



Shire of
Wongan-Ballidu

Minutes (Confirmed)

Ordinary Meeting of Council
Wednesday, 23 A UFW 2022



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Item 1. ACKNOWLEDGEMENT OF COUNTRY / DECLARATION OF OPENING/ ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 3.06 PM.

Item 2. ATTENDANCE, APOLOGIES, LEAVE OF ABSENCE PREVIOUSLY GRANTED

Attendees:

Cr M Stephenson	Shire President	
Cr A Tunstill	Deputy Shire President	
Cr S Falconer	Member	via teleconference
Cr B West	Member	
Cr K Anspach	Member	
Cr D Coad	Member	
Cr S Boekeman	Member	

Staff:

Stuart Taylor	Chief Executive Officer	
Jack McNulty	Manager Community Services	via teleconference
Melissa Marcon	Manager Regulatory Services	
Karl Mickle	Manager of Works and Services	via teleconference
Elizabeth (Liddy) Pudwell	Executive Assistant – (Minutes)	

Apologies:

Alan Hart	Deputy Chief Executive Officer
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Visitors:

Nil

Item 3. PUBLIC QUESTION TIME

Nil

Item 4. ANNOUNCEMENTS FROM THE PRESIDING MEMBER

Nil

Item 5. DEPUTATIONS / PRESENTATIONS / SUBMISSIONS / PETITIONS

Nil

Item 6. APPLICATION/S FOR LEAVE OF ABSENCE

Nil

Item 7. CONFIRMATION OF MINUTES**7.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON WEDNESDAY, 23 FEBRUARY 2022.****Moved: Cr West****Seconded: Cr Tunstill**

1. That the Minutes of the Ordinary Meeting of Council held on Wednesday, 23 February 2022 be CONFIRMED as a true and correct record of the proceedings.

**CARRIED:7/0
RESOLUTION:010322**

Item 8. MATTERS FOR WHICH MEETING MAY BE CLOSED

Item 9. REPORTS OF OFFICERS AND COMMITTEES

9.1 GOVERNANCE

9.1.1 WONGAN BALLIDU SPORTS GROUND MANAGEMENT AGREEMENT COMMITTEE – TERMS OF REFERENCE

FILE REFERENCE:	A2.19.1.1
REPORT DATE:	18 March 2022
APPLICANT/PROPONENT:	N/A
OFFICER DISCLOSURE OF INTEREST	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Stuart Taylor – Chief Executive Officer
ATTACHMENTS:	Terms of Reference – Wongan Ballidu Sports Ground Management Agreement Committee

PURPOSE OF REPORT:

To present to Council the Terms of Reference for Wongan Ballidu Sports Ground Management Agreement Committee.

BACKGROUND:

Council at its meeting of the 19 February 2004 resolved that the Chief Executive Officer prepare Terms of Reference for consideration by each of the Councils Committees.

COMMENT:

Terms of Reference give guidance to Committee members and Shire staff.

POLICY REQUIREMENTS/LEGISLATIVE:

Local Government Act Subdivision 2 – Committees and their meetings.
Council may establish committees of 3 or more persons being either,

1. Council members only,
2. Council members and employees,
3. Council members, employees and other persons,
4. Council members and other persons,
5. Employees and other persons, or
6. Other persons only.

At any given time, each council member is entitled to be a member of a least one committee.

Council is to appoint the president to a committee (requiring council members) if he/she requests to be a member.

Council is to appoint the CEO or his/her representative to a committee (requiring employee members) if he/she requests to be a member.

A resolution to establish a committee requires an absolute majority.

STRATEGIC IMPLICATIONS:

There are no known strategic requirements in relation to this item.

SUSTAINABILITY IMPLICATIONS:➤ **Environment**

There are no known environmental implications associated with this item.

➤ **Economic**

There are no known economic implications associated with this proposal.

➤ **Social**

There are no known social implications associated with this item.

