



31 Burrowes Street, Darkan  
Western Australia 6392  
Telephone: (08) 97362222  
Facsimile: (08) 97362212  
[shire@westarthur.wa.gov.au](mailto:shire@westarthur.wa.gov.au)

## CONFIRMED MINUTES

### Shire of West Arthur Ordinary Council Meeting 15 November 2022

#### MISSION STATEMENT

*To value and enhance our community lifestyle and environment through strong local leadership, community involvement and effective service delivery.*

#### DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of West Arthur for any act, omission or statement or intimation occurring during Council or Committee meetings or during formal/informal conversations with staff. The Shire of West Arthur disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings or discussions. Any person or legal entity that act or fails to act in reliance upon any statement does so at the person's or legal entity's own risk.

The purpose of this council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of West Arthur during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of West Arthur. The Shire of West Arthur warns that anyone who has an application lodged with the Shire of West Arthur must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of West Arthur in respect of the application.

Persons should be aware that the provisions of the Local Government Act 1995 (section 5.25 (e)) establish procedures for revocation or rescission of a Council decision.

The Shire of West Arthur expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Council meeting

These Minutes were confirmed at the ordinary council meeting on: 13 December 2022

Signed: 

Presiding Member at the meeting at which the Minutes were Confirmed.

**SHIRE OF WEST ARTHUR**

Minutes of the Ordinary Meeting of Council held in the Council Chambers on Tuesday 15 November – commencing at 7.00pm.

**Contents**

1.	DECLARATION OF OPENING / ANNOUNCEMENTS OF VISITORS .....	3
2.	ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE .....	3
3.	ANNOUNCEMENTS BY THE PRESIDING MEMBER .....	3
4.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	3
5.	PUBLIC QUESTION TIME .....	3
6.	PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS .....	3
7.	APPLICATIONS FOR LEAVE OF ABSENCE .....	3
8.	DISCLOSURES OF INTEREST .....	3
9.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS HELD .....	4
9.1	Ordinary Council Meeting Minutes 18 October 2022 .....	4
9.2	Bush Fire Advisory Committee Meeting Minutes 26 October 2022 .....	4
9.3	Local Emergency Management Committee Meeting Minutes 26 October 2022.....	4
10.	REPORTS OF COMMITTEES OF COUNCIL .....	5
11.	REPORTS FROM COUNCILLORS .....	5
12.	CHIEF EXECUTIVE OFFICER .....	6
12.1	Darkan Railway Reserve Master Plan Revision.....	6
12.2	Westcare Committee.....	14
12.3	Lake Towerrinning All Access Ramp .....	17
12.4	Small Business Friendly Local Governments Program .....	28
12.5	Draft Corporate Transaction Card Policy F4.8.....	33
12.6	Draft Purchasing and Tender Policy F4.7 .....	42
13.	FINANCE.....	51
13.1	Financial Reports – October 2022 .....	51
13.2	Accounts For Payment – October 2022.....	61
14.	PLANNING AND TECHNICAL SERVICES.....	68
14.1	Local Planning Scheme Review .....	68
15.	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .....	84
16.	NEW OR URGENT BUSINESS INTRODUCED BY DECISION OF THE MEETING.....	84
16.1	Elected Members .....	84
16.2	Officers .....	84
17.	MATTERS BEHIND CLOSED DOORS .....	84
17.1	Appointment of External Facilitator – CEO Performance Review .....	85
18.	CLOSURE OF MEETING .....	85

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

The Presiding Member declared the meeting open at 7.15pm.

**2. ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**

COUNCILLORS: Cr Neil Morrell (Shire President)  
Cr Graeme Peirce (Deputy Shire President)  
Cr Neil Manuel  
Cr Adam Squires  
Cr Robyn Lubcke  
Cr Karen Harrington  
Cr Duncan South

STAFF: Vin Fordham Lamont (Chief Executive Officer)  
Raj Sunner (Manager Corporate Services)  
Gary Rasmussen (Manager Works and Services)  
Kerryn Chia (Projects Officer)

APOLOGIES:  
Nil

ON LEAVE OF ABSENCE:  
Nil

ABSENT:  
Nil

MEMBER OF THE PUBLIC:  
Nil

**3. ANNOUNCEMENTS BY THE PRESIDING MEMBER**

Nil

**4. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**5. PUBLIC QUESTION TIME**

Nil

**6. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

Nil

**7. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**8. DISCLOSURES OF INTEREST**

Councillor Peirce declared a proximity interest in item 12.3 – Lake Towerrinning Access Ramp as a Director of Lakeside Camping Pty Ltd and an owner of land adjacent to the proposed project.

**9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS HELD****9.1 Ordinary Council Meeting Minutes 18 October 2022****Statutory Environment:**

Section 5.22 of the *Local Government Act* provides that minutes of all meetings are to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

**Voting Requirements:**

Simple Majority

**Recommendation:**

**That the Minutes of the Ordinary Meeting of Council held in the Council Chambers on 18 October 2022 be confirmed as true and correct.**

Moved: Cr Manuel

Seconded: Cr Lubcke

**CARRIED 7/0**

**9.2 Bush Fire Advisory Committee Meeting Minutes 26 October 2022****Statutory Environment:**

Section 5.22 of the *Local Government Act* provides that minutes of all meetings are to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

**Voting Requirements:**

Simple Majority

**Recommendation:**

**That the Minutes of the Bush Fire Advisory Committee Meeting held at the West Arthur CRC on 26 October 2022, be endorsed by Council.**

Moved: Cr South

Seconded: Cr Peirce

**CARRIED 7/0**

**9.3 Local Emergency Management Committee Meeting Minutes 26 October 2022****Statutory Environment:**

Section 5.22 of the *Local Government Act* provides that minutes of all meetings are to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

**Voting Requirements:**

Simple Majority

**Recommendation:**

**That the Minutes of the Local Emergency Management Committee Meeting held at the West Arthur CRC on 26 October 2022, together with the resolutions contained therein to adopt the updated Terms of Reference and Local Emergency Management Arrangements, be endorsed by Council.**

Moved: Cr Harrington

Seconded: Cr Peirce

**CARRIED 7/0**



**10. REPORTS OF COMMITTEES OF COUNCIL****11. REPORTS FROM COUNCILLORS****Cr Neil Morrell (President)**

Attended the recent 4WDL, Bush Fire Advisory Committee and Local Emergency Management Committee meetings.

**Cr Graeme Peirce (Deputy President)**

Attended the 4WDL meeting.

**Cr Neil Manuel**

Nil.

**Cr Adam Squires**

Attended the West Arthur Cottage Homes AGM on 14<sup>th</sup> November. All committee members stayed in place.

**Cr Robyn Lubcke**

Was an apology for the CRC AGM in which Janice King was elected the new President.

**Cr Karen Harrington**

Nil.

**Cr Duncan South**

Attended the Bush Fire Advisory Committee Meeting.

## 12. CHIEF EXECUTIVE OFFICER

### 12.1 Darkan Railway Reserve Master Plan Revision

<b>File Reference:</b>	<b>ADM 168</b>
<b>Location:</b>	<b>Between Coalfields Road and Burrowes Street, Darkan</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Kerryn Chia – Projects Officer</b>
<b>Authorising Officer</b>	<b>Vin Fordham Lamont – Chief Executive Officer</b>
<b>Date:</b>	<b>31 October 2022</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b>	<b>1. Darkan Railway Reserve Master Plan (original) 2. Marked up version of master plan</b>

#### **Summary:**

The Darkan Railway Reserve Master Plan was completed in October 2021. Included on the plan was a car parking area opposite the West Arthur Community Resource Centre. It is proposed to upgrade the car parking directly opposite the shops on Burrowes Street and retain the proposed car park area as a grassed area. Council is requested to consider approving these changes to the plan.

#### **Background:**

The Darkan Railway Reserve Master Plan was prepared in October 2021 as part of Phase 2 of the Local Roads and Community Infrastructure program. The plan included a car parking area directly opposite the West Arthur Community Resource Centre. The car parking in this area had been discussed for many years prior and also included on previous plans of the area. The intention of a car park in this area was to provide for the CRC and to provide a car park for the new playground.

#### **Comment:**

A site inspection was undertaken by the Shire's Manager of Works and Services, Works Admin Assistant, Projects Officer, and Builder. Issues were identified with the proposed construction of a car park in this area; in particular, the difficulty involved with water management through the area. Instead, it was suggested that the car park opposite the retail area on Burrowes street be expanded to the north to accommodate angle parking on the north side of the car park pull-in area, and caravan and long vehicle parking on the south side of the pull-in area. This car parking will be located close to the playground so could also be used by those people using the playground. The trees in this area will be pruned and kerbing installed. This will have the added benefit of providing a line of sight from the information bay to the retail area on Burrowes street, encouraging visitors to move into the town centre.

The staff at the CRC have also expressed a desire for the area to remain as lawn or gardens and not be used as a car park. The provision of a car park at the rear of the CRC means that additional parking at the front of the CRC is no longer required.

#### **Consultation:**

Shire Builder  
Shire Manager of Works and Services  
West Arthur CRC Manager

#### **Statutory Environment:**

Nil

#### **Policy Implications:**

Nil

**Financial Implications:**

Nil

**Strategic Implications:**

West Arthur Towards 2031

Outcome 1.2 – Support available for people of all ages and abilities

Strategy: Provide services and infrastructure to meet the needs of the community

Action: Continue to maintain and improve the playgrounds and public facilities throughout Shire.

Outcome 4.2 – Our built infrastructure is well maintained, attractive and inviting

Strategy: Our townscapes are attractive and well developed with consideration for current and future usage

Action: Implement the master concept plan for the Darkan Railway Reserve to ensure the area provides an attractive showpiece for the town, a dynamic and user friendly area that is frequented by a wide range of locals and visitors.

**Risk Implications:**

**Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it.** The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

**Risk Themes:**

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

**Risk Matrix:**

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

Description of Key Risk	Constructing a car park that does not serve the community
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Medium (9)
Risk Likelihood (based on history and with existing controls)	Possible (3)
Risk Consequence	Moderate (3)
Principal Risk Theme	Community Disruption
Risk Action Plan (Controls or Treatment Proposed)	Adopt proposed amendments to master plan

**Voting Requirements:**

Simple majority

**Officer Recommendation:**

That Council approve the revision of the Darkan Railway Reserve Master Plan to include an extension of the proposed angle parking and long vehicle parking area in the car pull-in area on Burrowes street and remove the car parking area opposite the West Arthur Community Resource Centre.

Moved: Cr LubckeSeconded: Cr Manuel**CARRIED 7/0****ATTACHMENTS**

1. Darkan Railway Reserve Master Plan (original)
2. Marked up version of master plan





The town of West Arthur is a prosperous mixed farming area best known for local industries of wool, sheep, timber, grain, forestry and beef.



Inspiration is drawn from farming elements to align with the historic and current town industries.



Lake Towerrinning is a local jewel of West Arthur, offering swimming, picnicking and boating activities



Cyclists using the Collie Darkan Rail Trail will benefit from the improvement of the trail from the reserve.



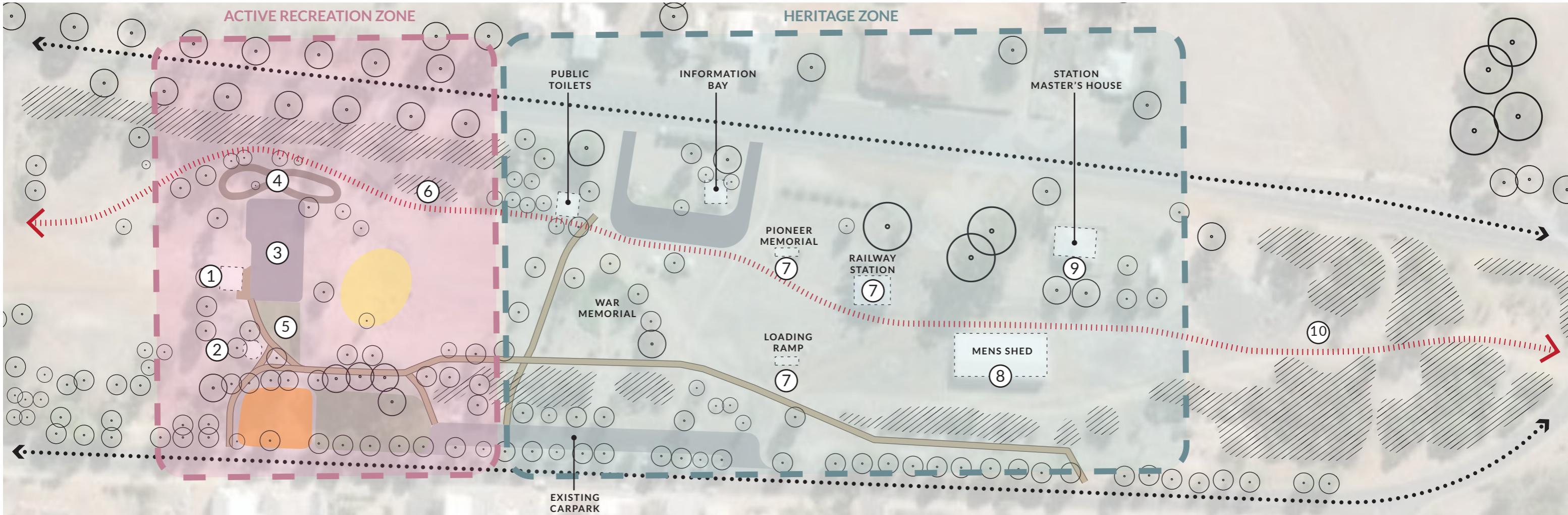
Beautiful wildflowers local to the region should be planted to provide interest, pops of colour and encourage birds and insects.



Native bush vegetation inspires the planting palette species.

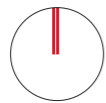


Wildlife local to the area can provide artistic inspiration for play elements, as well as graphics for signage.



LEGEND

- Existing tree
- Existing turf
- Existing planting
- Existing playground to be removed - equipment is old and unsafe
- Existing nature play
- Existing footpath
- Roads
- Existing structures
- Existing Rail Trail
- Existing youth shed to be restored and revitalised with potential art mural and interpretation, possible uses for storage, youth hang out zone.
- Existing exercise equipment to be removed in future.
- Existing hard court and skate elements to be retained.
- Existing BMX track to be retained.
- Existing turf area to be retained.
- Existing sensory garden to be retained - planting is sparse and would benefit from infill planting.
- Existing heritage features to be restored and maintained.
- Existing mens shed and surrounds potential for inventors display and for art mural and interpretation.
- Master station to be restored, opportunity for use as accommodation or artist in residence.
- Existing arboretum







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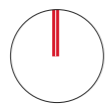


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LEGEND
































- Existing tree
- Proposed turf
- Proposed blue netball tree
- Existing Rail Trail
- Existing turf
- Proposed planting
- Proposed all abilities exercise nodes
- Proposed blue netball tree
- Existing planting
- Proposed hard surface
- Signage
- Proposed location for pump track - designed by others.
- Existing footpath
- Proposed play space
- Astro planisphere signage
- Proposed location for place space, new and reactivated existing play equipment and nature play elements.
- Existing roads
- Proposed pump track
- Proposed location for parkour youth obstacle play.
- Existing structures
- Proposed paving
- Proposed car park in place of existing playground and turf area.
- Proposed shade shelter
- Proposed planting.
- Existing sensory garden to be revitalised with additional planting.
- Proposed open turf area, potential to have removable AFL goal posts.





LEGEND



-  Existing tree
-  Proposed tree
-  Existing turf
-  Proposed turf
-  Proposed planting
-  Existing planting
-  Mulch only
-  Proposed parkour youth obstacle play.
-  Play sand
-  Pump track extents
-  Proposed car parking
-  Existing footpath
-  Proposed paving
-  Proposed paved footpath
-  Rail Trail town extension alignment
-  Proposed shade shelter
-  Existing structures
-  Blue netball tree
-  Proposed signage
-  Proposed lighting
-  1 Parkour youth obstacle course.
-  2 Existing BMX track to be extended to connect with proposed pump track.
-  3 Proposed pump track - designed by others.
-  4 Youth shed to be revitalised with potential art mural and interpretation, possible uses for storage, youth hang out zone.
-  5 Proposed new location for trampolines.
-  6 New swing set with all access swing option.
-  7 Existing play elements to be retained.
-  8 Proposed tractor slide play structure.
-  9 Repurpose existing mound with platform, boulders, log and rope climbing elements.
-  10 Redefine dry creek play trail with nature play elements, crossings and existing equipment (dinghy, rope and bridge).
-  11 Enhanced nature play using salvaged items to create more connected play space
-  12 Incorporate decked stage as part of nature play for performances.
-  13 Proposed shade shelter node - designed by others.
-  14 Additional planting of native species, wild flowers and sensory species.
-  15 Exercise equipment nodes appropriate for all abilities with planting and shade trees.



INDICATIVE PLANTING PALETTE



*Banksia coccinea*  
Scarlet Banksia



*Callistemon phoeniceus*  
Lesser bottlebrush



*Carpobrotus virescens*  
Pig face



*Dampiera linearis*  
Common Dampiera



*Melaleuca radula*  
Graceful Honeymyrtle



*Viminaria juncea*  
Sweeping shrub



*Verticordia grandiflora*  
Claw Featherflower



*Verticordia plumosa*  
Plumed Featherflower

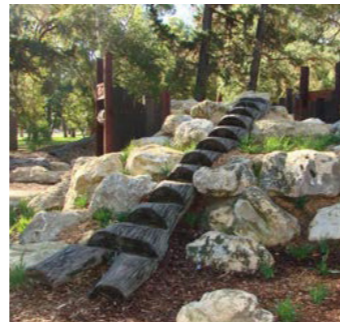
PLAYGROUND ELEMENTS



New tractor slide element with stepping frame.



Opportunity to incorporate sculptural play feature inspired by local fauna, such as lizard or Phascogale.



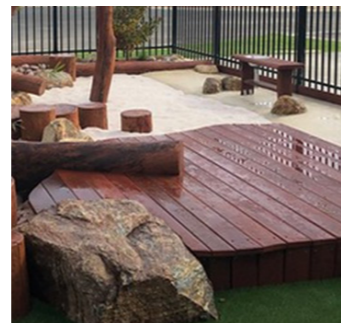
Recycled log steps and boulders integrated in to existing mound and create part of nature play trail leading into the creek nature play element.



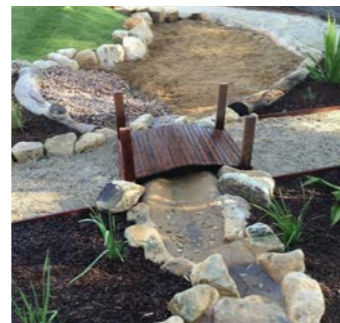
Restore existing and incorporate additional nature play elements to create more connected space that lends to imaginative play.



Refurbish existing boat with steering wheel and steps or bench - reposition to be in dry creek nature play.



Incorporate stage element as part of nature play area - opportunity for use as a play element, for impromptu performances, events, etc.



Redefinition of dry creek play trail using existing rocks, logs and dinghy and incorporating additional nature play elements, rock, log and bridge crossings to define extents of creek. Opportunity to add water elements if appropriate.

YOUTH ELEMENTS



Open turf area to facilitate community events and sport activities.



Pump track will facilitate bike and scooter use.

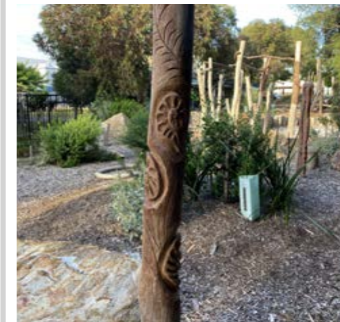


Parkour elements provide an alternative interactive play element for youth and encourage active and creative play.



Blue netball tree donated by local community to be installed in the park.

LANDSCAPE ELEMENTS



Opportunity for engraving and art to existing totem poles.



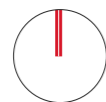
Example of an exercise equipment node. Equipment to be accessible for all abilities.



Example of Astro Planisphere signage to be implemented on site near the Station Master's House. Interpretive, informative and directional wayfinding signage could be implemented within the site.



Example of an art mural to reflect heritage of the town - could be implemented on the mens shed and youth structure.





