of conservation and protection works, including weed control that the DBCA can undertake whilst the land tenure and processes for vesting of the Crown Reserves are completed.

Precedents

The Shire has entered into Memorandums of Understanding with other government agencies in the past.

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: 12.6B – Part 1, Page 43) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Missed opportunity for Shire to benefit from DBCA’s interim management activities on Crown Reserves currently vested with the Shire that are proposed to be ultimately managed by DBCA.
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	Endorse MOU for interim management arrangements
Residual Risk Rating (after treatment or controls)	Low (1 - 4)
Risk Category Assessed Against	Reputational Missed opportunity for Shire to benefit from DBCA’s interim management activities on Crown Reserves currently vested with the Shire that are proposed to be ultimately managed by DBCA.
	Environment Inadequate management of the natural reserves

Officer Comment

Appendix III of the proposed Amended MOU has been expanded into the two areas (two columns), providing a delineation of management actions between DBCA and the Shire.

In general, management actions that are with the DBCA in Area 1 are denoted as management actions with the Shire in Area 2, which is logical.

One thing to draw Council’s attention to is the Management Action: “Patrols”. In Area 2, DBCA states “DBCA will opportunistically include areas adjacent to Area 1 in patrol activities”, even though this area remains under responsibility of the Shire. This relates to what is intended to become buffer area between the Elbow Wetlands and future regional open space, subject to further discussion with DBCA in the future.

While the reduced area under the proposed Amended MOU is significantly less than in the current MOU, the Shire will still benefit under these interim arrangements by DBCA undertaking a range of works in and around the Eelup Wetlands that will assist in improving the area aesthetically, environmentally and for the benefit of the Dardanup Community.

Therefore, Shire Officers recommend that Council authorises the Chief Executive Officer to sign the Amended MOU.

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 the Amended Draft Memorandum of Understanding entitled “Management of and access to lands vested in the Shire of Dardanup within the proposed Kalgulup Regional Park”, between the Department of Biodiversity, Conservation and Attractions (DBCA) and the Shire of Dardanup.**
- 2. Authorises the Chief Executive Officer to sign the Memorandum of Understanding.**
- 3. Notes the information presented in this report in regards to the cost of maintaining the reserve areas that will remain with the Shire of Dardanup.**

12.7 Title: Dardanup Central Volunteer Bushfire Brigade Redevelopment Expenditure

Reporting Department: Sustainable Development Directorate
Reporting Officer: Mrs Erin Hutchins - Coordinator - Emergency & Ranger Services
Legislation: Local Government Act 1995

Overview

Council is requested to consider expenditure, in addition to awarded Local Government Grant Scheme (LGGs) funding, to enable the new Dardanup Central Bushfire Brigade redevelopment to be built at Lot 55 Ferguson Road, Dardanup.

Background

At the Ordinary Meeting held Wednesday, 26 August 2020, Council made the following resolution [246-20]:

THAT Council:

1. *Supports the new Dardanup Central Bushfire Brigade facility being built on the proposed location being Lot 55 Ferguson Road Dardanup; and*
2. *Accepts the 2020/21 LGGs capital grant of \$450,000 awarded to the Shire to replace the existing Dardanup Central station with a new 2 bay facility; and*
3. *Directs the Chief Executive Officer to consult with the Dardanup Advisory Group and sporting clubs, currently located at Lot 55 Ferguson Road, to inform them of the proposal and to seek their input; and*
4. *Acknowledges that in accordance with Section 6 of the Town Planning Act 2005, that a Development Approval is not required for Public Works.*

In addition, it was requested consideration be given in next financial year's budget, to enable the rear carpark of the new Dardanup Central Bushfire Brigade redevelopment, to be sealed in 2021/2022.

It was acknowledged that as per the conditions set out in the LGGs Grants Manual for Capital and Operating Grants, a number of items are not eligible under capital grant funding. These costs have been investigated and brought to Council for consideration.

Legal Implications

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

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

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

- (1a) *In subsection (1) — additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.*
- (2) *Where expenditure has been incurred by a local government —*
- (a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
- (b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

Local Government Act 1995 -

S6.10. Financial Management Regulations

Regulations may provide for —

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

Local Government (Financial Management) Regulations 1996

R11. *Payments, procedures for making etc.*

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

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

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

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

In an agreement between the Shire of Dardanup and the Australian Red Cross Society, the Shire has been delegated the power to oversee \$90,000 bequeathed to the Shire of Dardanup by Mr Alexander Edwin Poad. This bequest was for the Dardanup Central Volunteer Fire Brigade to upgrade the Dardanup Central Volunteer Fire Station. The agreement states:

In consideration of the payments referred to in this agreement, the parties have agreed, subject to final approval from the Shire, to allocate the Bequest as follows:

The sum of \$90,000 is to be paid to the Shire and allocated to the Dardanup Central Fire Brigade for the refurbishment of the fire station premises. This will involve external extension including an extra bay for a second vehicle as well as internal refurbishment to include showers, toilet (with disabled access) and a meeting room to be used for workshops/education. This will also include a plaque acknowledging Mr Poad as well as Red Cross – subject to all necessary approvals being obtained.

Please refer to (Appendix ORD: 12.7A – Part 1, Page 44) for full Agreement.

Strategic Community Plan

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

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

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

Environment - None.

Precedents - None.

Budget Implications

Under the 2020/21 LGGs administered by the Department of Fire and Emergency Services (DFES), the Shire of Dardanup was successful in its application for a capital grant of \$450,000 to replace the existing Dardanup Central station with a new 2 bay facility.

In addition, a long-time resident Mr Alexander Poad bequeathed a portion of his estate to be used for the Dardanup Central Volunteer Fire Brigade refurbishment, which is to be administered through the Shire of Dardanup. A sum of \$90,000, originally held in Trust (TSP01) but now as a Municipal Liability, is available as a contribution toward the costs to upgrade the Dardanup Central Volunteer Fire Station. It has been agreed that a plaque acknowledging Mr Poad and the Red Cross be erected in acknowledgement of the generous gift.

As per the conditions set out in the LGGs Grants Manual for Capital and Operating Grants, a number of items are not eligible under capital grant funding, therefore will be the responsibility of the Shire of Dardanup, and will be required to be included in the 2020/21 financial budget.

An additional budget line item is to be created in the "Land Development & Buildings Construction" section of the budget to track this capital expenditure and to record the receipt of the allocated Local Government Grant Scheme (LGGs) Funding from the Department of Fire and Emergency Services to commence the Dardanup Central Bushfire Brigade redevelopment.

An estimate of site costs are outlined in the table below:

WORKS	INDICATIVE COST
Service Connection	\$25,000
Site Preparation & Earthworks	\$15,000
Septic System Upgrade	\$10,000
Sub Total	\$50,000
Contingency	\$5,000
TOTAL	\$55,000

An estimated budget for the Dardanup Central Bushfire Brigade redevelopment is outlined in the table below:

WORKS	INDICATIVE COST
2020/21 LGGs Funding	\$450,000
Bequeathed Estate	\$90,000
Sub Total	\$540,000
2 Bay Facility	-\$450,000
Site Costs	-\$55,000
BALANCE	\$35,000

Budget – Whole of Life Cost

The ongoing maintenance of the new building and future replacement will be the responsibility of the Shire of Dardanup, with some costs being eligible under the conditions of the LGGs. This new asset will need to be recorded in the Shire of Dardanup Building Asset Management Plan.

Council Policy Compliance - CP090 – Community Engagement.Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.7B – Part 1, Page 47) for full assessment document.

Tier 3 – ‘High’ or ‘Extreme’ Inherent Risk.	
Risk Event	Dardanup Central Volunteer Bushfire Brigade Redevelopment Expenditure
Inherent Risk Rating (prior to treatment or control)	Extreme (20 - 25)
Risk Action Plan (treatment or controls proposed)	Approve additional expenditure and utilise bequeathed estate for required site works related to the Dardanup Central Bushfire Brigade redevelopment.
Residual Risk Rating (after treatment or controls)	Low (1 - 4)
Risk Category Assessed Against	Financial Failure to approve additional expenditure to enable site works for the Dardanup Central Volunteer Bushfire Brigade Redevelopment will cause capital grant funding to be forfeited.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Dardanup Central Volunteer Bushfire Brigade Redevelopment Expenditure
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Reputational Failure to approve additional expenditure to enable site works for the Dardanup Central Volunteer Bushfire Brigade Redevelopment will leave Council seen in a negative light.

Officer Comment

Due to the current location of the Dardanup Central Volunteer Bushfire Brigade being too small and located adjacent to an area identified in the Dardanup Community Facilities Plan (CFP) as public open space, consideration was given to the relocation of the Bushfire Brigade. The Shire of Dardanup made a successful application to the LGGS for a capital grant of \$450,000 to replace the existing Dardanup Central station with a new 2 bay facility at Lot 55 Ferguson Road.

As highlighted at the OCM 26 August, required site works worth approximately \$55,000 are not eligible under capital grant funding, therefore will be the responsibility of the Shire of Dardanup. The bequeathed estate of Mr Poad will enable the Council to cover these additional costs and are in line with Mr Poad's wishes.

Further, the Dardanup Advisory Group were consulted in relation to the proposed location of the Dardanup Central Bushfire Brigade redevelopment, at their meeting held on the 27 August. This was supported by the committee. Further engagement by Officers with the sporting clubs and the Brigade will be undertaken once draft plans have been prepared to ensure that concerns and issues are addressed.

Council Role - Executive/Strategic.

Voting Requirements - Absolute 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 unbudgeted capital expenditure of \$505,000 for the new Dardanup Central Bushfire Brigade facility;**
2. **Acknowledges and authorises the unbudgeted income of \$450,000 from the Local Government Grant Scheme Funding towards the project.**
3. **Authorises the use of Mr Alexander Edwin Poad's bequeathed estate for the required site works at nil cost to Council, related to the Dardanup Central Bushfire Brigade redevelopment; and approves the transfer of the funds from the Municipal Liability Account as a contribution to the project.**
4. **Considers the allocation of additional funds to seal the rear carpark of the proposed building as a budget request for the 2021/22 Annual Budget; and**
5. **Directs the Chief Executive Officer to ensure a plaque acknowledging the generous gift of Mr Poad and the Red Cross is included in the building.**

By Absolute Majority

12.8 Title: Review of Shire of Dardanup Dog Exercise Areas

<i>Reporting Department:</i>	<i>Sustainable Development Directorate</i>
<i>Reporting Officer:</i>	<i>Mrs Erin Hutchins - Coordinator - Emergency & Ranger Services</i>
<i>Legislation:</i>	<i>Local Government Act 1995</i>

Overview

The Shires current Dog Exercise Areas were approved by Council at the Ordinary Meeting held Wednesday, 23 July 2014 (Appendix ORD: 12.8A – Part 1, Page 48). Due to time elapsed since their introduction, as well as recent observations made by Officers and feedback received from the community, a review of dog exercise areas located throughout the Shire was required. This report provides recommendations to Council for consideration with regards to existing dog exercise areas.

Background

At the Ordinary Meeting held Wednesday, 23 July 2014, Council resolved to specify dog exercise areas and corresponding time restrictions, Pursuant to Section 31 (3A) of the Dog Act 1976, as outlined below.

AREA	RECOMMENDATION
<i>Eaton Foreshore Reserve (Collie River Bridge to Foster Street)</i>	<i>Dog exercise area between 7.00pm and 10.00am daily.</i>
<i>Hunter Park Millbridge. (off Hunter Circle)</i>	<i>Dog exercise area between 7.00pm and 10.00am daily.</i>
<i>Leicester Reserve, Eaton (off Leicester Ramble)</i>	<i>Dog exercise area with time no restrictions.</i>
<i>Watson Street Reserve</i>	<i>Dog exercise area with no restrictions.</i>
<i>Wells Recreation Park Lot 55 Ferguson Road, Dardanup</i>	<i>Dog exercise area with no restrictions.</i>
<i>Burekup Reserve Lot 107 Gardiner Street</i>	<i>Dog exercise area with no restrictions.</i>
<i>Lofthouse Park (Reserve 42368) Lofthouse Avenue Eaton</i>	<i>Dog exercise area between 7.00pm and 10.00am daily.</i>

In addition the Chief Executive Officer (CEO) was requested to negotiate with the leaseholder(s) of Glenhuon Reserve (Reserve 50882) and the Education Department of Western Australia with a view to establishing a dog exercise area on Glenhuon Reserve (Reserve 50882).

Due to the dog exercise areas being approved six (6) years ago, a review of areas located throughout the Shire was required to ensure they are still fit for purpose. This is reiterated by recent observations made by Officers, a resolution made at the July 2014 OCM [231-14], as well as feedback received from the community. The review considered the adequacy of the designated dog exercise areas to ensure they meet the changing needs and demographic of the community, as well as environmental implications.

Legal Implications

The Dog Act 1976 requires the Council to consider and approve any changes to the dog exercise areas or places where dogs are prohibited.

Dog Act 1976 –

- s31. Control of dogs in certain public places*
- (2B) *A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a place where dogs are prohibited —*
- (a) at all times; or*
- (b) at specified times.*
- (3A) *A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, specify a public place, or a class of public place, that is under the care, control or management of the local government to be a dog exercise area.*
- (3C) *At least 28 days before specifying a place to be —*
- (a) a place where dogs are prohibited at all times or at a time specified under subsection (2B); or*
- (b) a dog exercise area under subsection (3A); or*
- (c) a rural leashing area under subsection (3B),*
- a local government must give local public notice as defined in the Local Government Act 1995 section 1.7 of its intention to so specify.*
- (5) *A local government must specify under subsection (3A) such dog exercise areas as are, in the opinion of the local government, sufficient in number, and suitable, for the exercising of dogs in the district.*

Strategic Community Plan

- Strategy 1.1.1 - Ensure equitable, inclusive and transparent decision-making. (Service Priority: High)
- Strategy 1.1.3 - Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High)
- Strategy 2.1.1 - Protect and preserve open spaces, natural vegetation and bushland. (Service Priority: Very High)
- Strategy 2.3.1 - Delivery of a high level of Development & Regulatory Services that considers the environmental, social and land use planning requirements which meets the diverse community needs. (Service Priority: Flagship)
- Strategy 2.6.1 - Provide a variety of places to live, work and play that meet the current and future needs of the community. (Service Priority: Very High)

Environment - None.

Precedents

The allocation of Dog Exercise Areas was considered by Council at the Ordinary Meeting held Wednesday, 23 July 2014. Council resolved [231-14] to approve seven (7) dog exercise areas throughout the Shire.

Budget Implications

If amendments to the current dog exercise areas are approved, a local government must give local public notice of its intention. In addition, there may be a requirement for signage outlining the dog exercise area and any restrictions. An example of such signage is outlined at (Appendix ORD: 12.8B – Part 1, Page 74). An estimate of costs are outlined in the table below:

WORKS	INDICATIVE COST
Public Notice	\$350.00
Signage (450mm x 600mm Aluminium) @ \$75.90 each x35	\$2,656.50
2m galvanised sign pole @ \$31.90 each x 35	\$1,116.50
Installation (Labour & Concrete) Contractor	\$3,800.00
TOTAL	\$7,623.00

Funds are allocated each financial year for the purpose of sign maintenance and have been identified in the 2020-21 Annual Budget. However, due to the number of signs required, it is proposed that the installation of signage is staged over two (2) financial years.

Budget – Whole of Life Cost - None.

Council Policy Compliance

CP095 – Local Biodiversity

CP120 – Environment

CP090 – Community Engagement – policy in this instance doesn't apply as the *Dog Act 1976* determines advertising requirements. As per *s31 (3C) of the Dog Act 1976*, a local government must give local public notice of its intention to specify a dog exercise area for a period of 28 days. The review process of the Shires dog exercise areas, is in line with current practices. It should be noted that the review of the Shires designated dog exercise areas is separate to the fenced dog exercise area project, which will continue to be investigated and brought to Council at a later date by the Directorate of Infrastructure.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.8C – Part 1, Page 75) for full assessment document.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Review Shire Dog Exercise Areas
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Legal and Compliance Failure to comply with the Dog Act 1976 through the review of dog exercise areas will result in prosecution.
	Reputational Failure to approve sufficient and suitable dog exercise areas will leave Council seen in a negative light.
	Environment Failure to approve suitable dog exercise areas will cause significant damage to local flora and fauna.

Officer Comment

As previously mentioned, a review of dog exercise areas located throughout the Shire was required. The review considered the adequacy of the designated dog exercise areas to ensure they meet the changing needs and demographic of the community, as well as environmental implications and aimed to identify more practical areas to exercise dogs off lead or modify restrictions in existing exercise areas prior to the fenced dog exercise area being completed.

The Burekup and Dardanup Community Facilities Plans were taken into consideration to ensure appropriate solutions were identified. In addition, Reserve Management Plans provided additional information that considered environmental values and matters of local, state and federal significance as well as relevant habitats and threats.

In recent times, Officers have observed an increase of dogs entering into playgrounds located in dog off lead areas. The mix of dogs off lead and children playing creates a risk to the Shire, with the potential of dog attacks occurring. Similarly, the community have also expressed their concern when witnessing dogs entering into the playground while children are playing. It was noted that since the introduction of dog exercise areas, play equipment and/or BBQ areas have been erected within the off lead area of Eaton Foreshore Reserve in 2016 and Hunter Circle in 2015.

Further, in reviewing data from the past three (3) years, 31 dog attacks have occurred throughout the Shire, however it is noted that these have reduced and more significantly only two (2) have occurred in a dog exercise area (refer Figures 1 and 2 below).

- *Designated Dog Exercise Area*
- *1 Dog Attack - Small*
- *2 Dog Attacks - Large*

Figure 1: Whole of Shire of Dardanup Dog Attack Map 2018-2020 (Shire of Dardanup, extracted 10 September 2020)

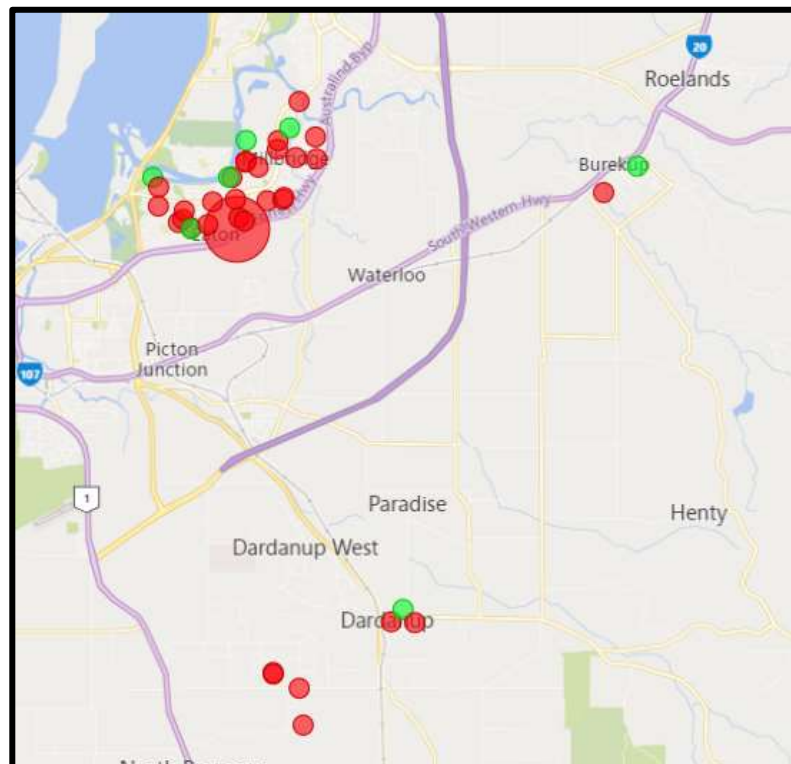
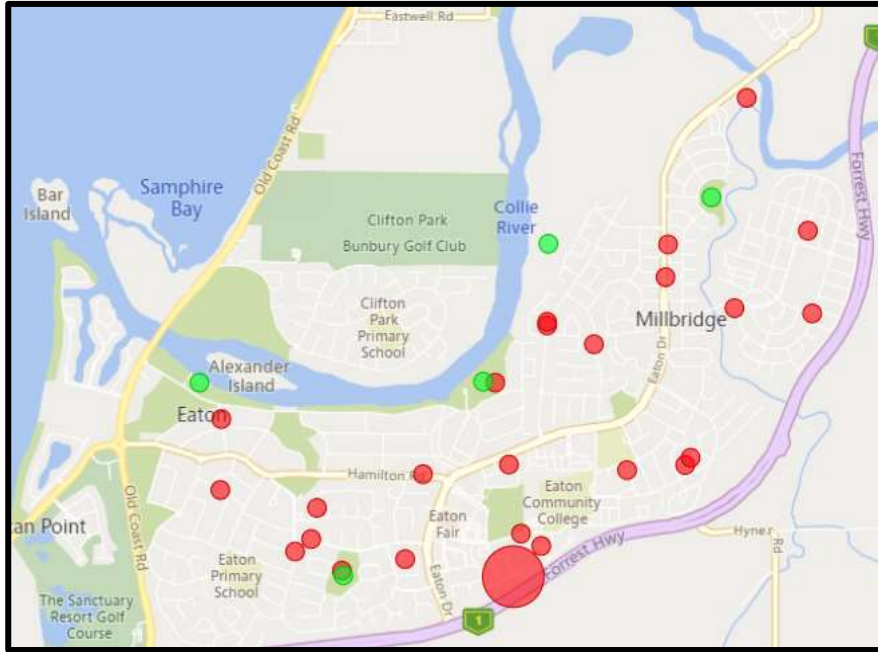


Figure 2: Eaton/Millbridge Dog Attack Map 2018-2020 (Shire of Dardanup, extracted 10 September 2020)



From the review and Pursuant to Section 31 (3A) of the Dog Act 1976 it is recommend the following areas are specified as dog exercise areas including where required time restrictions apply.

AREA	RECOMMENDATION
Eaton Foreshore Reserve (Collie River Bridge to Boat Ramp Carpark (West)) Eaton Foreshore Reserve (Graham Street (East) to Foster Street)	Dog exercise area with no time restrictions.
Eaton Foreshore Reserve (Boat Ramp Carpark (West) to Graham Street)	Dog on lead area.
Hunter Park Millbridge. (off Hunter Circle)	Dog exercise area between 3.00pm and 10.00am daily. Signage – Dogs on lead in Playground and BBQ area.
Leicester Reserve, Eaton (off Leicester Ramble)	Leicester Wetlands through to Watson Street Reserve - Dog exercise area with time no restrictions. Proposed Possum Sanctuary – Dogs Prohibited.
Watson Street Reserve	Dog exercise area with time no restrictions. Signage – Keep dogs out of bushland.
Wells Recreation Park Lot 55 Ferguson Road, Dardanup	Dog exercise area with no restrictions unless area is used for team games, training and/or events – dogs must be on lead.
Burekup Reserve - Lot 107 Gardiner Street	Dog exercise area with no restrictions.
Lofthouse Park (Reserve 42368) Lofthouse Avenue Eaton	Dog exercise area between 3.00pm and 10.00am daily. Signage – Dogs on lead in Playground
Millbridge Reserve (R50867 Lot 2019 Millbridge Boulevard)	Dog exercise area with no restrictions.
Glenhuon Reserve (Eaton Oval (Football) & Softball Field)	Dogs Prohibited.
Glenhuon Reserve Grassed Area (East)	Dog On Lead Area except while team games, training and/or events are taking place.

- Eaton Foreshore Reserve (Collie River Bridge to Foster Street)

CURRENT AREA AND RESTRICTIONS	RECOMMENDATION
<p>Eaton Foreshore Reserve (Collie River Bridge to Foster Street)</p> <p>Dog exercise area between 7.00pm and 10.00am daily.</p>	<p>Eaton Foreshore Reserve (Collie River Bridge to Boat Ramp Carpark (West))</p> <p>Eaton Foreshore Reserve (Graham Street (East) to Foster Street)</p> <p>Dog exercise area with no time restrictions.</p>
	<p>Eaton Foreshore Reserve (Boat Ramp Carpark (West) to Graham Street)</p> <p>Dog on lead area.</p>

Figure 3: Eaton Foreshore Reserve (Shire of Dardanup Intramaps extracted 10 September 2020)



The recommendation removes dogs from being off lead around the playground and picnic area due to the changes from the foreshore upgrade. However, consideration has been given to the reduction in open space therefore, it is suggested no time restrictions are administered.

- *Hunter Park Millbridge (off Hunter Circle)*

CURRENT AREA AND RESTRICTIONS	RECOMMENDATION
Dog exercise area between 7.00pm and 10.00am daily.	Dog exercise area between 3.00pm and 10.00am daily. Signage – <i>Dogs on lead in Playground and BBQ area.</i>

Figure 4: Hunter Park (Shire of Dardanup Intramaps extracted 10 September 2020)



The recommendation extends the dog exercise area time period to allow for greater access for dog owners in daylight hours. The introduction of an earlier time will allow parents who work school hours, as well as school aged children, access to dog exercise areas at a convenient time. Additionally, consideration has been given to feedback from Officers and concerns raised by the community about the increase in dogs in playground areas therefore it is recommended that signage advising that dogs are required to be on lead in the playground and BBQ area be erected in conjunction with the proposed changes.

- *Leicester Reserve, Eaton (off Leicester Ramble)*

CURRENT AREA AND RESTRICTIONS	RECOMMENDATION
Dog exercise area with time no restrictions.	Leicester Wetlands through to Watson Street Reserve - Dog exercise area with no time restrictions. Proposed Possum Sanctuary – Dogs Prohibited.

Figure 5: Leicester Reserve (Shire of Dardanup Intramaps extracted 10 September 2020)



The recommendation has taken into consideration the \$20,000 funding awarded to the Shire from the Wildlife Information Rescue and Education Service (WIRES) and Landcare Australia for a proposed Possum Sanctuary within Leicester Reserve Wetlands. It is recommended that dogs are prohibited within the proposed possum sanctuary to protect the possum population. It is noted that Leicester Reserve has other areas of high environmental value, including being home to species of nesting birds. Some areas of Leicester Reserve have permanent wetlands and others are more seasonally inundated and forms a direct corridor to Watson Street Reserve with significant wetlands at 'The Elbow'.

- *Watson Street Reserve*

CURRENT AREA AND RESTRICTIONS	RECOMMENDATION
Dog exercise area with time no restrictions.	Dog exercise area with no time restrictions. <i>Signage – Keep dogs out of bushland.</i>

Figure 6: Watson Street Reserve (Shire of Dardanup Intramaps extracted 10 September 2020)



The recommendation has taken into consideration the area being of social importance to dog owners, therefore remains unrestricted. Signs will be installed recommending to keep dogs out of the bushland due to the high value habitat living throughout. In addition, it aims to reduce the risk to dogs of snake bite from running through the bushland.

- Wells Recreation Park Lot 55 Ferguson Road, Dardanup

CURRENT AREA AND RESTRICTIONS	RECOMMENDATION
Dog exercise area with no restrictions.	Dog exercise area with no restrictions unless area is used for team games, training and/or events – dogs must be on lead.

Figure 7: Wells Recreation Park (Shire of Dardanup Intramaps extracted 10 September 2020)



Due to the Dardanup Community Facilities Plan (DCFP) and proposals for the town, it is recommended Wells Recreation Park remain as a dog exercise area. However, due to the area being utilised for sports and events, it is recommended that restrictions be put in place while team games, training and/or events are taking place.

- *Burekup Reserve (Lot 107 Gardiner Street)*

CURRENT AREA AND RESTRICTIONS	RECOMMENDATION
Dog exercise area with no restrictions.	No Change.

Figure 8: Burekup Reserve (Shire of Dardanup Intramaps extracted 10 September 2020)



It is noted that although no new recommendations are made for Burekup Reserve (Lot 107 Gardiner Street), the area previously highlighted on the dog exercise area map, being Burekup Oval, is incorrect. This may be reviewed in the future due to improvements identified in the Burekup Community Facilities Plan (BCFP).

- *Lofthouse Park (Reserve 42368) (Lofthouse Avenue Eaton)*

CURRENT AREA AND RESTRICTIONS	RECOMMENDATION
Dog exercise area between 7.00pm and 10.00am daily.	Dog exercise area between 3.00pm and 10.00am daily. <i>Signage – Dogs on lead in Playground</i>

Figure 9: Lofthouse Park (Shire of Dardanup Intramaps extracted 10 September 2020)



The recommendation extends the dog exercise area time period to allow for greater access for dog owners in daylight hours. The introduction of an earlier time will allow parents who work school hours, as well as school aged children, access to dog exercise areas at a convenient time. Additionally, consideration has been given to feedback from Officers and concerns raised by the community about the increase in dogs in playground areas therefore it is recommended that signage advising that dogs are required to be on lead in the playground area be erected in conjunction with the proposed changes.

It is also noted that two bush areas at the southern end of Lofthouse Park will be fenced this financial year to allow them to recover after being impacted by recent fire. This will allow habitat to regenerate and offer additional protection for native fauna. The fencing of these two areas has been included in the draft Eaton Millbridge Community Facilities Plan.

Additional Considerations

In addition to the above review and recommendations to the current dog exercise areas, Officers propose the below as an additional dog exercise area for community use.

- Millbridge Reserve (R50867 Lot 2019 Millbridge Boulevard)

PROPOSED AREA AND RESTRICTIONS	RECOMMENDATION
Proposed	Dog exercise area with no restrictions.