FINANCIAL IMPLICATIONS:

There are no financial implications in relation to this item.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: NO

Moved: Cr Boekeman

Seconded: Cr Anspach

That the Committee:

1. ADOPT the Terms of Reference for Wongan Ballidu Sports Ground Management Agreement Committee.

CARRIED:7/0
RESOLUTION:020322

9.2 ADMINISTRATION & FINANCIAL SERVICES

9.2.1 ACCOUNTS SUBMITTED FOR FEBRUARY 2022

FILE REFERENCE:	F1.4
REPORT DATE:	15 March 2022
APPLICANT/PROPONENT:	N/A
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Alan Hart - Deputy Chief Executive Officer
ATTACHMENTS:	9.2.1 Accounts February 2022

PURPOSE OF REPORT:

That the accounts as submitted be received.

BACKGROUND:

This information is provided to the Council on a monthly basis in accordance with provisions of the *Local Government Act 1995* and Local Government (Financial Management) Regulations 1996.

COMMENT:

Refer to attachment.

POLICY REQUIREMENTS:

There are no known policy requirements related to this item.

LEGISLATIVE REQUIREMENTS:

Local Government (Financial Management) Regulations 1996 Sections 12 & 13 require the attached reports to be presented to Council.

Lists of Accounts

Section 6.10 of the *Local Government Act 1995* regulation 12 of the Financial Management Regulations (FMR's) requires a list of accounts paid for the month, and where the Council has delegated the payment of these accounts to the CEO under regulation 13 there must be a list of accounts paid, and the listing shall disclose the following:

- The payee's name
- The amount of the payment
- The date of the payment
- The fund from which it is paid; and
- Sufficient information to identify the transaction.

STRATEGIC IMPLICATIONS:

There are no strategic implications in relation to this item.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known environmental impacts associated with this proposal.
- **Economic**
There are no known economic impacts associated with this proposal.
- **Social**
There are no known social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

All payments are within the confines of Councils adopted budget. There have been no other material outstanding creditors since the cheques were prepared.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: No

Moved: Cr West

Seconded: Cr Anspach

That the accounts submitted from 01 February 2022 to 28 February 2022 totalling \$697,621.04 having been checked and certified in accordance with the requirements of the Financial Management Regulations 12 be received, as shown on the summary of accounts paid schedule and the payroll EFT batches.