SITE INSPIRATION



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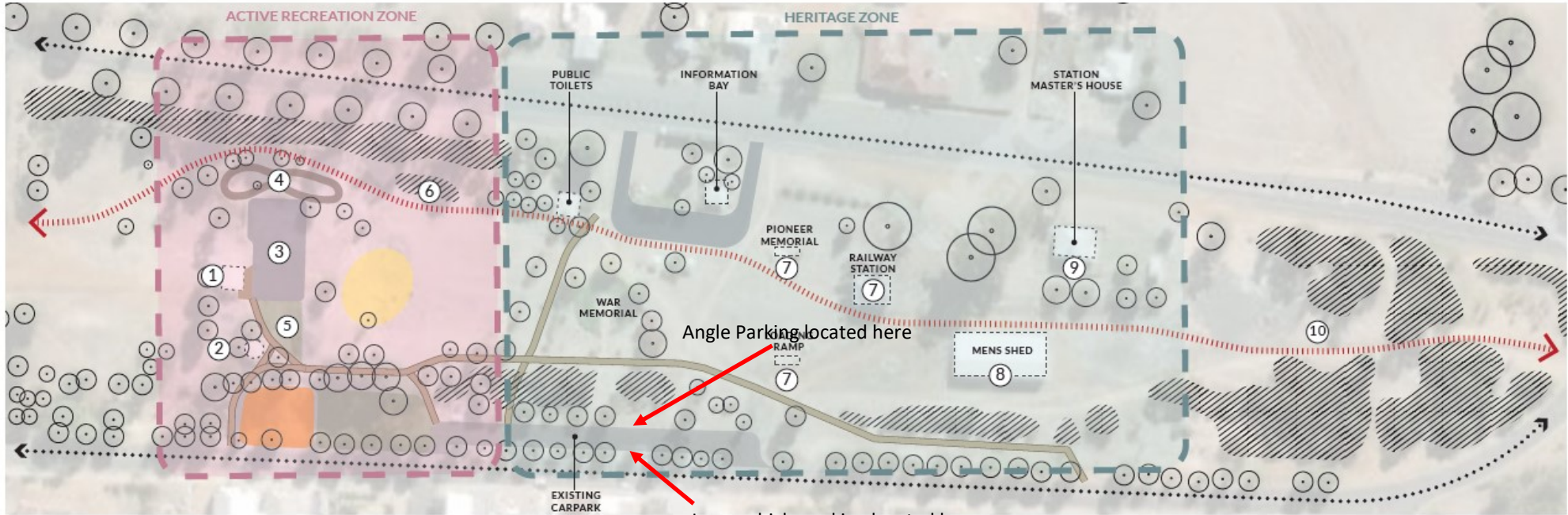
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Native bush vegetation inspires the planting palette species.



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Angle Parking located here

Long vehicle parking located here

LEGEND

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**12.2 Westcare Committee**

<b>File Reference:</b>	<b>ADM 030</b>
<b>Location:</b>	<b>N/A</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Vin Fordham Lamont – Chief Executive Officer</b>
<b>Authorising Officer</b>	<b>Vin Fordham Lamont – Chief Executive Officer</b>
<b>Date:</b>	<b>25 October 2022</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b>	<b>1. Letter from current Westcare Committee – CONFIDENTIAL</b> <b>2. Existing Westcare Committee Terms of Reference – CONFIDENTIAL</b> <b>3. Draft Westcare Committee Terms of Reference – CONFIDENTIAL</b>

**Summary:**

Council is requested to appoint a new member to the Westcare Committee as recommended and amend the committee's terms of reference as described in this report.

**Background:**

The committee's presiding member recently contacted the Shire CEO to enquire about the process for adding a new member. It was deemed by both parties to also be an appropriate time to update the committee's Terms of Reference.

**Comment:**

A letter (see Attachment 1) was subsequently received from the current members of the committee notifying the Shire of the resignation of a member and the desire to appoint a specific member to replace the departed one. Due to the sensitive nature of the role of this committee, names of committee members have not been included in this agenda item.

Attachment 3 is a marked-up version of a draft amended Terms of Reference for the committee. The amendments are basically to ensure the continued confidentiality of committee members and clients.

**Consultation:**

Nil

**Statutory Environment:**

Local Government Act 1995

5.10. Committee members, appointment of

5.11. Committee membership, tenure of

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Strategic Implications:**

West Arthur Towards 2031

Theme: Leadership and Management

Outcome: Actively engage with community, business and other stakeholders to grow and develop the community

Strategy: Continued improvement in communication with the community through various platforms that ensure all members of the community have access to information

**Risk Implications:**

**Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it.** The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

**Risk Themes:**

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
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- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

**Risk Matrix:**

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

Description of Key Risk	Having outdated and incorrect committee terms of reference
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Low (3)
Risk Likelihood (based on history and with existing controls)	Possible (3)
Risk Consequence	Insignificant (1)
Principal Risk Theme	Compliance Failure
Risk Action Plan (Controls or Treatment Proposed)	Ensure committee terms of reference are maintained, and adopted by Council as required

**Voting Requirements:**

Absolute majority

**Officer Recommendation:**

That Council, by absolute majority:

1. Note the resignation of the member of the Westcare Committee described in Attachment 1 and approve the appointment of the member also described in Attachment 1.
2. Approve the amendments to the Westcare Committee Terms of Reference as shown in Attachment 3.

Moved: Cr HarringtonSeconded: Cr South***CARRIED 7/0*****ATTACHMENTS**

- 1. Letter from current Westcare Committee – CONFIDENTIAL**
- 2. Existing Westcare Committee Terms of Reference – CONFIDENTIAL**
- 3. Draft Westcare Committee Terms of Reference – CONFIDENTIAL**

Cr Peirce left the chambers at 7.29pm.

### 12.3 Lake Towerrinning All Access Ramp

<b>File Reference:</b>	<b>ADM 171</b>
<b>Location:</b>	<b>Lake Towerrinning, Darkan South Road, Moodiarrup</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Kerryn Chia – Projects Officer</b>
<b>Authorising Officer</b>	<b>Vin Fordham Lamont – Chief Executive Officer</b>
<b>Date:</b>	<b>31 October 2022</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b>	<b>1. Timber Insight Quote 2. Hersey’s Timber Mill Quote 3. Bunnings Quote</b>

#### **Summary:**

Council is requested to consider deviating from its purchasing policy in order to order the timber for construction of the Lake Towerrinning All Access Boat Ramp in time to complete the project in the required timeframe.

#### **Background:**

As part of the Phase 3 Local Roads and Community Infrastructure Program, Council agreed to the construction of a disability access ramp at Lake Towerrinning. After consultation with various builders, potential users of the ramp, Shire staff and lake users it was decided that the most appropriate access ramp would be a boardwalk style ramp from the boat ramp where people can easily alight from vehicles at the bottom of the hill, to the shade shelters on the northern side of the jetties. Other options that require lengthy ramps to enable access from the top of the hill to the beach are prohibitively expensive. A cement ramp from the car park to the BBQ area will also be installed to enable easier access.

Initially when putting together the LRCI projects together, the proposed cost estimate included for the ramp was \$44,000. The Shire purchasing policy requires that:

- For goods \$5,000 to less than \$50,000, at least two verbal or written quotations are obtained from suitable suppliers; and
- For goods between \$50,000 to less than \$250,000, at least three written responses from suppliers by invitation under a formal Request for Quotation (RfQ) are obtained.

The Shire builder requested quotes from three suppliers under the assumption that the final cost would be less than \$50,000 and therefore a formal Request for Quotation would not be required.

Three quotes have been obtained from three different suppliers, but these suppliers have not been provided with formal RfQ documents (see attached quotes). Upon receiving the quotations it appears, the prices of items required have risen considerably and the cost estimates are all over \$50,000. Due to time constraints officers are requesting that Council approve the deviation from the purchasing policy requirement for quotes to be obtained via a formal Request for Quotation process and approve the purchase of hardwood timber from Timber Insights at a cost of \$69,275.

#### **Comment:**

NIL

#### **Consultation:**

Shire Builder  
Shire Manager Works and Services  
Jeff Riley (Builder)

Stacey Putland  
Graeme Peirce

**Statutory Environment:**

Nil

**Policy Implications:**

F4.1 Finance - Purchasing

**Financial Implications:**

The project is to be funded from the LRCI Phase 3 funds as per the table below.

Project	Grant funds	Shire contribution	Total available funds
Darkan Railway reserve	\$321,000	\$50,000	\$371,000
Lake Towerrinning upgrade	\$46,000	\$500	\$46,500
Darkan Swimming pool	\$210,000	\$-	\$210,000
Sports precinct power upgrade	\$90,000	\$-	\$90,000
Moodiarrup Hall toilets	\$4,000	\$-	\$4,000
Lake Disability Ramp	\$62,388	\$7,612	\$70,000
<b>Total</b>	<b>\$733,388</b>	<b>\$58,112</b>	<b>\$791,500</b>

The cost for the cement ramp component of the Lake Disability ramp is \$3050. Additional funds could potentially be directed into the Lake Ramp Project from the Lake Upgrade project and the Moodiarrup Toilet Upgrade projects, both of which are nearly complete and currently under budget.

The quotes provided are (ex GST):

*Softwood:*

Bunnings - \$51,514

Hersey's - \$68,800

Timber Insight - \$62,350

*Hardwood:*

Bunnings - declined to quote

Hersey's - \$81,238

Timber Insight - \$69,275

**Strategic Implications:**

West Arthur Towards 2031

Outcome 1.2 – Support available for people of all ages and abilities

Strategy: Provide services and infrastructure to meet the needs of the community

Action: Investigate a design for a disability access ramp at Lake Towerrinning to allow access to the water's edge for people of all abilities. Apply for funding when available for construction of a ramp.

Outcome 3.1: Maintain and Improve our key natural assets

Strategy: Maintain Lake Towerrinning as our premier iconic asset

- Action: Ongoing maintenance and Improvements including access to the beach, improvements to public space, and maintenance of jetties.



**Risk Implications:**

**Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it.** The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

**Risk Themes:**

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

**Risk Matrix:**

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

Description of Key Risk	Shire fails to obtain value for money by not following the Purchasing Policy
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Medium (8)
Risk Likelihood (based on history and with existing controls)	Likely (4)
Risk Consequence	Minor (2)
Principal Risk Theme	Compliance failure
Risk Action Plan (Controls or Treatment Proposed)	Three quotes obtained and approval to vary policy sought from Council

**Voting Requirements:**  
Absolute majority**Officer Recommendation:**

That Council, by absolute majority, approve the deviation from the purchasing policy whereby three quotes are obtained by invitation via a formal Request for Quotation document and, due to grant condition time constraints, instead accept the quote that was provided by Timber Insight for \$69,275 ex GST.

Moved: Cr SquiresSeconded: Cr Lubcke***CARRIED 6/0*****ATTACHMENTS**

- 1. Timber Insight Quote**
- 2. Hersey's Timber Mill Quote**
- 3. Bunnings Quote**

10<sup>th</sup> October, 2022

Geoff Bunce,  
 Builder  
 Shire of West Arthur  
 31 Burrowes St,  
 Darkan WA 6392

### Quote for supply of structural timber for construction of Lake Towerrining Boardwalk.

Below please find Timber Insight's quote for supply of structural grade timber for construction of the proposed accessibility boardwalk at Lake Towerrining in the Shire of West Arthur.

The supply schedule (cutting list) received is provided below, with the applicable -

Item	Quant.	Len.	Hardwood (Jarrah)	Treated Pine
Posts	86	2.4	100 x 100 Str2 sawn (F11)	H5 100 x 100 sawn (F7)
Sole Plate	11	2.4	200 x 50 Str3 sawn (F8)	H4 200 x 50 sawn (F5)
Bearer	168	3.0	200 x 50 sawn (F8)	H3 190 x 45 MGP10
Bearer	86	2.4	150 x 50 sawn (F8)	H3 140 x 45 MGP10
Decking	798	2.4	200 x 50 sawn (F11)	H3 190 x 45 MGP10
Footrail	84	2.4	100 x 50 sawn (F11)	H3 90 x 45 MGP10

This quote provides two options for supply, one in WA Hardwood (Jarrah), the second preservative treated pine (MGP10/F5). Further explanation of supply and associated terms is outline below under each option.

**Option 1: Jarrah structural grade 2 & 3** – The Jarrah is green sawn. Jarrah is Durability Class 2 timber suitable to use highly exposed and inground applications. Where used for the boardwalk substructure standard F8 has been allowed for. Where used in structural applications where appearance is of greater importance Str2 F11 boards are specified.

- Quality and Grade – Jarrah will be grade to Australian Standard AS2082 for visual stress graded structural hardwood. If the Shire of West Arthur requires inspection and certification of the timber Timber Insight provides that service on a Fee for Service basis.
- Supply timeline – A Jarrah boardwalk would require the timber volume to be delivered in two stages\* –
  - o Stage 1 – Early December. Posts, Sole Plates, Bearers, approximately one quarter of Decking boards, some footrails (Volume approx. 14.0m3);
  - o Stage 2 – February/early March – balance of decking boards, Footrail (Volume approx. 15.0m3).
- Delivery – The quote is for supply ex the sawmill. Delivery can be arranged and is costed separately.

- **Cost:**

Jarrah supply:	<b>\$ 65,475 + GST ex mill</b>
Two Deliveries: (\$1,900.00x2)	<b>\$ 3,800 + GST.</b>
	<b>TOTAL: \$ 69,275 + GST</b>

\*Delivery timeline will depend on how soon approval to proceed is given.

### **Option 2: Dry sawn and dressed H3+ treated structural (MGP) pine**

– Structural pine is kiln dried and stable at time of supply. All pine is preservative treated with safe low toxicity treatment to substantially extend service life. A minimum 25 year guarantee is provided on all treated timber. Posts/Stumps are treated to H5 for inground freshwater marine environments. Sole Plates are treated to H4 for inground use. Substructure and decking timber are treated to H3 for exterior above ground applications. Following installation it is recommended to apply a water repellent wood preservative (ie: Intergrain product) to the UV exposed timber to minimise surface checking and movement.

- **Quality and Grade** – Treated pine boards will be grade to Australian Standard AS2858 for sawn boards, and AS1748 for machine graded MGP pine. Preservative treated conforms to AS1640 Timber-Preservative treated-Sawn and round product.
- **Supply timeline** – A treated pine boardwalk would require the timber volume to be delivered in one or two stages, depending on availability leadtime\* –
  - o Stage 1, and possibly 2 – Approximately four to six weeks
- **Delivery** – The quote is for supply ex distribution centre in Bunbury. Delivery can be arranged and is costed separately.

- <b><u>Cost:</u></b>	<b>Pine supply:</b>	<b>\$ 61,100 + GST ex yard.</b>
	<b>Delivery x 2<sup>^</sup>:</b>	<b>\$ 1,250 + GST</b>
		<b>TOTAL: \$ 62,350 + GST</b>

*^If a single delivery cost would be \$675.00 + gst.*

*\*Delivery timeline will depend on how soon approval to proceed is given.*


**Storage** – Timber Insight is not responsible for onsite storage and protection. Timber can be susceptible to distortion if not stored on a level surface, under protective cover (ie: tarpoline), off the ground.

**Payment Terms** – An Invoice will be submitted after each delivery, with payment required 14 days from invoice date.

Timber Insight will endeavour to meet our obligation outlined above. However, we cannot guarantee supply and availability of all products, particularly the pine products, to meet the timelines provided. As soon as a Purchase Order is issued confirming approval to proceed, orders will be placed for supply. We will maintain contact with you on progress of supply to assist you with other project arrangements.

Don't hesitate to contact me should clarification be required. Timber Insight appreciates the opportunity to provide the above quotation to the Shire of West Arthur.

Yours faithfully,



.....  
 Greg Meachem  
 Technical Manager  
 Timber Insight Pty Ltd

## Proposed Accessibility Ramp at Lake Towerinning – Shire of West Arthur

## Boardwalk Component Cutting List

**Hardwood**

Posts – 100 x 100 Str2 sawn (F11) x 2.4m – 86 off	<b>\$4674.98 +gst</b>
Sole Plate – 200 x 50 Str3 sawn (F8) x 2.4m – 11 off	<b>\$745.54 +gst</b>
Bearer – 200 x 50 sawn (F8) x 3.0m – 168 off	<b>\$14,283.36 +gst</b>
Bearers – 150 x 50 sawn (F8) x 2.4m – 86 off	<b>\$4412.84 +gst</b>
Decking – 200 x 50 sawn (F11) x 2.4m – 798 off	<b>\$54,276.77 +gst</b>
Footrails – 100 x 50 sawn (F11) x 2.4m – 84 off	<b>\$1844.64 +gst</b>
<b>Delivery</b>	<b>\$1000.00 +gst</b>

Or

**Treated Pine**

Posts - H5 100 x 100 sawn (F7) x 2.4m – 86 off	<b>\$4600.00 +gst</b>
Sole plate - H4 200 x 50 sawn (F5) x 2.4m – 11 off	<b>\$700.00+gst</b>
Bearer - H3 190 x 45 MGP10 x 3.0m – 168 off	<b>\$13,000.00+gst</b>
Bearer - H3 140 x 45 MGP10 x 2.4m – 86 off	<b>\$4000.00+gst</b>
Decking – H3 190 x 45 MGP10 x 2.4 – 798 off	<b>\$44,000.00 +gst</b>
Footrail – H3 90 x 45 MGP 10 – 84 off	<b>\$1500.00+gst</b>
<b>Delivery</b>	<b>\$1000.00+gst</b>



Bunnings Group Ltd (Australia)  
ABN 26 008 672 179

Hazelmere Trade Centre  
Cnr Brinsmead Rd & Abernethy Rd  
Hazelmere WA 6055  
Phone 08 6242 3900

## Quotation

Customer: SHIRE OF WEST ARTHUR  
DARKAN  
Darkan WA 6392

Date: 26/10/2022

Delivery Address: Tba Tba Street  
Bunbury WA 6230

Contact:  
Phone:

Delivery Instructions:

Delivery Date:

We have pleasure in submitting our Quotation No: 313319178 for the following job:

Job Address: tba

Summary (Refer Attachment)	Amt Excl Gst	GST Payable	Amt Incl Gst
AS PER ATTACHED SCHEDULE			
TREATED PINE TIMBER	50,614.19	5,061.41	55,675.60
DELIVERY - BASED ON 2 DROPS	900.00	90.00	990.00
Prices in this quotation are valid for a period of 30 days from the date of the Quotation, after which Bunnings will requote if required.			
Total	\$51,514.19	\$5,151.41	\$56,665.60

\*\*\* Quote Valid until **25-NOV-2022** \*\*\*

For further enquiries concerning this Quotation would you please contact our representative.

Mark 205078

Tel No: 08 6242 3900

### IMPORTANT NOTES

- Bunnings takes all reasonable care in preparing quotations and orders but is unable to accept any responsibility for any errors or omissions in its quotation or in the plans, drawings, or specifications you provide to us for the purpose of quoting. It is your responsibility to carefully check and confirm all items, quantities, and measurements before placing an order. Where Bunnings accepts any order placed, unless specifically agreed otherwise, it does so on the basis that you bear full responsibility for ensuring the accuracy of all items, quantities and measurements and that they comply with any plans, drawings or other specifications provided.
- Any purchase order or customer terms provided when accepting a Bunnings quote will not apply. Bunnings accepts your order on the basis of Bunnings' standard terms and conditions of supply.
- The construction industry is currently experiencing industry wide product shortages, in particular timber, and there may be some delay or difficulties in fulfilling orders. Bunnings will contact you if the shortages or delays will affect your order. Bunnings may be able to offer a replacement product or alternative sized or graded timber which may be at more cost to you, which you can accept or decline.
- Hardwood Species will be supplied at Bunnings discretion unless otherwise requested. Note: To ensure correct pricing, it is important to state the Quotation number when ordering.

**Subject to Bunnings Standard Terms & Conditions of Supply as set out in this Quotation.**

**\* This Quotation is strictly confidential \***



Bunnings Group Ltd (Australia)  
ABN 26 008 672 179

## Quotation Schedule

Quotation No: 313319178

Customer: SHIRE OF WEST ARTHUR  
DARKAN  
Darkan WA 6392

Date: 26/10/2022

Delivery Address: Tba Tba Street  
Bunbury WA 6230 Bunbury WA 6230

Job Number:

Job Address: tba

Item Number	Item Description	METRE or QTY	M3 or UNIT	RATE EXCL GST	AMT EXCL GST	GST PAYABLE	AMT INCL GST
	<b>TREATED PINE TIMBER</b>						
0052163	PINE POST CCA H5++100X100MM 2.4M <i>STRICTLY SUBJECT TO AVAILABILITY.</i>	86	Each	37.53	3,227.35	322.73	3,550.08
8032702	SLEEPER PINE TREATED H4++200X50MM 2.4M	11	Each	21.76	239.40	23.94	263.34
8032302	PINE STRUCTURAL TREATED H3++190X45MM L/M 2.4M-3.0M 798/2.4, 168/3	2419.2	1 Linear Metre	17.87	43,234.80	4,323.48	47,558.28
8031106	PINE STRUCTURAL MGP10 BLUE H2++140X45MM L/M 2.4M-3.0M 86/2.4	206.4	1 Linear Metre	10.93	2,255.55	225.55	2,481.10
8032164	PINE STRUCTURAL TREATED H3++90X45MM L/M 2.4M-3.0M 84/2.4	201.6	1 Linear Metre	8.22	1,657.09	165.71	1,822.80
	<b>TREATED PINE TIMBER Total</b>	<b>2924.2</b>			<b>50,614.19</b>	<b>5,061.41</b>	<b>55,675.60</b>
	<b>DELIVERY - BASED ON 2 DROPS</b>						
9920119	TRANSPORT CHARGE++SPECIALISED DELIVERY	2	Each	450.00	900.00	90.00	990.00
	<b>DELIVERY - BASED ON 2 DROPS Total</b>	<b>2</b>			<b>900.00</b>	<b>90.00</b>	<b>990.00</b>
	<b>GRAND TOTAL</b>	<b>2926.2</b>			<b>51,514.19</b>	<b>5,151.41</b>	<b>56,665.60</b>

Subject to Bunnings Standard Terms & Conditions of Supply as set out in this Quotation.

\* This quote is strictly confidential \*



## Bunnings Standard Terms and Conditions of Supply

**Bunnings is pleased to supply you with goods on the basis of the following:**

### 1.Quotes, Estimates and Orders

Unless the quotation/estimate specifies otherwise, it is valid for 30 days and for the full quantity only. The quote/estimate supersedes all previous quotes/estimates. If you wish to change your order or product specifications before delivery a requote will be provided. Subject to availability of the Goods, we will be bound to supply you the Goods when Bunnings accepts your order (but not before), and you will then be bound to pay for them. Deliveries or collection of Goods beyond 30 days of Bunnings accepting your order may be subject to price increases in accordance with these terms and conditions of supply. Online orders will be regarded as accepted once payment has been processed and you have received an email order confirmation from us. All orders accepted by Bunnings will be pursuant to these terms, unless agreed or advised otherwise.