Figure 10: Millbridge Reserve (Shire of Dardanup Intramaps extracted 10 September 2020)

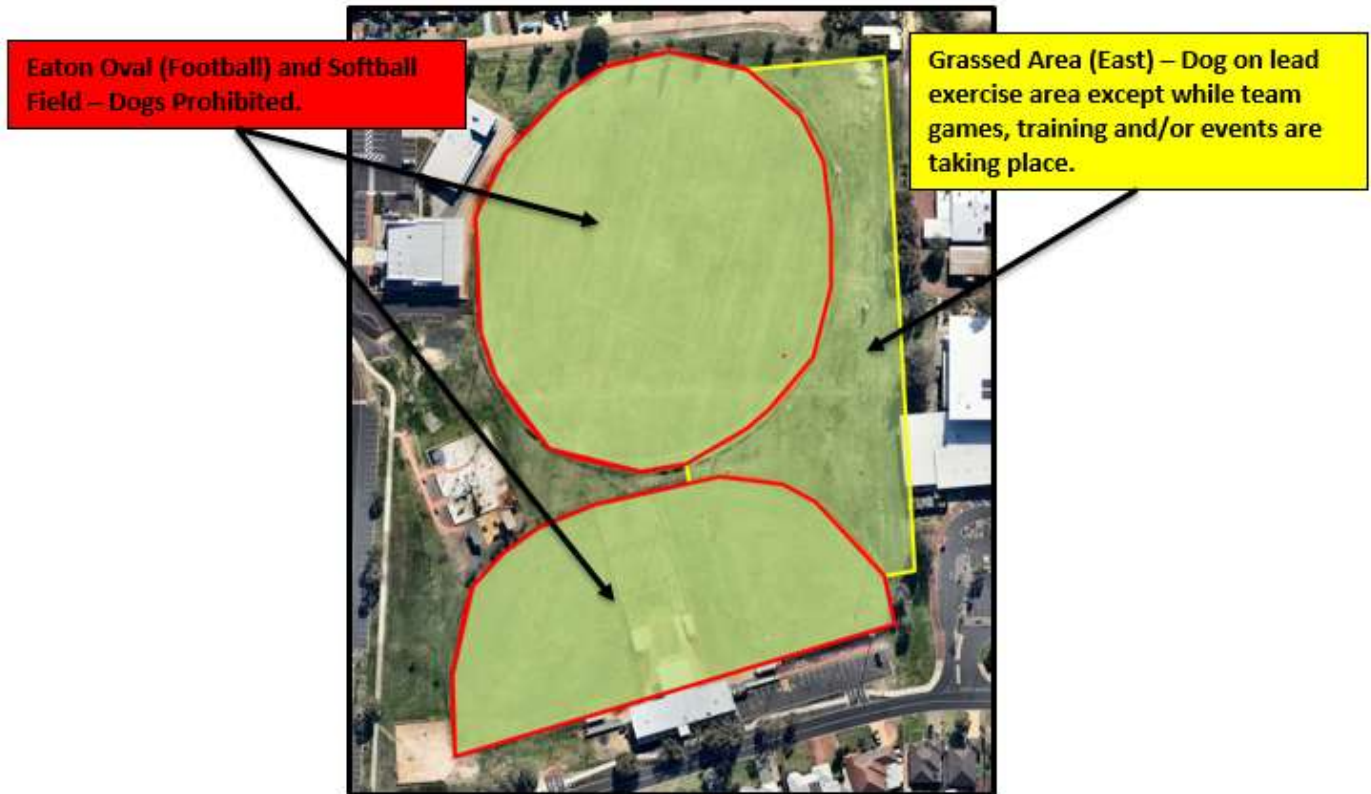


The recommendation offers the Millbridge (East) community a convenient area to run their dog/s. Due to the reserve not having play equipment or picnic facilities, it is recommended that no restrictions are applied. The land to the north of the proposed dog exercise area is owned by the Department of Education, therefore cannot be included in the Officer recommended resolution.

- *Glenhuon Reserve (R50882 Eaton Oval)*

PROPOSED AREA AND RESTRICTIONS	RECOMMENDATION
Proposed	Eaton Oval (Football) and Softball Field – Dogs Prohibited.
	Grassed Area (East) – Dog On Lead Area except while team games, training and/or events are taking place.

Figure 10: Glenhuon Reserve (Shire of Dardanup Intramaps extracted 10 September 2020)



Further, consideration was given to Glenhuon Reserve (R50882 Eaton Oval), in particular a grassed area situated between the Eaton Boomers Football Club, Bunbury and Districts Softball Association and Eaton Recreation Centre, as a suitable dog exercise area. However, after consultation with the Softball and Football Clubs and Eaton Community College it was determined the space was not suitable as an off lead area due to all three (3) clubs utilising the area for nipper’s games, league warm up and physical education classes. Similarly, research completed in 2014 as outlined in a Memorandum by the Chief Executive Officer Mr Mark Chester on the 4 September 2014, found at (Appendix 12.8D – Part 1, Page 76), identified the area as unsuitable as an off lead area due to the usage by the Softball and Football Clubs and Eaton Community College. In addition, feedback has been received from the Football Club expressing concern over dog excreta regularly left on the oval, leaving the club to clean up prior to games.

It is recommended that the Softball field and Football oval be areas where dogs are prohibited to ensure the area is kept in a useable state for the Clubs and Eaton Community College. In addition, it is recommended that the area situated between the Eaton Boomers Football Club, Bunbury and Districts Softball Association and Eaton Recreation Centre is introduced as a dog on lead exercise area except while team games, training and/or events are taking place. It might also be possible to make this area a dog off lead exercise area which restricts the hours to be outside of the hours when

the space is used by the school or the sporting clubs. This could be further investigated and discussed with the relevant groups.

Council Role - Executive/Strategic.

Voting Requirements - Absolute 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. Resolves that pursuant to Section 31 (3A) of the Dog Act 1976, the following areas are specified as dog exercise areas with corresponding time restrictions:

AREA	RECOMMENDATION
Eaton Foreshore Reserve (Collie River Bridge to Boat Ramp Carpark (West)) Eaton Foreshore Reserve (Graham Street (East) to Foster Street)	Dog exercise area with no time restrictions.
Eaton Foreshore Reserve (Boat Ramp Carpark (West) to Graham Street)	Dog on lead area.
Hunter Park Millbridge. (off Hunter Circle)	Dog exercise area between 3.00pm and 10.00am daily. Signage – <i>Dogs on lead in Playground and BBQ area.</i>
Leicester Reserve, Eaton (off Leicester Ramble)	Leicester Wetlands through to Watson Street Reserve - Dog exercise area with no time restrictions. Proposed Possum Sanctuary – Dogs Prohibited.
Watson Street Reserve	Dog exercise area with no time restrictions. Signage – <i>Keep dogs out of bushland.</i>
Wells Recreation Park Lot 55 Ferguson Road, Dardanup	Dog exercise area with no restrictions unless area is used for team games, training and/or events – dogs must be on lead.
Burekup Reserve Lot 107 Gardiner Street	Dog exercise area with no restrictions.
Lofthouse Park (Reserve 42368) Lofthouse Avenue Eaton	Dog exercise area between 3.00pm and 10.00am daily.

AREA	RECOMMENDATION
	<i>Signage – Dogs on lead in Playground</i>
Millbridge Reserve (R50867 Lot 2019 Millbridge Boulevard)	Dog exercise area with no restrictions.
Glenhuon Reserve (Eaton Oval (Football) and Softball Field)	Dogs Prohibited.
Glenhuon Reserve Grassed Area (East)	Dog On Lead Area except while team games, training and/or events are taking place.

2. Pursuant to Section 31 (2B) of the Dog Act 1976 specifies that dogs are prohibited absolutely from entering or being in any of the following places:

- A public building, unless permitted by a sign;
- All premises or vehicles classified as food premises or food vehicles under the Health (Food Hygiene) Regulations 1993;
- Public toilets or changing rooms;
- Cemetery unless otherwise provided for in the local governments local law relating to cemeteries.

Subject to any written law and any law of the Commonwealth about assistance animals as defined in the Disability Discrimination Act 1992 (Commonwealth) section 9(2).

3. Advertises that the specified dog exercise areas and dog prohibited places come into effect on 1 December 2020 pursuant to Section 31 (3c) of the Dog Act 1976.

By Absolute Majority

12.9 Title: Designated Area Migration Agreement for South West Regional Councils - Memorandum of Understanding

Reporting Department: Executive
Reporting Officer: Mr André Schönfeldt - Chief Executive Officer
Legislation: Local Government Act 1995

Overview

Council is requested to consider a Memorandum of Understanding (MoU) (Appendix ORD: 12.9A – Part 1, Page 79) for the South West Regional Councils group to coordinate the preparation of a Feasibility Study and an Implementation Plan to establish a Designated Area Migration Agreement (DAMA). The South West Group of Councils comprises of:

1. Shire of Augusta-Margaret River,
2. Shire of Boyup Brook,
3. City of Bunbury,
4. City of Busselton,
5. Shire of Bridgetown-Greenbushes,
6. Shire of Capel,
7. Shire of Collie,
8. Shire of Donny-Brook Balingup,
9. Shire Harvey,
10. Shire of Manjimup,
11. Shire of Nannup.

Background

DAMAs provide flexibility for states, territories and/or regions to respond to their specific economic and labour market needs within a formal agreement with the Commonwealth that is authorised by the Minister.

DAMAs are designed to provide solutions to Australian businesses where there are skills gaps and shortages that cannot be met by the Australian market by allowing 'endorsed' employers to sponsor a broader range of overseas workers than is available under the standard temporary and permanent visa program.

A regional overview would investigate background information about the region, outlining characteristics specific to the area including;

- Economic information, skill gaps and shortages, demographics, employer information, labour market overview;
- Community information including infrastructure and housing, health and education services; and
- Details of any future industry and labour market trends that are relevant

The Chief Executive Officer of the Shire of Dardanup has volunteered to coordinate a regional approach on behalf of the South West regions group of Councils to establish a Designated Area Migration

Agreement (DAMA) covering the South West region as a whole. It is suggested that the twelve (12) participating councils support this coordinated approach by contributing to the project. The Shire of Dardanup will engage a Consultant to undertake the Feasibility Study and prepare an Implementation Plan covering the south west region.

Legal Implications - None.

Strategic Community Plan

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

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

Environment - None.

Precedents - None.

Budget Implications - None.

Budget – Whole of Life Cost

The Memorandum of Understanding proposes that each participating Local Government will provide a cash contribution to the Shire of Dardanup for the term of the MoU.

The Shire of Dardanup would be responsible for receiving one time payments from the other eleven (11) Councils to facilitate the payment of the Consultant for the preparation of the Feasibility Study and Implementation Plan.

The Shire of Dardanup’s commitment is \$5,000 to be sourced from the Economic Development Initiatives Account 1318004.

Council Policy Compliance

CP090 – Community Engagement. A detailed engagement plan will be prepared by the consultant to ensure relevant stakeholders, including businesses and employers, are engaged through this process.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.9B – Part 1, Page 83) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Designated Area Migration Agreement for South West Regional Councils - Memorandum of Understanding
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 By not agreeing to extend the MoU it could cause the perception that the Shire of Dardanup is not supportive of a joint research initiative for the region.

Officer Comment

The purpose of the MoU is to facilitate a feasibility Study that identifies the regional workforce needs in each location and overall as a region, and to establish a DAMA for the South West. It will create a unified approach to the assessment of Regional Workforce needs in each location and overall as a Region. The Study will focus on the south west regions high growth industries including agribusiness, forestry, health and social services, tourism and hospitality, construction and mining.

It will include specific occupations and conditions that will assist our region to address our most acute labour shortages by enabling employers to sponsor overseas workers in a broader range of occupations than the existing skilled migration visa pathways. The occupations approved in the DAMA will reflect the unique labour requirements of the region

Upon completion of the Needs Assessment and the Feasibility Study the appointed Consultant would provide recommendations to an Implementation Plan to establish the DAMA and for ongoing administration to support the program.

Council Role - Executive/Strategic.

Voting Requirements - Absolute 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 affirms the Shire of Dardanup's commitment to facilitating a coordinated regional approach to a Designated Area Migration Agreement by;

- 1. Endorsing the draft Memorandum of Understanding (Appendix ORD: 12.9A).**
- 2. Authorising the unbudgeted expenditure of \$60,000 from the Economic Development Initiatives Account.**
- 3. Acknowledging and authorising the expected unbudgeted income of up to \$55,000 from other Local Governments within the South West region or other donors.**

By Absolute Majority

12.10 Title: South West Zone WALGA Recommendations – Local Government Act Review

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

DECLARATION OF INTEREST

Chief Executive Officer – Mr André Schönfeldt declared a Financial Interest in Part 55 of the Panel Recommendations Only as the matter relates to the Item 55 f), g) & h) as the recommendation refers to Chief Executive Officer Contracts.

Subject to Council's approval, Chief Executive Officer, André Schönfeldt has advised that he would like to remain in the room for the discussion of this item.

Overview

Council to consider whether to support the SW Zone WALGA recommendations from the Local Government Review Panel Final Report on the Local Government Act Review.

Background

WALGA carried out an extensive consultation process on Phase 2 of the Local Government Act Review in 2018/19, culminating in sector positions being endorsed by State Council in March 2019. At its meeting held at Bridgetown on 28 August 2020, the SW Zone of WALGA considered the Local Government Review Panel's recommendations in the context of the sector's current advocacy positions.

The Minister for Local Government has not considered the Panel's recommendations at this stage and has not requested a consultation process on the report. WALGA is obtaining a sector opinion on the recommendations to provide to the Minister. The SW Zone WALGA reviewed the recommendations and resolved to support, oppose or request amendments to them. These recommendation are presented to Council for consideration.

Legal Implications - Local Government Act 1995.

Strategic Community Plan

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

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

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

Environment - None.

Precedents

The Shire of Dardanup is a member council of the SW Zone WALGA. The Shire President and Chief Executive Officer attend the Zone meetings every two months and discuss matters that affect the sector.

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: 12.10A – Part 1, Page 84) for full assessment document.

Tier 1 – No discernible Inherent Risk has been identified (no Risk Theme or Consequence).	
Risk Event	Local Government Act Review - Comment
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 Non participation in significant sector changes brings considerable risk to the Shire of Dardanup strong leadership reputation.

Officer Comment

The SW Zone WALGA reviewed the recommendations prepared by WALGA on the Local Government Review Panel Final Report (Appendix ORD: 12.10B – Part 1, Page 85). WALGA has asked the Zone members to indicate support, or otherwise on those recommendations. WALGA recommendations are attached at (Appendix ORD: 12.3C – Part 1, Page 138) (referred to as WALGA Recommendation relating to Item 5.5); and the SW Zone WALGA Minutes regarding the recommendations are attached (Appendix ORD: 12.3D – Part 1, Page 159). The SW Zone resolved as follows:

SW ZONE WALGA RESOLUTION

That the WALGA recommendation relating to Item 5.5 be supported with the following amendments:

1. *Panel recommendation 11 be subject to further consultation (i.e. moved from Part 1 of the recommendation to Part 4).*
2. *Panel recommendation 55 (h) be opposed.*
3. *In relation to Panel recommendation 26 (a), the number of Elected Members applicable to Local Governments with populations between 5,000 and 75,000 be amended to read:*
 - *“Populations between 5,000 and 75,000 – 5 to 11 Councillors (incl. Mayor/President)”*
4. *That Panel recommendation 22 be opposed.*

Local Government Review Panel Final Report recommendations are prepared in a table format in the below resolution so that Council can advise if they support the SW Zone WALGA recommendations.

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 advise the WA Local Government Association and the SW Zone of the WA Local Government Association that the Shire of Dardanup resolves as follows with regard to the 65 Local Government Review Panel Final Report recommendations:

#	PANEL RECOMMENDTIONS	WALGA	SW ZONE WALGA	SHIRE OF DARDANUP
1	The Panel recommends that the new Act be structured and drafted in such a way as to highlight the key strategic elements set out in Part A of this report, and that further consideration be given to the 'two Acts' options presented in Part A, at least as a transitional measure.	SUPPORTS	SUPPORTS	SUPPORTS
2	The Panel recommends the following statement of intent (vision) for a new Act: <i>An Act to provide for a system of local government relevant to Western Australia that develops and supports sustainable, accountable, collaborative and capable local governments through democratic representation, the provision of services, opportunities and enhanced well-being for each and every community.</i>	SUPPORTS	SUPPORTS	SUPPORTS
3	The Panel recommends the adoption of the following objectives for a new Act: <ul style="list-style-type: none"> a. Democratic and accountable local government that recognises the diversity of and within Western Australia's communities. b. Recognition of the specific needs and culture of Western Australia's Aboriginal people. c. Promotion and improvement of the community's economic, social and environmental well-being. d. An adaptive and forward-looking legislative framework, which supports and enables councils to provide local leadership for the whole community, and to collaborate with each other and with other key stakeholders at a regional level. e. Open and transparent community participation in the decisions and affairs of local governments. f. Enhanced capability of the local government sector, with a focus on continuous improvement and sustainability. g. Efficient and effective service delivery and regulation that is responsive to current and re community needs. h. Informed decision-making by local governments which is in the interest of their communities, within a legislative framework that supports balance and certainty in relation to the different interests of their communities. i. Accountability of local governments to their communities through processes that demonstrate good governance. j. Support for approaches and opportunities which foster collaboration and cooperation both within the local government sector and across all levels of Government. 	SUPPORTS	SUPPORTS	SUPPORTS
4	The Panel recommends an Act that is considerably shorter, less prescriptive and minimises the use of regulations by establishing clear principles, robust processes, model charters, guidelines and templates.	SUPPORTS	SUPPORTS	SUPPORTS
5	The Panel recognises the diversity of local governments in Western Australia and supports a new Act which is responsive to this but does not recommend the adoption of a multi-tiered legislative framework.	OPPOSE	OPPOSE	OPPOSE
6	The Panel recommends the inclusion of a statement of the role and principal functions of local governments that makes it clear their basic statutory responsibilities, retaining the overall power of general competency in the current Local Government Act.	SUPPORTS	SUPPORTS	SUPPORTS
7	The Panel recommends that the following overarching guiding principles are included in the new Act: To ensure the system of local government is sustainable, accountable, collaborative and capable, councils should:	SUPPORTS	SUPPORTS	SUPPORTS

#	PANEL RECOMMENDTIONS	WALGA	SW ZONE WALGA	SHIRE OF DARDANUP
8	<p>The Panel recommends:</p> <ol style="list-style-type: none"> a. The Local Government Grants Commission and the Local Government Advisory Board should be combined into a single body responsible to the Minister and named the Local Government Commission, and including the functions of the Grants Commission in accordance with Commonwealth legislation. b. The role of the Local Government Commission should be to: <ol style="list-style-type: none"> (i) Provide recommendations on major local government boundary changes, amalgamations and other necessary reforms; (ii) Manage the distribution of Commonwealth grant funding to local governments in WA; and (iii) Monitor the overall health and performance of the local government sector by identifying key issues and trends, and advise the Government and sector peak bodies accordingly. c. Members should be appointed to the Local Government Commission on the basis of their skills rather than as representatives. d. The Local Government Commission should consider the financial viability of local governments in making recommendations to the Minister. e. The Minister and sector peak bodies should have the power to refer matters to the Commission for assessment and advice. f. The Commission should play an independent role in monitoring the capacity and the financial health of the sector in collaboration with the Auditor General. g. Minor boundary adjustments where both local governments agree should be handled by the department. 	SUPPORTS	SUPPORTS	SUPPORTS
9	<p>The Panel supports a legislative framework for a system of local government which promotes local democracy and has the in-built flexibility to enable different models of governance which facilitate community participation, provide for representation of the whole community, and for efficient and effective service-delivery for the community.</p>	CONDITIONAL SUPPORT	CONDITIONAL SUPPORT	CONDITIONAL SUPPORT

#	PANEL RECOMMENDATIONS	WALGA	SW ZONE WALGA	SHIRE OF DARDANUP
	<i>Conditional Support: Recommendation and but oppose any proposal to remove the poll provisions (Dadour provisions) in Clause 8, Schedule 2.1 of the Local Government Act;</i>			
10	<p>The Panel recommends that through their Partnership Agreement and the proposed Local Government Commission, State and local government consider options to facilitate structural reform that will strengthen the capacity and resilience of the local government system. Those options should include:</p> <ul style="list-style-type: none"> a. Revised processes for boundary changes and mergers. b. Substantially increased cooperation between local governments through an enhanced model of joint subsidiaries. c. Provision for the establishment of community boards within local government areas. <p><i>Conditional Support: Recommendation and but oppose any proposal to remove the poll provisions (Dadour provisions) in Clause 8, Schedule 2.1 of the Local Government Act;</i></p>	CONDITIONAL SUPPORT	CONDITIONAL SUPPORT	CONDITIONAL SUPPORT
11	<p>The Panel recommends an additional legislative option for local governments to establish community boards.</p>	SUPPORTS	SUPPORTS Panel recommendation 11 be subject to further consultation (i.e. moved from Part 1 of the recommendation to Part 4).	SUPPORTS Panel recommendation 11 be subject to further consultation (i.e. moved from Part 1 of the recommendation to Part 4).
12	<p>The Panel recommends that the new Act should promote and mandate expanded regional cooperation between local governments by:</p> <ul style="list-style-type: none"> a. Making increased collaboration a specific objective and principle. b. Providing an improved model of joint (regional) subsidiaries that can be used for strategic planning, resource sharing, shared services delivery and commercial enterprises (see also Recommendations 14 and 39). c. Requiring regional cooperation as part of IPR (see also Recommendation 35). 	SUPPORTS	SUPPORTS	SUPPORTS
13	<p>The Panel recommends that consideration also be given to the potential need for a new form of 'regional authority' to enable collaboration on specific issues between governments and with other key stakeholders.</p>	SUPPORTS	SUPPORTS	SUPPORTS

#	PANEL RECOMMENDATIONS	WALGA	SW ZONE WALGA	SHIRE OF DARDANUP
14	<p>The Panel recommends:</p> <ul style="list-style-type: none"> a. The regional council model is discontinued. b. A flexible model of joint (regional) and single (local) subsidiaries be introduced in order to enable: <ul style="list-style-type: none"> (i) collaboration between local governments; and/or (ii) involvement of local government in economic development including commercial activities. 	SUPPORTS	SUPPORTS	SUPPORTS
15	The Panel recommends that the new Act include a set of principles for intergovernmental relations that make clear local government's role and obligations as part of the broader system of government, and that underpin a range of ongoing arrangements such as the State Local Government Partnership.	SUPPORTS	SUPPORTS	SUPPORTS
16	The Panel recommends that the new Act recognises the unique status of Aboriginal people as traditional owners of the land and ensures that they are empowered to engage in decision-making in their local communities.	SUPPORTS	SUPPORTS	SUPPORTS
17	The Panel recommends that further consideration is given to the manner of recognition, and the options for inclusion, engagement and shared decision making between local governments and Aboriginal communities, through consultation with the Department of Premier and Cabinet and the Aboriginal Advisory Council of Western Australia, and with reference to practices in other states, the Northern Territory and New Zealand.	SUPPORTS	SUPPORTS	SUPPORTS
18	<p>The Panel recommends further consideration is given to the issue of service delivery by local governments in remote communities, and appropriate adjustments to Integrated Planning and Reporting requirements.</p> <p><i>Conditional Support: Recommendation and reiterate WALGA's current advocacy position that there be adequate funding of legislative responsibilities assigned to Local Governments in relation to service delivery to remote Aboriginal communities;</i></p>	CONDITIONAL SUPPORT	CONDITIONAL SUPPORT	CONDITIONAL SUPPORT
19	<p>Optional preferential voting be adopted in place of the current first past the post system.</p> <p><i>Conditional Support: Recommendation in support of a broad review of the property franchise including a community consultative process;</i></p>	CONDITIONAL SUPPORT	CONDITIONAL SUPPORT	CONDITIONAL SUPPORT
20	The principle of one vote per person be included in the legislation, subject to Recommendation 21 below.	OPPOSE	OPPOSE	OPPOSE
21	Property franchise voting should be replaced with the requirement for local governments to introduce mechanisms for regular and effective consultation with the business community.	OPPOSE	OPPOSE	OPPOSE
22	Local government elections are held once every four years, two years after but to otherwise accord with the timing of the State election.	OPPOSE	OPPOSE	OPPOSE

#	PANEL RECOMMENDTIONS	WALGA	SW ZONE WALGA	SHIRE OF DARDANUP
23	All local government elections should be overseen by the Western Australian Electoral Commissioner.	OPPOSE	OPPOSE	OPPOSE
24	Provision in the new Act for electronic/online voting to be introduced in the future once the integrity of the process can be assured (including allowing for a pilot).	SUPPORTS	SUPPORTS	SUPPORTS
25	<p>The Panel makes the following further recommendations in relation to elections:</p> <ul style="list-style-type: none"> a. Postal voting be required, with lodgement of these votes to be allowed in person on and before election day. b. The election process extended to provide more time for the issuing and receipt of postal votes. c. The information local government candidates must provide at nomination should be expanded to ensure that adequate information is given for voters to make an informed decision. Candidate nomination forms should also include declaration of membership of a political party and these forms should be published and available during the election period. d. A caretaker policy should be introduced barring elected members up for re-election from representing the council at events, handing out council grants or donations and moving substantive notices of motion in the period before the election, and a requirement to comply with this policy should be included in the Code of Conduct. e. The donor and the candidate should co-sign each declaration of a gift made. f. Donations via crowd funding platforms should be regulated so far as possible. 	<ul style="list-style-type: none"> a) OPPOSE b) SUPPORT c) SUPPORT d) SUPPORT e) SUPPORT f) SUPPORT 	<ul style="list-style-type: none"> a) OPPOSE b) SUPPORT c) SUPPORT d) SUPPORT e) SUPPORT f) SUPPORT 	<ul style="list-style-type: none"> a) OPPOSE b) SUPPORT c) SUPPORT d) SUPPORT e) SUPPORT f) SUPPORT
26	<p>In respect to elected member representation, the Panel recommends:</p> <ul style="list-style-type: none"> a. Population should be used to determine the number of elected member positions: <ul style="list-style-type: none"> (i) Population of up to 5,000 – 5 councillors (including President). (ii) Population of between 5,000 and 75,000 – 5 to 9 councillors (including Mayor/President). (iii) Population of above 75,000 – 9 to 15 councillors (including Mayor). <p>WALGA - Conditional Support: 26(a) conditional upon a review of the relative benefits and merits of changes to reduce numbers of Elected Members on Council be supported, on the following basis:</p> <ul style="list-style-type: none"> o Populations up to 5,000 – 5 to 7 Councillors (incl. President) o Populations between 5,000 and 75,000 – 5 to 9 Councillors (incl. Mayor/President) o Populations above 75,000 – up to 15 Councillors (incl. Mayor); <p>SW Zone WALGA - Conditional Support: 26(a) conditional upon a review of the relative benefits and merits of changes to reduce numbers of Elected Members on Council be supported, on the following basis:</p> <ul style="list-style-type: none"> o Populations up to 5,000 – 5 to 7 Councillors (incl. President) o Populations between 5,000 and 75,000 – 5 to 11 Councillors (incl. Mayor/President) o Populations above 75,000 – up to 15 Councillors (incl. Mayor); 	<ul style="list-style-type: none"> a) CONDITION SUPPORT 	<ul style="list-style-type: none"> a) CONDITION SUPPORT 	<ul style="list-style-type: none"> a) CONDITION SUPPORT

#	PANEL RECOMMENDTIONS	WALGA	SW ZONE WALGA	SHIRE OF DARDANUP
	<ul style="list-style-type: none"> b. Ward boundary reviews, to ensure equitable representation is maintained, should be conducted every four years by the Office of the Electoral Distribution Commissioners, with the support of the WAEC and should be conducted using similar processes and principles that are in place for state electoral boundaries as contained in the Electoral Act 1907. c. Current classification bands 3 and 4 should not have multiple wards unless the Local Government Commission permits it in the interests of ensuring local democracy is enabled in certain communities. d. The changes to wards and elected member numbers due to the above recommendations should be phased in. e. With the introduction of four-year elections, council elected mayors/presidents should be elected for two-year terms. f. No restriction should be placed on the number of terms an elected member or mayor/president can serve. 	<p>b) SUPPORT</p> <p>c) OPPOSE</p> <p>d) SUPPORT</p> <p>e) SUPPORT</p> <p>f) SUPPORT</p>	<p>b) SUPPORT</p> <p>c) OPPOSE</p> <p>d) SUPPORT</p> <p>e) SUPPORT</p> <p>f) SUPPORT</p>	<p>b) SUPPORT</p> <p>c) OPPOSE</p> <p>d) SUPPORT</p> <p>e) SUPPORT</p> <p>f) SUPPORT</p>
27	The Panel recommends further consideration should be given to strengthening the provisions of the City of Perth Act to reflect the unique role the City of Perth plays in the development of the State economy. In addition, consultation should be undertaken with the City of Perth and other relevant stakeholders as to whether property franchise voting should be retained in the City of Perth.	OPPOSE	OPPOSE	OPPOSE
28	The Panel recommends significant changes in the Act to the current statements of roles and responsibilities for mayors/presidents, councillors and CEOs and that the Act should include a new statement of responsibilities for the 'council' which captures the roles and responsibilities of all councillors acting collectively as the council.	SUPPORT	SUPPORT	SUPPORT
29	<p>The Panel recommends the following as the role of council:</p> <p>The council —</p> <ul style="list-style-type: none"> a. considers the diversity of interests and needs of the local community; b. is accountable to the community for the local government's performance; c. ensures adequate opportunities and mechanisms for engagement with the local community; d. ensures the timely development and adoption of the strategic plans, programs and policies of the council and promotes the effective and consistent implementation of these; e. develops and adopts strategic plans and a budget for the local government; f. keeps the local government's resource allocation, expenditure and activities and the efficiency and effectiveness of its service delivery, under review; g. provides strategic direction to the CEO in order to achieve high-quality administration and performance of the local government's functions in accordance with the Local Government Act and local government's policies; h. carries out an annual performance review of the CEO and in agreement with the CEO adopts Key Performance Targets for the following year; i. provides a safe working environment for the CEO, officers and councillors; j. reviews annually the delegations of the council; and 	SUPPORT	SUPPORT	SUPPORT