CARRIED:7/0

RESOLUTION:030322

List of Accounts due and submitted to Council February 2022				
Chq/EFT	Date	Name	Description	Amount
EFT22535	01/02/2022	WESTRAC EQUIPMENT PTY LTD	SWITCH FOR TYRE ROLLER	-50.77
EFT22536	01/02/2022	WESFARMERS KLEENHEAT GAS PTY LTD	Gas Bottle Rental 14 Ellis St, Wongan Hills	-85.80
EFT22537	01/02/2022	THE POINT DOCTOR	SUPPLY OF BLUE PLASTIC WRAP	-38.50
EFT22538	01/02/2022	ADVANCED AUTOLOGIC PTY LTD		-271.00
	17/01/2022	ADVANCED AUTOLOGIC PTY LTD	20L FLEETCLEAN, FREE IT AERO	186.00
	17/01/2022	ADVANCED AUTOLOGIC PTY LTD	WINDOW CLEANER	85.00
EFT22539	01/02/2022	TOLL IPEC PTY LTD		-33.03
	09/01/2022	TOLL IPEC PTY LTD	FREIGHT EX WESTRAC TO WH	11.01
	16/01/2022	TOLL IPEC PTY LTD	FREIGHT EX WH TO PATHWEST, FREIGHT EX CJD EQUIPMENT TO WH	22.02
EFT22540	01/02/2022	SIGMA CHEMICALS	Swimming Pool Chemicals Quote # 154695	-883.41
EFT22541	01/02/2022	AAA TRIPLE A ASPHALT	Coldmix for Manmanning and Waddington Roads	-4730.00
EFT22542	01/02/2022	KLEEN WEST DISTRIBUTORS	Medical Centre, Civic Centre, Railway Public Toilets, Community Park toilets, Depot, Pool	-2126.26
EFT22543	01/02/2022	WONGAN HILLS BAKERY AND CAFE	Please supply 2 x Salads for approx 20 ppl	-97.00
EFT22544	01/02/2022	FORRESTFIELD MOWER AND CHAINSAW CENTRE	0 X 242E Husqvarna 42' Zero Turn Ride On Lawnmower, 1 X Rear Bag catcher	-7660.00
EFT22545	01/02/2022	WIRTGEN AUSTRALIA PTY LTD	Air Conditioning Controller - 2586243	-362.18
EFT22546	01/02/2022	NEWINS FAMILY TRUST T/AS STEPTOE AND WIFE SCRAP METAL RECYCLABLES	Management of Wongan Hills Refuse Site January 2022	-7791.63
EFT22547	01/02/2022	SAFE AVON VALLEY INC.	Impounding services December 2021 - 5 X CATS	-375.00
EFT22548	01/02/2022	WINC AUSTRALIA PTY LTD	Alcohol Wipes Disinfectant wipes	-74.12
EFT22549	01/02/2022	QTM TRAFFIC MANAGEMENT	Traffic Management Plan Renewal	-1540.00
EFT22550	01/02/2022	NOBREGA HOLDINGS PTY LTD	Vacuum Bags for Civic Centre, Community Resource Centre, Admin	-127.94
EFT22551	01/02/2022	CLARKSON FREIGHTLINES		-451.24
	14/01/2022	CLARKSON FREIGHTLINES	Pickup one Pallet of Empty Drums and Transport to Sigma Chemicals Balcatta for refund.	229.99
	14/01/2022	CLARKSON FREIGHTLINES	Swimming Pool Chemical, Perth to Wongan Hills Freight.	221.25
EFT22552	01/02/2022	TRUCKZONE PTY LTD	HOSE BARB AND MINI BALL VALVE	-73.56
EFT22553	01/02/2022	PLANTMAN EQUIPMENT PTY LTD	Grader Dry Hire for WSN4 Dowerin-Kalannie Road reconstruction	-13795.65
EFT22558	04/02/2022	LANDGATE	SUPPLY OF GOODS AND SERVICES DECEMBER 2021	-106.55
EFT22559	04/02/2022	STAR TRACK EXPRESS PTY LTD		-10.20
	19/01/2022	STAR TRACK EXPRESS PTY LTD	Startrack admin fee	5.10
	26/01/2022	STAR TRACK EXPRESS PTY LTD	Supply of Goods and Services January 2022	5.10
EFT22560	04/02/2022	OFFICEWORKS BUSINESS DIRECT		-163.47
	07/01/2022	OFFICEWORKS BUSINESS DIRECT	Scissors, Cable ties 10 pack, A4 notebooks, 120 pages, 5 pack, postage	25.48
	14/01/2022	OFFICEWORKS BUSINESS DIRECT	Stationery Order	137.99
EFT22561	04/02/2022	WALLIS COMPUTER SOLUTIONS	Hard Drive and Memory upgrade for SOWB Server	-2955.92
EFT22562	04/02/2022	WONGAN HILLS NEWSAGENCY	Supply of Goods and Services January 2022 - Admin and CRC	-86.80