### 2.Payment

**In-store purchases:** For retail customers (i.e. you do not have an account with Bunnings), the following require payment in full when you place your order: purchases under \$500; direct deliveries from our suppliers; specially ordered and custom-made products; and delivery services. Purchases over \$500 require a deposit of \$500 when you place the order, and the balance is payable before the Goods are collected or delivered. Personal cheques are not accepted for amounts equal to, or greater than \$10,000.

If you are a commercial customer (i.e. you have a cash or credit account with Bunnings) then terms and conditions of the applicable account apply in addition to these terms and conditions of supply. PowerPass terms and conditions of use apply to customers with PowerPass, in addition to these terms and conditions. Short payment of any invoice is not permitted.

**Online purchases** (from the Bunnings website): You must pay for all online purchases at the time of online checkout, prior to order confirmation, in accordance with one of the payment methods offered on the Bunnings website.

### 3.Delivery (if applicable)

We will advise you when your Goods are available at our premises for you to collect. Where Bunnings is delivering your Goods to you, we will usually deliver them within 30 days of us accepting the order, except where we agree or advise you otherwise. If delivery is offered by Bunnings, a charge for delivery to your home or premises will apply. Bunnings will give you an estimated delivery date/time in good faith but, subject to any rights you have under Australian Consumer Law, we are unable to accept liability for delay in delivering the goods which is beyond our reasonable control (e.g. if stock is unavailable), except to the extent that any loss or damage is directly attributable to our negligence, wrongful act or wilful misconduct.

You must ensure there is clear and safe access for delivery. Please ensure there is a person present at the delivery premises who is authorised by you to accept delivery. If there is not, unless you have explicitly advised us not to leave the Goods, we will leave the Goods at your premises if we consider it is safe and appropriate to do so. If the delivery contractor arrives at the agreed time but is unable to deliver the Goods or considers that it is unsafe or inappropriate to do so, you may be required to pay for re-delivery later. Some Goods may require extra delivery personnel which may incur an additional charge.

We will deposit your Goods at ground level at the delivery premises unless you have arranged otherwise with us. The Goods are at your risk after delivery. For commercial customers, to the extent permissible at law, including the Australian Consumer Law, liability for damage to any property occurring in the course of delivery, except to the extent that any loss or damage is directly attributable to our negligence, wrongful act or wilful misconduct, will not be accepted.

### 4.Abandoned Goods

If you are a commercial customer and fail to collect or call up delivery of your order as agreed or within a reasonable time afterwards, then, subject to applicable laws, Bunnings may invoice you any amounts owing for the Goods, where Bunnings is not reasonably able to return the Goods to stock and resell them. The order will be deemed fulfilled once invoiced or cancelled when returned to stock. Invoiced orders will be available for collection, or delivery by arrangement, for 30 days from invoicing your account. If you do not collect or arrange delivery of the goods within that period, to the extent permitted by law, Bunnings will treat the Goods as abandoned / uncollected goods and may take whatever action it deems necessary to dispose of the Goods, for which Bunnings will bear no liability to you whatsoever.

### 5.Collection

If Goods are being collected, please collect them within 10 days (commercial customers) or 30 days (retail customers) after we inform you that they are ready for collection. We may need to verify your identity upon collection. If you do not collect the Goods within the applicable time period, then unless you make arrangements with us for late collection (which, for commercial customers may be subject to price increases if the date for collection is beyond 30 days of the date of acceptance of your order), we will assume you have cancelled your order. This means we may re-sell the Goods and you may forfeit any deposit or payment you have made. Where we are unable to re-sell the Goods, such as for specially ordered or custom-made Goods, we will invoice you for payment in full if not collected within the timeframes set out above, unless otherwise agreed.

### 6.Warranties

In addition to manufacturers' guarantees on selected products, if you are a consumer within the meaning of Australian Consumer Law, Bunnings provides additional warranties in accordance with Australian Consumer Law. Consumers are entitled to a replacement or refund for a major failure and for compensation for any other reasonably foreseeable loss or damage. Consumers are also entitled to have the goods repaired or replaced if the Goods fail to be of acceptable quality and the failure does not amount to a major failure. All other warranties and representations are excluded, except those that are non-excludable in law, including Australian Consumer Law. Subject to Australian Consumer Law, where Goods supplied are not of a kind ordinarily acquired for personal, domestic or household use, our liability is limited to refunding the price or replacing or repairing the Goods (at our option) and we exclude liability for indirect or consequential loss (indirect, special, consequential or exemplary damages or losses, including loss of opportunity, revenue, profit, contract, goodwill and loss arising from business interruption, e.g. contractor time on site). Bunnings will not be liable for damage, loss or injury suffered as a result of any person failing to follow instructions relating to the Goods, modifying them, failing to appropriately maintain or store them or using them for an unintended purpose. To assist us in resolving any problems you may experience, please inspect the Goods upon taking delivery and report any shortage, discrepancy, defect, wrong specification or similar problem to us as soon as you become aware of it, and for commercial customers within 7 days of delivery (otherwise, subject to Australian Consumer Law we may not be liable for that problem later).

### 7.Cancellation & Returns

We will endeavour to assist you if you wish to cancel your order or return Goods unused - please see the returns policy on our website. Change of mind is not available for purchase of commercial quantities. Some Goods, including specially ordered and custom made Goods are non-returnable unless a warranty or guarantee is breached (further information can be found on [www.bunnings.com.au/returns](http://www.bunnings.com.au/returns)). Subject to Australian Consumer Law, customers may be required to pay for loss we incur as a result (for example, handling/transport costs or any re-stocking fee charged by our supplier).

We reserve the right to cancel any order (in full or part) where: (i) you are in breach of your payment obligations to Bunnings; (ii) Bunnings reasonably suspects that you are purchasing Goods for the purposes of resale or resupply; (iii) Bunnings becomes aware after order confirmation of shortages, delays or that the good is out of stock or not reasonably available from Bunnings' suppliers at the required delivery time or for the quoted price; (iv) you fail to collect or call up delivery of your order as agreed or make alternative arrangements acceptable to Bunnings; (v) collection of the goods does not occur within 10 days of notification that they are available for collection or delivery does not occur within 30 days of acceptance of an order by Bunnings and no alternative arrangement has been agreed (other than where directly attributable to our negligence, wrongful act or wilful misconduct) or (vi) there has been a genuine pricing or product description error by Bunnings or its supplier. We will refund any amount already paid in respect of any cancelled order, other than where the order is a special order or custom made good which cannot reasonably be resold, or the order is cancelled because you failed to collect it or call it up for delivery on or by the agreed delivery date and Bunnings is not reasonably able to return the Goods to stock or resell them, (and in the case of part cancellation of an order, we will refund the amount paid that relates to the cancelled portion of the order).

**8. Privacy**

Bunnings collects your personal information here to allow us to supply you with goods or services. We will not use or disclose your personal information for any other purpose. Our Privacy Policy can be found on [www.bunnings.com.au/privacy-policy](http://www.bunnings.com.au/privacy-policy). By placing an order with us, you consent to us providing your name, contact details and delivery address to third parties (including our suppliers or delivery contractors) for the purpose of fulfilling and delivering your order. If you have any questions, email us at [privacy@bunnings.com.au](mailto:privacy@bunnings.com.au).

**9. Third Party Installation**

Where you arrange for a third party to install Goods supplied by us, you must contract separately with that third party. Bunnings will not be liable for any installation services provided by a third party.

**10. GST**

If goods are being exported out of Australia and you can confirm that this will be within 70 days of purchase, then GST on the goods will not be charged. Account Customers will be required to provide the relevant export documentation, i.e. Bill of Lading and customs clearance documentation, within 70 days of purchase for this to be valid. If you do not provide the relevant documentation within this time frame, then GST on the purchase will be charged to your account.

**11. Entire agreement**

These terms and conditions, together with Bunnings policies available on its website (including its returns and refunds policy), apply to the exclusion of all other terms and conditions, including any terms and conditions contained in any purchase order or other document provided by you, the customer. In the event of any inconsistency between those documents, these terms and conditions will take precedence. Where Bunnings accepts your order, it does so on the basis of these terms and conditions and any clarifications, such as inclusions and exclusions, included in its quote, unless expressly provided otherwise in writing.

**12. Errors or omissions**

Bunnings takes all reasonable care in preparing quotations and orders but is unable to accept any responsibility for any errors or omissions, in its quotation or in the plans, drawings or specifications you provide to us for the purpose of quoting. It is your responsibility to carefully check and confirm all items, quantities and measurements before placing an order. Where Bunnings accepts any order placed, unless specifically agreed otherwise, it does so on the basis that you bear full responsibility for ensuring the accuracy of all items, quantities and measurements and that they comply with any plans, drawings or other specifications provided.

**13. Pricing Increases**

Where delivery or collection of goods in an accepted order by a commercial customer does not take place within 30 days of acceptance of that order (other than where directly attributable to our negligence, wrongful act or wilful misconduct), or where later delivery or collection dates beyond 30 days from the date of acceptance of an order are required by the customer, Bunnings reserves the right to reprice the goods prior to delivery and provide a replacement quotation to the customer which the customer may accept or reject.

Cr Peirce returned to the chambers at 7.33pm.

#### 12.4 Small Business Friendly Local Governments Program

<b>File Reference:</b>	<b>ADM 106</b>
<b>Location:</b>	<b>N/A</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Vin Fordham Lamont – Chief Executive Officer</b>
<b>Authorising Officer</b>	<b>Vin Fordham Lamont – Chief Executive Officer</b>
<b>Date:</b>	<b>5 November 2022</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b>	<b>1. Program Charter</b>

#### **Summary:**

Council is requested to consider endorsing the Shire's execution of the attached Charter to join the Small Business Friendly Local Governments Program.

#### **Background:**

The Small Business Development Corporation (SBDC) oversees the *Small Business Friendly Local Governments (SBFLG) initiative*, where local governments sign up to the program Charter (attached) and set about trying to proactively assist the growth and establishment of small businesses in their locality. A requirement of this initiative is for six monthly progress reports to be sent to the SBDC.

By signing the Charter, local governments undertake to support businesses by:

- offering enhanced customer service
- reducing red tape
- making on-time payments
- having a process in place to handle disputes
- introducing other activities to improve the operating environment for small businesses in their area.

Across 2021 and 2022, local governments participating in the SBFLG initiative were invited to take part in the Approvals Program. This program sought to assist local governments better understand the small business challenges with approval processes (generally planning, building and health), and identify opportunities for improvement. Reducing approval timeframes is the key measure for this program.

There are no financial costs for local governments to participate in either the SBFLG initiative or Approvals Program.

When the SBDC talks about small business, it generally refers to businesses employing less than 20 workers.

A list of local governments currently participating in the SBFLG initiative can be found at <https://www.smallbusiness.wa.gov.au/our-work/small-business-friendly-local-governments>.

#### **Comment:**

Due to the small number of places remaining in the Approvals Program, and the condition for participating local governments to already be members of the SBFLG initiative, the CEO and Shire President have already signed the Charter and submitted it to the SBDC.

Council is being requested to endorse the actions of the CEO and President in executing the Charter and joining the SBFLG initiative.

#### **Consultation:**

SBDC

**Statutory Environment:**

Nil

**Policy Implications:**

Nil

**Financial Implications:**

Nil

**Strategic Implications:**

West Arthur Towards 2031

Theme: Local Economy

Outcomes: Existing businesses develop and grow  
A growing, diverse business community

**Risk Implications:**

***Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it.*** The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. ***Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.*** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

**Risk Themes:**

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

**Risk Matrix:**

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

Description of Key Risk	Committing the Shire to a program that is not supported by Council
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Medium (6)
Risk Likelihood (based on history and with existing controls)	Possible (3)
Risk Consequence	Minor (2)
Principal Risk Theme	Compliance failure
Risk Action Plan (Controls or Treatment Proposed)	Obtain retrospective Council approval based on previous informal discussions

**Voting Requirements:**

Simple majority

**Officer Recommendation:**

That Council endorse the actions of the CEO and President in executing the Small Business Friendly Local Governments Program Charter and joining the SBFLG initiative.

Moved: Cr SouthSeconded: Cr Squires**CARRIED 7/0****ATTACHMENT****1. Program Charter**

## WESTERN AUSTRALIAN SMALL BUSINESS FRIENDLY LOCAL GOVERNMENTS

# Charter

Commitment to this Charter is a requirement for participation in the Small Business Friendly Local Governments (SBFLG) initiative and outlines what the local government agrees to do to support small business in their area.

**1. Commitment to small business**

The local government agrees to:

- a) recognise that the small business community is an important stakeholder;
- b) undertake regular and targeted consultation with this group;
- c) work towards understanding how its local small business community operates, its needs and goals, and the key challenges;
- d) provide networking and other development opportunities for its local small business community; and
- e) actively engage, where appropriate, with the Small Business Development Corporation (SBDC) on matters affecting small business.

**2. Commitment to customer service**

The local government agrees to:

- a) maintain open lines of communication with small businesses through both formal and informal approaches
- b) provide clear advice and guidance to small businesses with a focus on assisting them to understand and meet their regulatory obligations, and to work with them to achieve compliance;
- c) publish a set of clear service standards setting out what small businesses can expect from them;
- d) consider the needs of local small business owners for whom English is not a first language; and
- e) publish a link on its website to take small business owners to resources available on the SBDC website, including the Business Licence Finder.

**3. Administration and regulation**

The local government agrees to:

- a) take reasonable action to limit unnecessary administrative burdens on small business such as:
  - i. only asking for information that is absolutely necessary;
  - ii. not asking for the same information twice;
  - iii. working collaboratively with other local governments;
- b) undertake regular policy reviews to limit their impact on small businesses, and to test new policies and procedures for 'small business friendliness'; and
- c) ensure that its officers have the necessary knowledge and skills to apply plans and regulations in a consistent manner.

**4. On-time payment policy**

The local government agrees to work towards ensuring all invoices from small business suppliers are paid within 30 days.

**5. Small business engagement**

The local government agrees to regularly meet and consult with the small business community, including small business operators and members of representative bodies, to assist their understanding of small business needs in their local area.



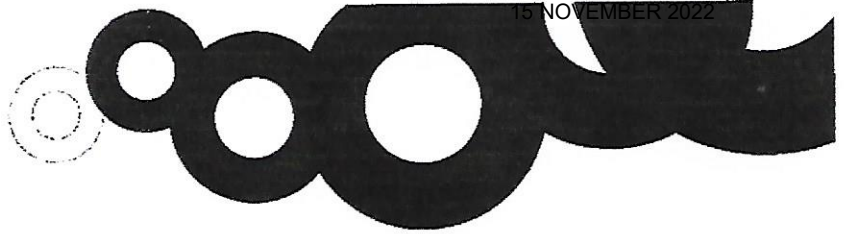
Small Business  
Development Corporation



**Small Business Friendly**

An initiative of the Small Business  
Development Corporation





## 6. Dispute resolution

The local government agrees to implement a timely, cost-effective and non-judicial process to manage any disputes it may have with small businesses and to publish details of this on its website. The process could include referring the dispute to an independent dispute resolution service (such as that offered by the SBDC).

## 7. Additional activities to support small business

In addition to items 4, 5, and 6 above, the local government agrees to implement at least three other activities to improve the operating environment for small businesses within its authority. Details of the initiatives are to be included in the local government's bi-annual reports to the SBDC.

## 8. Progress reports

The local government agrees to:

- a) provide the SBDC with a biannual progress report that outlines the results achieved in relation to its small business friendly initiatives, including its policy relating to small business being paid on-time, business advisory group, and dispute resolution process; and
- b) forward success stories and case studies to the SBDC in relation to the SBFLG initiative when requested.

## 9. Promotion and marketing of the program

The local government:

- a) agrees that the Mayor and Chief Executive Officer will make a public statement in relation to its commitment to the SBFLG initiative, and to post this statement on its website;
- b) will be provided with a logo which it agrees to use in accordance with the SBFLG style guide supplied by the SBDC; and
- c) is encouraged to promote the SBFLG initiative by displaying the approved logo on its online and printed marketing and communication materials.

## 10. Contact details

The local government agrees:

- a) that the primary contact for the SBFLG initiative will be the Chief Executive Officer and that a secondary contact will also be nominated, as a delegate of the Chief Executive Officer; and

	Name	Position	Phone number	Email address
Primary contact	Vin Fordham Lamont	Chief Executive Officer	0473 072 017	ceo@westarthur.wa.gov.au
Secondary contact	Kerryn Chia	Projects Officer	0429 631 044	projects@westarthur.wa.gov.au

## 11. Acceptance

On behalf of Shire of West Arthur

we agree to the terms outlined in this Charter and agree to implement the SBFLG initiative.

### Mayor

Cr Neil Morrell

Print name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: 2/10/22

### Chief Executive Officer

Vin Fordham Lamont

Print name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: 2 November 2022



**12.5 Draft Corporate Transaction Card Policy F4.8**

<b>File Reference:</b>	<b>ADM 015</b>
<b>Location:</b>	<b>N/A</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Rajinder Sunner – Manager Corporate Services</b>
<b>Authorising Officer</b>	<b>Vin Fordham Lamont – Chief Executive Officer</b>
<b>Date:</b>	<b>10 November 2022</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b>	<b>1.Draft Corporate Transaction Card Policy F4.8</b>

**Summary:**

Council is requested to adopt a new Corporate Transaction Card Policy.

**Background:**

The CEO, Manager Corporate Services and Manager Works and Services are required to attend meetings/events outside the Shire. This has meant that the officers have been required to purchase fuel with their own funds, and later seek a refund from the Shire. Similarly, other staff have purchased goods or services for the Shire with their private credit cards and sought reimbursement.

This is not an appropriate situation, and it is recommended that a corporate transaction Card facility (NAB Credit Card and Puma Fuel Card) be established to assist staff in those instances where issuing a purchase order to receive goods or services on credit is not practical or even accepted by an external provider e.g., a service station. If other staff have need to pay for something in relation to the Shire, they can approach the cardholders to assist with the purchase.

Staff are in the process of reviewing our current policies and developing a new set of policies for the shire, which will be compliant with current legislation and regulations. We will be bringing to the council briefing sessions over the next few month parts of new policies for council to review, discuss and then a final set of policies covering all required policies will be presented to the council OCM in 2023 for adoption and rescinding of old policies.

**Comment:**

Corporate Transaction Card policy will cover a Credit Card facility with NAB and a Fuel Card with Puma. The previous limit of \$5,000 for the credit card was adopted by the council in March 2022. The new credit limit requested is \$15,000 for three employees. There is a new Corporate Transaction Cardholder agreement attached to be signed by the card holder and the Shire to mitigate any future risk of fraud and acknowledging their responsibilities under this agreement.

**Consultation:**

Staff  
External Consultant

**Statutory Environment:**

Local Government Act 1995  
Section 6.5(a) - Accounts and Records

Local Government (Financial Management) Regulations 1996  
Reg 5 - Financial Management Duties of the CEO & 11(1)(a) & (2) - Payments of Accounts

**Policy Implications:**

The new policy will be added to the policy manual as F4.8 Corporate Transaction Card Policy.

**Financial Implications:**

Minor – credit card facility bank fee and fuel card fee.

**Strategic Implications:**

Community Strategic Plan West Arthur Towards 2031

Theme: Leadership and Management – inspirational, dynamic, transparent

Outcome 5.3: Establish and maintain sound business and governance structures

**Risk Implications:**

**Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it.** The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

**Risk Themes:**

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

**Risk Matrix:**

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

Description of Key Risk	Inadequate internal controls
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Medium (9)
Risk Likelihood (based on history and with existing controls)	Possible (3)
Risk Consequence	Moderate (3)
Principal Risk Theme	Misconduct
Risk Action Plan (Controls or Treatment Proposed)	Comply with the new policy

**Voting Requirements:**

Simple Majority

**Officer Recommendation:**

That Council:

1. Authorises the new limit of a Corporate Credit Card facility to a maximum of \$15,000;  
and
2. Adopts the attached Corporate Transaction Card Policy.

Moved: Cr ManuelSeconded: Cr South***CARRIED 7/0***

Note: The Administration will ensure credit card payments are included in the Accounts for Payments Listing in each Ordinary Meeting of Council Agenda.

**ATTACHMENTS****1. Draft Corporate Transaction Card Policy F4.8**



<b>Policy Title</b>	<b>F 4.8 - Corporate Transaction Cards</b>
<b>Policy Type</b>	<b>Corporate Services</b>
<b>Responsible Officer</b>	<b>Chief Executive Officer</b>

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### Purpose

- To provide a clear framework to enable the use of corporate transaction cards.
  - To provide employees issued with a corporate transaction card clear and concise guidelines outlining its use
  - To reduce the risk of fraud and misuse of the corporate transaction card.
- 

### Scope

The application of this Policy is to be in conjunction with the Shire of West Arthur's Code of Conduct Policy and any legislative requirements of the *Local Government Act 1995* that may be enforced.

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### Definitions

**Cardholder** means an employee who has been authorised by the Chief Executive Officer to incur expenditure by means of a transaction card.

**Transaction Card** means a card facility (which may include; credit, debit, store, parking, cab-charge and fuel cards) approved for use in lieu of cash transactions, to incur expenditure for goods and services for the purposes of the Shire of West Arthur business activities only in accordance with relevant Shire policies.