#	PANEL RECOMMENDTIONS	WALGA	SW ZONE WALGA	SHIRE OF DARDANUP
	<p>k. performs such other functions as are given to a council by this Act or any other written law.</p>			
30	<p>The Panel recommends the following as the role of councillors: A councillor —</p> <ul style="list-style-type: none"> a. without bias represents the current and future interests of all people who live, work and visit the district; b. provides leadership and guidance to the community in the district; c. facilitates communication between the community and the council; d. accurately represents to the community the policies and decisions of the council; e. participates in the development of strategic plans; f. must be prepared to — g. participate with an open mind in the local government’s decision-making processes; h. be an active and contributing member of the council; and i. make considered and well-informed decisions; j. makes all reasonable efforts to acquire and maintain the skills necessary to perform the role of councillor; and k. performs such other functions as are given to a councillor by this Act or any other written law. 	<p>SUPPORT</p>	<p>SUPPORT</p>	<p>SUPPORT</p>
31	<p>The Panel recommends the following as the role of the mayor/president: In addition to the responsibilities of a councillor, the mayor or president —</p> <ul style="list-style-type: none"> a. provides leadership and guidance to the community in the whole district; b. carries out civic and ceremonial duties on behalf of the local government; c. acts as the principal spokesperson on behalf of the council and explains and upholds the decisions of the local government; d. encourages good working relations between councillors, and between the council and the CEO; e. provides guidance to councillors about what is expected of a councillor including in relation to: <ul style="list-style-type: none"> (i) the role of a councillor; (ii) the councillor code of conduct; and (iii) standing orders f. liaises with the CEO on the local government’s affairs and the performance of its functions; g. presides at meetings in accordance with this Act; h. leads the development of strategic plans; i. promotes partnerships between the council and key stakeholders; j. leads and facilitates the presentation of the annual Council budget; k. initiates the annual performance appraisal of the CEO; and l. performs such other functions as are given to the mayor or president by this Act or any other written law. 	<p>SUPPORT</p>	<p>SUPPORT</p>	<p>SUPPORT</p>
32	<p>The Panel recommends the following as the functions of the CEO: (1) The CEO’s functions are to —</p>	<p>1. a) SUPPORT</p>	<p>1. a) SUPPORT</p>	<p>1. a) SUPPORT</p>

#	PANEL RECOMMENDTIONS	WALGA	SW ZONE WALGA	SHIRE OF DARDANUP
	<p>a. advise and assist the council in relation to the functions of a local government under this Act and other written laws;</p> <p>b. ensure that timely and accurate advice and information is available to the council so that informed decisions can be made;</p> <p>c. ensure that the mayor and other councillors are given the administrative and professional support necessary to effectively discharge their role;</p> <p>d. advise the council on appropriate forms of community engagement;</p> <p>e. advise and consult the mayor and council on the development and implementation of the strategic plans, programs, strategies and policies of the council;</p> <p>f. prepare, in consultation with the mayor and council, the draft budget;</p> <p>g. ensure that the policies and lawful decisions of the council are implemented in a timely and efficient manner;</p> <p>h. conduct the day-to-day management of the local government in accordance with the strategic plans, programs, strategies and policies of the council;</p> <p>i. ensure the effective and efficient management of the local government in a way that promotes —</p> <ul style="list-style-type: none"> (i) the effective, efficient and economical management of public resources; (ii) excellence in service delivery; and (iii) continual improvement; <p>j. maintain systems to enable effective planning and accurate reporting of the financial and service performance of the local government to the council and community;</p> <p>k. speak publicly on behalf of the local government when approved by the mayor or president to do so;</p> <p>l. be responsible for the employment and management of local government employees, except with respect to the position of CEO, through management practices that —</p> <ul style="list-style-type: none"> (i) promote equal employment opportunities; (ii) are responsive to the local government’s policies and priorities; and (iii) provide a safe working environment; <p>m. ensure the local government complies with this Act and any other written law;</p> <p>n. ensure that records, proceedings and documents of the local government are properly kept for the purposes of this Act and any other written law; and</p> <p>o. perform any other function specified or delegated by the council or imposed under this Act or any other written law as a function to be performed by the CEO.</p> <p>(2) The CEO must inform and consult the council when determining, or making, significant changes to –</p> <ul style="list-style-type: none"> a. the organisational structure for the staff of the local government; or b. the processes, terms or conditions that are to apply to the appointment of senior executive officers; or c. the appraisal scheme that is to apply to senior executive officers. 	<p>b) SUPPORT</p> <p>c) SUPPORT</p> <p>d) SUPPORT</p> <p>e) SUPPORT</p> <p>f) SUPPORT</p> <p>g) SUPPORT</p> <p>h) SUPPORT</p> <p>i) SUPPORT</p> <p>j) SUPPORT</p> <p>k) SUPPORT</p> <p>l) SUPPORT</p> <p>m) SUPPORT</p> <p>n) SUPPORT</p> <p>o) SUPPORT</p> <p>2.</p> <p>a) SUPPORT</p> <p>b) OPPOSE</p> <p>c) OPPOSE</p>	<p>b) SUPPORT</p> <p>c) SUPPORT</p> <p>d) SUPPORT</p> <p>e) SUPPORT</p> <p>f) SUPPORT</p> <p>g) SUPPORT</p> <p>h) SUPPORT</p> <p>i) SUPPORT</p> <p>j) SUPPORT</p> <p>k) SUPPORT</p> <p>l) SUPPORT</p> <p>m) SUPPORT</p> <p>n) SUPPORT</p> <p>o) SUPPORT</p> <p>2.</p> <p>a) SUPPORT</p> <p>b) OPPOSE</p> <p>c) OPPOSE</p>	<p>b) SUPPORT</p> <p>c) SUPPORT</p> <p>d) SUPPORT</p> <p>e) SUPPORT</p> <p>f) SUPPORT</p> <p>g) SUPPORT</p> <p>h) SUPPORT</p> <p>i) SUPPORT</p> <p>j) SUPPORT</p> <p>k) SUPPORT</p> <p>l) SUPPORT</p> <p>m) SUPPORT</p> <p>n) SUPPORT</p> <p>o) SUPPORT</p> <p>2.</p> <p>a) SUPPORT</p> <p>b) OPPOSE</p> <p>c) OPPOSE</p>

#	PANEL RECOMMENDTIONS	WALGA	SW ZONE WALGA	SHIRE OF DARDANUP
33	<p>The Panel recommends that the following community engagement principles should be included in the new Act:</p> <ul style="list-style-type: none"> a. Councils actively engage with their local communities; b. Councils are responsive to the needs, interests and aspirations of individuals and groups within its community; c. Community engagement processes have clearly defined objectives and scope; d. Participants in community engagement have access to objective, relevant and timely information to inform their participation; e. Participants in community engagement are representative of the persons and groups affected by the matter that is the subject of the community engagement; f. Participants in community engagement are entitled to reasonable support to enable meaningful and informed engagement; and g. Participants in community engagement are informed of the ways in which the community engagement process will influence council decision-making. 	SUPPORT	SUPPORT	SUPPORT
34	<p>The Panel recommends a Community Engagement Charter be required as a mechanism for guiding and enhancing community participation in local decision-making, and that a model charter be prepared to set parameters and provide guidance on mechanisms to be used.</p>	SUPPORT	SUPPORT	SUPPORT
35	<p>The Panel recommends the Annual Electors' Meeting is replaced by an Annual Community Meeting whereby:</p> <ul style="list-style-type: none"> a. As a minimum, councils provide information on their achievements and future prospects; b. Councils report on the local government's financial performance and performance against relevant Council Plans; c. Both the mayor/president and the Chair of the Audit Committee address the meeting; d. There is ample time for questions; and e. Wider community participation is encouraged through different delivery mechanisms. 	OPPOSE	OPPOSE	OPPOSE
36	<p>The Panel recommends the following IPR Principles are included in the new Act:</p> <ul style="list-style-type: none"> a. Councils plan strategically, using the integrated planning and reporting framework, for the provision of effective and efficient services to meet the diverse needs of the local community; b. Strategic planning identifies and incorporates, where appropriate, regional, State and Federal objectives and strategies concerning the economic, social, physical and environmental development and management of the community; c. Strategic planning addresses the community's vision; d. Strategic planning takes into account the resources needed for effective implementation; SUPPORT e. Strategic planning identifies and addresses the risks to effective implementation; and f. Strategic planning is a key accountability tool that provides for ongoing monitoring of progress and regular reviews to identify and address changing circumstances. 	SUPPORT	SUPPORT	SUPPORT

#	PANEL RECOMMENDTIONS	WALGA	SW ZONE WALGA	SHIRE OF DARDANUP
37	<p>The Panel recommends:</p> <ul style="list-style-type: none"> a. IPR be given greater prominence in the new Act as the centrepiece of ‘smart’ planning and service delivery. b. The new Local Government Commission and the department should take steps to improve understanding and skills across the sector to ensure consistent implementation of IPR requirements. c. IPR provisions in the Act should be expanded to include the issues currently covered in the regulations (suitably updated in accordance with these recommendations). d. IPR provisions and guidelines should be amended to, amongst other things – <ul style="list-style-type: none"> (i) Highlight the central goal of advancing community well-being (economic, social, cultural and environmental). (ii) Replace the current requirement for a Strategic Community Plan with a more flexible framework for ‘Community Strategies’. (iii) Reframe Corporate Business Plans as broader ‘Council Plans’ prepared by each incoming council. (iv) Mandate deliberative community engagement in the preparation of both Community Strategies and Council Plans. (v) Require a ‘regional issues and priorities’ section within Council Plans, to be prepared in consultation with neighbouring/nearby local governments. e. Provision should be made for a baseline reporting system as part of the IPR framework, and local governments should be required over time to report against a wider range of performance measures covering financial management, service delivery, governance and community wellbeing. f. Annual reports should include a statement of performance against the objectives, programs and projects set out in Community Strategies and Council Plans. g. The Audit, Risk and Improvement Committee (see Recommendations 53 and 54) should monitor the local government’s performance in implementing the IPR framework, including compliance with relevant statutory obligations, and report its assessment to the community (for example, as an addendum to the council’s annual report and/or as a statement to the Annual Community Meeting proposed in Recommendation 35). h. That all IPR plans be reviewed every four years (to align with the new election cycle), two years or one year depending on the plan. 	<ul style="list-style-type: none"> a) SUPPORT b) SUPPORT c) SUPPORT d) SUPPORT e) SUPPORT f) SUPPORT g) SUPPORT h) SUPPORT 	<ul style="list-style-type: none"> a) SUPPORT b) SUPPORT c) SUPPORT d) SUPPORT e) SUPPORT f) SUPPORT g) SUPPORT h) SUPPORT 	<ul style="list-style-type: none"> a) SUPPORT b) SUPPORT c) SUPPORT d) SUPPORT e) SUPPORT f) SUPPORT g) SUPPORT h) SUPPORT
38	<p>The Panel recommends:</p> <ul style="list-style-type: none"> a. As a minimum, local governments must seek to identify and provide, or offer, to all its citizens, a minimum level of services to meet statutory obligations. b. The Minister should have the power to direct a local government if it fails to provide or offer these services. c. The new Act should incorporate financial sustainability principles which also link to the IPR framework. d. Local government services and programs should be aligned to the IPR framework. e. Local governments conduct regular reviews of services and service levels including community consultation. 	<ul style="list-style-type: none"> a) OPPOSE b) OPPOSE c) SUPPORT d) SUPPORT 	<ul style="list-style-type: none"> a) OPPOSE b) OPPOSE c) SUPPORT d) SUPPORT 	<ul style="list-style-type: none"> a) OPPOSE b) OPPOSE c) SUPPORT d) SUPPORT

#	PANEL RECOMMENDTIONS	WALGA	SW ZONE WALGA	SHIRE OF DARDANUP
		e) SUPPORT	e) SUPPORT	e) SUPPORT
39	The Panel recommends local governments should continue to play an active role in economic development at both local and regional levels. The IPR framework should encourage local governments to be cognisant of State Government plans when developing strategies for economic development.	SUPPORT	SUPPORT	SUPPORT
40	The Panel recommends that the new Act should provide the freedom for local governments to be involved in commercial activities where it is in the public interest and subject to competitive neutrality principles.	SUPPORT	SUPPORT	SUPPORT
41	The Panel recommends that 'beneficial enterprises' not be introduced as a new mechanism for local government commercial activities, but that instead an updated and more flexible subsidiary model should provide for the following: <ul style="list-style-type: none"> a. Local government autonomy to establish a single or joint subsidiary to: <ul style="list-style-type: none"> (i) Carry out any scheme, work or undertaking on behalf of the council; (ii) Manage or administer any property or facilities on behalf of the council; (iii) Provide facilities or services on behalf of the council; and/or (iv) Carry out any other functions on behalf of the council. b. The subsidiary to be established through a charter. c. The charter to be certified by an independent and suitably experienced legal practitioner as within power and National Competition Policy. d. Public notice of the proposal to establish the subsidiary to ensure that there are no private operators that would be significantly disadvantaged. e. The subsidiary to be able to undertake commercial activities (within the limits of competitive neutrality and a thorough risk assessment). f. The subsidiary to have the ability to acquire, hold, dispose of or otherwise deal with property. g. Dividends able to be paid to member local governments. h. The requirement for employees of the subsidiary to be employed under the same award or agreement conditions as the relevant local government/s and within the jurisdiction of the Western Australian Industrial Relations Commission. i. No requirement for ministerial approval at the outset, but reserve powers for the Minister for Local Government to intervene if issues arise should be included. 	a) SUPPORT b) SUPPORT c) SUPPORT d) SUPPORT e) SUPPORT f) SUPPORT g) SUPPORT h) OPPOSE i) SUPPORT	a) SUPPORT b) SUPPORT c) SUPPORT d) SUPPORT e) SUPPORT f) SUPPORT g) SUPPORT h) OPPOSE i) SUPPORT	
42	The Panel recommends local governments should utilise the subsidiary models and, as a general rule, should not form entities outside this, such as under the Associations Incorporation Act, except as a means of establishing or maintaining partnerships with other local or regional organisations in those instances where the local government is not the dominant party.	SUPPORT	SUPPORT	SUPPORT
43	The Panel recommends the following financial management principles be included in the new Act: <ul style="list-style-type: none"> a. Councils should have regard to achieving intergenerational equity, including ensuring the following: 	SUPPORT	SUPPORT	SUPPORT

#	PANEL RECOMMENDTIONS	WALGA	SW ZONE WALGA	SHIRE OF DARDANUP
	<ul style="list-style-type: none"> (i) Policy decisions are made after considering their financial effects on future generations; (ii) The current generation funds the cost of its services; and (iii) Long life infrastructure may appropriately be funded by borrowings. <ul style="list-style-type: none"> b. Revenue, expenses, assets, liabilities, investments and financial transactions are managed in accordance with the council's financial policies and strategic plans; c. Financial risks are monitored and managed prudently having regard to economic circumstances; d. Financial policies and strategic plans, including the Revenue and Rating Strategy and Investment policy, seek to provide stability and predictability in the financial impact on the community; and e. Accounts and records that explain the financial operations and financial position of the council are kept. 			
44	<p>Having regard to the need for sound financial decision-making and accountability, the Panel recommends the following:</p> <ul style="list-style-type: none"> a. Local governments should be required to adopt or justify departures from a model investment policy to the Audit, Risk and Improvement Committee and relevant State Government Agency. b. Local governments should be able to use freehold land to secure debt. c. Debt should not be used for recurrent expenditure except in an emergency situation. d. Notice should continue to be required to be given for borrowings not included in the local government's annual budget. e. Building upgrade finance is permitted for specific purposes such as cladding, heritage and green improvements. f. Local governments should adopt program budgeting to more clearly show the actual cost of delivering a service or undertaking an activity. g. Local governments should report on the percentage of their expenditure spent on local businesses in their annual report. 	SUPPORT	SUPPORT	SUPPORT
45	<p>The Panel recommends that local government procurement thresholds, rules and policies are, where applicable, aligned with the State Government, including (but not limited to):</p> <ul style="list-style-type: none"> a. Tender threshold (currently \$250,000); b. Procurement rules and methods for goods and services under the tender threshold; c. Procurement policies, including sustainable procurement, procuring from disability enterprises, buy local (where 'local' refers to Western Australia or a specific region of the state determined by the local government) and Aboriginal businesses; and d. Using TendersWA as the primary tender platform. 	SUPPORT	SUPPORT	SUPPORT
46	<p>The Panel recommends the development of a model procurement policy for all local governments. If a local government chooses to deviate from the policy it should be required to explain its reasoning to the responsible State Government agency.</p>	SUPPORT	SUPPORT	SUPPORT

#	PANEL RECOMMENDTIONS	WALGA	SW ZONE WALGA	SHIRE OF DARDANUP
47	The Panel recommends enhancing legislation to regulate and guide the establishment and management of panel contracts.	SUPPORT	SUPPORT	SUPPORT
48	The Panel recommends a requirement for local governments to have an open register of local businesses with local governments determining what is considered 'local' to their community.	SUPPORT	SUPPORT	SUPPORT
49	The Panel recommends breaches of the local government procurement rules to be referred to the Office of the Independent Assessor to use the appropriate powers under the new Local Government Act.	SUPPORT	SUPPORT	SUPPORT
50	The Panel recommends: <ul style="list-style-type: none"> a. Rate capping should not be introduced. b. Local governments should be required to develop and publish a rates and revenue strategy, that would amongst other things replace the need to have fees and charges set in the annual budget. c. The Economic Regulatory Authority (ERA) should be asked to undertake a review of the rating system, including a thorough examination of the case for the current wide range of exemptions. d. The current rates exemptions should be retained until after the ERA review. e. Property owners seeking an exemption should be regularly required to prove they meet the criteria for an exemption. f. Local governments should charge a separate waste charge applying to all properties which have a waste service, including exempt properties. g. The Valuer General should be asked to undertake a review of the rating methodology with the aim of smoothing out significant fluctuations in valuations. 	SUPPORT	SUPPORT	SUPPORT
51	The Panel recommends that local governments should be able to set reasonable fees and charges according to a rating and revenue strategy, with the oversight of the Audit, Risk and Improvement Committee.	SUPPORT	SUPPORT	SUPPORT
52	The Panel recommends that local governments and State Government apply cost recovery principles when setting fees and charges.	SUPPORT	SUPPORT	SUPPORT
53	The Panel recommends the role of audit committees be expanded to become Internal Audit, Risk and Improvement Committees and: <ul style="list-style-type: none"> a. The majority of the Committee members, including the Chair, should be independent of the local government and should be drawn from a suitably qualified panel. b. To address the impost on small local governments, the committee could be established on a regional basis. 	a) OPPOSE b) OPPOSE	a) OPPOSE b) OPPOSE	a) OPPOSE b) OPPOSE
54	The Panel recommends the main roles of the Audit, Risk and Improvement Committee should include:	SUPPORT	SUPPORT	SUPPORT

#	PANEL RECOMMENDTIONS	WALGA	SW ZONE WALGA	SHIRE OF DARDANUP
	<ul style="list-style-type: none"> a. Developing an audit plan which focuses on compliance, risk (including procurement), financial management, fraud control, governance and delivery of the Council Plans; b. Identifying continuous improvement opportunities and monitoring programs and projects in this area; c. Conducting the mandatory internal audits as outlined in the audit plan; and d. Providing advice to the council in relation to these matters. 			
55	<p>In relation to governance, the Panel recommends:</p> <ul style="list-style-type: none"> a. Meeting procedures are standardised across all local governments, allowing for both a committee system and a public briefing system. b. Elected members should be required to lodge a declaration of interest as well as a confirmation of impartiality prior to meetings. c. Elected members who believe that they are unable to maintain impartiality on a particular matter should be permitted to withdraw from that part of the meeting provided a quorum is maintained. d. All votes should be recorded in the minutes on each motion with details of how each councillor voted. e. As a minimum, audio recordings of public parts of council meetings should be available on the local government's website when the minutes become available, with livestreaming to be encouraged. f. CEO contracts should be standardised and consistent with the Public Sector Commission's policy and relevant conditions for public sector employees. g. CEO contracts should be no more than five years and after two terms the local government must readvertise the position. h. The department should facilitate additional oversight in the recruitment and management processes of CEOs. This could include representation on the selection panel and/or screening of applicants. i. Primary and Annual Returns should include disclosure of membership of political parties and associations likely to be seen as exerting an influence on decision- making. 	<ul style="list-style-type: none"> a) SUPPORT b) SUPPORT c) OPPOSE d) SUPPORT e) SUPPORT f) SUPPORT g) OPPOSE h) SUPPORT i) SUPPORT 	<ul style="list-style-type: none"> a) SUPPORT b) SUPPORT c) OPPOSE d) SUPPORT e) SUPPORT f) SUPPORT g) OPPOSE h) OPPOSE i) SUPPORT 	<ul style="list-style-type: none"> a) SUPPORT b) SUPPORT c) OPPOSE d) SUPPORT e) SUPPORT f) SUPPORT g) OPPOSE h) OPPOSE i) SUPPORT
56	<p>The Panel recommends the following in relation to training:</p> <ul style="list-style-type: none"> a. New CEOs (including CEOs moving to a substantially larger local government) should be required to undertake training and ongoing professional development as recommended by the selection panel. b. There should be compulsory induction training and ongoing professional development for all councillors, including specific programs for mayors and presidents. c. Training modules for all councillors should include in-depth material on IPR and land use planning. d. The Minister should have discretion to exempt completion of training within the stipulated time on compelling grounds. e. Expanded use of peer review and support should be encouraged both to help improve the performance of individuals and local governments. 	SUPPORT	SUPPORT	SUPPORT

#	PANEL RECOMMENDTIONS	WALGA	SW ZONE WALGA	SHIRE OF DARDANUP
57	The Panel recommends that there should be an early intervention framework of monitoring to support local governments. The department should have additional powers to appoint and support the monitor with councils responsible for the direct costs of the monitor.	SUPPORT	SUPPORT	SUPPORT
58	The Panel recommends the Minister should have the power to direct local governments and make declarations in respect to the Local Government Act during a declared state of emergency.	OPPOSE	OPPOSE	OPPOSE
59	The Panel recommends establishing an Office of the Independent Assessor that should: <ol style="list-style-type: none"> Be an independent body to receive, investigate and assess complaints against elected members and undertake inquiries. This removes the CEO from being involved in processing and determining complaints. Be a statutory appointment by the Governor. Upon assessment, refer the complaint back to the council (behaviour-related), the State Administrative Tribunal (SAT) (serious breaches), or to another appropriate body (such as, Corruption and Crime Commission, Public Sector Commission, Ombudsman) according to the subject of the complaint. Replace the Standards Panel by investigating and making determinations on Rules of Conduct breaches. SAT will determine the penalties. Amongst other powers, have the power to investigate, to order compulsory mediation and to deal with abuses of process. Be required to notify the CEO and council of any matters on a confidential basis. 	SUPPORT	SUPPORT	SUPPORT
60	The Panel recommends consideration should be given to the appropriate recognition and management of complaints by an elected member against a CEO or other senior officer, with one option for these to be investigated by the Office of the Independent Assessor.	OPPOSE	OPPOSE	OPPOSE
61	The Panel recommends: <ol style="list-style-type: none"> The new Act should set principles for determining classification bands for local governments. These classification bands should be used by the Salaries and Allowances Tribunal for determining councillor and CEO payments, as well as providing a framework for distinguishing between local governments in relation to other matters. 	OPPOSE	OPPOSE	OPPOSE
62	The Panel recommends the increased harmonisation of local laws through the development of model local laws and deemed provisions.	SUPPORT	SUPPORT	SUPPORT
63	The Panel recommends requiring local governments to justify to the Joint Standing Committee on Delegated Legislation any variation from the model or deemed provisions.	SUPPORT	SUPPORT	SUPPORT
64	In relation to WALGA, the Panel recommends: <ol style="list-style-type: none"> WALGA not be constituted under the new Act; 	a) & b)	a) & b)	a) & b)

#	PANEL RECOMMENDTIONS	WALGA	SW ZONE WALGA	SHIRE OF DARDANUP
	<ul style="list-style-type: none"> b. A transition period is provided to ensure continuity in operations of WALGA while it is re-formed under other legislation; and c. Recognition of WALGA's Preferred Supplier Program and mutual insurance coverage in the legislation should be accompanied by appropriate oversight measures, including auditing. 	<p>FURTHER CONSULTATION REQUIRED</p> <p>c) SUPPORT</p>	<p>FURTHER CONSULTATION REQUIRED</p> <p>c) SUPPORT</p>	<p>FURTHER CONSULTATION REQUIRED</p> <p>c) SUPPORT</p>
65	<p>The Panel also identified the following operational matters to be considered when drafting the new Act:</p> <ul style="list-style-type: none"> a. The powers of entry in the current Local Government Act should be retained. b. The current evidence requirements in legal proceedings should be retained, however the requirement for the CEO to certify the documents should be removed. This should be delegated and the range of items that can be certified expanded after consultation with local governments. c. The new Act should be updated to reflect the modern signing of contracts. A more streamlined ability to dispose of impounded goods needs to be developed for the new Act. d. The new Act should enable councillors and members of the community (in the case of public questions and deputations) to remotely participate in council and committee meetings. e. Employment entitlements for local government employees should be transferrable across all three levels of Government. 	<p>a) SUPPORT</p> <p>b) SUPPORT</p> <p>c) SUPPORT</p> <p>d) SUPPORT</p> <p>e) SUPPORT</p>	<p>a) SUPPORT</p> <p>b) SUPPORT</p> <p>c) SUPPORT</p> <p>d) SUPPORT</p> <p>e) SUPPORT</p>	<p>a) SUPPORT</p> <p>b) SUPPORT</p> <p>c) SUPPORT</p> <p>d) SUPPORT</p> <p>e) SUPPORT</p>

12.11 Title: Policy Manual Review 2020

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

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 Luke Botica – Director Infrastructure
 Mr Sudi Mishra – Manager Information Services
 Mrs Natalie Hopkins – Manager Financial Services
 Ms Cathy Lee – Manager Governance & HR
 Mr Troy Williamson – Manager Assets
 Mr Nathan Ryder - Manager Infrastructure Planning & Design
 Mr Sergio Massimini – Manager Operations
 Ms Lucy Owen-Conway – Manager Place & Community Events
 Mrs Donna Bullen - HR/WHS Coordinator

It is noted that the policies have been workshopped with elected members. 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 held a Special Council Meeting on 27 July 2018 to review all of its policies and resolved [251-18] to adopt the policy manual at the time. Since that time, several new policies and amendments to policies have been endorsed by Council.

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.

Strategic Community Plan

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

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

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

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

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 27 July 2018.

Budget Implications - None.

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: 12.11A – Part 1, Page 163) for full assessment document.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Policy Manual Review 2020
Inherent Risk Rating (prior to treatment or control)	Low (1 - 4)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Legal and Compliance 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 changes, minor amendments or recommended deletions. The policies have had an addition to their names showing the directorates that each policy is covered under. Once the policies have been finalised, they will be sorted into Directorates for ease of reference.

- *Local Planning Policies – Advertising Requirements*

Within the policies, a number of Local Planning Policies (LPPs) are identified. 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 are those amendments considered minor that do not require advertising and there are more significant changes requiring the LPP to be advertised. As all of the LPPs will be at least subject to minor changes, they have been divided into three separate categories these being:

- LPPs subject to minor amendments for which advertising is not required;
- LPPs subject to more significant amendments for which advertising is required; and
- LPPs being revoked.

ACTION	POLICY NUMBER	POLICY NAME	COMMENT
LPPs Subject to More Significant Amendments for Which Advertising Is Required. <i>“Schedule 2; Part 2, Clause 4. Procedure for making local planning policy”</i>	SDev CP030	Local Planning Policy -Construction Of Outbuildings In The ‘Small Holding’ Zone Prior To Completion Of A Dwelling	Amendment to current policy. Changes are considered significant enough to require advertising
	SDev CP067	Local Planning Policy – New Roads And Upgrades – Provision For And Contributions By Developers	As above
	SDev CP068	Local Planning Policy – Uniform Fencing Abutting Public Land And Street Landscaping Within Subdivisions – Maintenance	As above
	SDev CP091	Local Planning Policy – Exempted Development And Land Use	As above
	SDev CP092	Local Planning Policy - Millbridge Estate – Special Provisions	As above
	SDev CP094	Local Planning Policy – Dardanup West/Crooked Brook Area – Provision Of Foreshore Facilities Developer Contribution Policy	As above
	SDev CP096	Local Planning Policy - Sea Containers	As above
	SDev CP100	Local Planning Policy - Ancillary Dwellings, Grouped Dwellings And Caretaker’s Dwellings – Small Holding And General Farming Zones	As above
	SDev CP102	Local Planning Policy - ‘R100’ Southbank Development Guidelines	As above
	SDev CP502	Draft Local Planning Policy –Waiving And Refunding Of Fees	New Policy
SDev CP504	Draft - Local Planning Policy – Amendments And Extensions To Existing Approvals Policy	New Policy	

ACTION	POLICY NUMBER	POLICY NAME	COMMENT
	SDev CP505	Draft - Local Planning Policy – Public Consultation – Planning Matters	New Policy
<p>LPPs Subject to Minor Amendments for Which Advertising is Not Required.</p> <p><i>“Schedule 2; Part 2, Clause 5. Procedure for amending local planning policy”</i></p>	SDev CP028	Local Planning Policy – Variation To Deemed-To-Comply Requirements Of The R-Codes: Medium-Density Single House Development Standards [R-MD Codes]	Minor Wording Or Format Changes – No Change To Intent Of Policy.
	SDev CP084	Local Planning Policy – Advertising Signage	As above
	SDev CP099	Display Homes – Development Standards	As above
	SDev CP104	Local Planning Policy – Caravans As Temporary Accommodation	As above
	SDev CP503	Draft Local Planning Policy – Development Assessment Unit	Recently advertised as CP129. Policy number change only.
<p>LPP Being Revoked Advertising is required.</p> <p><i>“Schedule 2; Part 2, Clause 6. Revocation of local planning policy”</i></p>	CP075	Waiving And Refunding Of Statutory Fees For Shire Capital Works Projects	This policy has been absorbed into new Draft LPP SDev CP502

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 [Refer link: <https://www.dardanup.wa.gov.au/council/council-meetings/agendas-appendices/agendas-minutes-2020/>] (e-Appendix ORD: 12.11B).