EFT22563	04/02/2022	IXOM OPERATIONS PTY LTD	Supply 2 x 70kg of Chlorine Gas	-1027.40
EFT22564	04/02/2022	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	Registration -DCEO Finance Professionals Conference 2022	-1280.00
EFT22565	04/02/2022	SHIRE OF WONGAN-BALLIDU	Boomer advertising - Trainee and Plant operator positions	-87.00
EFT22566	04/02/2022	RBC RURAL	Supply of Goods and Services January 2022	-516.55
EFT22567	04/02/2022	METAL ARTWORK CREATIONS	Fibreglass Name Badges - magnetic	-322.30
EFT22568	04/02/2022	WONGAN HILLS SPORT & RECREATION COUNCIL INC	Council annual subsidy - Wongan Hills Sport and Recreation Council Inc.	-9858.20
EFT22569	04/02/2022	INTEGRATED ICT - A MARKET CREATIONS COMPANY		-848.32
	31/12/2021	INTEGRATED ICT - A MARKET CREATIONS COMPANY	Supply of goods and services December 2021	720.72
	31/12/2021	INTEGRATED ICT - A MARKET CREATIONS COMPANY	Supply of goods and services December 2021	127.60
EFT22570	04/02/2022	RURAL RANGER SERVICES	Supply of Goods and Services January 2022 - Ranger services and firebreak compliance	-1170.00
EFT22571	04/02/2022	JB HI-FI GROUP PTY LTD	Microsoft Surface Book for TSO	-3072.34
EFT22572	04/02/2022	W GIBBS & SON	Ballidu Hall - Inspection	-899.80
EFT22573	04/02/2022	HAWKE VIEW KENNELS AND CATTERY	Supply of Goods and Services January 2022	-175.00
EFT22575	04/02/2022	KIDSAFE WA	Playground Inspection Training for Clint Pascoe, Melissa Whyte and Melissa Marcon	-1150.00
EFT22576	04/02/2022	DOWERIN REFRIGERATION & AIR CONDITIONING SERVICES	Admin - Aircon Inspection CSO-F office	-264.55
EFT22577	04/02/2022	CLARKSON FREIGHTLINES		-920.59
	21/01/2022	CLARKSON FREIGHTLINES	Return empty chlorine gas cylinders to Ixom Quote # 1651 / 1652	230.00
	28/01/2022	CLARKSON FREIGHTLINES	Pickup-Deliver 2 x 70kg Chlorine Gas Cylinders Quote # 1651 / 1652.	690.59
EFT22578	04/02/2022	QPC GROUP	Printer toner for MRS	-64.90
EFT22579	04/02/2022	OPEN SYSTEMS TECHNOLOGY PTY LTD T/AS COUNCIL FIRST		-3004.72
	17/01/2022	OPEN SYSTEMS TECHNOLOGY PTY LTD T/AS COUNCIL FIRST	Supply of Goods and Services January 2022	2531.72
	24/01/2022	OPEN SYSTEMS TECHNOLOGY PTY LTD T/AS COUNCIL FIRST	Avepoint Cloud Backup for Office 365 12 month subscription	473.00
EFT22580	04/02/2022	CHRIS'S CONTRACTING	Depot - Replace part of external chain mesh fence approx 320m	-16006.65
EFT22581	01/02/2022	WESTNET PTY LTD	SUPPLY OF GOODS AND SERVICES FEBRUARY 2022	-609.90
EFT22582	09/02/2022	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN 147, 151A, 152 and 153 BANK GUARANTEE FEES	-7594.97
EFT22583	09/02/2022	WESTPAC BANKING CORPORATION	Wages PPE 08.02.2022	-68203.14
EFT22584	09/02/2022	AUSTRALIAN SERVICES UNION	Payroll deductions	-25.90
EFT22585	09/02/2022	IOU SOCIAL CLUB	Payroll deductions	-270.00
EFT22586	11/02/2022	WATER CORPORATION	WATER CONSUMPTION AND SERVICE CHARGE - KIRWAN STANDPIPE (WSFN)	-18036.21
EFT22587	11/02/2022	BALLIDU TRADING POST	Postage of Australia Day flyers	-19.00
EFT22588	11/02/2022	WONGAN HILLS HARDWARE		-1994.48
	31/01/2022	WONGAN HILLS HARDWARE	Hardware Account - Building Dept	78.75
	31/01/2022	WONGAN HILLS HARDWARE	Hardware Account - Works Dept	1915.73