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### Policy Statement

The Shire of West Arthur recognises the value of corporate transaction cards and supports their use, within appropriate controls and limits.

The CEO is authorised to obtain a corporate transaction card/s with a maximum monthly credit limit of \$15,000. This limit can only be adjusted with the express approval of the Council.

The Chief Executive Officer is the primary cardholder for the Shire and may authorise additional cardholders within the Shire's approved total credit limit.

Individual transaction card limits are as approved by Council (in relation to the CEO) or the CEO (in relation to other employees, but within the limits determined by Council).

### Determining When Transaction Card Facilities Are Appropriate

Transaction Card facilities may be implemented and maintained where the card facility provides benefit to the Shire of West Arthur operations by ensuring:

- a. Goods and services can be obtained in a timely and efficient manner to meet the business needs of the Shire;
- b. Financial management and accounting standards are met; and
- c. Purchasing and payment functions are secure, efficient and effective.

Transaction card facility providers will only be acceptable where, in the opinion of the Chief Executive

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Officer, they:

- a. Provide appropriate and sufficient statement, administration and acquittal controls that enable the Shire to sufficiently administer the facility; and
- b. Provide the Shire with protection and indemnification from fraudulent unauthorised transactions.

### **Management Oversight**

The Chief Executive Officer shall determine and implement systems and procedures that are adequate to ensure:

- a. Assessment and selection of transaction card facilities suitable to the efficient and effective operations of the Shire;
- b. Authorisation and appointment of suitably eligible cardholders;
- c. Cardholder duties and responsibilities are documented;
- d. Cardholders provided with training; and
- e. Monitoring and auditing of transactional card activities is planned and reported.

### **Reporting**

The Chief Executive Officer will ensure that acquitted transaction statements for each transaction card facility are provided to Council as part of the monthly financial reporting regime.

### **Misuse, Misconduct and Fraudulent Use**

- a. Any alleged misuse of transaction cards will be investigated and may be subject to disciplinary procedures.
- b. Where there is reasonable suspicion of misconduct or fraudulent activity arising from transaction card facilities the matter will be reported to the appropriate regulatory agency, subject to the requirements of the Public Sector Management Act 1994 and the Corruption, Crime and Misconduct Act 2003.

### **Principles for Usage – Allowable Transactions**

Transaction card facilities may only be used where:

- a. The expenditure is directly arising from a Shire operational business activity for which there is an Annual Budget provision;
- b. The expenditure is in accordance with legislation, the Shire Purchasing Policy, Code of Conduct and any conditions or limitations applicable to the individual Cardholder.
- c. The procurement of the required goods or services is impractical or inefficient if undertaken via a purchase order or is not able to be obtained other than by a transaction card;
- d. Supplier surcharges (fees) on transactions are minimised and only allowable where the alternative method of obtaining the supply (i.e. by purchase order) is more onerous, not cost effective or there is no alternative mode of supply.
- e. Hospitality expenditure may only occur when it is undertaken with the express permission of the Chief Executive Officer.
- f. Official travel, accommodation and related expenses may only occur in accordance with Shire policies and procedures;



- g. A sufficient record of each transaction is obtained and retained in the local government record.

Allowable transaction modes include:

- a. In-person and over the counter retail purchases;
- b. Telephone or facsimile purchasing;
- c. Mail order purchasing and subscriptions;
- d. Internet purchasing

### **Prohibited Transactions**

The Shire prohibits the use of transaction card facilities for:

- a. Cash advances;
- b. Incurring expenses which are personal or private (i.e. any expenditure which is not an approved local government activity);
- c. Making deposits onto the card, whether to offset misuse or otherwise;
- d. Incurring capital expenditure;
- e. Incurring expenditure for goods or services which are subject to a current supplier contract;
- f. Incurring expenses which are not in accordance with legislation, the Shire's Purchasing Policy, the Annual Budget and / or the conditions or limitations relevant to the individual cardholder;
- g. Splitting expenditure to avoid compliance with the Purchasing Policy or to negate limits or conditions applicable to the Cardholder; and
- h. Incurring expenses for the primary purpose of obtaining personal advantage through the transaction (i.e. membership or loyalty rewards).

For clarity, council members are prohibited from using Shire transaction cards as the Local Government Act 1995 does not provide authority for a council member to incur liabilities on behalf of the local government. The Act limits local governments to only paying council member allowances and reimbursing council member expenses.

### **Cardholder Duty of Care and Responsible Use Obligations**

A cardholder is required to:

- a. Keep the transaction card and access information in a safe manner; protected from improper use or loss.
- b. Only use the transaction card for allowable purposes and not for prohibited purposes.
- c. Obtain, create and retain local government records that evidence transactions.
- d. Acquit the reconciliation of transaction card usage in the required format and within required timeframes. The onus is on the cardholder to provide enough detail for each transaction to avoid any potential perception that a transaction may be of a personal nature.
- e. Return the transaction card to the Shire before termination of employment, inclusive of reconciliation records.
- f. Reimburse the Shire the full value of any unauthorised, prohibited or insufficiently reconciled expenditure. vii) Comply with all cardholder responsibilities as outlined by the card provider.

Benefits obtained through use of a transaction card (i.e. membership or loyalty rewards) are the property of the Shire and may only be used for Shire business purposes.

### **Transaction Evidence**

An adequate transaction record must include the following minimum information:

- a. Invoice and / or receipt that includes; the date, company name, address, ABN, amount and any GST amount included;
- b. Where an invoice and / or receipt cannot be obtained, the cardholder must provide a signed statement, detailing the nature of the expense and enough information to satisfy the requirements above.
- c. Approval of the expense above is to be referred to the Chief Executive Officer for a decision.
- d. Where a transaction card is used to incur an expense for hospitality, the transaction record must include for the purposes of Fringe Benefits Tax calculations and probity
- e. The number of persons entertained and the names of any employees in that number
- f. The purpose of providing the entertainment or hospitality

### **Card Reconciliation Procedures**

- a. Card statement accounts will be issued to the relevant cardholder who will, within 7 days, acquit the transactions on the account.
- b. Transactions will be supported by a GST invoice stating the type of goods purchased, amount of goods purchased, and the price paid for the goods. The receipt shall meet the requirements of the Goods and Services Tax Act 1999 to enable a GST rebate to be applied.
- c. Transactions shall be accompanied by a job number for costing purposes.
- d. Should approval of expenses be refused by the Chief Executive Officer recovery of the expense shall be met by the cardholder.
- e. The cardholder shall sign and date the card statement with supporting documentation attached stating all expenditure is of a business nature

### **Disputed Transactions**

The Shire is responsible for paying all accounts on the monthly card statement and the bank processes a direct debit from Council's operating bank account for such.

When a Cardholder believes that charges are incorrect, they should first contact the supplier to determine the causes of the discrepancy and if necessary, the Manager Financial reporting will notify the bank in writing.

Any amounts in dispute must be highlighted on the copy of the Cardholders statement and a copy of the written notification to the bank attached.

### **Cancelled Cards**

Cancellation of a Card may be necessary where the:

- a. cardholder changes job function within the local government;
- b. cardholder terminates employment with local government;
- c. the employment of the Cardholder is terminated;
- d. card is no longer required;

- e. cardholder has not adhered to set procedures;
- f. misuse of the Card; or
- g. CEO determines it is appropriate to do so

### Review of Card Use

All receipts and documentation will be reviewed and any expenses that do not appear to represent fair and reasonable business expenses shall be referred to the Chief Executive Officer for a decision.

### Procedures for Lost, Stolen and Damaged Cards

The cardholder must formally advise the CEO of the loss or theft without delay.

The loss or theft of a transaction card must be reported to the card provider as a matter of priority.

Advice of a damaged card is to be provided to the CEO who will arrange a replacement.

### Cardholder Agreement

The Cardholder Agreement is shown at **Attachment 1**.

Failure to comply with any of these requirements could result in the card being withdrawn from the employee. In the event of loss or theft through negligence or failure to comply with the Shire of West Arthur Card Policy any liability arising may be passed on to the cardholder.

### Consequences of Non-Compliance

Failure to comply with the Delegations, Policy or Executive Instructions may result in disciplinary action up to and including termination of employment.

<b>History</b>	
<b>Delegation</b>	Payments from the Municipal or Trust Fund
<b>Relevant Legislation</b>	<i>Local Government (Function and General) Regulations 1996</i>
<b>Related Documentation</b>	Corporate Transaction Card Agreement

**ATTACHMENT 1 - Corporate Transaction Cardholder Agreement**

I (insert cardholder name) acknowledge and accept the conditions listed below which govern the use of the Shire of West Arthur Corporate Transaction Card:

**Conditions of Use**

- Ensure the corporate transaction card is maintained in a secure manner and guarded against improper use.
- The corporate transaction card is to be used only for Shire of West Arthur official activities there is no approval given for any private use whatsoever.
- All documentation regarding a corporate transaction card transaction is to be retained by, or provided to, the cardholder and produced as part of the reconciliation procedure.
- Credit limits may only be exceeded under exceptional circumstances, and with the approval of the Shire President.
- The use of the transaction card shall not be tied to any type of reward system that provides cardholders with any personal benefit or reward.
- Observe all cardholder responsibilities as outlined by the card provider.
- Purchases on the corporate transaction card are to be made in accordance with Shire of West Arthur's Purchasing and Tender Policy.
- Monthly reconciliation of transaction card purchases is to be completed on the supplied template within seven (7) days of the date of the transaction card statement being issued.
- Transactions will be supported by a GST invoice stating the type of goods purchased, amount of goods and the price paid for the goods. The receipt shall meet the requirements of the Goods and Services Tax Act 1999 to enable a GST rebate to be applied.
- Transactions shall be accompanied by an authorised purchase order.
- Should approval of expenses be denied by the Chief Executive Officer (or Shire President for those incurred by CEO), recovery of the expense shall be met by the cardholder.
- The cardholder shall sign and date the corporate transaction card statement with supporting documentation attached stating 'all expenditure is of a business nature'.
- Lost or stolen cards shall be reported immediately to the card provider and Chief Executive Officer.
- The corporate transaction card is to be returned to the Chief Executive Officer on or before the employee's termination date with a full acquittal of expenses.

Failure to comply with any of these requirements could result in the card being withdrawn from the employee. In the event of loss or theft through negligence or failure to comply with the Shire of West Arthur Corporate Transaction Card Policy any liability arising from the use of the card may be passed to the cardholder.

The use of a Shire of West Arthur Corporate Transaction Card is subject to the provisions of the Code of Conduct of Shire of West Arthur. Serious transgression of the above listed responsibilities or the Code of Conduct may result in an appropriate referral under the Corruption and Crime Commission Act 2003 and/or termination of employment.

Name:

Position:

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**12.6 Draft Purchasing and Tender Policy F4.7**

<b>File Reference:</b>	<b>ADM 015</b>
<b>Location:</b>	<b>N/A</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Rajinder Sunner - Manager Corporate Services</b>
<b>Authorising Officer</b>	<b>Vin Fordham Lamont – Chief Executive Officer</b>
<b>Date:</b>	<b>10 November 2022</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b>	<b>1. Draft Purchasing and Tender Policy – F4.7</b>

**Summary:**

Council is requested to adopt a new Purchasing and Tender Policy.

**Background:**

Staff are in the process of reviewing our current policies and developing a new set of policies for the shire, which will be compliant with current legislation and regulations. We will be bringing to the council briefing sessions over the next few month parts of new policies for council to review and discuss, and then a final set of policies covering all required policies will be presented to the council OCM in 2023 for adoption and rescinding of old policies.

**Comment:**

As part of the recent Financial and Risk Management Review conducted by Moore Australia and adopted by Council at its March 2022 Ordinary Meeting of Council, it was recommended that changes/improvements needed to be made to Council's existing Purchasing policy.

These recommended changes include:-

- Prohibit price variations to existing contracts awarded by tender other than those provided within the original contract, as required by regulation 11 (2)(j)(iv) of the Local Government (Functions and General) Regulations 1996.
- Purchasing requirement for the issuing of contract variations and extensions for contracts not awarded by tender. Consideration should be given to circumstances where the contract increases over a policy threshold level, due to the variation or extension.
- Reporting mechanism where compliance with purchasing practices is permitted to be circumvented. This should aim to assist with accountable processes and transparent decision making with purchasing activities to report the circumstances, occasions and purchasing values where the policy provision is exercised.
- Amend purchasing requirements for procurement of goods or services to be consistent regardless of where the quotations are being sought from, including those made under the exemptions referred to in Regulation 11 (2) of the Local Government (Functions and General) Regulations 1996.

These changes are reflected in the attached revised policy.

**Consultation:**

Staff  
External Consultant

**Statutory Environment:**

Local Government Act 1995 (WA)  
Local Government (Functions and General) Regulations 1996

**Policy Implications:**

The new Policy will be added to the policy manual as F4.7 – Purchasing and Tender Policy.

**Financial Implications:**

Nil



**Strategic Implications:**

Nil

**Risk Implications:**

**Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it.** The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

**Risk Themes:**

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

**Risk Matrix:**

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

Description of Key Risk	Inadequate internal controls
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Medium (9)
Risk Likelihood (based on history and with existing controls)	Possible (3)
Risk Consequence	Moderate (3)
Principal Risk Theme	Misconduct
Risk Action Plan (Controls or Treatment Proposed)	Comply with the new policy

**Voting Requirements:**

Simple Majority

**Office Recommendation:**

That Council adopts the attached revised Policy F4.7 – Purchasing and Tender Policy in accordance with the provisions of the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996.

Moved: Cr LubckeSeconded: Cr Peirce***CARRIED 7/0***

Note: The original agenda references to Policy F4.8 in the recommendation and attachment reference were incorrect and picked up by Cr Squires and updated to F4.7 in the minutes accordingly.

**ATTACHMENT****1. Policy F4.7 – Draft Purchasing and Tender Policy**



<b>Policy Title</b>	<b>F 4.8 - Purchasing and Tenders</b>
<b>Policy Type</b>	<b>Corporate Services</b>
<b>Responsible Officer</b>	<b>Chief Executive Officer</b>

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### **Purpose**

The objectives of this policy are to:

- Ensure best practice policies and procedures are followed in relation to procurement for the Shire;
  - Ensure compliance with the *Local Government Act 1995* (the Act) and *Part 4 of the Local Government (Functions and General) Regulations 1996* (the Regulations);
  - Undertake procurement processes that ensure value for money for the Shire by delivering the most advantageous outcome possible;
  - Ensure openness, transparency, fairness and equity through the procurement process to all potential suppliers; and
  - Ensure efficient and consistent procurement processes are implemented and maintained across the Shire.
- 

### **Scope**

This Policy applies to all procurement activities undertaken by the Shire's employees, appointed representatives and, where applicable, contractors procuring on behalf of the Shire.

The Shire is committed to efficient, effective, economical and sustainable procedures in all purchasing activities.

This Policy:

- a) Ensures that purchasing transactions are carried out in a fair and equitable manner.
  - b) Strengthens integrity and confidence in the purchasing system.
  - c) Ensures that the Shire receives value for money.
  - d) Ensures that the Shire considers the environmental impact of the procurement process across the life cycle of goods and services.
  - e) Ensures the Shire is compliant with all regulatory obligations.
  - f) Promotes effective governance and definition of roles and responsibilities.
  - g) Upholds respect from the public and industry for the Shire's purchasing practices that withstand probity.
- 

### **Definitions**

**Shire** means the Shire of West Arthur.

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## **Policy Statement**

### **Ethics & Integrity**

All employees of the Shire shall observe the highest standards of ethics and integrity in undertaking purchasing activity and act in an honest and professional manner that supports the standing of the Shire.

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties:

- a. Full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money;
- b. All purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with the Shire 's policies and code of conduct;
- c. Purchasing is to be undertaken on a competitive basis in which all potential suppliers are treated impartially, honestly and consistently;
- d. All processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies and audit requirements;
- e. Any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed and
- f. Any information provided to the Shire by a supplier shall be treated as commercial in confidence and should not be released unless authorised by the supplier or relevant legislation.

### **Value for Money**

Value for money is an overarching principle governing purchasing that allows the best possible outcome to be achieved for the Shire.

It is important to note that compliance with the specification is more important than obtaining the lowest price particularly considering user requirements, quality standards, sustainability, life cycle costing, and service benchmarks.

An assessment of the best value for money outcome for any purchasing should consider:

- a. All relevant whole of life costs life costs and benefits, including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance and disposal.
- b. The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality;
- c. Financial viability and capacity to supply without risk of default. (Competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);
- d. A strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining enough competitive quotations wherever practicable. Where a higher priced conforming offer is recommended, there should be clear and demonstrable benefits over and above the lowest total priced, conforming offer.

## Purchasing Thresholds

Council has resolved that the following limits and arrangements apply:

Amount of Purchase (ex-GST)	Number of Quotations required
Up to \$5,000	Goods and services of a low risk, consumable item and occasional nature may be purchased without the need for a quotation. These goods or services must be ad hoc and not of a repetitive nature.
Over \$5,00 - \$10,000	A minimum of one written quotation to be obtained from suppliers containing price, and details of the supply. At least one quote should be obtained from a local business if a suitable supplier can be sourced.
Over \$10,000 - \$50,000	A minimum of two (2) written quotations to be obtained from different suppliers containing price and details of supply including basic specifications.
Over \$50,000 – <\$250,000	A minimum of three (3) written quotations to be obtained from different suppliers containing price and details of supply including basic specifications.
\$250,000 and above	All purchases exceeding \$250,000 should be by public tender unless a legislated tender exemption applies.

**NOTE:** To reduce the number of quotations for items up to value of \$50,000, refer to item “Sole Source of Supply” criteria.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases under the \$250,000 threshold (excluding GST). If a decision is made to seek public tenders for contracts of less than \$250,000 all the procedures for tendering outlined in this policy must be followed in full.

**NOTE:** The general principles relating to written quotations are:

- a. An appropriately detailed specification should communicate the requirement(s) in a clear, concise and logical fashion.
- b. The request for written quotation should include as a minimum:
  - Written Specification
  - Selection Criteria to be applied
  - Price Schedule
  - Conditions of responding
  - Validity period of offer
  - Shire’s Work Health & Safety requirements for Contractors
- c. Invitations to quote should be issued simultaneously to ensure that all parties receive an equal opportunity to respond.
- d. Offer to all prospective suppliers at the same time any new information that is likely to change the requirements.
- e. Responses should be assessed for compliance, then against the selection criteria, and then value for money and all evaluations documented.
- f. Respondents should be advised in writing as soon as possible after the final determination is made and approved.



## Tender Exemption

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- a. An emergency situation as defined by the Local Government Act 1995;
- b. The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- c. The purchase is under auction which has been authorised by Council;
- d. The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- e. Any of the other exclusions under Regulation 11 of the Functions and General Regulations apply.

## Sole Source of Supply (Monopoly Suppliers)

The procurement of goods and/or services available from only one private sector source of supply, (i.e. manufacturer, supplier or agency) is permitted without the need to call competitive quotations if there is genuinely only one source of supply.

Every endeavour to find alternative sources must be made. Written confirmation of this must be kept on file for later audit. Once determined, the justification must be endorsed by the Chief Executive Officer, prior to a contract being entered into.

**NOTE:** The application of provision "sole source of supply" should only occur in limited cases and procurement experience indicates that generally more than one supplier is able to provide the requirements.

## Anti-Avoidance

The Shire will not conduct multiple purchasing activities with the intent of 'splitting' the purchase value or contract value, so that the effect is to avoid a particular purchasing threshold or the need to call a Public Tender.

## Tenders

### Advertising Tenders

Tenders are to be advertised a state-wide in accordance with the *Local Government (Administration) Regulations 1996*. The tender must remain open for at least 14 days as a minimum.

The notice request must include:

- a. A brief description of the goods or services required;
- b. Information as to where and how tenders may be submitted;
- c. The date and time after which tenders cannot be submitted;
- d. Particulars identifying a person from who more detailed information as to tendering may be obtained;
- e. Detailed information shall include:
  - Such information as the Shire decides should be disclosed to those interested in submitting a tender;
  - Detailed specifications of the goods or services required;
  - The criteria for deciding which tender should be accepted;
  - Whether or not the Shire has decided to submit a tender; and

- Tenders cannot be submitted by facsimile or other electronic means, as confidentiality cannot be guaranteed by these processes.

#### Tender Deadline

A tender that is not received in full in the required format by the advertised Tender Deadline shall be rejected.

#### Opening of Tenders

No tenders are to be removed from the tender box or opened (read or evaluated) prior to the Tender Deadline.

Tenders are to be opened in the presence of the Chief Executive Officer's delegated nominee and one other Shire employee. The details of all tenders received and opened shall be recorded in the Tender Register.

Tenders are to be opened in accordance with the advertised time and place. Members of the public are entitled to be present.

#### Tender Evaluation

Tenders that have not been rejected shall be assessed by the Shire by means of a written evaluation against the pre-determined criteria.

The tender evaluation panel shall assess each tender that has not been rejected to determine which tender is most advantageous.

Each tenderer will be advised of the particulars of the successful tender

#### Addendum to Tender

If, after the tender has been publicly advertised, any changes, variations or adjustments to the tender document and/or the conditions of tender are required, the Shire may vary the initial information by taking reasonable steps to give each person who has obtained copies of the tender documents notice of the variation.

#### Minor Variation

If after the tender has been publicly advertised and a successful tenderer has been chosen but before the Shire and tenderer have entered into a Contract, a minor variation may be made by the Shire. A minor variation will not alter the nature of the goods and/or services procured, nor will it materially alter the specification or structure provided for by the initial tender.