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. Pursuant to Schedule 2:

- a) **Part 2, Clauses (4) and (5) of the *Planning and Development (Local Planning Schemes) Regulations 2015* makes amendments to the following local planning policies as contained within the draft Council Policy Manual 2020 (e-Appendix ORD: 12.11B) and advertises such policies as required:**

- i) SDev CP030 - Local Planning Policy -Construction Of Outbuildings In The 'Small Holding' Zone Prior To Completion Of A Dwelling;
 - ii) SDev CP067 - Local Planning Policy – New Roads And Upgrades – Provision For And Contributions By Developers;
 - iii) SDev CP068 - Local Planning Policy – Uniform Fencing Abutting Public Land And Street Landscaping Within Subdivisions – Maintenance;
 - iv) SDev CP091 - Local Planning Policy – Exempted Development And Land Use;
 - v) SDev CP092 - Local Planning Policy - Millbridge Estate – Special Provisions;
 - vi) SDev CP094 - Local Planning Policy – Dardanup West/Crooked Brook Area – Provision Of Foreshore Facilities Developer Contribution Policy;
 - vii) SDev CP096 - Local Planning Policy - Sea Containers;
 - viii) SDev CP100 - Local Planning Policy - Ancillary Dwellings, Grouped Dwellings And Caretaker's Dwellings – Small Holding And General Farming Zones;
 - ix) SDev CP102 - Local Planning Policy - 'R100' Southbank Development Guidelines;
 - x) SDev CP502 - Draft Local Planning Policy –Waiving And Refunding Of Fees;
 - xi) SDev CP503 - Draft Local Planning Policy – Development Assessment Unit;
 - xii) SDev CP504 - Draft - Local Planning Policy – Amendments And Extensions To Existing Approvals Policy; and
 - xiii) SDev CP505 - Draft - Local Planning Policy – Public Consultation – Planning Matters.
- b) Part 2, Clause 4(3)(b)(i) of the *Planning and Development (Local Planning Schemes) Regulations 2015* Council resolves to proceed with any of the draft local planning policies indicated in 1(a)i-xiii without modification, if no submissions are received during the advertising period, without the requirement for the draft local planning policy to be brought back to Council for further consideration.
- c) Part 2, Clause 4(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council authorises the Chief Executive Officer to publish a notice of Council's decision to proceed with the local planning policy without modifications, in accordance with Resolution 1(b).

- d) Part 2, Clause 4(3)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council instructs the Chief Executive Officer to bring a report back for Council's further consideration if any submissions are received during the advertising period for the advertised draft local planning policies indicated in 1(a)i-xiii.
2. 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 draft Council Policy Manual 2020 (e-Appendix ORD: 12.11B) and determines such amendments are of a minor nature that do not warrant advertising:
- a) SDev CP028 - Local Planning Policy – Variation To Deemed-To-Comply Requirements Of The R-Codes: Medium-Density Single House Development Standards [R-MD Codes];
- b) SDev CP084 - Local Planning Policy – Advertising Signage;
- c) SDev CP099 - Display Homes – Development Standards; and
- d) SDev CP104 - Local Planning Policy – Caravans As Temporary Accommodation.
3. Pursuant to Schedule 2, Part 2, Clause 6(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, revokes the following Local Planning Policies and places a notification to this effect in a newspaper circulating in the Scheme area:
- a) CP075 - Waiving And Refunding Of Statutory Fees For Shire Capital Works Projects; and

AND

OFFICER RECOMMENDED RESOLUTION "B"

THAT Council:

1. Deletes all previous policies with the exception of Planning Policies that have been dealt with separately.
2. Endorses and adopts the Shire of Dardanup 2020 Council Policies as provided electronically [Refer link: [www. https://www.dardanup.wa.gov.au/council/council-meetings/agendas-ependices/agendas-minutes-2020/](https://www.dardanup.wa.gov.au/council/council-meetings/agendas-ependices/agendas-minutes-2020/)] (e-Appendix ORD: 12.11B) identified as Tardis Electronic Record Number Reference: R0000796809 (inclusive of the planning policies adopted).
3. Publishes an up to date copy of all Council policies in the new format on the Shire website.
4. Requests that the Chief Executive Officer undertake a full review of the adopted policies by September 2022.

12.12 Title: Adoption of Event Application Policy

Reporting Department: Sustainable Development Directorate
Reporting Officer: Ms Lucy Owen-Conway - Manager Place & Community Engagement
Legislation: Health (Miscellaneous Provisions) Act 1911

Overview

This report seeks Council's adoption of CP070 - Event Application Policy without modification.

Background

The item regarding the establishment of an Events Application Policy was presented to Council on 27 July 2020. At the meeting Council resolved [207-20] as follows:

THAT Council:

1. *Resolves to adopt Draft CP070 – Event Application Policy (as detailed below) for the purposes of public advertising.*
2. *Publicly advertised Draft CP070 – Event Application Policy for a period of 21 days.*
3. *Following the closure of the public advertising period, require an agenda item back to Council that details the submissions received during the advertising period and make a recommendation that Draft CP070 – Event Application be either adopted with or without modifications, or not to proceed.*

In accordance with the above mentioned Council resolution, the Draft CP070 – Event Application Policy was publically advertised for a period of 21 days from 3 August 2020 to 24 August 2020. The policy was available to view at the Eaton Administration Centre, Eaton Community Library, Dardanup Shire Office, and on the Shire's website. The public notice was also emailed to event organisers who had held an event within the Shire in the previous three-year period, and for whom we had contact details, totalling 62 recipients.

Legal Implications

Health (Miscellaneous Provisions) Act 1911
 Health (Public Buildings) Regulations 1992
 Local Planning Scheme No.3
 Building Act, 2011

Strategic Community Plan

Strategy 3.5.1 - To protect public health and safety. (Service Priority: High)
 Strategy 2.6.1 - To provide a variety of places to live, work and play that meet the current and future needs of the community. (Service Priority: Very High)
 Strategy 3.2.1 - To encourage social connectedness in our community through participation in positive social networks, interaction and events. (Service Priority: Very High)

Environment - None.

Precedents - None.

Budget Implications

To mitigate the cost of staff resources required to administer private event bookings at Shire parks and reserves it is recommended that a fee of \$179 is introduced. This fee is based on Council's adopted fees and charges which lists the officer charge rates for Health Officers and Rangers at \$107.27 and all other Officers at \$71.59. The income generated will be utilised to pay on-call wages for Rangers and Health Officers where a call-out is requested by an event organiser, and to account for the time taken by Parks Officers to erect signage and notices. The Chief Executive Officer will have discretion to waive the fee for not-for-profit or Shire-funded events under delegated authority.

The existing bond for events on Parks, Gardens and Reserves for small (\$500) and large (\$1,000) events will apply to bookings, as well as the key bond (\$40) where applicable.

The cost to procure temporary notice boards at event sites is estimated at \$34 each (plus GST). Additionally, fixed notice boards can be installed at key locations where there are existing facilities to affix them to, such as at the Eaton Foreshore. The estimated cost is \$500 each.

Therefore in the 2020/21 financial year there will be a financial impact on Council in the order of \$816 to procure the temporary signs plus approximately \$1,500 for three fixed notice boards, however it is anticipated that this cost will be offset over time through the booking fee. It is suggested that this expenditure be sourced from J11917 Place Making Activities & Engagements as the encouragement of events within the Shire contributes to place activation.

Budget – Whole of Life Cost - None.

Council Policy Compliance

LP 090 - Community Engagement. Clause 2.7. (2) (b) Local Government Act, 1995.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.12A – Part 1, Page 164) for full assessment document.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Event application assessment Policy
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the inherent risk rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	Low (1 - 4)
Risk Category Assessed Against	Health Event applications not being properly assessed against health requirements, and the public safety, health and amenity being put at risk.
	Legal and Compliance The Shire found not meeting its implied legal responsibility and its duty of care in ensuring public health and safety at a public gathering.
	Reputational The Shire being seen as having an ad-hoc/uncoordinated approach to event assessment.

Officer Comment

One submission was received (Appendix ORD: 12.12B – Part 1, Page 165) via email against the draft policy. The main concern outlined was the eight-week lead time and paperwork required to meet Council’s event application requirement, which the responded feared would be a detractor to community events.

In response to this submission Officers note that the Policy was not intended to add additional forms or processes for event approvals, but instead to provide a clear indication of when an event application is required to be submitted to the Shire. Regarding concerns about the eight-week application period, most events are issued an approval within two weeks however the longer lead time stated is to allow for events that may require approvals from other agencies such as for road closures, pyrotechnics, or where it crosses other Shire boundaries. This is particularly relevant in the present time considering the current COVID-19 restrictions: the Shire has received notification from the Department of Health that a review is taking place of the Directions as they pertain to events. Implications are expected to include additional measures to minimise potential health risks to the public, a mandatory register of events with the Department of Health, and approval from the Chief Health Officer regarding whether a high-risk event can proceed.

Once the policy is adopted, supporting documents *Shire of Dardanup Event Application Guidelines* and *Using Shire Parks and Reserves for Informal Events and Gatherings: Rules and Requirements* will be reviewed and consolidated to an easy-to-understand *Shire of Dardanup Event Guidelines* document designed to encourage and promote events within the Shire of Dardanup.

The proposed Policy should be reviewed as required to keep in-line with changes and updates to legislation, organisational objectives, and updates to government guidelines on events and event-related matters, as they occur.

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. Resolves to adopt SDev CP070 – Event Application Policy (as detailed below).**



COUNCIL POLICY NO:
SDev CP070 - EVENT APPLICATION POLICY

GOVERNANCE INFORMATION			
Procedure Link:	NA	Administrative Policy Link:	NA

ADMINISTRATION INFORMATION			
Version:	New	OCM 30/09/20 Res: ???/??	Synopsis: Policy created.
Version:			

1. RESPONSIBLE DIRECTORATE

Sustainable Development

2. PURPOSE OR OBJECTIVE

The objective of this policy is to support and encourage events in the Shire of Dardanup that benefit the community and meet the relevant objectives outlined in the Shire of Dardanup Strategic Community Plan 2018-2028; while ensuring events comply with relevant legislative and legal requirements for public safety, health and amenity.

3. SCOPE

This policy applies to events held fully or partially on Shire owned and managed waterways, roads, land and facilities; and privately owned or leased properties within the Shire of Dardanup.

The following events fall outside of the Policy and therefore do not require an event application:

- Social gatherings, being small groups (generally less than 75 people over the age of 16 years) partaking in recreational activities with no significant infrastructure or entertainment.
- Events held in a building or venue that is approved for the purpose of events, and the event is within the approval limitations.
- Event held on crown land, where the event is run by the State or Federal Government.
- Political events or protests. This activity requires application and approval in accordance with the Local Government Act 1986, and other relevant legislation as required.
- Activities for which a Stallholder's Permit, Trader's Permit, or Permit to Perform has been issued.

4. POLICY

4.1 Event Application Criteria

An event permit is usually required for events where one or more of the following apply:

- The event type and expected number of attendees exceed or is not consistent with the planning or health approval for the proposed venue.
- The event is for more than 75 people over the age of 16 years.
- The event is advertised.
- Event registration is required, or ticket sales occur.
- Preparation or sale of food or drinks, including liquor, to the public is to occur.
- Amusement rides, bouncy castles, animals, laser or fireworks displays are part of the event.
- Erection of tents and marquees larger than 50m², stages or other temporary structures is to occur.
- Use of drones, lighting towers, generators, cabling, switches, extension cords or other specialised equipment is to occur.
- Potential noise including music, use of amplified equipment, extraordinary vehicle noise.
- Trading in a public place is to occur (i.e. food vans, food stalls, market stalls, sales or hire of goods or wares)
- Liquor is being sold, supplied or consumed.
- A permit/approval/license issued by an external agency is required (e.g. permit for fireworks or pyrotechnics).
- Traffic management is required.
- Security, crowd control, first aid or other emergency services are engaged.
- The event could have a negative impact on the residents, community or the environment.
- The event could cause damage to Shire property or reserves.
- The activities proposed to be undertaken at the event have moderate to high level of risk to the public.

4.2 Events on Shire of Dardanup Parks, Reserves and Facilities

Event bookings can be made on Shire of Dardanup managed parks, reserves and facilities which are available to all events that promote the objectives of the Shire of Dardanup Strategic Community Plan.

Any park or reserve may be booked for an event; however, every endeavour should be made to ensure that at least 50% of the park or reserve remains available for use by the general public. Public facilities such as playgrounds, BBQs and the jetty cannot be booked exclusively, with the exception of gazebos.

The Shire will consider the appropriateness of the proposed venue for the purpose of the event when assessing a booking application. The booking applications for major events supported by the Shire will be given priority. Applications will be considered on a 'first-come, first-served' basis; in the event of two or more booking applications being received at the same time the Shire will prioritise the application of local individuals, groups, and organisations.

The Shire leases a number of its facilities to various groups and organisations, meaning those which are already leased may not be available for hire.

4.3 Application

An event permit application shall be made to the Shire on the prescribed form (Form 188) for any event meeting the criteria set-out under 4.1. of this Policy.

An event booking application shall be made on the prescribed form (Form 188A) for events on Shire of Dardanup managed parks and reserves. An event booking application shall be made on the prescribed form (Form 77) for events in Shire of Dardanup facilities.

Event applications and event bookings should be made at least eight (8) weeks prior to the proposed event date.

The Shire has the right to refuse and/or cancel any event applications for a range of issues, including but not limited to:

- The impact the event will have on the environment, residents and community.
- The impact the event will have on the Shire's reputation.
- The ability to meet all legislative requirements and to obtain all permits, licenses and approvals.
- The level of risk.
- The potential damages that could occur to the Shire's property.
- The potential conflict with other events or community use in that location.

4.4 Fees and Charges

The Shire shall determine all fees and charges for community facilities, parks and reserves on an annual basis and these shall be listed in the Schedule of Fees and Charges.

4.5 Responsibility

It is the responsibility of the event organiser to:

- organise an event that complies with all relevant legislation, is safe and does not have negative impacts on community or the environment;
- to obtain all relevant approvals/permits/licenses issued by the Shire of Dardanup and/or any other government department or regulatory body;
- adhere to any conditions set out in the Shire of Dardanup event permit, Conditions of Hire for Parks and Reserves, and any other government departments or regulatory bodies.

5. REFERENCE DOCUMENTS

- Shire of Dardanup Event Guidelines
- Shire of Dardanup Form 188 – Application Form Event

- Shire of Dardanup Form 188B – Application Form Park or Reserve
- Shire of Dardanup Form 77 – Application Form Facility Hire
- Shire of Dardanup CP044- Donations and Grants : Minor Community Events Assistance
- Shire of Dardanup AP015 – Casual Hirers Liability Insurance
- Shire of Dardanup ‘Activities in Thoroughfares and Public Places and Trading Local Law’
- Shire of Dardanup ‘Local Government Property Local Law 2007’
- Shire of Dardanup Strategic Community Plan 2018-2028
- Health (Miscellaneous Provisions) Act 1911
- Health (Public Buildings) Regulations 1992

2. Resolves to include the following in the 2021/22 Schedule of Fees and Charges:

- a. **Event Booking - Shire Park or Reserves - \$179.00.**
- b. **The Chief Executive Officer is permitted to amend or waive the Event Booking - Shire Park or Reserves fee for not-for-profit and/or Shire-funded events.**

12.13 Title: Live Streaming of Council Meetings

Reporting Department:	Corporate & Governance Directorate
Reporting Officer:	Mr Stephen Eaton - Manager Information Technology
Legislation:	Local Government Act 1995

Overview

This report presents Council with a comprehensive analysis of the possible solutions for live streaming of Council meetings. The report recommends that Council supports the inclusion of technology to facilitate live streaming in the new administration building and gives Council the option to consider including this technology in the existing building.

Background

At the Ordinary Council Meeting (OCM) held on 27 May 2020 Council resolved [Res 149-20] to request a comprehensive report on live streaming of Council Meetings at the September OCM.

THAT Council request the Chief Executive Officer to present a comprehensive report on live-streaming of Council Meetings at the September Ordinary Council Meeting. The report to include but not limited to costings, budget impact, practicalities and a recommendation for implementation.

A request for quotations was organised with contractors experienced in providing live streaming solutions to Local Government organisations. The prices received and work undertaken are outlined in the budget implications part of this report.

Legal Implications**Local Government Act 1995 section 9.57A**

Local government protected from liability for defamation:

(2) A local government is not liable to an action for defamation in relation to matter published on its official website as part of a broadcast, audio recording, or video recording, of council proceedings.

Shire of Dardanup Standing Orders Local Law 2014 – Clause 5.15

Recording of meeting prohibited:

(1) A Person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the Council or Committee unless the Presiding Member or CEO has given permission to do so.

(2) If the Presiding Member or CEO gives permission under subclause (1), he or she is to advise the meeting, immediately before the recording is commenced, that such permission has been given and the nature and extent of that permission.

Australian Privacy Principle guidelines of the Federal Government Privacy Act 1988:

“personal information” means information or an opinion (including information or an opinion forming part of a database), whether true or not, and whether recorded in a material form or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion;

“record” means:

- (a) a document;*
- (b) a database (however kept); or*
- (c) a photograph or other pictorial representation of a person;*

B.2 An 'APP entity' is defined to be an agency or organisation (s 6(1)).

B.27 The concept of 'collection' applies broadly, and includes gathering, acquiring or obtaining personal information from any source and by any means, including from:

- individuals
- other entities
- generally available publications
- surveillance cameras, where an individual is identifiable or reasonably identifiable
- information associated with web browsing, such as personal information collected by cookies^[14]
- biometric technology, such as voice or facial recognition

Chapter 5: APP 5— Notification of the collection of personal information

Key points

- An APP entity that collects personal information about an individual must take reasonable steps either to notify the individual of certain matters or to ensure the individual is aware of those matters.
- The matters include:
 - the APP entity's identity and contact details
 - the fact and circumstances of collection
 - whether the collection is required or authorised by law
 - the purposes of collection
 - the consequences if personal information is not collected
 - the entity's usual disclosures of personal information of the kind collected by the entity
 - information about the entity's APP Privacy Policy
 - whether the entity is likely to disclose personal information to overseas recipients, and if practicable, the countries where they are located
- An APP entity must take reasonable steps, before, or at the time it collects personal information. If this is not practicable, reasonable steps must be taken as soon as practicable after collection.

State Records Act 2000 General Disposal Authority for Local Government ref.25.1.2:

Retain 1 year after minutes confirmed, then destroy

State Records Act 2000 section 3 Records include:

- (e) *anything from which images, sounds or writings can be reproduced with or without the aid of anything else; and*
- (f) *anything on which information has been stored or recorded, either mechanically, magnetically, or electronically;*

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

6.8. Expenditure from municipal fund not included in annual budget

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

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

** Absolute majority required.*

Strategic Community Plan

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

Strategy 1.1.2 - Keep our community informed through a wide variety of media that is accessible and open and responsive. (Service Priority: High)

Environment - None.

Precedents

The Ordinary Council meeting held on 27 May 2020 when the agenda item around streaming of Council meetings was introduced.

Budget Implications

The Council does not have any specific funds allocated in 2020/2021 budget to cover the installation of equipment to enable the live streaming of Council meetings.

Options and costings associated with implementing livestreaming of Council meetings have been sourced and summarised below:

OPTION	QUOTE (EX GST)	DESCRIPTION	ADVANTAGES	DISADVANTAGES	CONSIDERATIONS
1A Option 1A – Four Cameras.	\$25,000	Minimum solution; • Four cameras – Ceiling mounted • Two multi-directional microphones – Ceiling mounted Content Delivery Network	• Low Cost • Simple to operate • No additional staffing required • Up to 4 cameras supported	• System does not identify speaker • No voting capabilities • No meeting management capabilities • All cameras are streamed at the same time into a single display split into 4 smaller screens • Cameras do not discriminate who is being recorded • Audio has limited discrimination abilities • Audio quality would be akin to the acoustics of a town hall meeting • No Streaming of Presentation screen	• Sunk cost • Audio Quality • Presentation Screen not streamed
1B Option 1B - Three cameras	\$22,000	(Same as Option 1A) Three cameras	(Same as option 1A)	(Same as Option 1A)	(Same as Option 1A) • No Camera on Public Lectern
2	\$80,000	Council streaming, meeting management and voting – Fixed Wired • Audio discussion System • Four cameras – fixed Content Delivery Network	• Voting Capabilities • Current Speaker identified • Meeting management • Clear Audio • Active Camera Streamed • Presentation Screen Streamed	• Additional staffing required to operate • Fixed Cameras locations • Requires audio cabling at each Councillors desk • Meeting participants required to push button to talk	• Sunk costs • Additional Staffing required during meetings • Moving of furniture and Reconfiguration of chambers physical layout in the future, even on a temporary basis, will not be possible without re-wiring of the desks.
3	\$95,000	Council Streaming Meeting management and Voting – Wireless • Audio discussion System • Four cameras – fixed Content Delivery Network	• Wireless • Voting Capabilities • Current Speaker identified • Meeting management • Clear Audio • Active Camera Streamed • Presentation Screen Streamed	• Additional staffing required to operate • Fixed Camera Locations • Would require power at each desk • Meeting participants required to push button to talk • Will require staff to manage charging prior to meeting • May require spares to be held	• Sunk costs • Additional Staffing required during meetings • Additional maintenance overheads • May require holding of spares

Budget – Whole of Life Cost

In addition to the up-front purchase and installation costs, all options have a whole of life cost over the anticipated lifetime of the asset (5 Years):

	Maintenance	Streaming Subscription	Total (5 years)
Option 1A	\$5,000	\$15,000	\$20,000
Option 1B	\$4,350	\$15,000	\$19,350
Option 2	\$20,000	\$15,000	\$35,000
Option 3	\$23,750-\$25,000	\$15,000	\$38,750-\$40,000

Considering the total cost of installing Option 1B is considered at \$22,000 this and that this would be seen as a sunk cost, considering the lifetime is only anticipated to be 5 years, by the time the new Shire Building is built two thirds of the anticipated life would have been spent.

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: 12.13A – Part 1, Page 168) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Live Streaming of Council Meetings
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Reputational Technology failure during live stream event.
	Reputational Accidental streaming of closed sessions or confidential items
	Financial Accidental streaming of closed sessions or confidential items
	Legal and Compliance Breach of Privacy act
	Legal and Compliance Defamation Action, legal liability
	Legal and Compliance Accidental streaming of closed sessions or confidential items

Officer Comment

Officers have undertaken consultation with a number of Local Governments, Local Government Networks, the Department of Local Government Sport and Cultural Industries, and technology service providers in alignment with Council Policy.

It is prudent for Council to consider the risk factors set out in this report and provide for the systems, technology, policy and procedures a professional standard to provide coherent services and mitigate risks.

Unlike a number of other local Council's in the region, such as Shire's of Donnybrook-Balingup, Harvey, Capel and the City of Bunbury, the Shire of Dardanup currently does not have any meeting audio recording facilities installed within the Chamber. As such, all live-streaming solutions must include an audio component on top of the visual streaming solution. The contrasting pricing of the options presented in this report reflect the quality of the audio components for each solution.

The option that Council decides to implement will determine the technology, systems, costs and risks. It is important to note that the different options have different levels of risk and associated costs. Therefore, it is vital to consider how the upfront cost may mitigate future costs, such as system upgrades or legal actions.

For example, a meeting audio only recording system requires policy and procedures such as clearly identifying a Councillor when speaking, while live stream systems provide for ill-advised or defamatory statements to broadcast in real time. Meetings that are open to the public have similar implications, however, in the past they have not been recorded on visual and audio, apart from during COVID-19. In the case of video streaming, it is imperative to make the public in attendance at meetings aware that they may be recorded and identified.

- *Options not covered in this report*

Options around audio only recording of meetings have not been considered in this report and may be considered as an alternative future solution that could be used as a foundation for video streaming at a later date. The quality of the audio recording system is one of the main reasons for the contrasting prices between the options presented.

The pricing around the options presented within this report are considered as a minimum cost for each of the technology levels they represent. Further enhancements can be added at additional costs, e.g. rather than fixed cameras these could be replaced with cameras that will pan/tilt and zoom to the current speaker and applied equally to all options at a greater cost.

- *Legal and Risk Considerations*

A legal opinion was obtained from McLeod's Barristers & Solicitors detailing a number of important considerations with recording and livestreaming of Council Meetings. The full legal opinion is attached in (Appendix ORD: 12.13B – Part 1, Page 169) for details, however important points are summarised below:

- Elected members are not exempt from defamation laws;
- Potential of personal litigation actions against elected members resulting from comments made during live-streamed meetings;
- The impacts of the threat of defamation action on elected members personally;
 - May force Councillors to withdraw from comment on issues;
 - Elected Members may refrain from explaining reasons around decisions;
- Often difficult in identifying person responsible for comments at later time;
- Council required to identify speaker during complaints process; and
- May be a disincentive for community members to participate in items of interest.

Recent amendment to the *Local Government Act* in July 2019 inserted section 9.57A, which provides protection from liability for defamation, and has mitigated the liability associated with the Council publishing defamatory remarks. However, the amendment only protects the Local Government and does not extend to Councillors or members of the public.

Absolute privilege is enjoyed by Members of Parliament and this protects them from, amongst other things, any action in regard to deliberate or careless statements such as defamation. Councillors can only

rely on the limited protection of qualified privilege from comments they may make at Council meetings. As stated on the Department of Local Government, Sport and Cultural Industries website:

“Council members are not protected from defamation in the same manner as Members of Parliament for statements they make in the council chamber. Defamation is the aspect of law that protects people’s reputations. It may be divided into libel, which relates to written or pictorial material, and slander, which relates to oral comments. Defamation can be defined as anything that tends to lower a person in the estimation of members of society.

In a Council meeting, the elected member fulfils a public duty and is therefore given limited protection from legal actions of defamation. However, unlike a Member of Parliament, the councillor’s privilege is qualified. This means that protection is only provided if the statements are made in good faith.

Statements made with malice or made recklessly are not protected by qualified privilege. Statements made outside Council meetings are unlikely to attract qualified privilege. This is particularly pertinent in relation to social media. While it can be a powerful tool for communicating ideas and policy platforms directly with the community, care should be used. The Local Government Act 1995, Defamation Act 2005 and the Local Government (Rules of Conduct) Regulations 2007 apply in the virtual world, just as they do in real life. The test is whether a Councillor would feel comfortable saying something on social media that could still be said in a public forum like a Council meeting, or on the front page of a newspaper.”

This may impact Councillors who may feel constrained in their approach to debate and decision-making in a recorded or live streaming environment. It is recommended this be addressed by incorporating meeting conduct and public speaking training into the Councillor training schedule.

During the normal course of Council business, the liability risk is partly mitigated through current Council insurance policies in place, however this only applies to normal business activities. When a Council member speaks or goes outside of what is normal business i.e. starts to refer to personal or private matters, or the member breaches the code of conduct, then this may negate the standard insurance protection. This creates a grey area in these circumstances, where Council insurance may not cover the individual Councillor.

The liability risks may also be mitigated by a robust policy that outlines factors such as, stopping and starting recording or streaming for designated purposes, such as closed meeting discussions or public question time.

Infringement of copyright may arise in a variety of circumstances, for example if someone reads copyright information during a meeting without the consent of the copyright owner and the Council records and publishes that information, or alternately where someone copies the Shire of Dardanup’s recording itself. The Shire of Dardanup will mitigate this risk with a list of terms and conditions or a disclaimer that is available and prominently displayed with the recording or stream. The Shire of Dardanup will retain ownership of the recording under the *Copyright Act 1968* and will not provide permission to reproduce.

Amendments to Standing Orders and Local Laws may be required to take the privacy legislation into consideration.

There is no ability to discriminate between general public or meeting participants within the chambers besides that of the fixed camera placement, therefore to meet its obligations under the Australian Privacy Principles of the *Privacy Act 1998* (Privacy Act 1988) the Shire of Dardanup will be required to clearly display signage stating that recording devices are in operation. Additional signage may be required at the entrance of the Council Chambers outlining conditional entry rights for the general public into the chambers during the livestreaming of Ordinary Council meetings.

Additionally, OCMs are open to all of the public, therefore it is currently unknown without further advice as to the standing of the Council around the matter of consent for any unattended minors attending an OCM that will be livestreamed.

Notice must be provided to members of the public and other meeting attendees pursuant to Shire of Dardanup *Standing Orders Local Law 2014* 5.15(2). The Presiding member will be required to advise the meeting before the commencement of recording and prominent signage will be displayed in Council chambers to advise that the meeting is to be recorded or streamed.

The Local Government Review Panel Final Report on the Local Government Act Review (presented under a different report in this agenda) includes Panel Recommendation 55 e) which states: *“As a minimum, audio recordings of public parts of council meetings should be available on the local government’s website when the minutes become available, with livestreaming to be encouraged.”*

If the recommendation is supported by the Minister and the Act changed then it may become mandatory to have as a minimum audio recordings. It is therefore prudent for Council to consider the implementation of such technology in the new Shire Building.

- *Publishing*

The ability to host the recordings on the Shire of Dardanup website is not an option at this stage, with the current Web Hosting provider due to the storage and bandwidth limitations in place. Web hosting providers traditionally rely on third party specialised streaming content providers such as YouTube and Vimeo to host published video content due to the aggregated bandwidth and specialised server requirements around video on demand services, additionally utilisation of streaming content providers mitigate the Denial of Service risk to the organisations main website in the event of a popular broadcast. Therefore staff will be required to maintain these links between third party hosting of the content and the Council’s public website.