List of Accounts due and submitted to Council February 2022				
Chq/EFT	Date	Name	Description	Amount
EFT22589	11/02/2022	TRUCK CENTRE (WA) PTY LTD		-17715.57
	06/12/2021	TRUCK CENTRE (WA) PTY LTD	PTK36 Truck Repairs	17853.07
	01/02/2022	TRUCK CENTRE (WA) PTY LTD	Annual Fee for access to services , via CSOL Portal up to 05.12.2022, As per quote 0090518	165.00
EFT22590	11/02/2022	TOLL IPEC PTY LTD		-45.74
	22/08/2021	TOLL IPEC PTY LTD	FREIGHT EX MALAGA TO WH	11.01
	23/01/2022	TOLL IPEC PTY LTD	FREIGHT EX WH TO PATHWEST, FREIGHT EX SMP TO WH, FREIGHT EX SMP TO WH	34.73
EFT22591	11/02/2022	WREN OIL	Waste oil disposal	-154.00
EFT22592	11/02/2022	WONGAN MAIL SERVICE	Supply of Goods and Services January 2022 - Admin and CRC	-153.75
EFT22593	11/02/2022	PUBLIC TRANSPORT AUTHORITY OF WA	TransWA ticketing expenditure, January 2022 Less Commission	-79.71
EFT22594	11/02/2022	WONGAN HILLS HOTEL	Purchase of food and drinks - Ballidu VRFS Volunteers fighting fire on 30/01/2022	-437.00
EFT22595	11/02/2022	TKB MECHANICAL	Supply and install brake pads, indicator and sensor assembly - P&G tip tray	-1131.60
EFT22596	11/02/2022	DUN DIRECT PTY LTD	JANUARY FUEL ACCOUNT	-37767.75
EFT22597	11/02/2022	GREAT SOUTHERN FUEL SUPPLIES	JANUARY FUEL ACCOUNT	-1153.77
EFT22598	11/02/2022	WONGAN HILLS PROGRESS ASSOCIATION	CRC Listing in 2021 Business Directory	-436.00
EFT22599	11/02/2022	BP AUSTRALIA	JANUARY FUEL ACCOUNT	-963.30
EFT22600	11/02/2022	FEGAN BUILDING SURVEYING	Building Surveying - Lot 178 Wongan-Ballidu Road	-330.00
EFT22601	11/02/2022	RURAL RANGER SERVICES	Supply of goods and services January 25, 27, 28 and 31. February 01 and 04 2022	-975.00
EFT22602	11/02/2022	FIVE STAR BUSINESS & INNOVATION	CRC photocopier, January 2022	-423.01
EFT22603	11/02/2022	JB HI-FI GROUP PTY LTD	Return Fee for items purchased and returned to store.	-106.50
EFT22604	11/02/2022	MD MAINTENANCE & GLASS	Repair damaged framework to front window at Visitors Centre	-1430.00
EFT22605	11/02/2022	DELOREAN CORPORATION - ENERGY RETAIL DIVISION (CLEANTECH ENERGY P/L)		-5647.05
			ELECTRICITY CONSUMPTION - SPORTS PAVILION	3149.13
			ELECTRICITY CONSUMPTION - SWIMMING POOL	1766.00
			ELECTRICITY CONSUMPTION - MEDICAL CENTRE	328.01
			ELECTRICITY CONSUMPTION - CRC	403.91
EFT22606	11/02/2022	AC HEALTHCARE PTY LTD	Medical Centre Operating Subsidy February 2022	-21083.33
EFT22607	11/02/2022	SEEK LIMITED	Seek Ad - CSO - Community Resource Centre	-291.50
EFT22608	11/02/2022	MARTY GRANT BULLDOZING	Gravel Pushing - Moonijin West Road at Sewells Pit, clear topsoil and mobilisation	-18414.00
EFT22609	11/02/2022	TRANSPORT ENGINEERING SOLUTIONS	149.906.224 cartridge valve to suit HDS12-34	-704.00
EFT22610	11/02/2022	NARA TRAINING & ASSESSING	Forklift training course	-3500.00
EFT22611	11/02/2022	DYNAMIC SUBLIMATION	Shire Administration Order - 46 Polo Shirts	-2279.20
EFT22614	18/02/2022	LANDGATE		-95.70
	28/01/2022	LANDGATE	MINING TENEMENTS CHARGES	41.30
	01/02/2022	LANDGATE	ONLINE SUPPLY OF CERTIFICATE OF TITLE AND TRANSFER OF LAND ACT DOCUMENTATION	54.40