### **Records Management**

Record retention shall be in accordance with the requirements of the *State Records Act*, and the Shire's internal records management policy.

### **Value for Money**

It should be noted that price is only one factor to be considered when the Shire assesses quotations and tender submissions. Value for Money principles will be used to achieve the best possible outcome for every dollar spent by the Shire. This is achieved by assessing against weighted Evaluation Criteria rather than simply selecting the lowest purchase price.

### **Purchasing from Disability Enterprises**

An Australian Disability Enterprise may be contracted directly without the need to comply with the Threshold and Purchasing Practices requirements of this Policy, where a value for money assessment demonstrates benefits for the Shire's achievement of its strategic and operational objectives.

A qualitative weighting will be used in the evaluation of quotes and Tenders to provide advantages to Australian Disability Enterprises, in instances where not directly contracted.

### Purchasing from WA Aboriginal Businesses

A business registered in the current Aboriginal Business Directory WA produced by the Chamber of Commerce and Industry of Western Australia Limited may be contracted directly without the need to comply with the Threshold and Purchasing Practices requirements of this Policy, only where:

- a. The contract value is worth \$250,000 or less, and
- b. A best and sustainable value assessment demonstrates benefits for the Shire's achievement of its strategic and operational objectives.

A qualitative weighting will be used in the evaluation of quotes and tenders to provide advantages to businesses registered in the current Aboriginal Business Directory WA, in instances where not directly contracted.

### Purchasing from Environmentally Sustainable Businesses

The Shire will support the purchasing of recycled and environmentally sustainable products whenever a value for money assessment demonstrates benefits for the Shire's achievement of its strategic and operational objectives.

A qualitative weighting will be used in the evaluation of quotes and tenders to provide advantages to suppliers which:

- a. Demonstrate policies and practices that have been implemented by the business as part of its operations;
- b. Generate less waste material by reviewing how supplies, materials and equipment are manufactured, purchased, packaged, delivered, used, and disposed; and
- c. Encourage waste prevention, recycling, market development and use of recycled/recyclable materials

<b>History</b>	
<b>Delegation</b>	Expression of Interest for Goods and Services Tenders for Goods and Services – Call Tenders Tenders for Goods and Services – Accepting and rejecting tenders, varying contracts, exercising contract extension options Tenders for Goods and Services – Exempt Procurement
<b>Relevant Legislation</b>	<i>Local Government Act 1995</i> <i>Local Government (Functions and General) Regulations 1996</i>
<b>Related Documentation</b>	

**13. FINANCE****13.1 Financial Reports – October 2022**

<b>File Reference:</b>	<b>N/A</b>
<b>Location:</b>	<b>N/A</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Melinda King – Manager Financial Reporting</b>
<b>Authorising Officer</b>	<b>Vin Fordham Lamont – Chief Executive Officer</b>
<b>Date:</b>	<b>4 November 2022</b>
<b>Disclosure of Interest:</b>	<b>N/A</b>
<b>Attachments:</b>	<b>Financial Reports – October 2022</b>

**Summary:**

Consideration of the financial reports for the period ending 31 October 2022.

**Background:**

The financial reports for the periods ending 31 October 2022 are included as attachments.

**Comment:**

If you have any questions regarding details in the financial reports, please contact the office prior to Council meeting so that sufficient time is given to research the request. This will enable the information to be provided at the Council meeting.

**Consultation:**

Not applicable.

**Statutory Environment:**

Section 34 (1) (a) of the Local Government (Financial Management) Regulations 1996 states that a Local Government is to prepare monthly statement of financial activity including annual budget estimates, monthly budget estimates, actual monthly expenditure, revenue and income, material variances between monthly budget and actual figures and net current assets on a monthly basis.

**Policy Implications:**

Not applicable.

**Financial Implications:**

Not applicable.

**Strategic Implications:**

Not applicable.

**Risk Implications:**

Risk	Low (1)
Risk Likelihood (based on history and with existing controls)	Low (1)
Risk Impact / Consequence	Low (1)
Risk Rating (Prior to Treatment or Control)	Low (1)
Principal Risk Theme	Low (1)
Risk Action Plan (Controls or Treatment Proposed)	Low (1)

**Risk Matrix:**

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

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Voting Requirements:**

Simple majority

**Officer Recommendation:**

That the financial report for the period ending 31 October 2022 as presented be accepted.

Moved: Cr Harrington

Seconded: Cr Squires

**CARRIED 7/0**

**ATTACHMENT****1. Financial Reports – October 2022**

**SHIRE OF WEST ARTHUR**  
**STATEMENT OF FINANCIAL ACTIVITY**  
**(By Nature or Type)**  
**For the Period Ended 31 October 2022**

	Note	Annual Budget 2022/2023 \$	YTD Budget (a) \$	YTD Actual (b) \$	Var. \$ (b)-(a) \$	Var. % (b)-(a)/(a) %	Var.
<b>Opening Funding Surplus (Deficit)</b>	2	1,481,341	1,481,341	<b>1,481,231</b>	(110)	(0%)	
<b>Revenue from operating activities</b>							
Rates		1,885,423	1,881,716	<b>1,881,716</b>	0	0%	
Operating Grants, Subsidies and Contributions	6	550,100	210,257	<b>247,729</b>	37,472	18%	▲
Fees and Charges		295,450	131,483	<b>136,053</b>	4,570	3%	
Interest Earnings		118,897	5,775	<b>6,423</b>	648	11%	
Other Revenue		68,353	10,324	<b>10,494</b>	170	2%	
Profit on Disposal of Assets		20,676	7,986	<b>4,341</b>	(3,645)		
		<b>2,938,899</b>	<b>2,247,541</b>	<b>2,286,756</b>	39,215		
<b>Expenditure from operating activities</b>							
Employee Costs		(1,996,848)	(800,745)	<b>(745,199)</b>	55,546	7%	
Less overhead and wage allocations			51,523	<b>42,415</b>	(9,108)		
Materials and Contracts		(1,131,500)	(401,588)	<b>(365,359)</b>	36,229	9%	
less Pdepn and POC allocations			17,852	<b>14,696</b>	(3,156)		
Utility Charges		(90,405)	(30,135)	<b>(25,551)</b>	4,584	15%	
Depreciation on Non-Current Assets		(2,217,441)	(203,452)	<b>(208,310)</b>	(4,858)	(2%)	
Interest Expenses		(25,062)	(5,524)	<b>(5,524)</b>	0	0%	
Insurance Expenses		(117,423)	(117,423)	<b>(116,509)</b>	914	1%	
Other Expenditure		(48,000)	(11,250)	<b>(4,896)</b>	6,354	56%	
Loss on Disposal of Assets		(17,355)	0	<b>0</b>	0		
		<b>(5,644,034)</b>	<b>(1,500,742)</b>	<b>(1,414,237)</b>	86,505		
<b>Operating activities excluded from budget</b>							
Add back Depreciation		2,217,441	203,452	<b>208,310</b>	4,858	2%	
Adjust (Profit)/Loss on Asset Disposal		(3,321)	(7,986)	<b>(4,341)</b>	3,645	(46%)	
Adjust Provisions and Accruals		0	(38,807)	<b>(38,807)</b>	0	0%	
<b>Amount attributable to operating activities</b>		<b>(491,015)</b>	<b>903,458</b>	<b>1,037,681</b>	134,223		
<b>Investing activities</b>							
Grants, Subsidies and Contributions	6	1,200,962	130,000	<b>128,085</b>	(1,915)	(1%)	
Proceeds from Disposal of Assets		144,050	35,000	<b>32,727</b>	(2,273)	(6%)	
Land and Buildings	7	(734,749)	(3,649)	<b>(3,866)</b>	(217)	(6%)	
Infrastructure Assets - Roads	7	(1,083,221)	(41,142)	<b>(46,638)</b>	(5,496)	(13%)	
Infrastructure Assets - Other	7	(627,656)	(125,000)	<b>(125,673)</b>	(673)	(1%)	
Plant and Equipment	7	(635,696)	(124,200)	<b>(128,663)</b>	(4,463)	(4%)	
Furniture and Equipment	7	0	0	<b>0</b>	0		
<b>Amount attributable to investing activities</b>		<b>(1,736,310)</b>	<b>(128,991)</b>	<b>(144,028)</b>	(15,037)		
<b>Financing Activities</b>							
Proceeds from Self Supporting Loan - repayments		29,031	7,168	<b>7,168</b>	0	0%	
Transfer from Reserves	5	993,650	0	<b>0</b>	0		
Repayment of Debentures		(101,198)	(22,027)	<b>(22,027)</b>	0	0%	
Proceeds from new borrowings		270,000	0	<b>0</b>			
Transfer to Reserves	5	(445,499)	(1,300)	<b>(1,288)</b>	12	1%	
<b>Amount attributable to financing activities</b>		<b>745,984</b>	<b>(16,159)</b>	<b>(16,147)</b>	12		
					0		
<b>Closing Funding Surplus (Deficit)</b>	2	0	2,239,649	<b>2,358,737</b>	119,088	5%	

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.  
Refer to Note 1 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.



**SHIRE OF WEST ARTHUR**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 October 2022**

**Note 1: Explanation of Material Variances**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.  
The material variance adopted by Council for the 2022/23 year is \$10,000 or 10% whichever is the greater.

**Operating Grants, Subsidies and Contributions**

23,271 WALGGC - General Purpose Grant additional received  
11,063 WALGGC - Local Roads Grant additional received

**Employee Costs**

55,546 Employee costs are below budget.

**Materials and Contracts**

36,229 There are several non reportable timing variances.

**SHIRE OF WEST ARTHUR**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 October 2022**

**Note 2: Net Current Funding Position**

Positive=Surplus (Negative=Deficit)

		Last Years Closing	Current
	Note	30 June 2022	31 Oct 2022
		\$	\$
<b>Current Assets</b>			
Cash Unrestricted	3	1,331,333	2,017,983
Cash Restricted - reserves	5	2,834,020	2,835,308
Cash Restricted - unspent grants		512,197	527,740
Receivables - Rates	4	131,031	391,787
Receivables - Other	4	174,351	34,732
Inventories		17,256	17,256
		5,000,188	5,824,806
<b>Less: Current Liabilities</b>			
Payables		(172,740)	(103,021)
Unspent grants, contributions and reimbursements 21/22		(512,197)	(407,736)
Unspent grants, contributions and reimbursements current 22/23		0	(120,004)
		(684,937)	(630,761)
Less: Cash Reserves	5	(2,834,020)	(2,835,308)
<b>Net Current Funding Position</b>		<b>1,481,231</b>	<b>2,358,737</b>

**SHIRE OF WEST ARTHUR**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 October 2022**

**Note 3: Cash and Investments**

	Unrestricted	Restricted	Trust	Total Amount	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
<b>(a) Cash Deposits</b>							
Municipal Bank Account	200,001			200,001	NAB	0.01%	At Call
Municipal Bank - Bendigo	19,621			19,621	Bendigo	0.01%	At Call
Municipal Cash Maximiser	640,000			640,000	NAB	0.85%	At Call
Trust Bank Account			1,586	1,586	NAB	0.01%	At Call
Trust Cash Maximiser			5,269	5,269	NAB	0.85%	At Call
Reserve Cash Maximiser		180		180	NAB	0.60%	At Call
Bendigo Reserve		537		537	Bendigo	0.80%	At Call
<b>(b) Term Deposits</b>							
Municipal term deposit	800,000			800,000	BOQ	3.45%	13/02/2023
Municipal term deposit	600,000			600,000	NAB	3.50%	18/01/2023
Bendigo term deposit	286,000			286,000	Bendigo	4.05%	28/04/2023
Trust term deposit			65,000	65,000	NAB	3.64%	17/02/2023
Reserve term deposit		1,214,591		1,214,591	BOQ	3.45%	13/02/2023
Reserve term deposit		1,620,000		1,620,000	Bendigo	3.30%	11/02/2023
<b>Total</b>	<b>2,545,622</b>	<b>2,835,308</b>	<b>71,855</b>	<b>5,452,785</b>			

**SHIRE OF WEST ARTHUR**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 October 2022**

**Note 4: Receivables**

<b>Receivables - Rates Receivable</b>	<b>31 Oct 2022</b>	<b>30 June 2022</b>	<b>Receivables - General</b>	<b>Current</b>	<b>30 Days</b>	<b>60 Days</b>	<b>90+ Days</b>	<b>Total</b>
	\$	\$		\$	\$	\$	\$	\$
Opening Arrears Previous Years	200,216	237,534	Receivables - General	4,029	689	469	29,545	34,732
Levied this year (incl rubbish & ESL)	1,989,821	1,876,228						
<u>Less Collections to date</u>	(1,733,787)	(1,919,009)	<b>Balance per Trial Balance</b>					
Equals Current Outstanding	<b>456,250</b>	<b>194,753</b>	Sundry Debtors					0
Add paid in advance	4,722	5,463	Receivables - Other					0
<b>Net Rates Collectable</b>	<b>460,972</b>	<b>200,216</b>	<b>Total Receivables General Outstanding</b>					<b>34,732</b>
% Collected	79.17%	90.79%						
Less Recognised as doubtful	(69,185)	(69,185)						

**Amounts shown above include GST (where applicable)**

90+ day amount includes funding including \$26,497 LRCI to be received when annual report/acquittal finalised and accepted.

**SHIRE OF WEST ARTHUR**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 October 2022**

**Note 5: Cash Backed Reserve**

Name	Opening Balance	Budget	Actual	Budget	Actual	Budget	Actual	Budget	Actual
		Interest Earned	Interest Earned	Transfers In (+)	Transfers In (+)	Transfers Out (-)	Transfers Out (-)	Transfers Out (-)	Transfers Out (-)
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Leave Reserve	121,149	3,634	55	0	0	0	0	0	0
Plant Reserve	454,017	13,620	206	290,178	0	(194,650)	0	0	0
Building Reserve	734,309	22,029	334	0	0	(565,000)	0	0	0
Town Development Reserve	1,528	46	1	0	0	0	0	0	0
Recreation Reserve	163,284	4,900	74	0	0	0	0	0	0
Heritage Reserve	6,091	183	3	300	0	0	0	0	0
Community Housing Reserve	169,135	5,074	77	20,000	0	(50,000)	0	0	0
Waste Management Reserve	122,753	3,683	56	0	0	(100,000)	0	0	0
Darkan Swimming Pool Reserve	49,219	1,477	22	5,000	0	0	0	0	0
Information Technology Reserve	66,549	1,996	30	3,000	0	(14,000)	0	0	0
Darkan Sport and Community Centre Reserve	325,422	9,763	148	30,000	0	0	0	0	0
Arthur River Country Club Renewal Reserve	40,150	1,205	18	6,000	0	0	0	0	0
Museum Reserve	128,701	3,861	58	0	0	(5,000)	0	0	0
Moodiarrup Sports Club Reserve	17,581	527	8	5,000	0	0	0	0	0
Landcare Reserve	32,989	990	15	0	0	(5,000)	0	0	0
Corporate Planning and Valuation Reserve	19,945	598	9	0	0	(16,000)	0	0	0
Kids Central Members Reserve	7,156	215	3	0	0	0	0	0	0
The Shed Reserve	12,824	385	6	0	0	0	0	0	0
Recreation Trails Reserve	1,218	36	1	0	0	0	0	0	0
Community Gym Reserve	12,003	360	5	1,000	0	(9,000)	0	0	0
Economic Development Reserve	113,847	3,415	52	0	0	(35,000)	0	0	0
Road Reserve	234,148	7,024	106	0	0	0	0	0	0
	<b>2,834,020</b>	<b>85,021</b>	<b>1,288</b>	<b>360,478</b>	<b>0</b>	<b>(993,650)</b>	<b>0</b>	<b>2,285,869</b>	<b>2,835,308</b>

Note: Reserve transfers are generally completed at year end unless funds are required sooner.



**SHIRE OF WEST ARTHUR**  
**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**  
**For the Period Ended 31 October 2022**

Note 6: Grants and Contributions	Grant Provider	Type	Opening Balance	Budget Operating	Capital	Revenue Current year	YTD Actual Revenue Carried Forward	(Expended)	Unspent Grant	Comment
			(a)	(b)	(c)	(f)		(g)	(a)+(f)+(g)	
				\$	\$	\$		\$	\$	
<b>General Purpose Funding</b>										
Grants Commission - General	WALGGC - General Purpose Grant	Operating	0	55,000	0	37,021	0	0	0	
Grants Commission - Roads	WALGGC - Local Roads Grant	Operating	0	80,000	0	31,063	0	0	0	
<b>Law, Order and Public Safety</b>										
FESA Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Services	Operating - Tied	0	49,844	0	24,922	0	(24,922)	0	
FESA Grant - Arthur River Fire Shed	Dept. of Fire & Emergency Services	Non-operating	0	0	3,649	0	0	0	0	
Purchase of generators		Non-operating	0	0	13,498	0	0	0	0	
<b>Education and Welfare</b>										
Covid-19 Youth Recovery Grants Program	Department of Communities Dept. of Infrastructure, Transport, Regional Development and Communications	Operating - Tied	0	5,000	0	0	0	0	0	0 Youth grant carried forward to 22/23 Received prior year recognised as a liability until spent.
Federal Road & Community Infrastructure - Phase 3	Dept. of Infrastructure, Transport, Regional Development and Communications	Non-operating	0	0	476,544	0	97,132	(97,132)	0	
Federal Road & Community Infrastructure - Phase 3	Dept. of Infrastructure, Transport, Regional Development and Communications	Operating - Tied	0	214,000	0	0	7,329	(7,329)	0	
Operating grant		Non-operating	0	1,000	0	0	0	0	0	
Other small grants - events										
<b>Transport</b>										
Roads To Recovery Grant - Cap	Roads to Recovery	Non-operating	0	0	329,877	0	0	0	0	
RRG Grants - Capital Projects	Regional Road Group	Non-operating	0	0	377,394	150,957	0	(30,953)	120,004	
Direct Grant	Main Roads - Direct Grant	Operating	0	144,256	0	147,359	0	0	0	
<b>TOTALS</b>			<b>0</b>	<b>549,100</b>	<b>1,200,962</b>	<b>391,322</b>	<b>104,461</b>	<b>(160,336)</b>	<b>120,004</b>	
<b>SUMMARY</b>										
Operating	Operating Grants, Subsidies and Contributions		0	279,256	0	215,443	0	0	0	
Operating - Tied	Tied - Operating Grants, Subsidies and Contributions		0	268,844	0	24,922	7,329	(32,251)	0	
Non-operating	Non-operating Grants, Subsidies and Contributions		0	1,000	1,200,962	150,957	97,132	(128,085)	120,004	
<b>TOTALS</b>			<b>0</b>	<b>549,100</b>	<b>1,200,962</b>	<b>391,322</b>	<b>104,461</b>	<b>(160,336)</b>	<b>120,004</b>	

SHIRE OF WEST ARTHUR  
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
For the Period Ended 31 October 2022

## Note 7: Capital Acquisitions

Assets	Account	YTD Actual			Budget			Variance	Comment
		Wages and Plant	Materials and Contractors	Total YTD	Wages and Plant	Materials and Contractors	Total Budget	Total YTD to Budget	
		\$	\$	\$	\$	\$	\$		
<b>Land and Buildings</b>									
<b>Law, Order and Public Safety</b>									
	Arthur River Fire Shed	0	(3,649)	(3,649)	0	(3,649)	(3,649)	0	Funded by ESL Capital Grant
<b>Housing</b>									
	Renovations to existing joint venture community housing units	0	0	0	(4,640)	(50,000)	(54,640)	54,640	
<b>Recreation And Culture</b>									
	Darkan Sports Precinct - Upgrade power	(217)	0	(217)		(90,000)	(90,000)	89,783	
<b>Other Property &amp; Services</b>									
	Staff housing improvements/renovations	0	0	0	(3,360)	(25,000)	(28,360)	28,360	
	New staff house	0	0	0	(14,100)	(500,000)	(514,100)	514,100	
	Office - Shire Depot	0	0	0	(4,000)	(40,000)	(44,000)	44,000	
	<b>Buildings Total</b>	<b>(217)</b>	<b>(3,649)</b>	<b>(3,866)</b>	<b>(26,100)</b>	<b>(708,649)</b>	<b>(734,749)</b>	<b>730,883</b>	
<b>Infrastructure</b>									
<b>Community Amenities</b>									
	Darkan Refuse Site	(691)	0	(691)	(20,000)	(100,000)	(120,000)	119,309	
<b>Recreation And Culture</b>									
	Darkan Railway Reserve - redevelopment of play and youth area	(12,274)	(97,131)	(109,405)	(30,000)	(362,369)	(392,369)	282,964	
	Lake Towerrinning - Access improvement	(1,021)	0	(1,021)	(5,000)	(70,000)	(75,000)	73,979	
	Lake Towerrinning - Shade and landscaping	(4,043)	0	(4,043)	(8,000)	(12,287)	(20,287)	16,244	
<b>Economic Development</b>									
	Potable water Infrastructure	(367)	(10,146)	(10,513)	0	(20,000)	(20,000)	9,487	
	<b>Infrastructure Total</b>	<b>(18,396)</b>	<b>(107,277)</b>	<b>(125,673)</b>	<b>(63,000)</b>	<b>(564,656)</b>	<b>(627,656)</b>	<b>501,983</b>	
<b>Plant , Equip. &amp; Vehicles</b>									
<b>Transport</b>									
	Loader	0	0	0	0	(320,000)	(320,000)	320,000	
	Water tanker	0	0	0	0	(70,000)	(70,000)	70,000	
	Passenger Vehicles	0	(45,872)	(45,872)	0	(96,300)	(96,300)	50,428	
	Mower	0	0	0	0	(40,000)	(40,000)	40,000	
	Trailer	0	(82,791)	(82,791)	0	(82,400)	(82,400)	(391)	
	Generators	0	0	0	0	(26,996)	(26,996)	26,996	
	<b>Plant, Equip &amp; Vehicles Total</b>	<b>0</b>	<b>(128,663)</b>	<b>(128,663)</b>	<b>0</b>	<b>(635,696)</b>	<b>(635,696)</b>	<b>507,033</b>	
<b>Roads</b>									
<b>Regional Road Group</b>									
	Boyup Brook Arthur Road	(1,948)	0	(1,948)	(109,492)	(202,100)	(311,592)	309,644	
	Darkan Williams Road	(36,341)	(8,140)	(44,481)	(219,068)	(35,431)	(254,499)	210,018	
	<b>Regional Road Group Total</b>	<b>(38,289)</b>	<b>(8,140)</b>	<b>(46,429)</b>	<b>(328,560)</b>	<b>(237,531)</b>	<b>(566,091)</b>	<b>519,662</b>	
<b>Roads to Recovery</b>									
	Trigwell Bridge Road	0	0	0	(154,094)	(62,871)	(216,965)	216,965	
	Howie Road	(209)	0	(209)	(102,141)	(18,424)	(120,565)	120,356	
	<b>Roads to Recovery Total</b>	<b>(209)</b>	<b>0</b>	<b>(209)</b>	<b>(256,235)</b>	<b>(81,295)</b>	<b>(337,530)</b>	<b>337,321</b>	
<b>Shire Funded</b>									
	Dust Suppression	0	0	0	(12,600)	(7,000)	(19,600)	19,600	
	To be determined	0	0	0	(115,000)	(45,000)	(160,000)	160,000	
	<b>Shire Funded Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>(127,600)</b>	<b>(52,000)</b>	<b>(179,600)</b>	<b>179,600</b>	
	<b>Roads Total</b>	<b>(38,498)</b>	<b>(8,140)</b>	<b>(46,638)</b>	<b>(712,395)</b>	<b>(370,826)</b>	<b>(1,083,221)</b>	<b>1,036,583</b>	
	<b>Capital Expenditure Total</b>	<b>(57,111)</b>	<b>(247,729)</b>	<b>(304,840)</b>	<b>(801,495)</b>	<b>(2,279,827)</b>	<b>(3,081,322)</b>	<b>2,776,482</b>	

**13.2 Accounts For Payment – October 2022**

<b>File Reference:</b>	<b>N/A</b>
<b>Location:</b>	<b>N/A</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Renee Schinzig – Administration Officer</b>
<b>Authorising Officer</b>	<b>Vin Fordham Lamont – Chief Executive Officer</b>
<b>Date:</b>	<b>4 November 2022</b>
<b>Disclosure of Interest:</b>	<b>N/A</b>
<b>Attachments:</b>	<b>Accounts for Payment Listing – October 2022</b>

**Summary:**

Council to endorse payments of accounts for October 2022 as listed.