There is also a level of concern within the Local Government sector as to whether hosting on a third party provider meets the necessary requirements for protection of liability under section 9.57A. The practice of publishing a link on the official Council website, to the third party host is generally viewed as the third party host providing the mechanism to enable publication. This is supported by the intent of the legislation in the Explanatory Memorandum, “To encourage local governments to live stream meetings, statutory protection for the local government from publishing defamatory comments has been provided in the Bill.” This approach is widely used across other Local Governments.

- *Data Sovereignty*

Data Sovereignty is when the Shire of Dardanup’s data is stored and published on servers located outside the organisation via third party hosting providers and is then subject to the laws of the country in which the servers and ultimately the data resides. Australian law and the protection it provides will no longer prevail to this data.

Therefore it will be required that all hosting of recorded data to be stored within an Australia data centre such that they remain subject to Australian Laws at all times.

Currently YouTube nor Vimeo support the selection of regional server locations, therefore an Australian based streaming content provider will be required to host the recorded content. Furthermore the Shire of Dardanup has no control over the type of advertisements that may be displayed to end users viewing archived Council meetings which may not align with core principles and beliefs held by the organisation, its elected members or its staff and ratepayers. As such a paid level of service would be required to make sure advertisements are not imposed on the viewers accessing recorded content.

- *Storage*

In accordance with the *States Records Act 2020* all recordings must meet with the minimal General Disposal Authority for Local Government Records.

This would be the minimum requirement, where many local governments that record audio and video retain for a longer period through third party hosting or via their Records Management System. The intention to store beyond the one year will be referenced in Policy.

- *Staff Overheads*

All solutions will introduce an additional administration overhead for staff both prior to a meeting and subsequently after a meeting. Additional staffing may also be required to operate and manage the system during meetings depending on the final option being implemented.

Option 1A and 1B will have minimal staffing required during the OCM where the minute taker should be able to manage the recording and streaming process from a single console panel.

Options 2 and 3 will require staff in attendance at the meeting, in addition to the minute taker, to operate the meeting console.

All options will require staff to:

- Manage and setup the streaming/recording with the managed content provider prior to the OCM.
- Download and store recorded meetings after the OCM in the Shire of Dardanup's record management system to be in accordance of *States Records Act 2020*.
- Manage the links between recorded meetings on the third party content provider and the public website after a meeting and to remove and manage published content from the website to be in accordance of *States Records Act 2020*.

- *Spare Parts*

Option 3 will require additional spares be held as the life of batteries, especially their risk of failure during a recorded meeting will need to be considered.

- *Existing building limitations and sunk costs*

The current administration building and chambers are not conducive to cabling and installation of new equipment and result in high installation costs, with the fixed wired solutions. Reconfiguration of the current chambers layout, even on a temporary basis such as moving furniture, would require re-wiring at additional cost each time.

With any solution the Shire of Dardanup will be required to install technology that will become a sunk cost in the current administration building. While some equipment may be re-used in the new administration building, it will quickly become outdated in the period between installation and the new building completion date, along with costs associated with removing and relocating the equipment to the new administration building. Additionally, the new administration buildings final design may render the equipment incompatible or unfit for its intended purpose.

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. Does not proceed with live streaming of Ordinary Council Meetings at this point in time; and**
- 2. Considers chambers audio visual and live streaming requirements as part of the design of the new administration/library building.**

OR

OFFICER RECOMMENDED RESOLUTION 'B'

THAT Council:

- 1. Authorises the Chief Executive Officer to install and authorise the Live Streaming of Council Meetings commencing at the Ordinary Council Meeting to be held in January 2021.**
- 2. Considers chambers audio visual and live streaming requirements as part of the design of the new administration/library building.**

12.14 Title: WALGA Safe Systems Demonstration Project – International Standard for Road Traffic Safety Management

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

Overview

Council is requested to consider working with WALGA Roadwise to develop and implement a road safety management system based on the International Standard for road traffic safety management (ISO 39001).

Background

Correspondence has been received from WALGA inviting the Shire to work with the Association to develop and implement a road safety management system based on the International Standard for road traffic safety management (ISO 39001). The invitation reads as follows:-

I am pleased to extend an invitation to the Shire of Dardanup, to work with the Association to develop and ultimately demonstrate a systematic, organisation wide approach to road safety management based on the International Standard for road traffic safety management (ISO 39001). If successful, the project will culminate in a bespoke road safety management system that will position the Shire of Dardanup to lead in the delivery of positive road safety outcomes for the Dardanup community, and demonstrate to others the significant influence Local Governments can have in the prevention of road death and serious injury.

This project is a new direction for WALGA's RoadWise with a strategic emphasis on Local Governments' role as road managers. This project will be complemented by the existing partnership between the RoadWise Road Safety Advisor and the Shire of Dardanup Road Safety Advisory Committee that will remain in place.

Attached to this letter is a project proposition which gives a brief outline of the project, the roles and responsibilities for both parties and the projected benefits and results. As a follow on from an initial meeting with Luke Botica and other Infrastructure staff members we would be pleased to arrange a discussion or presentation about this proposal.

The Shire of Dardanup invests significant resources in managing an extensive network of rural and urban roads. Consequently, we see the Shire and its community as well placed to benefit from this approach should the Shire wish to participate. I hope that you will consider this invitation and advise if you would like to explore this further.

The details of the project are provided at (Appendix ORD: 12.14A – Part 1, Page 174).

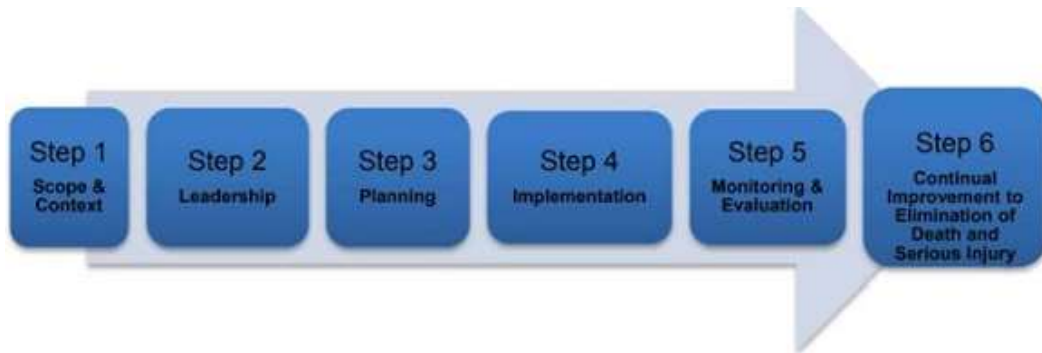
The ISO 39001 Standard for road traffic safety management system:

“specifies requirements for a road traffic safety (RTS) management system to enable an organization that interacts with the road traffic system to reduce death and serious injuries related to road traffic crashes which it can influence. The requirements in ISO 39001:2012 include development and implementation of an appropriate RTS policy, development of RTS objectives and action plans, which take into account legal and other requirements to which the organization subscribes, and information about elements and criteria related to RTS that the organization identifies as those which it can control and those which it can influence”.

This International Standard is applicable to any organization, regardless of type, size and product or service provided, that wishes to:

- a) improve RTS performance;
- b) establish, implement, maintain and improve an RTS management system;
- c) assure itself of conformity with its stated RTS policy; and
- d) demonstrate conformity with this International Standard.

It is based on a six step process as detailed in the figure below.



Legal Implications - None

Strategic Community Plan

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

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

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

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

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

Environment - None.

Precedents - None.

Budget Implications

The resources required to develop the road traffic safety management system can be accommodated with the existing staff capacity with WALGA assistance at no additional cost.

Budget – Whole of Life Cost

It is expected that the road traffic safety management system will influence Council's approach to improvement on its road network. The system will improve the Shire's ability to identify safety needs on its road network, inform where expenditure is needed and would assist in attracting external funding for improvements. This may have a significant impact on the costs associated with the Road Asset Management Plan.

Council Policy Compliance

Policy development may occur in the future with the implementation of the road safety traffic management system.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.14B – Part 1, Page 178) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	WALGA Safe Systems Demonstration Project – International Standard for road traffic safety management
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 Expenditure exceeds the budget allocation

Officer Comment

Since the introduction of the Shire’s first Road Asset Management Plan (RAMP) in 2007, there has been a significant amount of improvement made to the Shire’s road network. The Master Plan for improvements in the RAMP was primarily focussed on bringing deficiencies in the road network to an acceptable standard to meet traffic demands on the network. This involved safety improvements focussed mainly on the following tasks:

- The upgrading of narrow gravel roads to two lane sealed roads – there were significant lengths of regionally significant routes and tourist routes that required attention. This included the sealing of gravel distributor roads, such as Henty Road, Mungulp Road and Falcon Road.
- The upgrading of single lane sealed roads to two lane sealed roads – there were significant lengths of regionally significant routes, truck routes and tourist routes that were only single lane. This is not only a safety issue but was also a maintenance concern for the Shire relating to shoulder damage. This included the widening of local distributor roads such as Harris Road, Crooked Brook Road and Wellington Mill Road.
- The upgrading of under-width two lane sealed roads to an acceptable width standard for the traffic task expected of the route. This included the widening of local distributor roads such as Waterloo Road, Ferguson Road, Depiazzi Road, Banksia Road, Moore Road and Pile Road.

This first phase of improvements aimed at producing a road network that is suitable for the traffic demand placed on it and essentially improved safety from the aspect that there is a suitable surface and width provided for road users in accordance with road design guidelines. This improvements were effective in that significant lengths of substandard roads have been upgraded within the Shire’s financial capacity and the physical constraints of the road (i.e. road reserve widths, tree clearing limits, major rural drains etc).

This first phase of improvements on the Shire’s road network has largely been achieved and the Shire is now in a position to move into the next phase of improvements that should see the road network

improved further to meet the growth demand and risks expected in the future. It is now expected that the next phase of improvements to the road network will look at the roadsides and verges to determine where the road environment can be made more forgiving for an errant vehicle. This will include, but not limited to, run-off areas, improved batters, removal of vegetation, audible edge lines and removal of non-frangible hazards. The next phase of incremental improvement will therefore look at implementing a safe systems approach to road design. However, the implementation of a full safe systems approach on all of the Shire's roads is still considered cost prohibitive. It would effectively result in little distance being upgraded each year under the current budget, due to the need for large scale earthworks, relocation of large rural drains, extensive clearing, land purchases, realignments and other works required to achieve a full safe systems approach.

The safe systems approach perhaps does not have to be applied on all Shire roads, but through a road safety management system, it will be possible to determine where it is needed and where it would be beneficial.

Road performance statistics for the South West Region for the five period from 2013 to 2017 indicates that run-off road crashes is the predominant accident type at 64% of all crashes and clearly indicates that this is an area for focus. The accidents occurring in the Shire of Dardanup fit a similar pattern as the remainder of the South West Region and the recent Black Spot nominations presented to Council confirm this. This is understandable considering the challenging nature of the Shire's rural road network which consists of winding roads and vegetated roadsides. The proposed road safety traffic management system could assist in developing strategies in dealing with this situation.

The Shire's Assets team are in the process of further developing the Shire's Asset Management Plans and will be undertaking a full review and revision of the RAMP over the next two years. As part of this review, the Master Plan for improvements will be redeveloped based on revised technical levels of service, informing strategies and studies and the Council's strategic directions. This process will include road safety as a consideration. WALGA's offer to assist with the development of a road safety traffic management system can be aligned with the Shire's review of the RAMP and would form part of the informing strategies and studies that will shape the road improvement Master Plan.

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 accepts the proposal from WALGA to undertake a demonstration project to develop and implement a road traffic safety management system based on the ISO 39001 Standard for the Shire of Dardanup.

12.15 Title: Bridges Renewal and Preservation Projects – Approval of Budget Variance

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

Overview

Council is requested to approve:

1. Unbudgeted expenditure for renewal works on three Shire owned bridges in the 2020/2021 financial year; and
2. Offset expenditure by receiving additional income for two of the three bridges and transfer unspent grant funds held in Reserve for the third bridge.

Background

The annual bridge program is developed collaboratively between Main Roads WA and the Shire and covers all scheduled works that are required on the Shire's bridge assets. Funds are provided to programmed works by the Commonwealth via the Financial Assistance Grants (two-thirds) and the State via the State Road Funds to Local Government Agreement (one-third). This funding arrangement has been ongoing for many years now and aims to renew and refurbish ageing local government timber bridges. The most recent agreement to this effect has been in place from 2018/2019 and expires in 2022/2023.

Annually the Shire submits an application for the Commonwealth funds to the Western Australian Local Government Grants Commission (WALGGC) who are responsible for distributing the Commonwealth funds. The State is obliged to match the Commonwealth funds with their one-third contribution to the project and these funds are generally held by Main Roads WA until the works are completed.

The Shire has recently been advised that it will receive funds through the WALGGC for two Shire owned bridges in the 2020-2021 financial year:

- Bridge 3678 on Pile Road – Substructure repairs and superstructure repairs
- Bridge 3658 on Ferguson Road – Substructure repairs

Both bridge projects will be undertaken by Main Roads WA on the Shire's behalf.

Furthermore, Main Roads WA have also notified that they have recently undertaken and completed bridgeworks on the following Shire owned bridge and will be seeking payment for the works:

- Bridge 4821 on Martin Pelusey Road – Substructure Repairs

Main Roads WA have indicated that they will invoice the Shire for the works seeking funds received from the WALGGC. It should be noted that the Shire received WALGGC funds in the 2017-2018 financial year and is holding funds for this bridge in the Unspent Grant Reserve.

Legal Implications

The Shire owns the bridge assets that are located on local roads within its municipality. Main Roads WA is responsible for asset managing all bridges across the state including local government owned bridge assets. This task is delivered in consultation with each local government.

Strategic Community Plan

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

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

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

Environment - None.

Precedents

The Shire works with Main Roads WA on an ongoing basis on the Bridges Renewal Program and receives funding accordingly.

Council has previously approved unbudgeted expenditure and income.

Budget Implications

These works are funded through the WALGGC and Main Roads WA on a two-thirds and one-third split respectively, thus not requiring any contribution from the Shire (i.e. nil net cost to Council). Due to the Shire receiving WALGGC funding directly and the fact that the bridges are Shire assets, the projects will need to be included in the 2020-2021 Budget in order to reflect the incoming and outgoing funds.

Job No.		Expenditure	WALGGC	C/Fwd Reserve	Net Cost to Council
TBA	Bridge 3678 - Pile Road	\$250,000	\$250,000	-	\$0
TBA	Bridge 3658 - Ferguson Road	\$276,000	\$276,000	-	\$0
TBA	Bridge 4821 - Martin Pelusey Road	\$136,000	-	\$136,000	\$0

It should be noted that Main Roads WA are holding their one-third contribution for each of the above projects and will pay these funds directly for the works undertaken.

Under the funding agreement for the delivery of the Bridge Renewal Program, any unspent funds following the completion of bridge works for which the funds were allocated to, the Shire may utilise the remaining funds on other bridge activities including maintenance and preservation works.

Budget – Whole of Life Cost

The purpose of the Bridge Renewal Program is to sustainably manage the asset life cycle of the Shire's bridges. The State Road Funds to Local Government Agreement brings Commonwealth and State funds together to ensure the renewal and preservation needs of local government owned bridges are effectively funded.

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: 12.15A – Part 1, Page 179) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Bridges Renewal and Preservation Projects – Approval of Budget Variance
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 Projects exceed available funds.
	Service Interruption Works not undertaken and there is a bridge failure and road closure required.
	Reputational Bridge failure occurs due to failure to undertake works.

Officer Comment

The locations of Bridge 3678 on Pile Road and Bridge 3658 on Ferguson Road are shown on the following map:



The following map shows the location of Bridge 4821 on Martin Pelusey Road:



The Shire owns the bridge assets that are located on local roads within its municipality and is responsible for routine inspection and maintenance of each of the bridges under its responsibility. However, due to the large number of timber bridges that are ageing and in a poor state across the State, and in particular the South West, Main Roads WA has been given the responsibility for managing the asset renewal and preservation of bridges across the State including local government owned bridge assets. This is to ensure that the Commonwealth funds and State funds are allocated on a needs basis across the State.

Through this process, Main Roads WA have developed a database of bridge asset data across the State, undertake detailed bridge inspections and develop the 10 Year Bridge Renewal Program. This task is delivered in consultation with each local government.

Each year the Shire is given the option of delivering on either or both of the design and construction tasks for each of the bridge projects, or alternatively the Shire can nominate Main Roads WA to undertake these tasks on behalf of the Shire. In almost all cases, the Shire has nominated Main Roads WA to undertake such works. This is mainly due to the Shire lacking the resources to deliver on complex bridge projects and Main Roads WA having well developed systems and experienced teams for bridge projects. The Local Government Regulations provides the opportunity for interagency engagement that exempts the Shire from the need to invite public tenders if another government department or agency is engaged (i.e. not for profit).

Council Role - Executive/Strategic.

Voting Requirements - Absolute 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 unbudgeted expenditure for bridge renewal works to a total of \$662,000 in the 2020-2021 Budget, to be spent on the following bridges:**
 - Bridge 3678 on Pile Road;
 - Bridge 3658 on Ferguson Road; and
 - Bridge 4821 on Martin Pelusey Road.

- 2. Acknowledges and authorises additional unbudgeted income of \$526,000 from the Western Australian Local Government Grants Commission for bridge renewal works in the 2020-2021 Budget, to be used to offset the expenditure on the following bridges:**
 - Bridge 3678 on Pile Road; and
 - Bridge 3658 on Ferguson Road.

- 3. Authorises the transfer of \$136,000 from the Unspent Grants Reserve for bridge renewal works in the 2020-2021 Budget, to be used to offset the unbudgeted expenditure on the following bridge:**
 - Bridge 4821 on Martin Pelusey Road.

- 4. Authorises the Chief Executive Officer to utilise any Western Australian Local Government Grants Commission origin bridge funds that remain unspent following the completion of bridge works, on other bridge activities, including maintenance and preservation works during the 2020-2021 financial year.**

By Absolute Majority

12.16 Title: Tender F0166809 - Supply Bituminous Surfacing

Reporting Department: Infrastructure Directorate
Reporting Officer: Mr Kal Falcone - Senior Engineering Technical Officer
Legislation: Local Government Act 1995

Overview

This report provides Council with the results of the evaluation of tenders for the Supply of Bituminous Surfacing (being sprayed bituminous treatments and asphaltic treatments) and recommends that Council award a contract for this service to Fulton Hogan Industries Pty Ltd for a term of one year with an option to extend for a subsequent year. 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

Tenders closing on Friday 21 August 2020 were called for the supply of bituminous surfacings - goods and services that are required for the maintenance, upgrade and renewal of Shire roads.

Tenders were called to source experienced and competent contractors to supply these goods and services to Council. The tender was structured so that a contract could be awarded as a single contract or two separate contracts; one for sprayed bituminous treatments and one for asphaltic treatments. This approach equitably allows suppliers of only one of the materials/services to also submit tenders for this contract, thus allowing Council to engage two separate suppliers should this be identified as being the best value for the Shire.

Tenderers were asked to submit a schedule of rates with prices being fixed for the term of the contract. If the contract is then extended for a subsequent year, the provided rates are to be adjusted using a "rise and fall" clause based on the Australian Bureau of Statistics (ABS) published Consumer Price Index (CPI) (ABS table reference 6401.0).

The tender document, which also consists of the full contract documents and specifications, is not provided with the agenda as it is considered to be confidential ; however, Councillors can view a copy of the document which has been uploaded to the Councillor Portal.

Legal Implications

The tender has been conducted in accordance with Part 4 of the Local Government (Functions and General) Regulations 1996.

Part 4 — Provision of goods and services
Division 2 — Tenders for providing goods or services (s. 3.57)

11. When tenders have to be publicly invited

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.*

Strategic Community Plan

- Strategy 1.1.1 - Ensure equitable, inclusive and transparent decision-making. (Service Priority: High)
 Strategy 1.1.3 - Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High)
 Strategy 1.1.4 - Maintain best practice governance systems and practices. (Service Priority: Moderate)

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

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

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

Environment - None.

Precedents

The Shire has previously entered into contracts of this nature for the supply of bituminous surfacings.

Budget Implications

If the Shire enters into a contract with the recommended tenderer, Fulton Hogan Industries Pty Ltd, the estimated total cost for services for the 2020/2021 Financial Year is \$639,403.73 excluding GST. This is within the allowances included in the 2020/2021 Annual Budget.

Budget – Whole of Life Cost

The estimated total whole of life cost for the recommended two-year contract with Fulton Hogan Industries Pty Ltd over the 2020/2021 & 2021/2022 Financial Years is \$1,400,00.00, excluding GST, based on an assumed CPI of 2%. This expenditure on bituminous surfacing is factored where required in the upcoming Capital Works and Maintenance budgets and the estimated total cost may vary depending on the type of activities and size of the Shire's programs.

Council Policy Compliance

This procurement activity has been undertaken in accordance with Council Policy CP034 – Procurement Policy.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.16 – Part 1, Page 180) for full assessment document.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Entering into 2-year contract with Fulton Hogan Industries Pty Ltd (2020/2021 – 2021/2022)
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Implement controls as per risk assessment (Appendix ORD: 12.16)
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Health Contractor undertakes work in an unsafe or incompetent manner and puts themselves, Shire Staff and the public at risk of injury or death at any time during contract period.
	Financial Contract prices agreed to for whole term (2 years) are too high and Council are locked in to pay these for the contract duration.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.		
	Service Interruption	Contractor is unable to provide services as and when required throughout contract term.
	Legal and Compliance	Unsuitable contractor is engaged and places the Shire of Dardanup at risk of litigation or non-compliance.
	Reputational	Unsuccessful respondents are unhappy with outcome and processes utilised.
	Environment	Successful contractor employs unsuitable practices and processes in regards to environmental sustainability.

Officer Comment

Tenders were publically advertised as per the below and placed on the online Tenderlink portal

- South Western Times newspaper
- West Australian newspaper

Two submissions were received from the following businesses:

- (i) Fulton Hogan Industries Pty Ltd.
- (ii) Malatesta Road Paving & Hot Mix.

Both tender submissions complied with the tender requirements and have therefore been considered.

The detailed schedule of prices submitted is provided to Councillors under confidential separate cover.

The assessment process has recommended Fulton Hogan Industries Pty Ltd (FHI) as the preferred contractor for the supply of bituminous surfacings for the two Financial Years being 2020/2021 & 2021/2022.

FHI's tender submission conveyed a thorough understanding of the Shire's requirements, as well as extensive experience within the bituminous products and surfacing industry and a vast array of resources and backup available to the Shire throughout the contract period. Their submission indicates that they are more than capable of working to the requirements of the contract.

Referee checks carried out by staff has confirmed that FHI is a capable and reliable provider of bituminous surfacings.

- *Tender Evaluation Panel*

The Tender Evaluation Panel comprised of three members of Shire Staff, being the Director Infrastructure, Manager Operations and Senior Project Officer.

All members of the evaluation panel have declared that they have no conflict of interest confirming they have no relationships with any of the tenderers.

- *Evaluation of Tenders*

The objective of the evaluation panel is to recommend a suitably qualified and experienced contractor to satisfy the requirement of the above-mentioned Request for Tender (RFT). All responses to the qualitative criteria were assessed by the panel, as well as the rates tendered.

The tenders are assessed on the following criteria and weightings, and a total score was determined to compare the tenders:

ASSESSMENT CRITERIA		RAW SCORE	WEIGHTING	MAXIMUM WEIGHTED SCORE
Tendered Rates		0 – 10	30%	3.0
Qualitative Criteria	Tenderers Resources	0 - 10	30%	3.0
	Material Quality	0 - 10	20%	2.0
	Relevant Experience	0 - 10	10%	1.0
	Sustainability	0 - 10	10%	1.0
TOTAL SCORE			100%	10.0

i.e. Weighted Score = Raw Score x Weighting

Price was scored on a percentage scale relative to the lowest tendered price, with the lowest price given a score of 10. Qualitative aspects were scored on the relative merits of the information provided by the tenderer in its tender submission.

- *Evaluation Justification*

The evaluation process determined that the recommended tenderer clearly represented the best value for money considering both the responses to the qualitative criteria and the tendered rates submitted.

Each tenderer was scored and the results were as follows:

ASSESSMENT CRITERIA		Fulton Hogan Industries	Malatesta Road Paving & Hot Mix
Tendered Rates		2.7	3.0
Qualitative Criteria	Tenderers Resources	2.3	1.8
	Material Quality	1.3	1.2
	Relevant Experience	0.7	0.6
	Sustainability	0.6	0.6
TOTAL SCORE		7.6	7.2

It should be noted that the tendered rates on their own cannot be effectively compared as the rates vary on a sliding scale depending on the amount of product ordered per project or job. Therefore, the 2020-2021 program of works was used to assess the prices – this is based on the fact that staff have a bill of quantities for the projects to be delivered in the 2020-2021 financial year. Based on this assessment the total cost using Fulton Hogan rates is estimated at \$639,403.73 excluding GST, while the total cost using Malatesta Road Paving & Hot Mix rates is estimated at \$621,406.75 excluding GST. Based on the tender assessments, Fulton Hogan Industries Pty Ltd was deemed as the most advantageous to Council based on the assessment of their resources and capacity to deliver, particularly their extensive fleet and systems in place that outweighed the price difference between the two tenders

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. Accepts the tender submission and rates from Fulton Hogan Industries Pty Ltd for the supply of Bituminous Surfacing Services.**
- 2. Enters into a contract with Fulton Hogan Industries Pty Ltd for the supply of Bituminous Surfacing Services at the rates tendered for the 2020/2021 Financial Year, with the option to extend over the 2021/2022 Financial Year, dependant on contractor performance.**
- 3. Authorises the Chief Executive Officer to sign and execute the Contract.**

12.17 Title: Tender RFTF0166806 - Supply and Deliver Gravel and Limestone 2020-2021

Reporting Department: Infrastructure Directorate
Reporting Officer: Mr Sergio Massimini - Manager Operations
Legislation: Local Government Act 1995

Overview

This report provides Council with the results of the evaluation of tenders for the Supply and Delivery of Gravel and Limestone, and recommends that Council award a contract for this service to Carbone Bros Pty Ltd for a term of three years. The value of the contract exceeds the purchasing and contract threshold for the Chief Executive Officer and is therefore presented to Council for approval.

Background

Tenders closing on Friday 14 August 2020 were called for the supply and delivery of gravel and limestone - materials that are required for the maintenance, renewal and upgrade of Shire roads.

Tenders were publically advertised as per the below and placed on the online Tenderlink portal

- South Western Times newspaper
- West Australian newspaper

Tenders were called to source experienced and competent contractors to supply and deliver gravel and limestone. The tender was structured so that a contract could be awarded as a single contract or two separate contracts, one for gravel and one for limestone. This approach equitably allows suppliers of only one of the materials to also submit tenders for this contract, thus allowing the Shire to engage two separate suppliers should this be identified as being the best value for the Shire.

Tenderers were asked to submit a schedule of rates with prices being fixed for the duration of the contract with the exception of an annual increase using a "rise and fall" clause based on the Australian Bureau of Statistics (ABS) published Consumer Price Index (CPI) (ABS table reference 6401.0). The tender document, which also consists of the full contract documents and specifications, is not provided with the agenda; however, Councillors may wish to view a copy by contacting the Executive Support Officer at the Eaton Office.

Legal Implications

Tenders have been called in accordance with the Local Government (Functions and General) Regulations 1996.

Strategic Community Plan

Strategy 1.1.2 - Keep our community informed through a wide variety of media that is accessible and open and responsive. (Service Priority: High)

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

Environment - None.

Precedents

The Shire of Dardanup has previously entered into several contracts for the supply of road building materials.

Budget Implications

If the Shire of Dardanup enters into a contract with MGM Bulk Pty Ltd, the estimated total cost for the goods and services for the 2020-2021 will exceed the budgeted allocation for the supply and delivery of the materials by \$108,000 based on this year's works programme. This is an additional 20% variance on budgeted funds and is significantly higher than MGM's prices provided last year. If Carbone Bros are issued the contract then the net gravel/limestone pricing would give a comparative additional \$4,987 in total which is an additional 0.93% on budgeted allowances, which can be managed within the Shire's financial constraints.

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: 12.17 – Part 1, Page 182) for full assessment document.

Tier 3 – 'High' or 'Extreme' Inherent Risk.	
Risk Event	Engaging in Contract with Carbone Bros
Inherent Risk Rating (prior to treatment or control)	High (12 - 19)
Risk Action Plan (treatment or controls proposed)	Implement controls as per risk assessment (Appendix ORD: 12.17)
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Health Ensure suppliers have the resources and systems to undertake the delivery of the materials to meet the Shires OSH standards
	Financial Supply and delivery costs rise sharply due to local demand exceeding supply capacity
	Service Interruption Unable to source materials or delivery of goods impacting on construction programme
	Legal and Compliance Contractual obligations are met.

Officer Comment

Two submissions were received from the following businesses:

- (i) Carbone Bros. Pty Ltd; and
- (ii) MGM Bulk Pty Ltd.

The tenders were assessed on the following criteria and weightings, and a total score was determined to compare the tenders:

ASSESSMENT CRITERIA		RAW SCORE	WEIGHTING	MAXIMUM WEIGHTED SCORE
Tendered Rates		0 - 10	30%	3.0
Qualitative Criteria	Respondent's Resources	0 - 10	30%	3.0
	Material Quality	0 - 10	20%	2.0
	Relevant Experience	0 - 10	10%	1.0
	Sustainability	0 - 10	10%	1.0
TOTAL SCORE			100%	10.0

i.e. Weighted Score = Raw Score x Weighting

Price was scored on a percentage scale relative to the lowest tendered price, with the lowest price given a score of 10. Qualitative aspects were scored on the relative merits of the information provided by the tenderer in its tender.