EFT22615	18/02/2022	AVON WASTE	Domestic and Commercial waste collection Wongan Hills and Ballidu	-10664.82
EFT22616	18/02/2022	JASON SIGNMAKERS	Maintenance Work in Progress Signs	-109.89
EFT22617	18/02/2022	MCINTOSH & SON		-799.41
	08/12/2021	MCINTOSH & SON	CRIMPS AND HYDRAULIC HOSE FOR PIG TRAILER	127.99
	19/01/2022	MCINTOSH & SON	ROLLER BEARING, SEAL RUBBER AND NUT FOR ROLLER 11	671.42
EFT22618	18/02/2022	STAR TRACK EXPRESS PTY LTD	FREIGHT EX SUNNY SIGNS	-71.85
EFT22619	18/02/2022	WCS CONCRETE	300mm Headwalls	-3559.60
	21/09/2021	WCS CONCRETE	300mm Class 4 Pipes, 300mm Headwalls, 375mm Headwalls	2844.60
	23/09/2021	WCS CONCRETE	300mm Headwalls	715.00
EFT22620	18/02/2022	WESTERN STABILISERS	Wet Mixing Dowerin-Kalannie Road, Mobilisation	-79347.22
EFT22621	18/02/2022	LOCAL GOVERNMENT PROFESSIONALS AUSTRALIA WA	Finance for Non-Financial people course - Maree Smartt 10/03/2022	-400.00
EFT22622	18/02/2022	WURTH AUSTRALIA PTY LTD	Sign washers and spring clips as per quote.	-187.26
EFT22623	18/02/2022	TOLL IPEC PTY LTD	FREIGHT EX INDUSTRIAL AUTOMATION TO WH	-11.01
EFT22624	18/02/2022	WONGAN HILLS PROGRESS ASSOCIATION	Directory Advertising	-2612.00
EFT22625	18/02/2022	SAFE AVON VALLEY INC.	IMPOUND OF 2 CATS JANUARY 2022	-150.00
EFT22626	18/02/2022	FIVE STAR BUSINESS & INNOVATION	Repairs to Photocopier at CRC	-577.23
EFT22627	18/02/2022	SEEK LIMITED	Plant Operator Employment Ad	-335.50
EFT22628	18/02/2022	TRUCKZONE PTY LTD	FILTER KIT FOR MACK	-234.22
EFT22629	18/02/2022	WELLTECH TOTAL WATER MANAGEMENT	Portable Water Storage	-5115.00
EFT22630	18/02/2022	AVON SERVICE SPECIALISTS	Fog Lights	-149.50
EFT22631	18/02/2022	MITEL NETWORKS LIMITED	Mitel Phone system monthly charge	-1083.63
EFT22632	18/02/2022	PLANTMAN EQUIPMENT PTY LTD		-9367.71
	28/01/2022	PLANTMAN EQUIPMENT PTY LTD	Grader Dry Hire	8047.71
	28/01/2022	PLANTMAN EQUIPMENT PTY LTD	Grader Dry Hire	1320.00
EFT22633	21/02/2022	AUSTRALIAN TAXATION OFFICE	JANUARY 2022 BAS	-22152.00
EFT22634	10/02/2022	DEPARTMENT OF TRANSPORT	DOT PAYMENTS TO 10/02/2022	-58143.45
EFT22635	23/02/2022	WESTPAC BANKING CORPORATION	Wages PPE 22.02.2022	-66008.05
EFT22636	23/02/2022	AUSTRALIAN SERVICES UNION	Payroll deductions	-25.90
EFT22637	23/02/2022	IOU SOCIAL CLUB	Payroll deductions	-270.00
EFT22638	18/02/2022	DE LAGE LANDEN PTY LTD	CRC photocopier lease, February 2022	-557.70
EFT22639	25/02/2022	LANDGATE	SUPPLY OF GOODS AND SERVICES DECEMBER - Rural UV's	-217.35
EFT22640	25/02/2022	WONGAN HILLS IGA PLUS LIQUOR	January account	-292.10
EFT22641	25/02/2022	DEPARTMENT OF FIRE & EMERGENCY SERVICES	3rd Quarterly Contribution Emergency Services Levy	-25802.70
EFT22642	25/02/2022	JASON SIGNMAKERS	Lake Ninan Signage	-1412.41
EFT22643	25/02/2022	STAR TRACK EXPRESS PTY LTD	Lake Ninan Sign Freight	-348.34
EFT22644	25/02/2022	OFFICEWORKS BUSINESS DIRECT		-2035.79
	08/02/2022	OFFICEWORKS BUSINESS DIRECT	Stationary Order as per attached screenshots, Stationary Order as per attached screenshots	509.97
	17/02/2022	OFFICEWORKS BUSINESS DIRECT	Admin Stationary	381.83
	21/02/2022	OFFICEWORKS BUSINESS DIRECT	Covid Ready Stationary and Equipment	1143.99