**Background:**

The schedule of accounts for payment is included as an attachment for Council information.

**Comment:**

If you have any questions regarding payments in the listing please contact the office prior to the Council meeting.

**Consultation:**

There has been no consultation.

**Statutory Environment:**

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

12. 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.
  
13. 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 sub regulation (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.

**Policy Implications:**

There are no policy implications.

**Financial Implications:**

There are no financial implications.

**Strategic Implications:**

There are no strategic implications.

**Risk Implications:**

Risk	Low (1)
Risk Likelihood (based on history and with existing controls)	Low (1)
Risk Impact / Consequence	Low (1)
Risk Rating (Prior to Treatment or Control)	Low (1)
Principal Risk Theme	Low (1)
Risk Action Plan (Controls or Treatment Proposed)	Low (1)

**Risk Matrix:**

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

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

**Voting Requirements:**

Simple majority

**Officer Recommendation:**

That in accordance with section 13 of the Financial Management Regulations of the Local Government Act 1995 and in accordance with delegation, payment of Municipal Fund vouchers 13102022.1 – 13102022.44, 17102022.1 – 17102022.9, 27102022.1 – 27102022.33, Cheque 20074, Licensing, Salaries and Wages and EFT Transfers, Direct Debit totalling \$520,745.96 listed (attached) be noted as approved for payment.

Moved: Cr Manuel

Seconded: Cr South

***CARRIED 7/0***

**ATTACHMENT**

**Accounts for Payment Listing – October 2022**



**Shire of West Arthur**  
**Accounts for Payment Listing**  
 October 2022

MINUTES  
 15 NOVEMBER 2022

Date	Num	Name	Original Amount
13/10/2022	EFT	<b>SALARIES AND WAGES</b>	54,451.30
		PAYROLL	
13/10/2022	13102022.1	<b>AIR LIQUIDE</b>	88.96
		FACILITY FEES ON CYLINDERS	
13/10/2022	13102022.2	<b>ANNA DIXON CONSULTING</b>	15,224.00
		DEVELOPMENT OF ECONOMIC DEVELOPMENT STRATEGY COMMENCEMENT PAYMENT 50% TOTAL FEE	
13/10/2022	13102022.3	<b>AUSRECORD</b>	4,022.26
		PURCHASE OF FILES AND LABELS	
13/10/2022	13102022.4	<b>AUSTRALIAN MUSEUMS &amp; GALLERIES INC</b>	150.00
		SUBSCRIPTION MEMBERSHIP SEPT 2022/SEPT 2023 FOR BETY BROWN MUSEUM	
13/10/2022	13102022.5	<b>BODDINGTON MEDICAL CENTRE</b>	1,235.00
		FUEL REIMBURSEMENT FOR DOCTOR - FOR PERIOD: JULY-SEPT 22	
13/10/2022	13102022.6	<b>BRUCE ROCK ENGINEERING</b>	55.35
		REGISTRATION FEE 2022 SEMI TRAILER	
13/10/2022	13102022.7	<b>BUNBURY MACHINERY</b>	481.80
		MULTI BELT AND CARTRIDGE	
13/10/2022	13102022.8	<b>BURDENS AUSTRALIA</b>	8,721.54
		PARKLINE STREET AND PARK FURNITURE	
13/10/2022	13102022.9	<b>BURGESS RAWSON</b>	187.68
		WATER CONSUMPTION FOR ROSE GARDEN	
13/10/2022	13102022.10	<b>CASTLEDINE AND CASTLEDINE DESIGNERS</b>	2,252.25
		UPDATING BRANDING FOR SHIRE OF WEST ARTHUR STAGE 1 - ACCEPTANCE OF QUOTATION 35% OF TOTAL FEE	
13/10/2022	13102022.11	<b>CITY OF KALAMUNDA</b>	312.00
		REPORT AND ADMINISTRATION COSTS JULY TO AUGUST 2022	
13/10/2022	13102022.12	<b>COLLIE MOWERS &amp; MORE</b>	1,628.00
		CHAINSAW AND BRUSH CUTTER	
13/10/2022	13102022.13	<b>CORUM HEALTH SERVICES</b>	700.59
		LOTS DISPENSE SOFTWARE MAINTENANCE & PBS ONLINE FEE	
13/10/2022	13102022.14	<b>CPR OUTDOOR CENTRE</b>	2,144.40
		UPGRADE OF EXISTING STRUCTURE AS PER ENGINEERED DRAWING TO SUPPORT SOLAR PANELS - DEPOSIT	
13/10/2022	13102022.15	<b>CR ROBYN LUBCKE</b>	919.65
		SITTING FEES, COMMUNICATIONS ALLOWANCE AND TRAVEL FEES 1ST QUARTER 22/23	
13/10/2022	13102022.16	<b>DARDANUP BUTCHERING COMPANY</b>	482.57
		MEAT FOR SENIORS MEALS	
13/10/2022	13102022.17	<b>DEPARTMENT OF FIRE AND EMERGENCY SERVICES</b>	2,139.00
		ESL 1ST QUARTER CONTRIBUTIONS YEAR 2022/2023	
13/10/2022	13102022.18	<b>DOWN TO EARTH TRAINING &amp; ASSESSING</b>	139.32
		TRAINING	
13/10/2022	13102022.19	<b>E W &amp; R J PUGH</b>	1,040.00
		SEPTIC TANK FOR DARKAN SPORTS CLUB	
13/10/2022	13102022.20	<b>EASIFLEET MANAGEMENT- MOUNTSVILLE PTY LTD</b>	1,318.99
		SALARY SACRIFICE PAYMENTS	
13/10/2022	13102022.21	<b>FLEAYS STORE</b>	719.05
		SENIORS MEALS SUPPLIES, MILK AND SUGAR FOR OFFICE	
13/10/2022	13102022.22	<b>FORDHAM LAMONT, V</b>	85.00
		CEO CONTRACT ITEM - CEO HOME INTERNET	
13/10/2022	13102022.23	<b>HARRINGTON, PHILLIP</b>	176.00
		NEW BORE SAW BLADE FOR THE MENS SHED	
13/10/2022	13102022.24	<b>INTEGRATED ICT</b>	424.16
		MONTHLY SUBSCRIPTION, VEEAM B/UP SERVICE AND MONTHLY MS OFFICE 365 COUNCILLORS EMAILS	
13/10/2022	13102022.25	<b>LGISWA</b>	86,423.84
		INSURANCE POLICY RENEWALS 2022/2023	
13/10/2022	13102022.26	<b>LOCAL GOVERNMENT PROFESSIONALS AUS WA</b>	1,350.00
		TRAINING & DEVELOPMENT ANNUAL STATE CONFERENCE 2022	
13/10/2022	13102022.27	<b>MORRELL, NICKI</b>	29.00
		PK 100 JBURROWS A4 200M CLEAR FOLDERS	
13/10/2022	13102022.28	<b>OFFICEWORKS</b>	307.57
		ADMIN STATIONARY	
13/10/2022	13102022.29	<b>PETE'S</b>	429.40
		UNIFORM CLOTHING ALLOWANCE	
13/10/2022	13102022.30	<b>PUTLAND MOTORS</b>	442.39
		PAJERO SERVICE	
13/10/2022	13102022.31	<b>QUALITY PRESS</b>	119.90
		BUSH FIRE PERMIT BOOKS	
13/10/2022	13102022.32	<b>RESONLINE PTY LTD</b>	220.00
		ROOM MANAGER SERVICES SEPT 22	
13/10/2022	13102022.33	<b>ROYAL LIFE SAVING WA</b>	473.00
		TRAINING	

**Shire of West Arthur**  
**Accounts for Payment Listing**  
 October 2022

MINUTES  
 15 NOVEMBER 2022

Date	Num	Name	Original Amount
13/10/2022	13102022.34	SEEK LIMITED	616.00
		ADVERT FOR PLANT OPERATOR/GENERAL HAND POSITION	
13/10/2022	13102022.35	SOS OFFICE EQUIPMENT	166.06
		METER READINGS FOR THE FUJI XEROX APEOSPORT PRINTER	
13/10/2022	13102022.36	SUNWISE SOLAR ENERGY	2,153.00
		DARKAN SWIMMING POOL - GOLD SOLAR PACKAGE	
13/10/2022	13102022.37	SWAN WEST BLINDS & WINDOW TREATMENTS	160.00
		VERTICAL BLIND TRACK	
13/10/2022	13102022.38	TALIS CONSULTANTS	3,014.00
		LANDFILL CLOSURE MANAGEMENT PLAN	
13/10/2022	13102022.39	WA CONTRACT RANGER SERVICES PTY LTD	1,472.63
		RANGER SERVICES AND COLLIE HANDOVER	
13/10/2022	13102022.40	WARREN BLACKWOOD WASTE	2,708.85
		DOMESTIC AND COMMERCIAL WASTE AND RECYLING	
13/10/2022	13102022.41	WEBB, JANELLE	66.93
		REIMBURSE FOR CLEANING SUPPLIES RESERVES AND CARAVAN PARK	
13/10/2022	13102022.42	WEST ARTHUR COMMUNITY RESOURCE CENTRE	1,056.25
		DOCTORS HOURS, STATIONARY FOR BINDING, LAMINATING FOR POSTERS	
13/10/2022	13102022.43	WESTRAC BUNBURY	8,964.46
		WHEEL, PARTS AND REPAIRS	
13/10/2022	13102022.44	ZONE 50 ENGINEERING SURVEYS PTY LTD	2,647.70
		FIELD UAV SURVEY AND DIGITAL DELIVERABLES	
13/10/2022	BPAY	SYNERGY	5,822.35
		ELECTRICITY USAGE AND SUPPLY CHARGES	
13/10/2022	BPAY	TELSTRA	1,498.41
		USAGE AND SERVICE CHARGES	
13/10/2022	DEBIT	ASGARD SUPER	129.99
		FORTNIGHTLY SUPERANNUATION PAYMENT	
13/10/2022	DEBIT	AUSTRALIAN ETHICAL SUPER FUND	104.76
		FORTNIGHTLY SUPERANNUATION PAYMENT	
13/10/2022	DEBIT	AUSTRALIAN SUPER	1,966.66
		FORTNIGHTLY SUPERANNUATION PAYMENT	
13/10/2022	DEBIT	AWARE SUPER	6,381.23
		FORTNIGHTLY SUPERANNUATION PAYMENT	
13/10/2022	DEBIT	CBUS	278.98
		FORTNIGHTLY SUPERANNUATION PAYMENT	
13/10/2022	DEBIT	COLONIAL FIRST STATE	274.92
		FORTNIGHTLY SUPERANNUATION PAYMENT	
13/10/2022	DEBIT	D AND K MELBOURNE SUPERANNUATION FUND	274.15
		FORTNIGHTLY SUPERANNUATION PAYMENT	
13/10/2022	DEBIT	HESTA SUPER FUND	34.87
		FORTNIGHTLY SUPERANNUATION PAYMENT	
13/10/2022	DEBIT	HOSTPLUS	7.23
		FORTNIGHTLY SUPERANNUATION PAYMENT	
13/10/2022	DEBIT	PRIME SUPER	338.60
		FORTNIGHTLY SUPERANNUATION PAYMENT	
13/10/2022	DEBIT	SUNSUPER	28.91
		FORTNIGHTLY SUPERANNUATION PAYMENT	
13/10/2022	20074	DEPARTMENT OF TRANSPORT 1	482.25
		LICENCE AND THIRD PARTY INSURANCES AND RECORDING FEES	
17/10/2022	17102022.1	BROOKS HIRE	1,024.02
		ROLLER HIRE	
17/10/2022	17102022.2	INFO COUNCIL PTY LTD	10,078.20
		BEST PRACTICE MEETING SOLUTION	
17/10/2022	17102022.3	INTEGRATED ICT	1,116.50
		SERVICE DESK/REMOTE MANAGEMENT AND SERVICE AGREEMENT	
17/10/2022	17102022.4	LGISWA	68.27
		ON CHARGE FOR FLU VACCINATIONS CONDUCTED MAY 2022	
17/10/2022	17102022.5	MALATESTA ROAD PAVING & HOTMIX	1,280.00
		DRUMS OF EMULSION FOR PATCHING	
17/10/2022	17102022.6	P & S GRIGGS PLUMBING	467.50
		CLEAR BLOCKAGE TO BATHROOM 4 AT DARKAN CARAVAN PARK.	
17/10/2022	17102022.7	RESONLINE PTY LTD	220.00
		ROOM MANAGER SERVICES JULY 2022	
17/10/2022	17102022.8	SIGMA CHEMICALS- COMPANIES GROUP PTY LTD	1,630.62
		SWIMMING POOL CHEMICALS	
17/10/2022	17102022.9	TOLL TRANSPORT PTY LTD	11.07
		BUNBURY MACHINERY FREIGHT	

**Shire of West Arthur**  
**Accounts for Payment Listing**  
 October 2022

MINUTES  
 15 NOVEMBER 2022

Date	Num	Name	Original Amount
18/10/2022	Debit	<b>NAB CREDIT CARD</b>	1,549.85
		BROOKS HIRE SERVICE - ROLLER HIRE	
24/10/2022	BPAY	<b>ATO</b>	39,499.00
		SEPTEMBER 2022 BAS	
27/10/2022	EFT	<b>SALARIES AND WAGES</b>	54,770.80
		PAYROLL	
27/10/2022	DEBIT	<b>ASGARD SUPER</b>	95.87
		FORTNIGHTLY SUPERANNUATION PAYMENT	
27/10/2022	DEBIT	<b>AUSTRALIAN ETHICAL SUPER FUND</b>	114.14
		FORTNIGHTLY SUPERANNUATION PAYMENT	
27/10/2022	DEBIT	<b>AUSTRALIAN SUPER</b>	1,912.15
		FORTNIGHTLY SUPERANNUATION PAYMENT	
27/10/2022	DEBIT	<b>AWARE SUPER</b>	6,395.37
		FORTNIGHTLY SUPERANNUATION PAYMENT	
27/10/2022	DEBIT	<b>CBUS</b>	274.92
		FORTNIGHTLY SUPERANNUATION PAYMENT	
27/10/2022	DEBIT	<b>COLONIAL FIRST STATE</b>	274.92
		FORTNIGHTLY SUPERANNUATION PAYMENT	
27/10/2022	DEBIT	<b>D AND K MELBOURNE SUPERANNUATION FUND</b>	274.92
		FORTNIGHTLY SUPERANNUATION PAYMENT	
27/10/2022	DEBIT	<b>GD &amp; MA GOODING SUPERANNUATION FUND</b>	14.46
		FORTNIGHTLY SUPERANNUATION PAYMENT	
27/10/2022	DEBIT	<b>HESTA SUPER FUND</b>	66.76
		FORTNIGHTLY SUPERANNUATION PAYMENT	
27/10/2022	DEBIT	<b>HOSTPLUS</b>	43.37
		FORTNIGHTLY SUPERANNUATION PAYMENT	
27/10/2022	DEBIT	<b>PRIME SUPER</b>	328.33
		FORTNIGHTLY SUPERANNUATION PAYMENT	
27/10/2022	DEBIT	<b>SUNSUPER</b>	28.91
		FORTNIGHTLY SUPERANNUATION PAYMENT	
27/10/2022	BPAY	<b>NAB CREDIT CARD</b>	4,000.00
		4WDL DINNER	
27/10/2022	BPAY	<b>CR ADAM SQUIRES - AUSTRALIANSUPER</b>	375.00
		SITTING FEES FOR COUNCILLOR MEETINGS AND COMMUNICATIONS ALLOWANCE	
27/10/2022	Debit	<b>SYNERGY</b>	2,917.08
		ELECTRICITY USAGE AND SUPPLY CHARGES	
27/10/2022	Debit	<b>TELSTRA</b>	1,698.89
		INTERNET AND DATA TELSTRA IP SOLUTIONS	
27/10/2022	Debit	<b>WATER CORPORATION</b>	1,308.81
		WATER USAGE AND SERVICE CHARGES FOR SHIRE PROPERTIES	
27/10/2022	27102022.1	<b>BLACKWOOD BASIN GROUP (INC)</b>	1,815.00
		LANDCARE SUPPORT	
27/10/2022	27102022.2	<b>BUNCE, GEOFF</b>	361.80
		LED DOWNLIGHTS AND SOAP FOR CARAVAN PARK ABLUTIONS	
27/10/2022	27102022.3	<b>CENTRAL COUNTRY ZONE WALGA</b>	2,200.00
		SUBSCRIPTION	
27/10/2022	27102022.4	<b>COLLIE RADIATOR SERVICE</b>	4,158.00
		CAT DOZER PARTS AND REPAIRS	
27/10/2022	27102022.5	<b>COLLIE TYREPOWER</b>	280.00
		WORK UTE WHEEL ALIGNMENT AND NEW TYRE	
27/10/2022	27102022.6	<b>CORSIGN</b>	578.60
		TOWNSITE SIGNAGE	
27/10/2022	27102022.7	<b>CR (PRES) NEIL MORRELL</b>	2,047.10
		SITTING AND TRAVEL FEES FOR COUNCILLOR MEETINGS, PRESIDENT AND COMMUNICATIONS ALLOWANCE	
27/10/2022	27102022.8	<b>CR DUNCAN SOUTH</b>	23,558.72
		OVERPAYMENT OF RATES	22,819.20
		SITTING, TRAVEL FEES FOR COUNCILLOR MEETINGS AND COMMUNICATIONS ALLOWANCE	739.52
27/10/2022	27102022.9	<b>CR KAREN HARRINGTON</b>	814.87
		SITTING AND TRAVEL FEES FOR COUNCILLOR MEETINGS AND COMMUNICATIONS ALLOWANCE	
27/10/2022	27102022.10	<b>DARDANUP BUTCHERING COMPANY</b>	188.87
		SENIOR MEALS MEAT ORDER	
27/10/2022	27102022.11	<b>DEPARTMENT OF PARKS AND WILDLIFE</b>	282.25
		LEASE FOR LAKE TOWERINNING	
27/10/2022	27102022.12	<b>FUEL DISTRIBUTORS OF WA</b>	16,347.34
		DIESEL	
27/10/2022	27102022.13	<b>GRIFFIN VALUATION ADVISORY</b>	14,080.00
		REVALUATION OF LAND,BUILDINGS, INFRASTRUCTURE JUNE 2022	
27/10/2022	27102022.14	<b>KATHY RASMUSSEN.</b>	179.00
		WORK BOOTS	