Each tenderer was scored and the results were as follows:

ASSESSMENT CRITERIA		Carbone Bros	MGM Bulk
Tendered Rates		3	2.4
Qualitative Criteria	Qualitative Criteria	1.5	2.4
	Relevant Experience	1.2	1.8
	Key Personnel, Skills and Experience	0.5	0.7
	Respondent's Resources	0.5	0.4
TOTAL SCORE		6.7	7.7

It should be noted that the tendered rates on their own cannot be effectively compared as the rates vary on a sliding scale depending on the distance travelled from the respective supply pits to project sites and the quantities ordered. Therefore, the 2020-2021 program of works was used to assess the prices – this is based on the fact that staff have a bill of quantities for the projects to be delivered in the 2020-2021 financial year. Based on this assessment the total cost using MGM is estimated at \$646,824.05 excluding GST, while the total cost using Carbone rates is estimated at \$543,425.91 excluding GST.

Based on the tender submissions received, MGM Bulk Pty Ltd has the highest score for Qualitative Criteria but Carbone Bros scored the highest on the Tendered Rates.

The submissions and offer made by both respondents demonstrates a significant variance in the qualitative criteria and the prices tendered. The submission from MGM Bulk Pty Ltd was an excellent submission and clearly demonstrates their capacity and resources to meet the proposed programme; however, their price was significantly higher than what was expected and higher than the price received from them the last financial year where they were the successful gravel supplier.

Carbone Bros have been awarded gravel and limestone contracts for the Shire in previous years and they also undertook the supply and delivery of limestone last financial year. Their pricing is highly competitive and is significantly less than the pricing provided by MGM Bulk Pty Ltd.

As detailed earlier in the report, under Budget Implications, if the Shire were to engage MGM Bulk, the budget allowance for materials in the 2020-2021 program of works would be exceeded by \$108,000. Over the course of three years this may well exceed \$300,000 which is a significant amount for the Shire to absorb.

The Tender Documentation under Section 1.8 provides as follows:

1.8 Selection Criteria

The Contract may be awarded to a sole or panel of Tenderer(s) who best demonstrates the ability to provide quality products and/or services at a competitive price. The tendered prices will be assessed together with the qualitative and compliance criteria to determine the most advantageous outcome to the Principal.

*The Principal has adopted a best value for money approach to this Request. **This means that, although price is considered, the tender containing the lowest price will not necessarily be accepted, nor will the Tender ranked the highest on the qualitative criteria.***

*A scoring system will be used as part of the assessment of the qualitative criteria. Unless otherwise stated, a Tender that provides all the information requested will be assessed as satisfactory. The extent to which a Tenderer demonstrates greater satisfaction of each of these criteria will result in a greater score. **The aggregate score of each Tender will be used as one of the factors in the final assessment of the qualitative criteria and in the overall assessment of value for money.***

Therefore Council is under no obligation to accept the tender that scored the highest on qualitative criteria and should consider best value for money.

Officers have considered the option of a minor variation in order to reduce the overall cost of the MGM offer. Before entering into a contract it is important to consider the regulations required for minor variations to be negotiated before entering into a contract. WALGA has previously indicated in their advice to local governments that about 10% would be considered minor, although, this is up to Council to consider in each instance. To meet the Shire budget limitation would require a variation in the vicinity of 20%. It is not recommended to Council that a 20% variation in price be considered as a minor variation to be negotiated prior to entering into a contract.

Officers also considered re-tendering however it was decided not to for the following reasons:

- There is the likelihood that the same prices may be tendered again; and
- Delays of this process will require officers to seek gate price quotes for materials for the construction program until the contract was in place. This would be at a higher prices and would result in further procurement work in addition to the tender process.

It is acknowledged that with regards to Carbone Bros there are some concerns in relation to resources, quality assurance and OSH systems, however written into the contract are specific clauses to ensure supply is guaranteed in a timely manner to the quality required and within the appropriate OSH requirements.

It is for this reason that Shire officers recommend Carbone Bros to be granted the contract for Gravel and Limestone services for the next three years.

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. Accepts the tender submission and rates from Carbone Bros Pty Ltd for Supply and Delivery of Gravel and Limestone.**
- 2. Enters into a contract with Carbone Bros Pty Ltd for the Supply and Delivery of Gravel and Limestone at the rates tendered, for the financial year 2020 – 2021 to the end of financial year 2022 - 2023.**
- 3. Authorises the Chief Executive Officer to sign and execute the Contract.**

12.18 Title: Regional Road Project – Ferguson Road Survey and Design – Budget Variance

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

Overview

Council has been provided with additional Regional Road Group (RRG) funding of \$35,000 to be spent on design works on Ferguson Road in the 2020-2021 financial year. Council is required to contribute \$17,500 from its own sources under the funding agreement bring the total expenditure commitment to \$52,500.

Council is requested to approve:

1. Unbudgeted expenditure of \$52,500 for survey and design work on Ferguson Road to be undertaken in the 2020/2021 financial year; and
2. Offset expenditure by receiving additional income from the RRG for the project of \$35,000 and transferring \$17,500 from J12907 - Project Preliminary to result in no net cost to Council.

Background

At its meeting held on 26 August 2020 Council resolved [Res 227-20] to endorse the nomination of several roads for funding under the RRG including the section of Ferguson Road the subject of this report (bordered green):

THAT Council endorses the submission of the Regional Road Group 2021/22, Five Year Program and subsequent nomination forms in accordance with the following:

ROAD NAME / SECTION	2021/22	2022/23	2023/24	2024/25	2025/26
<i>Pile Road (SLK 0.05 – SLK 16.78)</i>	\$750,000	\$750,000			
<i>Eaton Drive (SLK 0.40 – SLK 1.70)</i>	\$750,000	\$750,000			
<i>Martin Pelusey Road (SLK 0.00 – SLK 3.03)</i>		\$270,000	\$750,000	\$750,000	
<i>Ferguson Road (SLK 13.56 – SLK 19.93)</i>	\$120,000	\$750,000	\$600,000		
<i>Ferguson Road (SLK 0.27 – SLK 2.29)</i>					\$720,000
<i>Moore Road (SLK 0.60 – SLK 1.60)</i>		\$730,000			
<i>Financial Year Total RRG Pool Contribution</i>	\$1,080,000	\$2,166,667	\$900,000	\$500,000	\$480,000
<i>Financial Year Total LGA Contribution</i>	\$540,000	\$1,083,333	\$450,000	\$250,000	\$240,000
GRAND TOTAL	\$1,620,000	\$3,250,000	\$1,350,000	\$750,000	\$720,000

The RRG has brought forward funding for a number of projects due to the availability of additional funds in the pool. The RRG has therefore offered \$35,000 toward the Ferguson Road which will enable part of the works proposed to be funded in 2021-2022 being brought forward to the 2020-2021 financial year.

Legal Implications

If approved, this project will need to meet the terms and conditions of the State Road Funds to Local Government Agreement.

Strategic Community Plan

- Strategy 1.1.3 - Monitor and ensure compliance with the regulatory framework for local government governance and operations. (Service Priority: High)
- Strategy 1.3.2 - To monitor and produce statutory budgetary and financial reporting requirements applicable to local government operations. (Service Priority: High)
- Strategy 2.2.2 - Provide Sustainable Transport Infrastructure. (Service Priority: Moderate)
- Strategy 5.1.1 - Provide an efficient road network for the efficient movement of people and goods by road. (Service Priority: Very High)
- Strategy 5.1.3 - Provide a safe road transport network where crashes resulting in death or serious injury are minimised. (Service Priority: Very High)
- Strategy 5.1.4 - Build resilience of our transport network infrastructure from future threats and constraints. (Service Priority: Very High)

Environment

Road construction projects undertaken on the Shire's road network need to comply with the requirements of the:

- Environment Protection Act 1986;
- Waterways Conservation Act 1976;
- Aboriginal Heritage Act 1972; and
- Heritage of Western Australia Act 1990.

Precedents

The RRG funding program has been ongoing for many years and Council has approved the submission of nominations to this program in the past.

Council has previously approved unbudgeted expenditure and income.

Budget Implications

Projects funded through the RRG funding program are funded on a 2 for 1 contribution basis. This means that the Shire is only required to contribute 1/3 of the cost of the project with the remaining 2/3 being funded by the RRG. The funding received by the Council through the RRG forms a substantial portion of the Shire's road funding.

If Council approve the inclusion of the project works in the 2020-2021 Budget the following allocation will be required:

JOB NO.		EXPENDITURE	RRG CONTRIBUTION	NET COST TO COUNCIL
TBA	Ferguson Road Survey and Design	\$52,500	\$35,000	\$17,500

Council will need to source funds to cover its contribution of \$17,500 to the project. This can be sourced from expenditure Job No. J12907 – Project Preliminaries, which has an allocation of \$88,000 in the adopted budget. These funds are set aside to commence design works on various roads that are to be constructed in future. Therefore, the utilisation of some of this allocation is in-keeping with the intent of these funds.

It is therefore recommended that Council reduce the budget allocation for Job No. J12907 – Project Preliminaries from \$88,000 to \$70,500, and transfer the difference, being \$17,500 to cover the Shire's one-third contribution to the Ferguson Road Project.

The use of \$17,500 from this budget allocation, when combined with the \$35,000 offered by the RRG, will enable the Shire to leverage \$52,500 of design work on Ferguson Road.

Budget – Whole of Life Cost

The changes proposed will have no effect on the whole of life cost for Ferguson Road.

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: 12.18 – Part 1, Page 183) for full assessment document.

Tier 2 – 'Low' or 'Moderate' Inherent Risk.	
Risk Event	Regional Road Project – Ferguson
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 Projects exceed available funds.

Officer Comment

Ferguson Road was nominated as a three year improvement project under the RRG. The proposal consisted of one year of analysis and design and two years of construction works to widen and reconstruct the road from SLK 13.56 to 19.93. The treatment will include shoulder sealing, removal of roadside hazards, enhanced delineation and installation of audio-tactile edge lines.

The following table outlines the original delivery proposal as nominated:

PROJECT YEAR	WORKS DESCRIPTION	STATUS	RRG	SHIRE
1 (2021/22)	Survey, detailed design, project approvals/clearances.	Proposed	\$80,000	\$40,000
2 (2022/23)	Construction works, widen, reconstruct and seal stage 1.	Proposed	\$500,000	\$250,000
3 (2023/24)	Complete construction works, widen reconstruct and seal stage 2.	Proposed	\$400,000	\$200,000

The additional funds offered will enable the analysis and design to commence and be partially completed in 2020-2021 and then completed in the 2021-2022 financial year.

The following table outlines the amended delivery proposal based on the RRG funding offer:

PROJECT YEAR	WORKS DESCRIPTION	STATUS	RRG	SHIRE
0 (2020/21)	Survey, detailed design, project approvals/clearances.	Available	\$35,000	\$17,500
1 (2021/22)	Survey, detailed design, project approvals/clearances.	Proposed	\$45,000	\$22,500
2 (2022/23)	Construction works, widen, reconstruct and seal stage 1.	Proposed	\$500,000	\$250,000
3 (2023/24)	Complete construction works, widen reconstruct and seal stage 2.	Proposed	\$400,000	\$200,000

The offer to commence the analysis and design task this financial year and have it delivered over two years instead on one will provide Shire staff more front-end project delivery time that will ensure that all designs, statutory approvals, service relocations and other project establishment tasks are completed in time for construction commencement in 2022-2023. It is therefore recommended that Council endorse the inclusion of the project in the 2020-2021 Budget.

Council Role - Executive/Strategic.

Voting Requirements - Absolute 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 unbudgeted expenditure for the survey and design of Ferguson Road (SLK 13.56 – SLK 19.93) to a total of \$52,500 in the 2020-2021 Budget;**
- 2. Acknowledges and authorises additional unbudgeted income of \$35,000 from the Regional Road Group in the 2020-2021 Budget; and**
- 3. Reduces the budget allocation for Job No. J12907 – Project Preliminaries from \$88,000 to \$70,500 to offset the additional one-third Shire contribution required toward the Regional Road Group project.**

By Absolute Majority

12.19 Title: Monthly Statement of Financial Activity for the Period Ended 31 August 2020

Reporting Department: Corporate & Governance Directorate
 Reporting Officer: Mr Ray Pryce - Accountant
 Legislation: Local Government Act 1995

Overview

This report presents the monthly Financial Statements for the period ended 31 August 2020 for Council adoption.

Background

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

Legal Implications

Local Government Act 1995 – Section 6.4

6.4. *Financial Report*

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

Local Government (Financial Management) Regulations 1996 r. 34

Part 4 — Financial Reports — s. 6.4

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

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

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

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

Strategic Community Plan

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

Environment - None.

Precedents

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

Budget Implications

The financial activity statement compares budget estimates to actual expenditure and revenue to the end of the month to which the statement relates. Material variances and explanations of these are included in the notes that form part of the report.

Budget – Whole of Life Cost - None.

Council Policy Compliance

CP036 Investment Policy & CP128 Significant Accounting Policies.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.19A – Part 2, Page 1) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Monthly Statement of Financial Activity for the Period Ended 31 August 2020
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Legal and Compliance Non-compliance with the legislative requirements that results in a qualified audit.
	Reputational Non-compliance that results in a qualified audit can lead stakeholders to question the Council’s ability to manage finances effectively.
	Financial Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position.

Officer Comment

The Monthly Financial Report for the period ended 31 August 2020 is contained in (Appendix ORD 12.19B – Part 2, Page 2) and consists of:

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

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

The Statement of Financial Activity includes the end-of-year surplus brought forward from 2019/20 of \$481,048, with a forecast surplus at 30 June 2021 of \$318,233. This represents a net increase of \$98,996 on the reported surplus included in the 2020/21 Budget and results from 2019/20 year-end accounting for accruals and adjustments.

Please note that the annual accounts for 2019/20 and resulting surplus position are not yet final – being still subject to final audit – and may be subject to change. It is anticipated the audit will be completed by early December 2020.

Note 2 – Explanation of material variances. 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 2020/21 for reporting material variances is 5% or \$25,000, whichever is greater. Additional details are provided in Note 2 with the reasons for revenue or expenditure variances exceeding the minimum variance level.

Note 5 – Statement of Investments reports the current Council cash investments and measures the portfolio against established credit risk limits based on reputable credit ratings agencies and incorporated in the Council's Investment Policy.

The investment portfolio will be increased during September 2020 due to substantial receipt of rates revenue and also finalisation of all transfers to and from Reserve accounts.

The yield return on cash investments continues to be subdued as interest rates offered by banks for term deposits have further reduced in recent months. The primary cause of the reductions is the actions of the RBA in response to the Covid 19 pandemic in offering banks access to the RBA's Term Funding Facility to borrow money at 0.25% for 3 years. This has reduced banks' need external deposit funds and led to latest contraction in interest rate offerings. The impact of this on Council's interest revenue will be monitored closely over the coming months.

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: 12.19B) for the period ended 31 August 2020.

12.20 Title: Schedule of Paid Accounts as at 11 September 2020

<i>Reporting Department:</i>	<i>Corporate & Governance Directorate</i>
<i>Reporting Officer:</i>	<i>Ms Jasmine Sillifant – Accounts Payable Officer</i>
<i>Legislation:</i>	<i>Local Government (Financial Management) Regulations 1996</i>

Overview

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

Background

Council delegates authority to the Chief Executive Officer annually:

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

Legal Implications

Local Government Act 1995

S6.5. Accounts and records

Local Government (Financial Management) Regulations 1996

R11. Payments, procedures for making etc.

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

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

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

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

- (3) A list prepared under subregulation (1) or (2) is to be —
- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
 - (b) recorded in the minutes of that meeting.

Strategic Community Plan

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

Environment - None.

Precedents

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

Budget Implications

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

Budget – Whole of Life Cost - None.

Council Policy Compliance

Payments are checked to ensure compliance with Council’s Purchasing Policy CP034 – Procurement Policy and processed in accordance with Policy CP035 – Payment of Accounts.

Risk Assessment

The Risk Management Governance Framework has been considered in arriving at the officer recommendation. Please refer to (Appendix ORD: 12.20 – Part 2, Page 18) for full assessment document.

Tier 2 – ‘Low’ or ‘Moderate’ Inherent Risk.	
Risk Event	Schedule of Paid Accounts as at 11 September 2020
Inherent Risk Rating (prior to treatment or control)	Moderate (5 - 11)
Risk Action Plan (treatment or controls proposed)	As the Inherent Risk Rating is below 12, this is not applicable.
Residual Risk Rating (after treatment or controls)	As the Inherent Risk Rating is below 12, this is not applicable.
Risk Category Assessed Against	Financial Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position.
	Reputational Non-compliance that results in a qualified audit can lead stakeholders to question the Council’s ability to manage finances effectively

Officer Comment

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

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

Change to Officer Recommendation - No Change.

OFFICER RECOMMENDED RESOLUTION

THAT Council receive the Schedule of Paid Accounts report from 8/08/2020 to 11/09/2020 as follows:

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
CHEQUE					
17	03/09/2020	Department Of Mines, Industry, Regulations & Safety (Dmirs) - BSL	Building Surveying Practitioner Registration Renewal - Peter Jackson	MUNI	974.00
ELECTRONIC FUNDS TRANSFER					
EFT39324	13/08/2020	Amelia Kaitani	Umpire Recoup 10/08/2020	MUNI	44.00
EFT39325	13/08/2020	Angela Winter	First Aid Provide CPR Refresher - 11 Participants - July 2020	MUNI	605.00
EFT39326	13/08/2020	Australia Post	Monthly Invoice Of Mail And Postage - July 2020	MUNI	6,462.24
EFT39327	13/08/2020	Australian Tax Office	PAYG Withholding Fortnight Ending 7/08/2020	MUNI	79,338.00
EFT39328	13/08/2020	Axio Maintenance And Construction	ERC - Repair Damage And Painting To Walls In Southern Wing Of Gym. Mount Block for Gym Apparatus.	MUNI	1,523.50
EFT39329	13/08/2020	B.Social	Employee Deductions Ppe 7/08/2020	MUNI	50.00
EFT39330	13/08/2020	Blackwoods	3M Respirator Organic Filters - Jenna Murray	MUNI	60.79
EFT39331	13/08/2020	BOC Ltd	ERC - Hire Of Oxygen Bottle	MUNI	24.36
EFT39332	13/08/2020	Boyanup Botanical	Additional Understorey Species For Possum Habitat	MUNI	525.00
EFT39333	13/08/2020	Boyanup Cape I Dardanup Football Club - Eaton Boomers Fc	Hire Of Function Room For The Regional Road Group Meeting 03/08/2020	MUNI	205.00
EFT39334	13/08/2020	Brandicoot	Monthly Web Hosting For: Dardanup.Wa.Gov.Au Business.Dardanup.Wa.Gov.Au Wanju.Dardanup.Wa.Gov.Au Library.Dardanup.Wa.Gov.Au Erc.Dardanup.Wa.Gov.Au	MUNI	906.98
EFT39335	13/08/2020	Brett Hodgson	Umpire Recoup 5/08/2020	MUNI	88.00
EFT39336	13/08/2020	Built Right Approvals	4 Year Pool Inspections	MUNI	1,683.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39337	13/08/2020	Bunbury Coffee Machines	ERC - Cafe Order, Service Coffee Machine	MUNI	1,027.00
EFT39338	13/08/2020	Bunbury Harvey Regional Council	Banksia Road - Organics Disposal - July 2020	MUNI	737.18
EFT39339	13/08/2020	Bunbury Holden	60,000Km Service - DA9376	MUNI	1,186.43
EFT39340	13/08/2020	Bunbury Machinery	Replace Back Window on Tractor DA2833 (Insurance Claim)	MUNI	1,597.22
EFT39341	13/08/2020	Bunnings Group Limited	ERC - Drill Bits, Rubber Feet For Benches, Disinfectant Wipes	MUNI	39.72
EFT39342	13/08/2020	Caltex Australia Petroleum Pty Ltd	Fuel - DA698	MUNI	17,423.01
EFT39343	13/08/2020	Cameron Baker	Umpire Recoup 5/08/2020	MUNI	88.00
EFT39344	13/08/2020	Cathy Lee	Reimbursement For Telstra Dongle During Covid-19	MUNI	126.00
EFT39345	13/08/2020	Charlea Meyntz	Umpire Recoup 11/08/2020	MUNI	22.00
EFT39346	13/08/2020	City Of Bunbury	Dog/Cat Pound Sustenance Fees - July 2020	MUNI	190.85
EFT39347	13/08/2020	Cleanaway Solid Waste Pty Ltd	Monthly Hire/Emptying Skip Bins At Transfer Station (Banksia Road) - July 2020	MUNI	2,766.54
EFT39348	13/08/2020	Coca-Cola Amatil Australia Pty Ltd	ERC - Cafe Order	MUNI	281.16
EFT39349	13/08/2020	Cohen Thompson	Umpire Recoup 5/08/2020	MUNI	44.00
EFT39350	13/08/2020	Construction Training Fund : BCITF	BCITF - July 2020 Reconciliation	MUNI	1,741.26
EFT39351	13/08/2020	Craven Foods	ERC - Cafe Goods	MUNI	318.84
EFT39352	13/08/2020	Dapco Tyre And Auto Centre	130,000 Km Service DA955, 120,000 Km Service DA9136	MUNI	1,504.52
EFT39353	13/08/2020	Department Of Mines, Industry, Regulations & Safety (Dmirs) - BSL	BSL Remittance - July 2020	MUNI	5,795.88

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39354	13/08/2020	Donna Bastow	Umpire Recoup 5/08/2020	MUNI	110.00
EFT39355	13/08/2020	Elliotts Irrigation Pty Ltd	Service And Repair To Iron Filter	MUNI	286.00
EFT39356	13/08/2020	Emma Bish	Umpire Recoup 11/08/2020	MUNI	44.00
EFT39357	13/08/2020	Fit2Work	Monthly Invoice For Australian Employee Police Checks	MUNI	505.34
EFT39358	13/08/2020	Fits Training Services	Basic Chainsaw Course - Bonnie Graham And Dennis Newton	MUNI	700.00
EFT39359	13/08/2020	Grace Records Management	Bin Exchange And Records Management	MUNI	600.68
EFT39360	13/08/2020	Harvey Water	Dam Safety Charge (1 Of 3), Swiac Asset Levy (1 Of 3), Swimco Development Levy (1 Of 3), Water Storage Charge (1 Of 3).	MUNI	145.20
EFT39361	13/08/2020	Holcim Australia Pty Ltd	1.4M Of Concrete Delivered For Footpath On Florence Moore Way.	MUNI	607.42
EFT39362	13/08/2020	HP PPS Australia Pty Ltd	Hardware Maintenance Onsite Support Contract Hp T830 Plotter / Scanner	MUNI	330.00
EFT39363	13/08/2020	ITR Pacific Pty Ltd	1 Pack Of 6 Ft Cutting Edges For The Cat Grader.	MUNI	1,833.46
EFT39364	13/08/2020	Illion Australian Pty Ltd (Tenderlink)	3 X Public Notice - Traffic Management Services RFT F0168846 Gravel & Limestone Tender RFT F0166806 Bituminous Surfacing Tender RFT F0168809	MUNI	550.00
EFT39365	13/08/2020	Jade Begovic	Umpire Recoup 10/08/2020 & 11/08/2020	MUNI	90.00
EFT39366	13/08/2020	Jason Cartledge	Umpire Recoup 5/08/2020	MUNI	66.00
EFT39367	13/08/2020	Josie Phillips	Umpire Recoup 10/08/2020	MUNI	67.50
EFT39368	13/08/2020	K's Home Kitchen	Catering For Citizenship Ceremony 04/08/2020.	MUNI	380.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39369	13/08/2020	Kaitlyn O'Dea	Umpire Recoup 11/08/2020	MUNI	45.00
EFT39370	13/08/2020	Karyn Rowe	Umpire Recoup 10/08/2020 & 11/08/2020	MUNI	112.50
EFT39371	13/08/2020	Kelly Marie Mundy	Umpire Recoup 11/08/2020	MUNI	45.00
EFT39372	13/08/2020	Kenny Pomare	Umpire Recoup 5/08/2020	MUNI	22.00
EFT39373	13/08/2020	Kerry & Michael Tremble	Refund Of BCITF On 2020210024 - Not Required	MUNI	50.00
EFT39374	13/08/2020	Larry Price	Service And Repair - Mower Da10105	MUNI	877.41
EFT39375	13/08/2020	Local Government Professionals Australia WA	LG Professionals - Affiliate Membership 2020-2021 (Cynthia Barbetti and Ray Pryce)	MUNI	370.00
EFT39376	13/08/2020	M & J Essential Solutions Pty Ltd	Counselling Services - Employee Assistance Program	MUNI	150.00
EFT39377	13/08/2020	Mark Atherton	Reimbursement For Purchase Of Basketball Net - Loffhouse Reserve	MUNI	14.99
EFT39378	13/08/2020	Mckayhla Pomare	Umpire Recoup 6/08/2020	MUNI	60.00
EFT39379	13/08/2020	Murray Halden	Case For Ipad	MUNI	15.00
EFT39380	13/08/2020	NEC IT Solutions Australia	Recordpoint Software Maintenance For 2020 - 2021	MUNI	16,333.02
EFT39381	13/08/2020	Officeworks Superstores Pty Ltd	15-08-2020 - 14/08/2021 Colour Plan Printing 4 X A1 On Thicker Paper, As Per 4 Separate Pdf Files Supplied 21/07. One Print Per File. Request To Pick Up Plans 2Pm Wed 22/07 As Discussed On Phone 21/07 With Kat	MUNI	80.00
EFT39382	13/08/2020	Pages Mechanical Repairs	Callout And Repair Tailshaft On Tractor.	MUNI	228.50
EFT39383	13/08/2020	PFD Food Services Pty Ltd	ERC - Cafe Purchases	MUNI	589.85
EFT39384	13/08/2020	PFI Supplies	ERC - Cleaning Products, Toilet Products for Shire Offices and Depot	MUNI	1,174.05

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39385	13/08/2020	Ramm Software Pty Ltd	Ramm Annual Support And Maintenance Fee For The Period 1/7/2020 - 30/06/2021	MUNI	8,025.25
EFT39386	13/08/2020	Safecard Australia	Monitoring Fees For Safecards S109U006404, S109U009688, S109U006161, S109U007972, S10977001163, S109U010515	MUNI	264.00
EFT39387	13/08/2020	Sharon Janet Kathleen Armour	Partial Refund Of Dog Registration Fees - Sterilisation	MUNI	150.00
EFT39388	13/08/2020	SMR Psychology	Employee Assistance Program - Counselling	MUNI	748.00
EFT39389	13/08/2020	Sophie Hart	Umpire Recoup 11/08/2020	MUNI	22.00
EFT39390	13/08/2020	Spencer Signs	Supply And Erect 2 X "Child Health Clinic" Signs As Per Quotation Number Qs229794.	MUNI	486.20
EFT39391	13/08/2020	Statewide Cleaning Supplies Pty Ltd	ERC - Gym Cleaning Wipes	MUNI	1,281.46
EFT39392	13/08/2020	Susan Oosthuizen	Reimbursement Of Parking Fees For Meetings in Perth	MUNI	32.40
EFT39393	13/08/2020	Synergy	Townsite Street Lights	MUNI	27,710.09
EFT39394	13/08/2020	Southwest Vehicle Group (Svg) T/A Bunbury Nissan	Da9295 Service 40,000Km	MUNI	490.50
EFT39395	13/08/2020	Taylor Anderson	Umpire Recoup 5/08/2020	MUNI	44.00
EFT39396	13/08/2020	Te Wairimu Elinor Pomare	Umpire Recoup 5/08/2020	MUNI	22.00
EFT39397	13/08/2020	Telstra	Mobile - DFES Grant Funded Officer - 0467651208 Ben Anderson \$59 Per Month Plan	MUNI	268.95
EFT39398	13/08/2020	Terrywhite Chemmart Eaton	2 X 375MI Pump Pack - Hand Sanitiser	MUNI	15.98
EFT39399	13/08/2020	The Recovre Group Pty Ltd	Manual Handling For Rangers - 6 August 2020	MUNI	624.70
EFT39400	13/08/2020	The Workwear Group	Uniforms - Donna Bullen - 4 Shirts	MUNI	249.60

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39401	13/08/2020	Tutt Bryant Hire	Hire Of 3.5 Ton Digger, Mini Digger, Plate Compactor, Core Drill, 7 Ton Steel Roller	MUNI	5,137.87
EFT39402	13/08/2020	UDIA (WA)	Susan Oosthuizen & Suzanne Occchipinti - Medium Density Design Code Event - 11 September 2020	MUNI	360.00
EFT39403	13/08/2020	Walga	Review Procurement Plan, EOJ Pack And Provide Recommendations QUO 2019-22 For The New Administration And Library Building In Eaton.	MUNI	2,584.20
EFT39404	13/08/2020	Western Australia Treasury Corporation	Loan 66 Repayment - Depot Land Purchase	MUNI	39,256.95
EFT39405	13/08/2020	Winc Australia Pty Ltd	Icebreaker Red 0.7Mm Pen x 2 Packs	MUNI	33.09
EFT39406	13/08/2020	Woolworths Group Limited	ERC - Cafe Order	MUNI	401.12
EFT39407	13/08/2020	Work Clobber	Tom Saul - Steel Cap Boots - Quote 20-00006789	MUNI	147.40
EFT39408	13/08/2020	Zipform Pty Ltd	Printing, Collation And Lodgement Of 2020/21 Annual Rate Notices	MUNI	5,588.31
EFT39409	20/08/2020	21 Graphic Design Pty Ltd	Creation Of Marketing Logo Connect Dardanup Podcast, Events Calendar, Community News Graphics, Vision 2050 Cover	MUNI	1,188.00
EFT39410	20/08/2020	All Aussie Truck And Bobcat Services	Clean Up Transfer Stn 24/7/2020, 31/7/2020, 7/8/20, 14/8/20, Clear Tree Crooked Brook Rd	MUNI	1,650.00
EFT39411	20/08/2020	Amalgamated Movies (Non-Theatrical Film Distributors)	10 X Movies To Be Played For School Holiday Programs	MUNI	103.40
EFT39412	20/08/2020	Angela Winter	First Aid Provide CPR Refresher for 9 Staff	MUNI	495.00
EFT39413	20/08/2020	Ann Rosina Lambert	Refund Of Bond For Animal Cage Hire	MUNI	150.00
EFT39414	20/08/2020	Aquachill	ERC - Rental Of Water Cooler For 12 Months - 01-07-2020 To 01-07-2021	MUNI	1,082.40
EFT39415	20/08/2020	Axis Roofing	ERC - Replacement Of Translucent Roof Sheeting With S&I Gel Coated Wonderglas - Approx 72Lm	MUNI	7,330.40

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39416	20/08/2020	Better Telco Solutions Pty Ltd	Relocation Of Network Point And New Network Point Invoice No.88570	MUNI	401.81
EFT39417	20/08/2020	Blackwoods	Disposable Face Masks - General Hygiene 2 x Pk50	MUNI	99.99
EFT39418	20/08/2020	Blaine Thompson	Umpire Recoup 12/08/2020	MUNI	66.00
EFT39419	20/08/2020	Brandicoot	Monthly Web Hosting For: Dardanup.Wa.Gov.Au Business.Dardanup.Wa.Gov.Au Wanju.Dardanup.Wa.Gov.Au Library.Dardanup.Wa.Gov.Au Erc.Dardanup.Wa.Gov.Au	MUNI	906.98
EFT39420	20/08/2020	Brett Hodgson	Umpire Recoup 12/08/2020	MUNI	88.00
EFT39421	20/08/2020	Brownes Foods Operations Pty Ltd	ERC - Cafe Purchase	MUNI	461.73
EFT39422	20/08/2020	Bunbury Machinery	Concrete Hand Tools, Safety Bar Extensions	MUNI	368.26
EFT39423	20/08/2020	Bunbury Psychological Services	Counselling Services - Employee Assistance Program	MUNI	154.00
EFT39424	20/08/2020	Bunnings Group Limited	Repair And Replacement Parts For Admin Building	MUNI	200.62
EFT39425	20/08/2020	Cameron Baker	Umpire Recoup 12/08/2020	MUNI	88.00
EFT39426	20/08/2020	Cleanaway	New Waste Recycling Service, Waste Bin Replacements, Bin Repairs - July 2020	MUNI	2,768.99
EFT39427	20/08/2020	Cleanaway Solid Waste Pty Ltd	Monthly Kerbside Waste Collection	MUNI	19,286.20
EFT39428	20/08/2020	Coca-Cola Amatil Australia Pty Ltd	ERC - Cafe Purchase	MUNI	187.44
EFT39429	20/08/2020	Cohen Thompson	Umpire Recoup 12/08/2020	MUNI	22.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39430	20/08/2020	Connect Call Centre Services	After Hours Call Centre Service	MUNI	685.69
EFT39431	20/08/2020	Craven Foods	ERC - Cafe Order	MUNI	463.85
EFT39432	20/08/2020	Daryl Fishwick	Umpire Recoup 12/08/2020	MUNI	88.00
EFT39433	20/08/2020	Data #3 Limited	M365-E3 Monthly Subscription X 11	MUNI	572.60
EFT39434	20/08/2020	Deputec Pty Ltd	ERC - Deputy Roster Software 2020/2021	MUNI	90.20
EFT39435	20/08/2020	Donna Bastow	Umpire Recoup 12/08/2020	MUNI	88.00
EFT39436	20/08/2020	Donna Whitton	Umpire Recoup 14/08/2020	MUNI	30.00
EFT39437	20/08/2020	Dale Alcock Homes South West	Refund Of BCITF On Building Application #2020210050	MUNI	836.79
EFT39438	20/08/2020	Emma Bish	Umpire Recoup 18/08/2020	MUNI	44.00
EFT39439	20/08/2020	Eve Yoga	ERC - Yoga Instruction	MUNI	120.00
EFT39440	20/08/2020	Gaylene Godfrey	Reimbursement For Purchase Of Wireless Keyboard And Mouse As Per Ergonomic Assessment	MUNI	75.60
EFT39441	20/08/2020	Go Electrical Contracting	Replace Damaged Light Switch In Group Fitness Room	MUNI	140.80
EFT39442	20/08/2020	Heatleys	P2 Dust Masks - Md8620 - Quote Qy39928	MUNI	256.21
EFT39443	20/08/2020	Ideal Shake Australia	ERC - Cafe Order	MUNI	869.00
EFT39444	20/08/2020	Jade Begovic	Umpire Recoup 18/08/2020	MUNI	45.00
EFT39445	20/08/2020	Jason Cartledge	Umpire Recoup 12/08/2020	MUNI	44.00
EFT39446	20/08/2020	Jason Signmakers	MR-GZ-44B - Roads To Recovery Sign, Auxiliary Signs	MUNI	1,466.44

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39447	20/08/2020	Jay Hoffman	Reimbursement For Dinner And Travel - Joshua Crooked Brook Brigade	MUNI	125.30
EFT39448	20/08/2020	Jim's Test And Tag	Electrical Test And Tag 2020/21 - Dardanup Office, Eaton Office, ERC	MUNI	437.16
EFT39449	20/08/2020	Josie Phillips	Umpire Recoup 17/08/2020 & 18/08/2020	MUNI	135.00
EFT39450	20/08/2020	JR & A Hersey Pty Ltd	Depot Store Materials	MUNI	890.51
EFT39451	20/08/2020	Karyn Rowe	Umpire Recoup 14, 17 & 18 August 2020	MUNI	142.50
EFT39452	20/08/2020	Kristie Rice	2020/21 Uniform - Ppe	MUNI	89.94
EFT39453	20/08/2020	M & J Essential Solutions Pty Ltd	Counselling Services - Employee Assistance Program	MUNI	150.00
EFT39454	20/08/2020	Madison Hancock	Umpire Recoup 18/08/2020	MUNI	45.00
EFT39455	20/08/2020	Marketforce	Community News In Bunbury Herald And Bunbury Mail.	MUNI	775.50
EFT39456	20/08/2020	Nsco Consulting	Coaching Session With Planning Development Staff - 5 August 2020	MUNI	330.00
EFT39457	20/08/2020	Officeworks Superstores Pty Ltd	A2 Posters For Group Fitness	MUNI	114.00
EFT39458	20/08/2020	PFD Food Services Pty Ltd	ERC - Cafe Order	MUNI	307.35
EFT39459	20/08/2020	PFI Supplies	ERC - Cleaning Products	MUNI	52.50
EFT39460	20/08/2020	Presidian Legal Publications	Planning And Development WA Online Publication	MUNI	1,991.00
EFT39461	20/08/2020	PVR Industrial Pty Ltd	Call Out To Investigate Fault To Rainwater Transfer Pump	MUNI	418.00
EFT39462	20/08/2020	Rhianna Kathleen Scheffner	2020/21 Uniform Reimbursement	MUNI	89.96
EFT39463	20/08/2020	Sanity Bunbury	Library Stock	MUNI	174.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39464	20/08/2020	Schweppes Australia Pty Ltd	ERC - Cafe Purchases	MUNI	164.00
EFT39465	20/08/2020	Signs Plus	Name Badges For Shire Staff X 3	MUNI	47.10
EFT39466	20/08/2020	SMR Psychology	Employee Assistance Program - Counselling	MUNI	374.00
EFT39467	20/08/2020	South West Fire	Wellington Mills - 1.4R Appliance - B Service and Additional Maintenance Work	MUNI	12,671.57
EFT39468	20/08/2020	Statewide Cleaning Supplies Pty Ltd	ERC - Wow Floor Dispenser For Fitwipes	MUNI	900.15
EFT39469	20/08/2020	Sudhanshu Mishra	Reimbursement For Mindtools Membership - Professional Development	MUNI	491.55
EFT39470	20/08/2020	Suez Recycling & Recovery (Perth) Pty Ltd	Monthly Kerbside Recycling Processing	MUNI	13,553.49
EFT39471	20/08/2020	Synergy	Electricity Account For Landfill Site, Lot 1 Banksia Road - Debtor Recoup For 80% Of Electricity Charges	MUNI	1,048.58
EFT39472	20/08/2020	Telstra	Telephone And Various Lines For Eaton Admin Centre - Directory Charges And Link To Library, Monthly Mobile Charges	MUNI	10,516.30
EFT39473	20/08/2020	Toni Hotchin	Umpire Recoup 17/08/2020 & 18/08/2020	MUNI	112.50
EFT39474	20/08/2020	Universal Marina Systems (Wa) Pty Ltd	Eaton Foreshore Boat Ramp And Jetty Upgrade - Claim 1	MUNI	28,965.81
EFT39475	20/08/2020	Voicex Communications	Speech Live Advanced Business Package Annual Subscription	MUNI	786.00
EFT39476	20/08/2020	Volunteer South West Incorporated	Training: Mental Health First Aid, 12 & 13 October 2020	MUNI	195.00
EFT39477	20/08/2020	WA Country Builders Pty Ltd	Refund Of Development Application Fee - Application Withdrawn - Lot 118 Robusta Road, Eaton	MUNI	147.00
EFT39478	20/08/2020	West Coast Fit / Karis Aplin	Group Fitness Instruction June & July 2020	MUNI	460.80
EFT39479	20/08/2020	Winc Australia Pty Ltd	Stationery For Eaton Community Library	MUNI	928.97

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39480	20/08/2020	Woolworths Group Limited	Grocery Items - Eaton Recreation Centre & Eaton Administration Centre	MUNI	339.51
EFT39481	28/08/2020	Access Wellbeing Services	Employee Assistance Program Consultations	MUNI	335.50
EFT39482	28/08/2020	Action Kerbing	Supply Kerbing As Per Quote - Pile Road	MUNI	3,850.00
EFT39483	28/08/2020	Arrow Bronze	Plaque For Nancy Stan-Bishop - C143117 Raised Edge, As Per Text Provided	MUNI	433.94
EFT39484	28/08/2020	Australian Tax Office	PAYG For Fortnight Ending 21-08-2020	MUNI	79,478.00
EFT39485	28/08/2020	Australind/Eaton Medical Centre	Medical Examinations x 3 and Pre Employment Checks	MUNI	592.00
EFT39486	28/08/2020	Asset Finda	Annual License Subscription To Asset Finda Software 2020/2021	MUNI	22,000.00
EFT39487	28/08/2020	B.Social	Employee Deductions for Social Club	MUNI	50.00
EFT39488	28/08/2020	Baileys Fertilisers	Fertiliser - 20L Liquid Fish & Fulvic x 3 and GT Green 20L x 3	MUNI	581.30
EFT39489	28/08/2020	Battery World Bunbury	2 Batteries For Tip Trailer 1TMX 103	MUNI	262.90
EFT39490	28/08/2020	Blaine Thompson	Umpire Recoup 19/08/2020	MUNI	66.00
EFT39491	28/08/2020	Boyanup Botanical	Seedlings for Planting x 132	MUNI	986.90
EFT39492	28/08/2020	Brett Hodgson	Umpire Recoup 19/08/2020	MUNI	88.00
EFT39493	28/08/2020	Built Right Approvals	2019/20 4 Year Pool Inspections x 25	MUNI	2,664.75
EFT39494	28/08/2020	Bunbury Coffee Machines	ERC - Cafe Order	MUNI	716.50
EFT39495	28/08/2020	Bunbury Harvey Regional Council	Hook Bin Hire And Servicing	MUNI	326.86

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39496	28/08/2020	Bunbury Mower Service	Various Parts and Repairs For Chainsaws and Whipper Snippers	MUNI	1,120.80
EFT39497	28/08/2020	Bunbury Psychological Services	Counselling Services - Employee Assistance Program	MUNI	154.00
EFT39498	28/08/2020	Bunbury Subaru	Service DAO	MUNI	398.26
EFT39499	28/08/2020	Bunnings Group Limited	Tools And Materials For Admin Repairs	MUNI	184.85
EFT39500	28/08/2020	Caltex Energy Wa	2X24 Grease Cartridges	MUNI	296.63
EFT39501	28/08/2020	Cameron Baker	Umpire Recoup 19/08/2020	MUNI	88.00
EFT39502	28/08/2020	Carmel Boyce	Meeting Attendance And ICT Allowance	MUNI	1,158.92
EFT39503	28/08/2020	Castledine Gregory	Legal Advice Regarding Works To Be Undertaken On Eaton Drive And Joint Town Planning Scheme	MUNI	2,178.00
EFT39504	28/08/2020	Cindy Barbetti	2020/21 Uniform Reimbursement	MUNI	59.99
EFT39505	28/08/2020	City Of Bunbury	2020-2021 Annual Bunbury Wellington Regional Animal Shelter Fee	MUNI	3,366.00
EFT39506	28/08/2020	Cleanaway	Kerbside Refuse and Recycling, Street and Park Bin Servicing - July 2020	MUNI	56,699.87
EFT39507	28/08/2020	Cleanaway Solid Waste Pty Ltd	Monthly Kerbside Waste Collection	MUNI	5,040.99
EFT39508	28/08/2020	Connect Call Centre Services	After Hours Call Centre Service July 2020	MUNI	546.98
EFT39509	28/08/2020	Corsign WA Pty Ltd	No Parking Sign - R5-40 (Inc. Brackets)	MUNI	30.80
EFT39510	28/08/2020	Dardanup Garage & Service Station	DA8457 - Repair Hiab Valve	MUNI	488.31
EFT39511	28/08/2020	Dardanup Gas	Rental On Gas Bottle - 15 Kg 12 Months 2020/21	MUNI	48.00
EFT39512	28/08/2020	Dardanup Rural Supplies	Bags Of Mortar Mix & Screws, Bolts and Washera	MUNI	171.50

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39513	28/08/2020	Daryl Fishwick	Umpire Recoup 19/08/2020	MUNI	66.00
EFT39514	28/08/2020	Department Of Transport	Eaton Foreshore Jetty - Community Jetty Modification Fee	MUNI	45.30
EFT39515	28/08/2020	Donna Bastow	Umpire Recoup 19/08/2020	MUNI	88.00
EFT39516	28/08/2020	DX Print Group Pty Ltd	500 X Ranger Services Enquiries Business Cards / 500 X Suzanne Occhipinti Business Cards	MUNI	275.00
EFT39517	28/08/2020	Drakesbrook Hotel	Jay Hofman - 1 X Queen Motel Room For 25/07/2020 - Attending Training	MUNI	110.00
EFT39518	28/08/2020	Emma Bish	Umpire Recoup 24/08/2020 & 25/08/2020	MUNI	45.00
EFT39519	28/08/2020	Fulton Hogan Industries Wa	1 Tonne Premix x 2	MUNI	442.33
EFT39520	28/08/2020	Holcim Australia Pty Ltd	5.6 Cubes Of Concrete For Footpath At Murdoch Cres	MUNI	1,481.26
EFT39521	28/08/2020	Howson Technical	Eaton Dr / Blue Wren Dr Intersection - Additional Project Management - 16/07/20 - 15/08/20	MUNI	2,926.00
EFT39522	28/08/2020	Hynes Contracting	Hire of Tip Truck and Bobcat - 29/06/20, 1/07/20, 7/08/20, 9/08/20	MUNI	2,705.00
EFT39523	28/08/2020	Ian Graeme Smith	Rates Refund - 13 Cormorant Entrance, Eaton	MUNI	122.28
EFT39524	28/08/2020	Jade Begovic	Umpire Recoup 24/08/2020 & 25/08/2020	MUNI	135.00
EFT39525	28/08/2020	Janice Patricia Dow	Meeting Attendance And ICT Allowance	MUNI	1,158.92
EFT39526	28/08/2020	Jason Cartledge	Umpire Recoup 19/08/2020	MUNI	44.00
EFT39527	28/08/2020	Jim's Test And Tag	Electrical Test And Tag 2020/21 - Eaton Bowling Club	MUNI	337.37
EFT39528	28/08/2020	Josie Phillips	Umpire Recoup 25/08/2020	MUNI	67.50

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39529	28/08/2020	Jasminde Kowalczyk	Reimbursement For Working With Children Check	MUNI	87.00
EFT39530	28/08/2020	Karyn Rowe	Umpire Recoup 21/08/2020, 24/08/2020 & 25/08/2020	MUNI	135.00
EFT39531	28/08/2020	Kathleen Hoult	Uniform Reimbursement - PPE For Depot Work - Steel Cap Boots, 2 X Shirts, Pants	MUNI	372.00
EFT39532	28/08/2020	Kelly Marie Mundy	Umpire Recoup 21/08/2020	MUNI	44.00
EFT39533	28/08/2020	Kenny Pomare	Umpire Recoup 19/08/2020	MUNI	44.00
EFT39534	28/08/2020	Kings Tree Care	Pratt Road Outlook - Remove Dead Marri - Failed At Base	MUNI	1,650.00
EFT39535	28/08/2020	Leonie Ann Patterson	Rates Refund - 71 Glenhuon Blvd, Eaton	MUNI	633.60
EFT39536	28/08/2020	Les Mills Asia Pacific	ERC - Monthly Licence Fees	MUNI	1,050.11
EFT39537	28/08/2020	Luke Davies	Meeting Attendance And ICT Allowance	MUNI	1,158.92
EFT39538	28/08/2020	Lynette Anne & Paulo Orso	Refund Of Membership Fees - Changed From Standard Membership To Gym Only Membership	MUNI	143.76
EFT39539	28/08/2020	Lypa Pty Ltd	Repairs And Maintenance To Flying Fox	MUNI	363.00
EFT39540	28/08/2020	Malatesta Road Paving And Hotmix	250 Ltrs Emulsion	MUNI	400.00
EFT39541	28/08/2020	Mark Richard Hutchinson	Meeting Attendance And ICT Allowance	MUNI	1,158.92
EFT39542	28/08/2020	Michael Bennett	Local Government Allowance, Meeting Attendance And ICT Allowance	MUNI	3,838.25
EFT39543	28/08/2020	Natalie Hopkins	2020/21 Uniform Reimbursement	MUNI	332.43
EFT39544	28/08/2020	Nicole Louise Mcdonald	Dog Sterilisation Refund	MUNI	150.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39545	28/08/2020	Nutrien Ag Solutions	Pine Bollards x 400, Bamboo Stakes and Plastic Tree Guards	MUNI	5,933.40
EFT39546	28/08/2020	Officeworks Superstores Pty Ltd	Stationery For Eaton Community Library	MUNI	89.39
EFT39547	28/08/2020	Onsite Rental Group	Monthly Hire Of Temporary Office And Repositioning Of Internal Walls And Associated Carpet Tile Work	MUNI	4,045.25
EFT39548	28/08/2020	Outdoor World Bunbury	Refund For Development Application - 15 Clarence Cres, Millbridge	MUNI	147.00
EFT39549	28/08/2020	Patricia Perks	Meeting Attendance And ICT Allowance	MUNI	1,158.92
EFT39550	28/08/2020	Perfect Landscapes	Mowing - Parks and Reserves 3/08/2020 and Reserves 10/08/2020	MUNI	6,424.00
EFT39551	28/08/2020	Peter Robinson	Local Government Allowance, Meeting Attendance And ICT Allowance	MUNI	1,697.84
EFT39552	28/08/2020	PFD Food Services Pty Ltd	ERC - Cafe Order	MUNI	770.95
EFT39553	28/08/2020	PFI Supplies	Cleaning Supplies - Eaton Admin	MUNI	388.50
EFT39554	28/08/2020	Porter Consulting Engineers Tusno Pty Ltd	QUO-F0139790 - Engineering Design For Eaton Drive & Lavender Way / Blue Wren Drive Intersections	MUNI	2,310.00
EFT39555	28/08/2020	Prime Supplies	Welding Rods General Purpose, Step Drill Replacement	MUNI	179.50
EFT39556	28/08/2020	PVR Industrial Pty Ltd	Labour To Service UV System and Consumable Materials	MUNI	1,445.39
EFT39557	28/08/2020	QM Air-conditioning	Degas Fridges	MUNI	464.75
EFT39558	28/08/2020	Renouf Fitness Equipment	ERC - Fitness Centre - Slam, Medicine And Wall Ball, Liquid Chalk	MUNI	411.40
EFT39559	28/08/2020	Schweppes Australia Pty Ltd	ERC - Cafe Order	MUNI	1,671.37
EFT39560	28/08/2020	Sealink Plumbing	Carry Out Repairs To Sewer IO - Repair Damaged PVC Pipe And Replace PVC Cover With Cast Iron Cover Set	MUNI	253.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39561	28/08/2020	Signs Plus	Name Badges For Shire Staff As Required	MUNI	134.70
EFT39562	28/08/2020	SMR Psychology	Employee Assistance Program - Counselling	MUNI	187.00
EFT39563	28/08/2020	Sophie Hart	Umpire Recoup 24/08/2020	MUNI	22.50
EFT39564	28/08/2020	South West Fire	B Service And Additional Work - Brigade Vehicle and Appliances - DA1684	MUNI	10,546.97
EFT39565	28/08/2020	Southern Lock And Security	Toilet Door Deadlock Fitted With No 6 Barrels For Men's Toilet At Don Hewson Centre	MUNI	132.25
EFT39566	28/08/2020	Stacey Gillespie	Meeting Attendance And ICT Allowance & Reimbursement for Childcare	MUNI	1,398.92
EFT39567	28/08/2020	Steann Pty Ltd	Hard Waste Collection - August 2020	MUNI	27,300.35
EFT39568	28/08/2020	Steve Miller's Excavations	Removal Of Trees Fallen Over Fences With Excavator, Fallen Tree Removal Ferguson Road	MUNI	1,725.00
EFT39569	28/08/2020	Sunny Industrial Brushware	1 X Tractor Broome And Freight	MUNI	847.66
EFT39570	28/08/2020	Surveytech Traffic Surveys Pty Ltd	Traffic Survey Services - 2020/21 Eaton Drive Intersection Upgrade	MUNI	3,019.50
EFT39571	28/08/2020	Synergy	Electricity Account - Shire Properties x 5	MUNI	7,535.47
EFT39572	28/08/2020	T J Depiazzi & Sons	Bushland Mulch Delivered	MUNI	860.42
EFT39573	28/08/2020	T-Quip	6 x Sets Of 3 Blades - Toro Mower 72 Inch	MUNI	504.00
EFT39574	28/08/2020	Te Wairimu Elinor Pomare	Reimbursement For Purchase Of Glass Jars For ERC Café	MUNI	36.00
EFT39575	28/08/2020	Toni Hotchin	Umpire Recoup 25/08/2020	MUNI	45.00
EFT39576	28/08/2020	Tyrrell Gardiner	Meeting Attendance And ICT Allowance	MUNI	1,158.92

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39577	28/08/2020	Universal Marina Systems (Wa) Pty Ltd	RFT-F0154117 - Eaton Foreshore Boat Ramp And Jetty Upgrade - Claim #2	MUNI	38,696.09
EFT39578	28/08/2020	Veolia Environmental Services (Australia) Pty Ltd	Road Sweeping - Burekup, Dardanup, Eaton and Millbridge	MUNI	7,264.40
EFT39579	28/08/2020	West Australian Mechanical Services Pty Ltd	ERC - Air Conditioning Service and Repairs	MUNI	4,529.80
EFT39580	28/08/2020	Westrac Pty Ltd	DA698 - 4500Hr Service Cat Grader	MUNI	1,948.44
EFT39581	28/08/2020	Woolworths Group Limited	Grocery Items for ERC and Eaton Admin Centre & Breakfast For Depot Employees	MUNI	509.66
EFT39582	28/08/2020	Zoe Hill	Umpire Recoup 24/08/2020 & 25/08/2020	MUNI	90.00
EFT39583	03/09/2020	21 Graphic Design Pty Ltd	Events Calendar September 2020	MUNI	198.00
EFT39584	03/09/2020	Amity Signs	Blue & White Double Sided Directional Sign - Glen Huon Primary School - Private Works	MUNI	86.90
EFT39585	03/09/2020	Animal Pest Management Services	Labour - High Risk Operations - Standby To Euthanise Cattle - Vehicle Accident 20 August 2020	MUNI	1,188.00
EFT39586	03/09/2020	Axio Maintenance And Construction	Fitness Centre - Installation Of Whiteboard And Battlerope Hooks	MUNI	132.00
EFT39587	03/09/2020	Blaine Thompson	Umpire Recoup 26/08/2020	MUNI	88.00
EFT39588	03/09/2020	Booktopia Pty Ltd	Book Stock for Eaton Community Library	MUNI	591.52
EFT39589	03/09/2020	Brendan Ross Billington	Refund Of Bond For Animal Cage Hire	MUNI	150.00
EFT39590	03/09/2020	Brett Hodgson	Umpire Recoup 26/08/2020	MUNI	66.00
EFT39591	03/09/2020	Brownes Foods Operations Pty Ltd	ERC - Cafe Order	MUNI	276.88
EFT39592	03/09/2020	Bunbury Hiab And Tilt Tray	Supply and Operation Of Truck Mounted Hiab Crane To Shift Storm Water Pipes	MUNI	242.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39593	03/09/2020	Bunbury Machinery	1 x Day Hire Of Kanga Loader For Thursday 27/08/20 & 18" Plate Compactor 20/08/20	MUNI	331.13
EFT39594	03/09/2020	Bunbury Mower Service	R&R Sharpen Hedge Cut Blades	MUNI	113.00
EFT39595	03/09/2020	Bunbury Regional Entertainment Centre	Allocated Funding As Per 2020-21 Budget - Donation	MUNI	16,500.00
EFT39596	03/09/2020	Bunnings Group Limited	Fence Panel And Materials For Play Area Repairs	MUNI	183.47
EFT39597	03/09/2020	Cameron Baker	Umpire Recoup 26/08/2020	MUNI	88.00
EFT39598	03/09/2020	Charlea Meyntz	Umpire Recoup 1/09/2020	MUNI	44.00
EFT39599	03/09/2020	Cleanaway Solid Waste Pty Ltd	Monthly Kerbside Waste Collection	MUNI	5,997.88
EFT39600	03/09/2020	Cohen Thompson	Umpire Recoup 26/08/2020	MUNI	44.00
EFT39601	03/09/2020	Craneford Plumbing	Service Agreement For ATU At Depot For One Year - Quarterly Service July 2020	MUNI	143.00
EFT39602	03/09/2020	Craven Foods	ERC - Cafe Order	MUNI	679.74
EFT39603	03/09/2020	Dardanup Garage & Service Station	DA9279 - Narva LED Light Box, LED Light Bar	MUNI	646.60
EFT39604	03/09/2020	Daryl Fishwick	Umpire Recoup 26/08/2020	MUNI	44.00
EFT39605	03/09/2020	Dominos Eaton	Dardanup Youth Consultation - Pizzas - 24 & 26 August 2020	MUNI	71.80
EFT39606	03/09/2020	Donna Bastow	Umpire Recoup 26/08/2020	MUNI	110.00
EFT39607	03/09/2020	Donna Whitton	Umpire Recoup 28/08/2020	MUNI	30.00
EFT39608	03/09/2020	Dorsogna Limited	ERC - Cafe Order	MUNI	178.78

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39609	03/09/2020	Earth 2 Ocean Communications	Removal Of Radio From Former CBRCO Vehicle On Site - 62 Railway Rd, Waterloo	MUNI	264.00
EFT39610	03/09/2020	Eaton Community College	Budget Allocation - 2020 Leavers Ceremony	MUNI	300.00
EFT39611	03/09/2020	Eaton Community Pharmacy	ERC - Pharmacy Order	MUNI	217.43
EFT39612	03/09/2020	Eaton Environmental Services	Rodent Control And Pest Management at 3 Sites	MUNI	1,067.00
EFT39613	03/09/2020	Emma Bish	Umpire Recoup 1/09/2020	MUNI	45.00
EFT39614	03/09/2020	Erin Hutchins	Reimbursement For Meals And Parking For Training Course, Replacement Charger & Uniform Reimbursement	MUNI	118.55
EFT39615	03/09/2020	Fergies Total Lawn Care	Install 6 x 200L Claret Ash Trees Including Staking	MUNI	895.40
EFT39616	03/09/2020	Fulton Hogan Industries Wa	1 Tonne Of Premix	MUNI	201.85
EFT39617	03/09/2020	Grace Records Management	Records Management And Bin Exchange - July 2020	MUNI	683.39
EFT39618	03/09/2020	Heatleys	36 X 50 Pkts Of Surgical Masks (1800 Masks)	MUNI	2,376.00
EFT39619	03/09/2020	Illion Australian Pty Ltd (Tenderlink)	Tenderlink - RFT F0171511 - Appoint Project Manager & RFT F0166627 - Roundabout Construction	MUNI	330.00
EFT39620	03/09/2020	Intown Centre Inc	Allocated Funding As Per 2020-21 Budget - Donation	MUNI	2,750.00
EFT39621	03/09/2020	Isabel Cody	Reimbursement For Instagram Promotional Post, Parking and Lunch for Training	MUNI	57.08
EFT39622	03/09/2020	IT Vision Australia Pty Ltd	Synergysoft Rates Health Check - Data Integrity	MUNI	6,187.50
EFT39623	03/09/2020	Jade Begovic	Umpire Recoup 31/08/2020 & 1/09/2020	MUNI	90.00
EFT39624	03/09/2020	Josie Phillips	Umpire Recoup 31/08/2020 & 1/09/2020	MUNI	112.50