**Shire of West Arthur**  
**Accounts for Payment Listing**  
 October 2022

MINUTES  
 15 NOVEMBER 2022

Date	Num	Name	Original Amount
27/10/2022	27102022.15	<b>LUSH FIRE &amp; PLANNING</b>	1,716.00
		PLANNING CONSULT 1/8 MOODIARRUP RD PHONE TOWER AND JARRAH ROAD	
27/10/2022	27102022.16	<b>NARROGIN MITSUBISHI</b>	14,460.00
		TRADE IN MITSU PAJERO FOR MITSU TRITON	
27/10/2022	27102022.17	<b>OFFICEWORKS</b>	1,324.95
		FELLOWES CROSS CUT PAPER SHREDDER	
27/10/2022	27102022.18	<b>OXFORD LANDSCAPING COMPANY</b>	4,510.00
		SUPPLY AND INSTALLATION OF MULCH DARKAN RAILWAY RESERVE	
27/10/2022	27102022.19	<b>PETER AND DARRYL MANUEL</b>	2,750.00
		REIMBURSE FOR FOR 'TRIP DOWN MEMORY LANE' ON BEHALF OF ARTHUR RIVER DEVELOPMENT GROUP	
27/10/2022	27102022.20	<b>PROMPT SAFETY SOLUTIONS</b>	2,750.00
		TRAFFIC MANAGEMENT DARKAN WILLIAMS ROAD	
27/10/2022	27102022.21	<b>PUTLAND MOTORS</b>	2,452.30
		PART AND REPAIRS FOR TRUCK, GRADER, ROLLER, WORK UTE AND WORKSHOP CONSUMABLES	
27/10/2022	27102022.22	<b>QUALITY PRESS</b>	119.90
		BUSH FIRE VEHICLE IDENTIFER STICKERS	
27/10/2022	27102022.23	<b>R MUNNS ENGINEERING CONSULTING SERVICES</b>	25,407.14
		ROAD DATA INCLUDING TRAVEL, SERVEY, CULVERT ASSESSMENT	
27/10/2022	27102022.24	<b>RANGEVIEW GRAZING</b>	900.00
		9 NIGHTS ACCOMMODATION AT COTTAGE FOR PLAYGROUND	
27/10/2022	27102022.25	<b>RCPA - THE AUSTRALIAN PIPE COMPANY</b>	8,953.60
		REINFORCED PIPES FOR DARKAN WILLIAMS ROAD	
27/10/2022	27102022.26	<b>SLOAN BILL</b>	59.00
		WORK BOOTS	
27/10/2022	27102022.27	<b>SOUTH REGIONAL TAFE</b>	877.50
		CERT III IN ACCOUNTS ADMINISTRATION - SEMESTER 2	
27/10/2022	27102022.28	<b>STEWART &amp; HEATON CLOTHING CP. PTY LTD</b>	2,674.65
		BUSHFIRE BRIGADE PPE OVERALLS	
27/10/2022	27102022.29	<b>THINKWATER BUNBURY</b>	422.46
		SPRINKLERS FOR 15 NANGIP CR	
27/10/2022	27102022.30	<b>TOLL TRANSPORT PTY LTD</b>	17.01
		STEWART AND HEATON FREIGHT	
27/10/2022	27102022.31	<b>WA CONTRACT RANGER SERVICES PTY LTD</b>	748.00
		RANGER SERVICES	
27/10/2022	27102022.32	<b>WAGIN MECHANICAL REPAIRS</b>	1,951.60
		DARKAN FIRE TRUCK SERVICE	
27/10/2022	27102022.33	<b>WESTRAC BUNBURY</b>	1,167.24
		REPLACE BLOWN SUSPENSION HOSE & FUEL FILTERS	
31/10/2022	Debit	<b>SYNERGY</b>	229.96
		ELECTRICITY USAGE AND SUPPLY CHARGE	
31/10/2022	Debit	<b>WATER CORPORATION</b>	366.42
		WATER USAGE FOR SHIRE PROPERTIES	
31/10/2022	Debit	<b>WATER CORPORATION</b>	1,071.29
		SERVICE CHARGE FOR GROWDEN PLACE STANDPIPE	
31/10/2022	DirectDebit	<b>NATIONAL AUSTRALIA BANK</b>	62.00
		FEE ACCOUNT 086724 508314385 FEES	
31/10/2022	DirectDebit	<b>NATIONAL AUSTRALIA BANK</b>	10.00
		FEE ACCOUNT 086724 508314385 FEES	
		<b>VOUCHERS</b>	<b>AMOUNT</b>
<b>MUNICIPAL FUND</b>			
		13102022.1 - 13102022.44	157,468.55
		17102022.1 - 17102022.9	15,896.18
		27102022.1 - 27102022.33	140,152.90
		CHQUES - 20074	482.25
		EFT/DEBIT/BPAY	80,053.48
		SALARIES & WAGES	109,222.10
		LICENSING OCTOBER 2022 TRANSFERS	17,470.50
		<b>TOTAL</b>	<b>520,745.96</b>

**14. PLANNING AND TECHNICAL SERVICES****14.1 Local Planning Scheme Review**

<b>File Reference:</b>	<b>ADM 205</b>
<b>Location:</b>	<b>Whole of Municipality</b>
<b>Applicant:</b>	<b>N/A</b>
<b>Author:</b>	<b>Geoffrey Lush - Town Planning Consultant</b>
<b>Authorising Officer</b>	<b>Vin Fordham Lamont – Chief Executive Officer</b>
<b>Date:</b>	<b>8 November 2022</b>
<b>Disclosure of Interest:</b>	<b>None</b>
<b>Attachments:</b>	<b>1. Scheme Review Report</b>

**Summary:**

Council is requested to consider the statutory review of Local Planning Scheme No 2 and the Local Planning Strategy.

**Background:**

The Planning and Development (Local Planning Schemes) Regulations 2015 commenced operation from 19 October 2015. The Regulations require that a planning scheme is to be reviewed within six months of the anniversary of its gazettal in 2017. As Local Planning Scheme No 2 was gazetted on the 2nd of May 2007, the review was due by the 2<sup>nd</sup> of December 2017. The Department of Planning Lands and Heritage has not been rigid in relation to this given that most Council schemes are affected.

The Regulations introduced the 'Deemed Provisions' which are a set of mandatory provisions that apply to all planning schemes in the State. Any conflicting provision in the Scheme is then effectively made redundant.

The Regulations also contain the 'Model Scheme Text' which is a set of standardised scheme provisions that Councils are required to have regard to whenever they amend the Local Planning Scheme.

**Comment:****Scheme Review**

The Planning Scheme review report is contained as Attachment 1. This is required to consider whether the local planning scheme is up-to-date, and it is to include:

- the date the local planning scheme was gazetted;
- a list of amendments to the scheme including dates they were gazetted;
- when the scheme was last consolidated under Part 5 of the Act;
- an overview of subdivision and development activity, lot take up and population change in the scheme area since the scheme gazettal / last review; and
- details of any amendment to the scheme that have been undertaken to bring it into line with other legislation, region scheme or State planning policy (r. 64(2)).

The report must make recommendations as to —

- (a) whether the scheme —
  - (i) is satisfactory in its existing form; or
  - (ii) should be amended; or
  - (iii) should be repealed and a new scheme prepared in its place; and
- (b) whether the local planning strategy for the scheme —
  - (i) is satisfactory in its existing form; or
  - (ii) should be reviewed; or
  - (iii) should be repealed and a new strategy prepared in its place.

There have only been two Amendments to the Scheme being:

- Amendment 1 rezoning Growden Place to Industry; and
- Amendment 2 which reviewed the zoning table and land use definitions.

While there have not been any major development issues in the administration of the Local Planning Scheme, this is a very low number of amendments for a Scheme of this age.

### Local Planning Strategy

The Local Planning Strategy sets out the long-term planning directions for the Scheme area and it provides the justification for the zones and provisions within the Planning Scheme.

Local planning strategies reference the Council's strategic and community plan. It will set out the general aims, intentions and desired outcomes for long-term growth and change, having regard to social, economic and environmental factors. Local planning strategies provide direction as to the circumstances in which particular land uses and development should be planned. Of particular importance is the need to ensure there is sufficient infrastructure in a locality to accommodate managed growth. An assessment of the capacity of infrastructure such as water, sewerage, electricity and roads are usually considered in a local planning strategy. Local government may also identify residential densities and commercial centres in its local planning strategy.

The development of a new Local Planning Strategy must be done in consultation with the community and relevant government agencies. Typically, the agencies will seek to promote their own initiatives which then have to be addressed even if they are not relevant to the Shire. These may include sustainability objectives, water wise measures, environmental health improvements, conservation measures, landcare, etc.

In relation to the scheme review it is noted that:

- a) The existing Local Planning Strategy for the Shire is outdated and no longer complies with the Commission's requirements;
- b) A Local Planning Strategy is critical when any review of the Scheme proposes new development areas; and
- c) The Regulations stipulate that any new Planning Scheme must be accompanied by a Local Planning Strategy.

### Model Scheme Text

The Model Scheme Text is a set of standardised scheme provisions which Councils have been required to have regard to whenever they amend the Local Planning Scheme. These provisions have been updated with the introduction of the Regulations. Modifications from the model scheme provisions are to be by exception and require to be justified.

When the Scheme is reviewed or updated, the Council will be expected to include the new Model Scheme Text to achieve greater consistency in all schemes across the State. The Scheme presently does not comply with the Model Scheme Text provisions, and this will have a major impact on the Scheme including even the zone names.

### Deemed Provisions

The Schedule 2 Part 1 of the Regulations contain the uniform provisions which apply to all Planning Schemes in the State. These are referred to as the "Deemed Provisions" and they address:

- Terms used in the scheme;
- Local planning framework and planning policies;
- Heritage protection;
- Structure plans;
- Activity centre plans;
- Local development plans;
- Requirements for development approval;
- Applications for development approval;



- Procedure for dealing with applications;
- Bushfire risk management; and
- Enforcement and administration.

The Deemed Provisions are separate and different to the Model Scheme Text. Any amendment to the Scheme must have regard to the Model Scheme Text while the Deemed Provisions apply automatically.

#### Development activity and issues

There is a low level of development within the Shire which has been satisfactorily managed under the current scheme provisions. Current and future development issues may include:

- a) The level of governance in relation to town planning provisions and potential compliance issues. This may include avoiding duplication of provisions with other regulatory bodies.
- b) Housing requirements for the expected population structure, affordability, diversity, and infill development.
- c) Lack of industrial land;
- d) Flexibility of zoning provisions in the Commercial zone along Burrowes Street to for more mixed semi residential uses.
- e) The revised Government Sewerage Policy which makes it more difficult to use land within town sites without any reticulate sewerage system. This is an issue for any promotion of residential units within the townsite.
- f) There is more likely to be more pressure for the development of tree plantations and off set planting especially with the cessation of timber harvesting in native forests.
- g) Demand for extractive industry may increase to access basic raw materials such as sand, gravel or rock. With the expanding nature of larger settlements particularly those west of the Shire there could be increased pressure to access basic raw materials and it would be beneficial to have guidelines and policy in place for consideration of such proposals.
- h) Management of environmental issues such as vegetation protection, water quality, fire risk, water quality. This includes management of the paleochannels and associated high value agricultural land.
- i) An increased interest in relocated dwellings /buildings as being perceived as being more affordable housing.
- j) The continued use of sea containers and ensuring that such structures are not unsightly.
- k) Intensive rural land uses such as piggeries and feedlots. Proposals for unusual uses such as industrial or stock feed supplies or uses requiring large buffer areas.
- l) The future of the Darkan Tannery Site, which is an additional use zone in the Scheme, but no longer in operation and is an “orphaned” site with significant contamination.
- m) Tourist accommodation in both urban and rural areas with the potential revised definitions in the Planning Commission’s 2021 draft Position Statement for Tourist Developments; and Planning Guidelines for Tourist Developments.
- n) Retaining Scheme provisions requiring approval for development of lots with no constructed or gazetted road access.
- o) Sheds on vacant residential or local rural land and storage of unsightly material, and vehicles.

#### **Consultation:**

- Department of Planning Lands and Heritage
- Department of Water and Environmental Regulation

#### **Statutory Environment:**

- Planning and Development Act 2005
- Planning and Development (Local Planning Schemes) Regulations 2015

Within 90 days of receiving the Planning Scheme review report, the Commission must:

- (a) decide whether the Commission agrees or disagrees with the recommendations in the report; and
- (b) notify the local government which prepared the report of the Commission's decision.

After receiving notification of the Commission's decision on a report of a review of a local planning scheme the local government must —

- (a) publish the report and notice of the Commission's decision on the website of the local government or in any other manner approved by the Commission; and
- (b) make the report and notice of the Commission's decision available for inspection at the office of the local government.

### **Policy Implications:**

A revised Local Planning Strategy will be a major policy document for the Shire.

### **Financial Implications:**

There are potentially significant costs depending upon the decision of the Planning Commission to:

- Agree to a major amendment to update the Scheme;
- Require that a new planning scheme be prepared; or
- Require that a new Local Planning Strategy be prepared; or
- Allow progressive updating of the Scheme and Strategy.

While the magnitude of the costs might be mitigated by not having any new development areas, all schemes go through the same consultation and advertising process. The majority of the costs relate to the time required to undertake this. Each Government Department will seek to have the Strategy incorporate its principal objectives and these may conflict with Council and community objectives.

If new development areas are proposed then these must be justified both strategically and also in terms of their physical capability and suitability. This would normally require detailed specialist investigations even at a broad strategic level; including flora, fauna, land capability, district or urban water management strategy; bushfire hazard assessments; and servicing.

The simplest conversion of the current Planning Scheme and preparation of a new Local Planning Scheme would be expected to cost a minimum of \$50,000 and potentially over \$100,000 with a significant variation between quotations.

The preparation of a new Local Planning Strategy and/or Local Planning Scheme takes considerable time and there are instances of where this period has exceeded more than five years.

### **Strategic Implications:**

A revised Local Planning Strategy will be the principal strategic planning document for the Shire.

### **Risk Implications:**

**Risk management is the removal of uncertainty from business decisions. Risk is expressed in terms of likelihood it may occur and the consequences that may flow from it.** The consequences may be positive or negative or simply a deviation from the expected. The risk or consequence may be related to health and safety; financial; business or service interruption; compliance; reputation; or the environment. **Reference to the risk matrix below will generate a risk rating by assessing the likelihood and consequence and multiplying these scores by each other.** The greater the risk rating, the greater the risk and the higher the need for specific plans to be developed. All items with a risk rating greater than 10 should be added to the Risk Register and specific controls developed.

**Risk Themes:**

A risk theme is the categorising of risk. For example, the collection of risks that represent compliance failure. The risk themes in the shire Risk Register include:

- Business Disruption
- Community Disruption
- IT or Communications Failure
- External Threat or Fraud
- Misconduct
- Inadequate safety or security practices
- Inadequate project or change management
- Errors Omissions or Delays
- Inadequate Document Management Processes
- Inadequate supplier / contract management
- Providing inaccurate advice / information
- Ineffective Employment practices
- Compliance failure
- Inadequate asset management
- Inadequate engagement practices
- Ineffective facility or event management
- Inadequate environmental management

**Risk Matrix:**

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

Description of Key Risk	Loss of reputation, hindering development
Risk Rating (Prior to Treatment or Control): Likelihood x Consequence	Medium (6)
Risk Likelihood (based on history and with existing controls)	Unlikely (2)
Risk Consequence	Moderate (3)
Principal Risk Theme	Compliance Failure
Risk Action Plan (Controls or Treatment Proposed)	Ensure compliance with directions given by the Planning Commission.

**Voting Requirements:**

Simple Majority

**Officer Recommendation:**

A) That Council, pursuant to Regulation 66(3) of the Planning and Development (Local Planning Schemes) Regulations 2015 recommend to the Western Australian Planning Commission that:

1. That the current Local Planning Scheme is considered to be operating satisfactorily given the low level of development within the municipality.
2. It is recognised that the Scheme needs to be updated by incorporating both the Deemed Provisions and the Model Scheme Text. It is the Council's preference that this be done by a major amendment to the Scheme, rather than preparing a new Local Planning Scheme as no zoning changes are required and the cost of a preparing a new Scheme is significant.
3. That a new Local Planning Strategy for the municipality should be prepared to reflect changes in the planning policy and regulatory framework, altered conditions and current community expectations within the Shire.

B) That following receipt of the Planning Commission's decision, a report be presented to Council on the process, issues, timing and cost for the preparation of the Local Planning Strategy and or Local Planning Scheme.

Moved: Cr LubckeSeconded: Cr Peirce***CARRIED 7/0*****ATTACHMENT****1. Scheme Review Report**

## Report of Review

### Shire of West Arthur Local Planning Framework

## 1.0 Background and Purpose

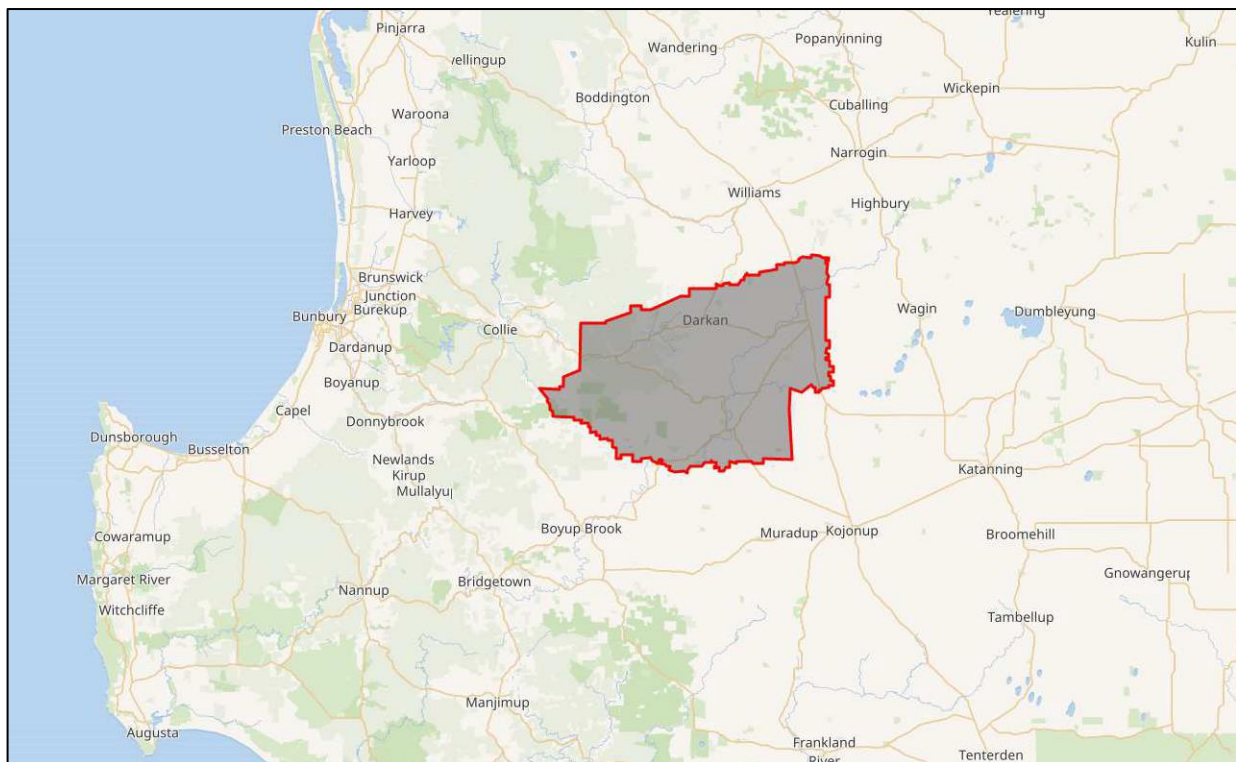
The following report has been prepared to satisfy the requirements under Regulations 65 and 66 of the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations) for the Shire of West Arthur to carry out a review of Local Planning Scheme No. 2 (LPS2) and prepare a report of review.

This Report of Review is the result of the Regulations which requires that, in each 5th year following the date a Scheme was last published in the Government Gazette, the local government shall prepare a review by way of a report to the Western Australian Planning Commission (WAPC) on the operation of the Scheme.

### Location

Situated 204km south of Perth and 115km east of Bunbury, the Shire of West Arthur is located between the forests of the south-west and the Wheatbelt to the east and it has an area of 2,850 sq km. Darkan is the main town and administrative centre. There are a number of smaller settlements being Duranillin, Moodiarrup, Bowelling, Arthur River, Hillman, and Cordering.

*Figure 1 Location Plan*



# Report of Review

## Shire of West Arthur Local Planning Framework

### Population

The Shire had a population of 815 persons in 2016. The expected population changes as referenced in WA Tomorrow are shown in Table 1, with the percentage growth rates in Table 2.

The WA Tomorrow forecast comprises five bands; with Band A - low, Band B - medium-low, Band C - median, Band D - medium-high and Band E – high. Based on the middle medium bands, the Shire has a relatively static population.