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39625	03/09/2020	Joy Coatalen	Dog Sterilisation Refund	MUNI	75.00
EFT39626	03/09/2020	K'S Home Kitchen	Catering For 19 August New Administration Building And Library Presentation - 18 People	MUNI	293.00
EFT39627	03/09/2020	Karyn Rowe	Umpire Recoup 28/08/2020, 31/08/2020 And 1/09/2020	MUNI	120.00
EFT39628	03/09/2020	Les Mills Asia Pacific	ERC - Monthly Licence Fees	MUNI	1,049.77
EFT39629	03/09/2020	Links Modular Solutions	ERC - SMS Credits 10,000 @ 0.09 Cents Each	MUNI	990.00
EFT39630	03/09/2020	Local Government Professionals Australia WA	2020/21 Affiliate Membership - LG Professionals WA	MUNI	185.00
EFT39631	03/09/2020	Maia Financial Pty Ltd	Supply Of Leased Cardio Fitness Equipment As Per RFT- F0152487 Lease Agreement E6N0163172 July 2020 - July 2025 Quarterly Payments Of \$11588.25	MUNI	11,210.70
EFT39632	03/09/2020	Malatesta Road Paving And Hotmix	250 Lts Of Emulsion.	MUNI	400.00
EFT39633	03/09/2020	Marketforce	Recruitment Advertising - Project Officer	MUNI	225.50
EFT39634	03/09/2020	Pages Mechanical Repairs	Repairs To DA325	MUNI	181.00
EFT39635	03/09/2020	Perfect Landscapes	Mowing - Parks and Reserves 17/08/2020 and Reserves 24/08/2020	MUNI	6,776.00
EFT39636	03/09/2020	PFD Food Services Pty Ltd	ERC - Cafe Order	MUNI	605.85
EFT39637	03/09/2020	Prestige Products	ERC - Smart One T/Rolls X 12 Cartons	MUNI	818.40
EFT39638	03/09/2020	Safetcard Australia	Monitoring Fees For Safetcards x 6	MUNI	264.00
EFT39639	03/09/2020	Schweppes Australia Pty Ltd	ERC - Cafe Order	MUNI	256.51
EFT39640	03/09/2020	Signs Plus	ERC - Badge Order	MUNI	87.60

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39641	03/09/2020	SMR Psychology	Employee Assistance Program - Counselling	MUNI	187.00
EFT39642	03/09/2020	SOS Office Equipment	Photocopier Meter Reading - All Printers - July 2020	MUNI	2,763.43
EFT39643	03/09/2020	South West Fire	B Service - Light Tanker - Ferguson Volunteer Bush Fire Brigade	MUNI	6,103.46
EFT39644	03/09/2020	South West Tree Safe	Prune Branches Overhanging Power Lines - 58 Hayward St Dardanup	MUNI	440.00
EFT39645	03/09/2020	Southern Lock And Security	9' Padlock x 2	MUNI	137.37
EFT39646	03/09/2020	Spraymow Services	Broadleaf Weed Control - Multiple Locations and Treat Guildford Grass in Oval	MUNI	4,247.63
EFT39647	03/09/2020	Statewide Cleaning Supplies Pty Ltd	ERC - Fitness Centre & Group Fitness Wow Wipes	MUNI	1,291.40
EFT39648	03/09/2020	Synergy	Electricity Account For 10 x Shire Sites	MUNI	3,072.92
EFT39649	03/09/2020	T J Depiazzi & Sons	Bushland Mulch and Delivery	MUNI	860.42
EFT39650	03/09/2020	The Print Shop	ERC - Membership Agreement Books - 4 X Standard , 2 X Fit Over 50, 1 X Octolegend	MUNI	363.00
EFT39651	03/09/2020	Total Calibration Pty Ltd	Lanteria Software Annual Support Package - 01/08/2020 To 31/07/2021	MUNI	4,554.80
EFT39652	03/09/2020	Total Eden Pty Ltd	Valve Air Combination 50Mm - Quote 20336859	MUNI	64.12
EFT39653	03/09/2020	Water Corporation	Water and Service Charges for 10 x Shire Sites	MUNI	2,138.42
EFT39654	03/09/2020	West Australian Newspapers Ltd	Subscription For West Australian Newspapers 4/08/2020 - 27/10/2020	MUNI	164.34
EFT39655	03/09/2020	Western Power	Supply And Install Overhead Lighting To Existing Power Pole At Intersection Of Hands Ave And Cudliss St	MUNI	2,653.00
EFT39656	03/09/2020	Winc Australia Pty Ltd	Stationery Orders - Eaton Admin - July & August	MUNI	1,118.11

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39657	03/09/2020	WML Consultants	Proposed Road Network Upgrades Eaton Area: Design Consultancy - QUO-F0153392 - Progress Claim	MUNI	6,352.50
EFT39658	03/09/2020	Woolworths Group Limited	ERC - Cafe Order & Eaton Admin Groceries	MUNI	281.93
EFT39659	03/09/2020	Work Clobber	PPE - Leon Jackson & Peta Nolan - 5 x Polo's, 3 x Trousers, 1 x Boots	MUNI	603.60
EFT39660	03/09/2020	Wren Oil	Remove Waste Oil	MUNI	110.00
EFT39661	03/09/2020	Zoe Hill	Umpire Recoup 31/08/2020 & 1/09/2020	MUNI	112.50
EFT39662	11/09/2020	21 Graphic Design Pty Ltd	School Holiday Programs Calendar - Sept/Oct 2020	MUNI	297.00
EFT39663	11/09/2020	3 E Consulting Engineers Pty Ltd	Eaton Drive / Blue Wren Roundabout - Lighting Design - Final Invoice	MUNI	1,320.00
EFT39664	11/09/2020	Advance Press Pty Ltd	Waste Calendars X 6000 - 2 Bin 2pp DL Calendars 2020 With Magnet	MUNI	1,650.00
EFT39665	11/09/2020	Aquila Food Forest	Sustainable Living Workshop - August & September 2020	MUNI	460.00
EFT39666	11/09/2020	Australia Post	Monthly Invoice Of Mail And Postage - August 2020	MUNI	1,031.08
EFT39667	11/09/2020	Australian Tax Office	PAYG Withholding For Fortnight Ending 4/09/2020	MUNI	82,960.00
EFT39668	11/09/2020	B.Social	Employee Deductions for Social Club	MUNI	60.00
EFT39669	11/09/2020	BCE Surveying Pty Limited	Waterloo Hall - Feature Survey, As Per Quotation Q6883 Dated 14/8/2020	MUNI	1,229.80
EFT39670	11/09/2020	Brett Hodgson	Umpire Recoup 2/09/2020	MUNI	110.00
EFT39671	11/09/2020	Brooke Scott	ERC - Sprint Covers - 3-07 And 10-07	MUNI	254.00
EFT39672	11/09/2020	Brownes Foods Operations Pty Ltd	ERC - Cafe Order	MUNI	129.34
EFT39673	11/09/2020	Bunbury Coffee Machines	ERC - Cafe Order	MUNI	729.50

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39674	11/09/2020	Bunbury Machinery	2 Wacka Rubber Mounts	MUNI	96.14
EFT39675	11/09/2020	Bunbury Mower Service	Parts And Materials For Small And Large Chainsaws Repairs, Polesaw And Whippersnipper Repairs	MUNI	821.60
EFT39676	11/09/2020	Bunbury Settlement Services Pty Ltd	Purchase Lot 202 And Lot 360 Pile Road (Road Widening), As Per Memorandum Of Understanding	MUNI	7,208.58
EFT39677	11/09/2020	Bunbury Subaru	DA1314 - Regular Service	MUNI	313.27
EFT39678	11/09/2020	Bunnings Group Limited	Plywood, Nuts Bolts Washers Screws For Trailer Repairs	MUNI	462.28
EFT39679	11/09/2020	Cameron Baker	Umpire Recoup 2/09/2020	MUNI	66.00
EFT39680	11/09/2020	Caroline Mears	Chair Yoga For Seniors - August - Four Sessions	MUNI	260.00
EFT39681	11/09/2020	CB Traffic Solutions	Traffic Management - Eaton Drive - 27/08/2020	MUNI	252.45
EFT39682	11/09/2020	Cleanaway Solid Waste Pty Ltd	Monthly Kerbside Waste Collection, Hire And Emptying of Skip Bins At Transfer Station & Depot	MUNI	9,149.19
EFT39683	11/09/2020	Corinne Shaw	Uniform Reimbursement	MUNI	119.55
EFT39684	11/09/2020	Craven Foods	ERC - Cafe Order	MUNI	278.94
EFT39685	11/09/2020	Department Of Fire And Emergency Services	2020/21 ESL Quarter 1 Contribution	MUNI	198,143.28
EFT39686	11/09/2020	Deputec Pty Ltd	ERC - Deputy Roster Software 2020/2021	MUNI	95.21
EFT39687	11/09/2020	Donna Bastow	Umpire Recoup 2/09/2020	MUNI	88.00
EFT39688	11/09/2020	Donna Whitton	Umpire Recoup 4/09/2020	MUNI	30.00
EFT39689	11/09/2020	Fit2Work	Monthly Invoice For Australian Employee Police Checks	MUNI	230.34

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39690	11/09/2020	Fulton Hogan Industries Wa	1 Tonne Of Premix.	MUNI	209.00
EFT39691	11/09/2020	Hynes Contracting	Hire Of Skid Steer Loader To Repair Washout Of Drain	MUNI	660.00
EFT39692	11/09/2020	Jade Begovic	Umpire Recoup 7/09/2020 & 8/09/2020	MUNI	135.00
EFT39693	11/09/2020	Jason Cartledge	Umpire Recoup 2/09/2020	MUNI	44.00
EFT39694	11/09/2020	Jim'S Test And Tag	Supply And Replace Emergency Exit Light	MUNI	704.00
EFT39695	11/09/2020	Josie Phillips	Umpire Recoup 8/09/2020	MUNI	45.00
EFT39696	11/09/2020	JP Group - CPSS Pty Ltd	3 Monthly Lease Of Transfer Station At Lot 81 Banksia Road Dardanup	MUNI	3,095.13
EFT39697	11/09/2020	Jtagz Pty Ltd	500 X Dog Tags (Exp 2023) 500 X Cat Tags (Exp 2023)	MUNI	431.20
EFT39698	11/09/2020	Karyn Rowe	Umpire Recoup 4/09/2020, 7/09/2020 & 8/09/2020	MUNI	165.00
EFT39699	11/09/2020	Kenny Pomare	Umpire Recoup 2/09/2020	MUNI	88.00
EFT39700	11/09/2020	Links Modular Solutions	ERC - Active Carrot Annual Fee & Links Support And Upgrades - 01-07-2020 To 30-06-2021	MUNI	8,759.30
EFT39701	11/09/2020	Living Springs	Supply 6 X 15L Springwater Bottles - Waste Transfer Station	MUNI	66.00
EFT39702	11/09/2020	Madison Hancock	Umpire Recoup 8/09/2020	MUNI	45.00
EFT39703	11/09/2020	Malatesta Road Paving And Hotmix	Waterloo Road - Bridge 192 Repairs	MUNI	20,319.06
EFT39704	11/09/2020	Marketforce	Public Notice Fees and Advertising Fees for August 2020	MUNI	4,315.91
EFT39705	11/09/2020	Mckayhla Pomare	Umpire Recoup 2/09/2020	MUNI	22.00


PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39706	11/09/2020	McLeod's Barristers And Solicitors	Legal Advice - Breach Of 1999 Ministerial Approval (DA)	MUNI	1,098.74
EFT39707	11/09/2020	Monitored Electronics	ERC - Duress Alarm System Monitoring 01-10-2020 To 30-12-2020	MUNI	57.20
EFT39708	11/09/2020	Nsco Consulting	Coaching Session With Planning And Development Staff - 19 August	MUNI	330.00
EFT39709	11/09/2020	Officeworks Superstores Pty Ltd	ERC - Headset For Reception, Vac Care Items, Divider Screen - Eaton Admin	MUNI	589.65
EFT39710	11/09/2020	One Steel Metaland	4 - 40X40X3 RHS And 2 Galvanised Sheets	MUNI	389.73
EFT39711	11/09/2020	Onsite Rental Group	Hire Of Temporary Office Behind Eaton Admin Centre	MUNI	1,150.89
EFT39712	11/09/2020	Pages Mechanical Repairs	Service DA628 & DA325	MUNI	1,105.29
EFT39713	11/09/2020	PFD Food Services Pty Ltd	ERC - Cafe Order	MUNI	436.30
EFT39714	11/09/2020	PFI Supplies	ERC - Cleaning Products, Sanitizer, Dispenser For Centre	MUNI	869.25
EFT39715	11/09/2020	Quality Press	Vehicle ID Stickers 2020/2022	MUNI	88.00
EFT39716	11/09/2020	Rhianna Kathleen Scheffner	Reimbursement For Purchase Of Staff Farewell Cards	MUNI	24.00
EFT39717	11/09/2020	River Valley Primary School	Annual Budget Allocation - School Awards - 2020-21	MUNI	150.00
EFT39718	11/09/2020	Sage Consulting Engineers Pty Ltd	Eaton Drive - Road Lighting Design - As Per Proposal Dated 6/8/2020	MUNI	3,283.50
EFT39719	11/09/2020	Schweppes Australia Pty Ltd	ERC - Cafe Order	MUNI	374.92
EFT39720	11/09/2020	Signs Plus	Name Badges For Shire Staff As Required	MUNI	20.10
EFT39721	11/09/2020	South West Fire	B Service And Additional Works - Light Tanker - Joshua Crooked Brook Bush Fire Brigade & Burekup Bush Fire Brigade	MUNI	12,452.28
EFT39722	11/09/2020	Suez Recycling & Recovery (Perth) Pty Ltd	Monthly Kerbside Recycling Processing - August 2020	MUNI	7,789.07

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
EFT39723	11/09/2020	Tanya Maree Cantwell	Rates Refund- 29 Polwarth Circuit, Eaton	MUNI	2,107.34
EFT39724	11/09/2020	Taylor Anderson	Umpire Recoup 2/09/2020	MUNI	66.00
EFT39725	11/09/2020	Toni Hotchin	Umpire Recoup 7/09/2020	MUNI	45.00
EFT39726	11/09/2020	Tutt Bryant Hire	Hire of Machinery for June 2020 and Service Fees for Damaged Equipment (Insurance Claim)	MUNI	6,240.50
EFT39727	11/09/2020	Universal Marina Systems (Wa) Pty Ltd	RFT-F0154117 - Eaton Foreshore Boat Ramp And Jetty Upgrade - Claim 3	MUNI	49,093.02
EFT39728	11/09/2020	Water Corporation	Water Use And Service Charges For 3 x Shire Sites	MUNI	1,056.18
EFT39729	11/09/2020	Woolworths Group Limited	ERC - Cafe Order	MUNI	361.83
EFT39730	11/09/2020	Zoe Hill	Umpire Recoup 7/09/2020 & 8/09/2020	MUNI	67.50
PAYROLL					
DD15214.1	21/08/2020	WA Super	Payroll Deductions	MUNI	35,896.03
DD15214.2	21/08/2020	Construction & Building Industry Super	Superannuation Contributions	MUNI	195.18
DD15214.3	21/08/2020	Perpetual Wealth Focus Super Plan	Superannuation Contributions	MUNI	144.56
DD15214.4	21/08/2020	MLC Super Fund	Superannuation Contributions	MUNI	567.97
DD15214.5	21/08/2020	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	260.89
DD15214.6	21/08/2020	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	238.09
DD15214.7	21/08/2020	One Path Masterfund	Superannuation Contributions	MUNI	166.86
DD15214.8	21/08/2020	Hostplus	Superannuation Contributions	MUNI	362.01

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD15214.9	21/08/2020	Suncorp Brighter Super	Superannuation Contributions	MUNI	188.70
DD15214.10	21/08/2020	BT Super For Life	Superannuation Contributions	MUNI	123.49
DD15214.11	21/08/2020	AMP Flexible Super - Super Account	Superannuation Contributions	MUNI	45.61
DD15214.12	21/08/2020	Asgard Infinity E Wrap Super	Superannuation Contributions	MUNI	261.82
DD15214.13	21/08/2020	Local Government Super	Superannuation Contributions	MUNI	232.58
DD15214.14	21/08/2020	BT Super	Payroll Deductions	MUNI	541.06
DD15214.15	21/08/2020	Rest Superannuation	Superannuation Contributions	MUNI	767.52
DD15214.16	21/08/2020	The Bro Code Super Fund	Superannuation Contributions	MUNI	100.80
DD15214.17	21/08/2020	ANZ Smart Choice Super (Onepath Masterfund)	Superannuation Contributions	MUNI	663.66
DD15214.18	21/08/2020	Media Super	Superannuation Contributions	MUNI	522.66
DD15214.19	21/08/2020	Australiansuper	Superannuation Contributions	MUNI	2,886.94
DD15214.20	21/08/2020	MIML - Macquarie Super Accumulator	Superannuation Contributions	MUNI	396.72
DD15214.21	21/08/2020	Burton Superannuation Fund	Superannuation Contributions	MUNI	257.93
DD15238.1	04/09/2020	WA Super	Payroll Deductions	MUNI	35,908.54
DD15238.2	04/09/2020	Perpetual Wealth Focus Super Plan	Superannuation Contributions	MUNI	161.01
DD15238.3	04/09/2020	MLC Super Fund	Superannuation Contributions	MUNI	567.97

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD15238.4	04/09/2020	Colonial First State First Choice Wholesale Personal Super	Superannuation Contributions	MUNI	260.88
DD15238.5	04/09/2020	Diamond Sea Superannuation Fund	Payroll Deductions	MUNI	299.00
DD15238.6	04/09/2020	One Path Masterfund	Superannuation Contributions	MUNI	144.97
DD15238.7	04/09/2020	Hostplus	Superannuation Contributions	MUNI	361.83
DD15238.8	04/09/2020	Suncorp Brighter Super	Superannuation Contributions	MUNI	207.89
DD15238.9	04/09/2020	BT Super For Life	Superannuation Contributions	MUNI	112.27
DD15238.10	04/09/2020	AMP Flexible Super - Super Account	Superannuation Contributions	MUNI	62.45
DD15238.11	04/09/2020	Local Government Super	Superannuation Contributions	MUNI	232.58
DD15238.12	04/09/2020	Asgard Infinity E Wrap Super	Superannuation Contributions	MUNI	261.82
DD15238.13	04/09/2020	BT Super	Payroll Deductions	MUNI	541.06
DD15238.14	04/09/2020	Rest Superannuation	Superannuation Contributions	MUNI	836.34
DD15238.15	04/09/2020	The Bro Code Super Fund	Payroll Deductions	MUNI	28.80
DD15238.16	04/09/2020	ANZ Smart Choice Super (Onepath Masterfund)	Superannuation Contributions	MUNI	663.66
DD15238.17	04/09/2020	Media Super	Superannuation Contributions	MUNI	522.66
DD15238.18	04/09/2020	Australiansuper	Superannuation Contributions	MUNI	2,830.42
DD15238.19	04/09/2020	MIML - Macquarie Super Accumulator	Superannuation Contributions	MUNI	396.72
DD15238.20	04/09/2020	Burton Superannuation Fund	Superannuation Contributions	MUNI	257.92

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
DD15238.21	04/09/2020	Construction & Building Industry Super	Superannuation Contributions	MUNI	87.38
CREDIT CARD					
DD15228.2	17/08/2020	SGFleet	Vehicle Lease 2020/21 - Bushfire Risk Planning Coordinator - 15/08/2020 To 14/09/2020	MUNI	564.04
DD15232.1	31/08/2020	Western Power	Application To Western Power For Relocation And New Works At Proposed Roundabout On Eaton Drive / Blue Wren Drive	MUNI	995.84
DD15232.2	31/08/2020	Mailchimp	Monthly Subscription And Charge For Electronic Newsletters July 20 - June 21	MUNI	108.95
DD15232.3	31/08/2020	Surveymonkey Europe	Subscription To Survey Service - Survey Monkey Online 19/08/20 To 18/11/2020	MUNI	111.00
DD15232.4	31/08/2020	Zoom	Zoom Cloud Storage For Video Recordings 100Gb	MUNI	61.60
INTERNATIONAL					
DD15222.1	21/08/2020	Ispring Solutions Inc	Ispring Suite Full Service 1 Year Subscription For Lanterria	MUNI	1,237.73
BPAY					
DD15212.1	20/08/2020	linet Ltd	Monthly Charge For Business-4 Service Sod@Westenet.Com.Au	MUNI	174.94
DD15224.1	27/08/2020	Alinta	Electricity Account ERC - 16/06/2020 - 17/08/2020	MUNI	6,896.22
DD15224.2	27/08/2020	Western Power	Design Fee - Casuraina St & Golding Cres	MUNI	2,640.00

PAYMENT	DATE	NAME	INVOICE DESCRIPTION	FUND	AMOUNT
REPORT TOTALS					
EFT		1,251,050.25	<p>"CERTIFICATE OF Chief Executive Officer</p> <p>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"</p>  <p>MR ANDRÉ SCHÖNFELDT Chief Executive Officer</p>		1,354,381.82
Muni Cheque		974.00			
Payroll		89,567.25			
Credit Card		1,841.43			
International		1,237.73			
BPAY		9,711.16			
TOTAL		1,354,381.82			

12.21 Title: Audit & Risk Committee Meeting Minutes

Reporting Department: Corporate & Governance Directorate
Reporting Officer: Mrs Donna Bailye - Personal Assistant to D/CEO
Legislation: Local Government Act 1995

MINUTES OF THE SHIRE OF DARDANUP AUDIT & RISK COMMITTEE MEETING HELD ON WEDNESDAY, 2 SEPTEMBER 2020, AT SHIRE OF DARDANUP - ADMINISTRATION CENTRE EATON, COMMENCING AT 3.00PM.

Officer Comment

The Minutes of the Audit & Risk Committee Meeting held 02 September 2020 are attached (Appendix ORD: 12.21A – Part 2, Page 19).

OFFICER RECOMMENDED RESOLUTION

THAT Council receives the Minutes of the Audit & Risk Committee Meeting held 2 September 2020 (Appendix ORD: 12.21A – Part 2, Page 19).

**AUDIT & RISK COMMITTEE
RECOMMENDED RESOLUTION 'A'****THAT Council:**

- 1. Receives and endorses the reviewed Terms of Reference for the Audit & Risk Committee and for this to be herein known as the Audit & Risk Committee Charter (Appendix ORD: 12.21B – Part 2, Page 51).**
- 2. Requests that a report on the '2021 Annual Work Plan' be brought back to the next Audit & Risk Committee Meeting, 2 December 2020 for member consideration and Council endorsement.**

**AUDIT & RISK COMMITTEE
RECOMMENDED RESOLUTION 'B'**

THAT Council endorses the Shire of Dardanup Internal Audit Strategic Plan, inclusive of the Internal Audit Annual Work Plan – 2020-2021 (Appendix ORD: 12.21C – Part 2, Page 64).

13	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
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13.1 Title: *Notice of Motion – Walkway for Railway Line – Dardanup Information Bay*

Reporting Department: Elected Member
Reporting Officer: Cr. Janice Dow
Legislation: Local Government Act 1995

Overview

Cr. J Dow would like Council to consider constructing a walkway for residents to safely cross the section of railway near the Dardanup Information Bay.

Background

Cr. J Dow has previously requested that Council construct a pathway crossing the railway line near the Dardanup Information Bay and recently the matter was discussed at the Dardanup Advisory Group with residents agreeing this was a safer way for residents and tourists to walk to school, events and the shops.

Legal Implications - None.

Strategic Community Plan

Strategy 5.1.2 - To provide transport choices by increasing the availability of safe, affordable and viable transport options. (Service Priority: High)

Environment - None.

Precedents - None.

Budget Implications

There is currently no budget allocation for a crossing. At this stage there are no cost estimations due to the required standard for the crossing being unknown.

Budget – Whole of Life Cost

It is expected that the Shire will be responsible for the initial installation costs of the crossing. It is unclear whether the rail crossing will become the maintenance responsibility of the rail authority. This will need to be determined through further discussions with the Public Transport Authority and Arc Infrastructure. It is expected that the crossing would be added to the existing rail interface agreements that have been established to delineate responsibilities.

Council Policy Compliance - None.

Risk Assessment - Low.

Elected Member Comment

For safety reasons I have requested many times for this pathway to be constructed and just recently it was discussed at the Dardanup Advisory Group with residents agreeing this was a safer way for residents and tourists to walk to school, events and the shops.

Currently the only real access is via the busy crossroad by the church & vets via the road.

This area at the information bay could also be used for patrons at the hotel as parking tends to be an issue for some of the business houses.

Permission needs to be sought from ARC and possibly PTA and this will take time.

I have visited many towns and used the walkways across railway lines with Donnybrook being a great example of a user friendly pedestrian crossing on a railway line we just need to write the letter and seek permission with Officers bringing a plan & costings to council for funding approval to go in next year's budget for construction and completion before October 2021

Chief Executive Officer Comment

At its meeting held Thursday, 27 August 2020 an item was placed for discussion by the Dardanup Advisory Group regarding this matter. The notes reflect the following discussion:-

Pathway Renewal Project

Presentation – Nathan Ryder

The asphalt pathway on Ferguson Rd between Charlotte St and Railway line has come up for renewal in the Pathways Asset management Plan (PAMP) and is badly cracked. Estimated renewal \$6,300. Proposed to be built using Federal Stimulus funds.

- *Is this pathway valued by the local residents?*
- *Should the pathway be retained or replaced by grassed area?*

Notes

It was confirmed that the children do cross the road and cross the railway line at several locations. They do not generally use the path.

Suggestion of a path from the caravan bays to the shops and main street.

It was noted that the majority of the park is railway reserve. Shire can contact the railways however it is expected that they will require a number of additional facilities to make safe for pedestrians.

It is important to consider universal access across the railway.

The first action for the Shire will be to contact the rail authority to request the requirements for a new crossing.

Suggest to contact Shire of Donnybrook to see how they have achieved the crossing in their town.

Since this meeting staff have been in contact with the Property Managers working for the Public Transport Authority advising of the proposal for a 2m-wide accessible concrete or paved pathway connecting the pull-in tourist bay to an existing concrete pathway on the other side of the railway line. The approximate location is indicated in the following diagram.



The interim response received 31 August 2020 is as follows:-

I will forward your request and the Aerial Shot below onto the PTA.

The area in question at Dardanup is within the Rail Reserve and consequently PTA is required to liaise with Arc Infrastructure on the matter.

Further advice stated that Arc Infrastructure (even though there may be limited or even no traffic on the line) may still want some sort of pedestrian maze installed. It may take some time to receive a response on this matter.

Shire staff have also contacted the Shire of Donnybrook-Balingup who have been successful in achieving a non-operational standard crossing. Shire of Donnybrook-Balingup staff are in the process of forwarding further information for our consideration.

It may be possible to install a non-operational standard crossing which is expected to be cheaper than an operational standard crossing (which would require a pedestrian maze). However, the Draft South West Supply Chain Strategy, prepared by the Department of Transport, has identified the Picton-Greenbushes Rail Line (which passes through Dardanup) for possible operation again. Talison Lithium and Arc Infrastructure are currently undertaking a feasibility study into the reinstatement of the line to transport lithium ore. Work on the feasibility study is being undertaken in 2020 after which the outcomes of the study will be presented to the State government for consideration. The possibility of this line becoming operational again could influence the response that is received in regards to the crossing type to be allowed.

The item has been placed back on the Agenda to update the Dardanup Advisory Group members at the meeting to be held 1 October 2020. Once a definitive answer is received from the PTA on the standard to be adopted, the matter will be reported to both the Advisory Group and Council for further consideration.

Council Role - Executive/Strategic.

Voting Requirements - Simple Majority.

ELECTED MEMBER RECOMMENDED RESOLUTION

THAT:

1. The Chief Executive Officer write to Public Transport Authority and Arc Infrastructure to request permission to construct a walkway over the railway line near the Dardanup Information bay.
2. The construction of a wide pathway suitable for the elderly using gophers & children walking or riding bikes to cross safely from the houses on the Boyanup-Picton Road. Access to be near the Dardanup Information Bay to direct tourists as well across the railway line to join up with the existing pathway opposite the hotel to be considered as a top priority in the budget discussions next year for construction before October 2021.

Change to Officer Recommendation

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

Note: Due to Shire officers already contacting the PTA and Arc Infrastructure, and the matter already in progress, it is suggested that Council consider an alternative resolution on the matter.

OFFICER RECOMMENDED RESOLUTION

THAT Council requests the Chief Executive Officer to:

1. **Continue to liaise with the Public Transport Authority and Arc Infrastructure on the standards required for a crossing of the rail line in Dardanup.**
2. **Present a report to Council for further consideration of the crossing, including the siting, design and cost, based on the standards stipulated by the Public Transport Authority and Arc Infrastructure and following consultation through the Dardanup Advisory Group.**

14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
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None.

15 PUBLIC QUESTION TIME

16 MATTERS BEHIND CLOSED DOORS

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

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

- | |
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| <p><i>S 5.23 (1) Subject to subsection (2), the following are to be open to members of the public-</i></p> <ul style="list-style-type: none"> <i>(a) all Council meetings; and</i> <i>(b) all meetings of any committee to which a local government power or duty has been delegated.</i> <p><i>(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 -</i></p> <ul style="list-style-type: none"> <i>(a) a matter affecting an employee or employees;</i> <i>(b) the personal affairs of any person;</i> <i>(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;</i> <i>(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;</i> <i>(e) a matter that if disclosed, would reveal -</i> <ul style="list-style-type: none"> <i>(i) a trade secret;</i> <i>(ii) information that has a commercial value to a person; or</i> <i>(iii) information about the business, professional, commercial or financial affairs of a person,</i>
<i>where the trade secret or information is held by, or is about, a person other than the local government;</i> <i>(f) a matter that if disclosed, could be reasonably expected to -</i> <ul style="list-style-type: none"> <i>(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;</i> <i>(ii) endanger the security of the local government's property; or</i> <i>(iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;</i> <i>(g) information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and</i> <i>(h) such other matters as may be prescribed.</i> <p><i>(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.</i></p> |
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OFFICER RECOMMENDED RESOLUTION

THAT in accordance with the Local Government Act 1995, S 5.23, the Council go Behind Closed Doors [.....pm] to discuss S 5.23, Part 2.

16.1 Title: Covid 19 Response Fees and Charges Update

Reporting Department: Corporate & Governance Directorate
Reporting Officer: Mr Phil Anastasakis - Deputy CEO
Legislation: Local Government Act 1995

REPORT UNDER SEPARATE COVER

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

OFFICER RECOMMENDED RESOLUTION

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.

17 CLOSURE OF MEETING

The Presiding Officer advises that the date of the next Ordinary Meeting of Council will be Wednesday 28 October 2020, 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.