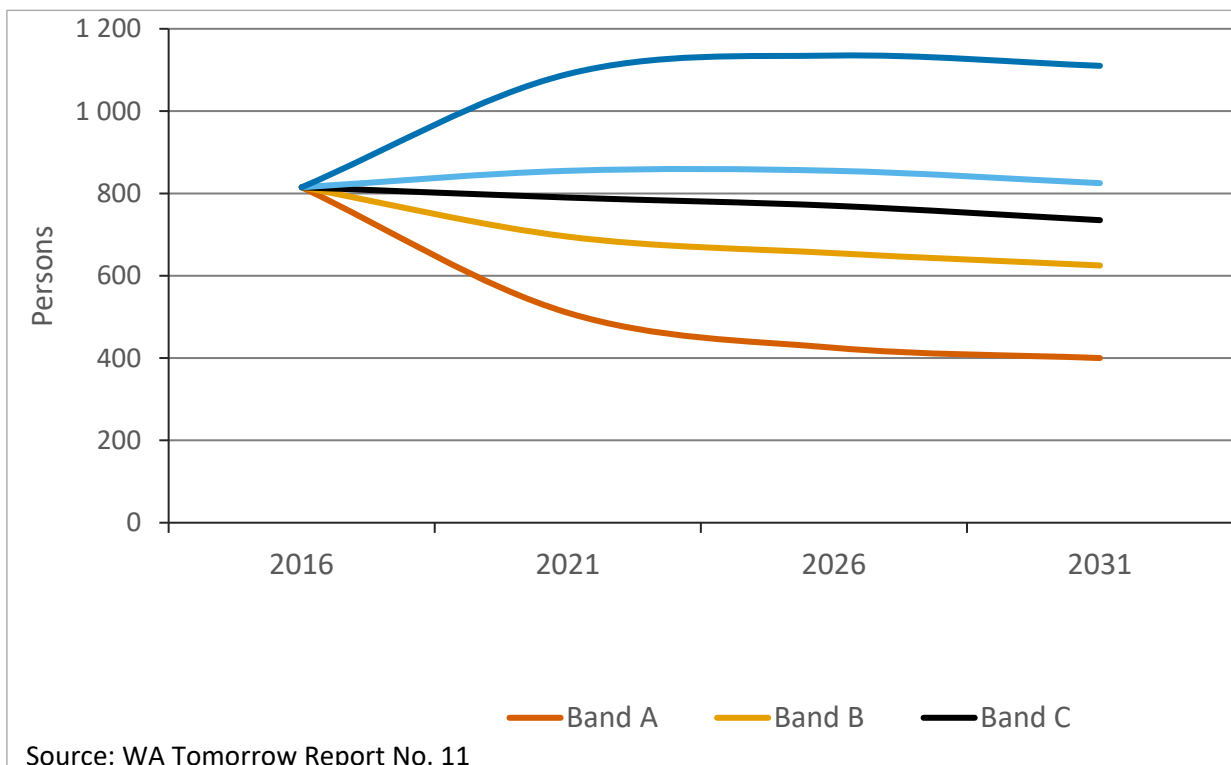
Table 1 Total Population

	Band A	Band B	Band C	Band D	Band E
<b>2016</b>	815	815	815	815	815
<b>2021</b>	510	695	790	855	1,090
<b>2026</b>	425	655	770	855	1,135
<b>2031</b>	400	625	735	825	1,110

Table 2 Annual Growth since 2016

	Band A	Band B	Band C	Band D	Band E
<b>2021</b>	-8.95%	-3.14%	-0.62%	0.96%	5.99%
<b>2026</b>	-6.30%	-2.16%	-0.57%	0.48%	3.37%
<b>2031</b>	-4.63%	-1.75%	-0.69%	0.08%	2.08%

Figure 2 Population Growth





## Report of Review

### Shire of West Arthur Local Planning Framework

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#### Economy

The main economic activity in the Shire is agriculture and businesses that support agriculture. Traditionally the Shire was a wool producing region, but primary producers have moved into grain and meat production in more recent years with most operating mixed farming enterprises. There are also more intensive rural activities including piggeries, bulk grain regional handling facilities as well as plantations.

The tourist industry is developing and Lake Towerrinning is a major local feature. Lake Towerrinning is a 256ha and is used for recreation all water sports including skiing, and has a tourist caravan and camping ground. It attracts water skiing enthusiasts from a large area including the Wheatbelt.

There are two primary regional roads within the Shire being Albany and Coalfields Highways. In addition, the Boyup Brook - Arthur Road is a significant district and tourist road. The Coalfields Highway bisects the Shire extending from Arthur River on Albany Highway in the east through to Collie townsite. It is a regional freight route especially for grain being transported from the Wheatbelt region east of the Shire to the Bunbury Port. The Highway has been subject to significant upgrading in recent years.

#### Environment

The shire can be divided into two main land systems. The eastern half, which is a region of Tertiary broad alluvial terrace and plains, cut into the lateritic Tertiary surfaces that drain south westerly to the Blackwood River. The western region lies in the rejuvenated area where steeper valleys cut the dissected Tertiary land surface, draining west to the Collie River.

Rainfall varies across the shire from about 800mm in the west to about 500mm in the east. The wetter western half, west from Darkan, is occupied by Jarrah – Marri Woodland, with the eastern half with some interfingering just west of Darkan, by Marri – Wandoo Woodland.

The western portion of the Shire is within the Wellington Dam PDWSA with special clearing controls under the Country Areas Water Supply Act 1947. This area is also been significantly developed for plantations. In the eastern portion of the Shire there are several paleochannels (old underground river channel). The most significant of these is the Beaufort paleochannel which supplies water to the Duranillin townsite and intensive rural industries within the Shire and adjoining Shires.

#### Development Activity

Development activity within the Shire is generally low. Since January 2017 until today there have been 31 building permits issued comprising of:

- 7 - new houses, 1 - extension,
- 5 - carports & patios,
- 5 - sheds (in townsites)
- 3 - Telstra and Optus telecommunications towers,
- 1 - historic building reconstruction,
- 1 - public toilet, and
- 1 - swimming pool.

It is noted that under Schedule 4 of the Building Regulations 2012, that no building permit is required for a Class 10 building outside of the townsites and this includes rural sheds and farm buildings.

#### Subdivision Activity

Subdivision activity has predominantly related to applications for boundary re-alignments and the creation of homestead lots. There has not been any subdivision to create new residential or rural residential lots.

A subdivision approval has been issued for ten (10) industrial lots in Growden Place, Darkan. It is also noted that DevelopmentWA has released thirteen (13) residential lots ranging in size from 946sqm – 1518sqm in King Street, Darkan. These were existing crown lots rather than a freehold subdivision.

## Report of Review

### Shire of West Arthur Local Planning Framework

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#### Vacant Land

It is estimated that there are less than 20 vacant residential properties within the Darkan townsite. The largest of these is Lot 309 Burrowes Street being 3.7 hectares, while all the other lots are the standard 1,012 sqm townsite lots.

Lot 309 has an historical subdivision approval for the creation of twenty – five (25) 1,000sqm lots which has now lapsed. The current requirements for on-site effluent disposal would now significantly reduce this lot yield.

Rural Residential Zone No 1 contains 26 vacant lots. Rural Residential Zone No 2 (Lot 3 Darkan – Quindanning Road) has an area of 56 hectares. It has not been subdivided, but due to site constraints it is likely to only yield between 10 to 15 lots.

## **2.0 Strategic Context**

### 2.1 Local Planning Strategy

#### Strategy Details

The local planning strategy for the Shire of West Arthur was endorsed by the West Australian Planning Commission on the 23rd of November 2006. As generally required the strategy documents general matters relevant to the Shire, population figures at the time, reports on settlement pattern infrastructure, economy and employment and gives some detail with respect to physical features in the environment.

The strategy then outlines a strategic plan including with focus on particular issues including:

- Rural Land;
- Special Control Areas;
- Rural Residential Land;
- Darkan Townsite;
- Other Town sites; and
- Strategies and Actions

Strategies and actions included management of environmental matters including particularly catchment management, land management including soils, water quality and vegetation/biodiversity. Guidelines for development are covered specifically including guidelines for subdivision, land use, development of dwellings and industrial uses.

#### Amendments

There have not been any amendments made to the Local Planning Strategy.

## **2.2 Local Planning Scheme**

The Shire of West Arthur's Local Planning Scheme No. 2 was gazetted on the 2nd of May 2007. A Contents Summary of the Scheme is contained in Appendix 1.

There have been two Amendments to the Scheme as referenced in Table 1. Amendment 2 was in effect a mini review of the Scheme zoning table and definitions while predating the introduction of the 2015 Regulations.

**Report of Review**

## Shire of West Arthur Local Planning Framework

Table 3 Scheme Amendments

No	Gazettal Date	Details
1	14/12/2010	Rezoning a portion of Lot 6 Coalfields Highway, Darkan from 'Rural' to 'Industrial'.
2	21/02/12	<p>Inserted 48 new use classes into the Zoning Table.</p> <p>Replaced "Aged or Dependent Persons Dwelling" with "Ancillary Accommodation" within the Zoning Table.</p> <p>Replaced "Dwelling" with "Single house" within the Zoning Table.</p> <p>Deleted "Holiday Accommodation" within the Zoning Table.</p> <p>Inserted ancillary accommodation, cabin, chalet, farm stay, grouped dwelling, guesthouse, holiday home, home business, kennels, single house, rural home business and tourist resort into Schedule 1 – Definitions.</p> <p>Modified betting agency, child care premises, family day care, plantation and restricted premises within Schedule 1 – Definitions.</p> <p>Moved industry from Schedule 1.2 Land Use definitions to Schedule 1.1 General Definitions.</p> <p>Deleted dwelling and holiday accommodation from schedule 1.2 Land Use definitions.</p> <p>Replaced the definition of animal establishment within Schedule 1.2 Land Use Definitions.</p>

**2.3 Local Planning Policies**

The Council has adopted three Local Planning Policies as set out below.

Table 4 Local Planning Policies

Local Planning Policy	Approval Date	Details
1	22nd December 2015 22nd October 2019	<u>Permitted Development</u> The policy sets out what matters are exempt from requiring a development approval under Clause 61 of the Deemed Provisions
2	17th December 2019	<u>Rural Sheds</u> The policy clarifies the need for a development application for a farm shed/outbuilding meaning a building used in conjunction with local farming operations.
3	21st June 2022	<u>Heritage Places</u> The policy provides guidance on the assessment of development applications for Category 1 and 2 heritage places as contained in the Shire's Heritage List identified in the Local Heritage Survey.

**Report of Review**Shire of West Arthur Local Planning Framework

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**3.0 Officer's Comments**

There have not been any major development issues in the administration of the Local Planning Scheme or Strategy.

However, since the adoption of the Local Planning Strategy, there been significant changes in the strategic planning framework. The Local Planning Scheme needs to be revised and updated to reflect both the Deemed Provisions and the Model Scheme Text.

Evolving development issues which will need to be considered include:

- a) The level of governance in relation to town planning provisions and potential compliance issues. This may include avoiding duplication of provisions that other Government agencies regulate.
- b) Housing requirements for the expected population structure, affordability, diversity, and infill development.
- c) Lack of industrial land;
- d) Flexibility of zoning provisions in the Commercial zone along Burrowes Street to allow for more mixed semi residential uses.
- e) The revised Government Sewerage Policy which makes it more difficult to develop land within town sites without any reticulate sewerage system. This is an issue for any promotion of residential units within the townsite.
- f) There is more likely to be more pressure for the development of tree plantations and off set planting especially with the cessation of timber harvesting in native forests.
- g) Demand for extractive industry may increase to access basic raw materials such as sand, gravel or rock. With the expanding nature of larger settlements particularly those west of the Shire there could be increased pressure to access basic raw materials and it would be beneficial to have guidelines and policy in place for consideration of such proposals.
- h) Management of environmental issues such as vegetation protection, water quality, fire risk, water quality. This includes management of the paleochannels and associated high value agricultural land.
- i) An increased interest in relocated dwellings /buildings as being perceived as being more affordable housing. Similarly, the development of single bedroom small dwellings on 1,000sqm lots would seem to be an inefficient use of land but is restricted by the need to provide on-site effluent disposal.
- j) The continued use of sea containers as permanent buildings and ensuring that such structures are not unsightly.
- k) Intensive rural land uses such as piggeries and feedlots. Proposals for unusual uses such as industrial or stock feed supplies or uses requiring large buffer areas.
- l) The future of the Darkan Tannery Site which is an additional use zone in the Scheme, but no longer in operation and is an "orphaned" site with significant contamination.
- m) Tourist accommodation in both urban and rural areas with the potential revised definitions in the Planning Commission's 2021 draft Position Statement for Tourist Developments; and Planning Guidelines for Tourist Developments.
- n) Retaining Scheme provisions requiring approval for development of lots with no constructed or gazetted road access.
- o) Sheds on vacant residential or local rural land and storage of unsightly material, and vehicles.

## Report of Review

### Shire of West Arthur Local Planning Framework

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#### 4.0 Conclusion and Recommendations

In summary, the Shire of West Arthur has not been experiencing any significant need for a major review of the local planning strategy and scheme. However, the Local Planning Scheme needs to be revised and updated to reflect both the Deemed Provisions and the Model Scheme Text.

The local planning strategy should be updated to recognise changes that have occurred in the Shire, community aspirations and the policy framework since its approval. It should make recommendations on the variety of issues outlined above and within this report to inform a scheme review and potentially adoption of additional policies to guide land use.

This is consistent with the Shire of West Arthur's Strategic Community Plan 2021 Outcome 4.4 – Appropriate planning and development which states that the strategies and plans to achieve this include:

- Implement the town planning scheme and policies to ensure any planning and development is appropriate through the Shire.

It is recommended that Council, pursuant to Regulation 66(3) of the Planning and Development (Local Planning Schemes) Regulations 2015 recommend to the Western Australian Planning Commission that:

1. That the current Local Planning Scheme is considered to be operating satisfactorily given the low level of development within the municipality.
2. It is recognised that the Scheme needs to be updated by incorporating both the Deemed Provisions and the Model Scheme Text. It is the Council's preference that this be done by a major amendment to the Scheme, rather than preparing a new Local Planning Scheme as no zoning changes are required and the cost of a preparing a new Scheme is significant.
3. That a new Local Planning Strategy for the municipality should be prepared to reflect changes in the planning policy and regulatory framework, altered conditions and current community expectations within the Shire.

# Report of Review

## Shire of West Arthur Local Planning Framework

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### Appendix 1 – Scheme Contents

<b>PART 1 - PRELIMINARY .....</b>	<b>8</b>
1.1 Citation .....	8
1.2 Responsible Authority .....	8
1.3 Scheme Area .....	8
1.4 Contents of Scheme .....	8
1.5 Purposes of Scheme .....	8
1.6 The Aims of the Scheme .....	8
1.7 Definitions .....	9
1.8 Relationship with Local Laws .....	9
1.9 Relationship with Other Schemes .....	9
<b>PART 2 - LOCAL PLANNING POLICY FRAMEWORK .....</b>	<b>10</b>
2.1 Scheme Determinations to Conform with Local Planning Strategy .....	10
2.2 Local Planning Policies .....	10
2.3 Relationship of Local Planning Policies to Scheme .....	10
2.4 Procedure for Making or Amending a Local Planning Policy .....	10
2.5 Revocation of a Local Planning Policy .....	11
<b>PART 3 - RESERVES .....</b>	<b>12</b>
3.1 Reserves .....	12
3.2 Regional Reserves .....	12
3.3 Local Reserves .....	12
3.4 Use and Development of Local Reserves .....	12
<b>PART 4 - ZONES AND THE USE OF LAND .....</b>	<b>13</b>
4.1 Zones .....	13
4.2 Objectives of the Zones .....	13
4.3 Zoning Table .....	14
4.4 Interpretation of the Zoning Table .....	15
4.5 Additional Uses .....	16
4.6 Restricted Uses .....	16
4.7 Special Use Zones .....	16
4.8 Non-conforming Uses .....	16
4.9 Extensions and Changes to a Non-conforming Use .....	16
4.10 Discontinuance of Non-Conforming Use .....	17
4.11 Termination of a Non-Conforming Use .....	17
4.12 Destruction of Non-Conforming Use Buildings .....	17
Table 1 - Zoning Table .....	18
<b>PART 5 - GENERAL DEVELOPMENT REQUIREMENTS .....</b>	<b>20</b>
5.1 Compliance with Development Standards and Requirements .....	20
5.2 Residential Design Codes .....	20
5.3 Special Application of Residential Design Codes .....	20
5.4 Restrictive Covenants .....	20



**Report of Review****Shire of West Arthur Local Planning Framework**

5.5	Variations to Site and Development Standards and Requirements .....	20
5.6	Environmental Conditions .....	21
5.7	Development of Lots Abutting Unconstructed Roads .....	21
5.8	Parking Requirements.....	22
5.9	On-site Effluent Disposal.....	22
5.10	Transported Buildings .....	22
5.11	Caretaker's Dwellings .....	22
5.12	Use of Setback Areas .....	23
5.13	Home Business .....	23
5.14	Residential Zone .....	23
5.15	Commercial Zone.....	24
5.16	Industrial Zone .....	25
5.17	Rural-Residential Zone .....	25
5.18	Rural Zone .....	26
<b>PART 6 - SPECIAL CONTROL AREAS .....</b>		<b>29</b>
6.1	Operation of Special Control Areas .....	29
6.2	Wellington Reservoir Catchment Special Control Area .....	29
<b>PART 7 - HERITAGE PROTECTION.....</b>		<b>30</b>
7.1	Heritage List.....	30
7.2	Designation of a Heritage Area.....	30
7.3	Heritage Agreements .....	32
7.4	Heritage Assessment .....	32
7.5	Variations to Scheme Provisions for a Heritage Place or Heritage Area.....	32
<b>PART 8 - DEVELOPMENT OF LAND.....</b>		<b>33</b>
8.1	Requirement for Approval to Commence Development .....	33
8.2	Permitted Development.....	33
8.3	Amending or Revoking a Planning Approval .....	34
8.4	Unauthorised Existing Developments .....	34
<b>PART 9 - APPLICATIONS FOR PLANNING APPROVAL.....</b>		<b>35</b>
9.1	Form of Application .....	35
9.2	Accompanying Material.....	35
9.3	Additional Material for Heritage Matters.....	36
9.4	Advertising of Applications .....	36
<b>PART 10 - PROCEDURE FOR DEALING WITH APPLICATIONS.....</b>		<b>38</b>
10.1	Consultations with Other Authorities.....	38
10.2	Matters to be Considered by Local Government .....	38
10.3	Determination of Applications .....	39
10.4	Form and Date of Determination.....	39
10.5	Term of Planning Approval .....	40
10.6	Temporary Planning Approval .....	40
10.7	Scope of Planning Approval.....	40
10.8	Approval Subject to Later Approval of Details .....	40
10.9	Deemed Refusal .....	40
10.10	Right of Review .....	41
<b>PART 11 - ENFORCEMENT AND ADMINISTRATION.....</b>		<b>42</b>
11.1	Powers of the Local Government.....	42
11.2	Removal and Repair of Existing Advertisements.....	42
11.3	Delegation of Functions .....	43
11.4	Person Must Comply With Provisions Of Scheme.....	43
11.5	Compensation .....	43
11.6	Purchase or Taking of Land .....	44

**Report of Review**

## Shire of West Arthur Local Planning Framework

11.7	Notice for Removal of Certain Buildings .....	44
SCHEDULE 1	DEFINITIONS.....	45
1.	General definitions.....	45
2.	Land use definitions.....	47
SCHEDULE 2	ADDITIONAL USES.....	55
SCHEDULE 3	RESTRICTED USES .....	56
SCHEDULE 4	SPECIAL USE ZONES .....	56
SCHEDULE 5	EXEMPTED ADVERTISEMENTS .....	57
SCHEDULE 6	FORM OF APPLICATION FOR PLANNING APPROVAL .....	59
SCHEDULE 7	ADDITIONAL INFORMATION FOR ADVERTISEMENTS .....	60
SCHEDULE 8	NOTICE OF PUBLIC ADVERTISEMENT OF PLANNING PROPOSAL .....	61
SCHEDULE 9	NOTICE OF DETERMINATION ON APPLICATION FOR PLANNING APPROVAL... .....	62
SCHEDULE 10	ENVIRONMENTAL CONDITIONS.....	63
SCHEDULE 11	RURAL-RESIDENTIAL ZONE .....	64
ADOPTION.....		65

**15. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**16. NEW OR URGENT BUSINESS INTRODUCED BY DECISION OF THE MEETING**

New business of an urgent nature introduced by decision of the meeting. Best practice provides that Council should only consider items that have been included on the Agenda (to allow ample time for Councillors to research prior to the meeting) and which have an Officer Report (to provide the background to the issue and a recommended decision).

**16.1 Elected Members**

Nil

**16.2 Officers****PROCEDURAL MOTION****Officer Recommendation:**

That Council consider accepting a late item to this Agenda to enable the appointment of a consultant to facilitate the annual performance review of the Shire's Chief Executive Officer.

Moved: Cr SouthSeconded: Cr Harrington**CARRIED 7/0****17. MATTERS BEHIND CLOSED DOORS****PROCEDURAL MOTION****Officer Recommendation:**

That the meeting be closed to the public, pursuant to section 5.23 (2)(a) of the *Local Government Act 1995*, as the matter affects an employee or employees.

Moved: Cr HarringtonSeconded: Cr Lubcke**CARRIED 7/0**

**17.1 Appointment of External Facilitator – CEO Performance Review****Officer Recommendation:**

That Council:

1. Accept the quotation provided by Strategic Leadership Consulting and appoint Strategic Leadership Consulting to facilitate the annual performance review of the Shire's CEO; and
2. Appoint the Shire President and Deputy Shire President to coordinate the annual CEO performance review process and liaise with the external facilitator and CEO as required.

Moved: Cr Harrington

Seconded: Cr Squires

**CARRIED 7/0**

**PROCEDURAL MOTION****Officer Recommendation:**

That the meeting be re-opened to the public.

Moved: Cr South

Seconded: Cr Squires

**CARRIED 7/0**

**18. CLOSURE OF MEETING**

The Presiding Member declared the meeting closed at 8.08pm.