List of Accounts due and submitted to Council February 2022				
Chq/EFT	Date	Name	Description	Amount
EFT22645	25/02/2022	WESTRAC EQUIPMENT PTY LTD	Element, seals, bolts and washer for cat	-132.78
EFT22646	25/02/2022	WONGAN HILLS COMMUNITY RESOURCE CENTRE	Printing Construction Drawings	-500.00
EFT22647	25/02/2022	THE WORKWEAR GROUP P/L	Staff Uniforms	-99.88
EFT22648	25/02/2022	IXOM OPERATIONS PTY LTD		-282.35
	31/01/2022	IXOM OPERATIONS PTY LTD	Service fees for chlorine gas cylinders at Wongan Swimming Pool	125.49
	31/01/2022	IXOM OPERATIONS PTY LTD	Service fee for chlorine cylinders - P&G	156.86
EFT22649	25/02/2022	THE POINT DOCTOR	Refurbish FEL bucket	-660.00
EFT22650	25/02/2022	CLAW ENVIRONMENTAL	Waste Facility Drum Collection - Steel Drums20/25L Plastic Drums <20L - 20L/25L Inspection fee of rejected drums	-2469.17
EFT22651	25/02/2022	SUNNY SIGN COMPANY PTY LTD	School Bus Signage	-275.00
EFT22652	25/02/2022	SHIRE OF WONGAN-BALLIDU		-87.00
	09/02/2022	SHIRE OF WONGAN-BALLIDU	Boomer advertising - CRC vacancy	57.00
	18/02/2022	SHIRE OF WONGAN-BALLIDU	Boomer advertising - Plant operator	30.00
EFT22653	25/02/2022	SYNERGY	ELECTRICITY CONSUMPTION STREET LIGHTS	-4297.52
EFT22654	25/02/2022	RBC RURAL	Shire photocopy meter read	-910.12
EFT22655	25/02/2022	TRUCK CENTRE (WA) PTY LTD	Replace instrument cluster, exhaust manifold gaskets for Mack	-5640.02
EFT22656	25/02/2022	TOLL IPEC PTY LTD		-34.33
	13/02/2022	TOLL IPEC PTY LTD	Freight ex RBC Rural to WH	23.32
	20/02/2022	TOLL IPEC PTY LTD	Freight ex Westrac	11.01
EFT22657	25/02/2022	KLEEN WEST DISTRIBUTORS	Alcowipes x2 carton	-82.60
EFT22658	25/02/2022			-6160.00
	10/02/2022	INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALIA LIMITED	Asset Management Course - Professional Certificate AMP, , Katelyn Borovina	3080.00
	11/02/2022	INSTITUTE OF PUBLIC WORKS ENGINEERING AUSTRALIA LIMITED	Asset Management Course - Professional Certificate AMP, Stuart Taylor,	3080.00
EFT22659	25/02/2022	STIRLING ASPHALT	St Peter's Church Ackland Street, Wongan Hills Supply and lay 9 tonnes of dense grade asphalt @ \$230 per tonne	-2277.00
EFT22660	25/02/2022	INTEGRATED ICT - A MARKET CREATIONS COMPANY		-848.32
	31/01/2022	INTEGRATED ICT - A MARKET CREATIONS COMPANY	Supply of Managed backup, storage and RAM, CPU	720.72
	31/01/2022	INTEGRATED ICT - A MARKET CREATIONS COMPANY	Supply of Office 365	127.60
EFT22661	25/02/2022	NEWINS FAMILY TRUST T/AS STEPTOE AND WIFE SCRAP METAL RECYCLABLES	Management of Wongan Hills Refuse Site - February 2022	-7791.63
EFT22662	25/02/2022	FEGAN BUILDING SURVEYING	Building Surveying - 7 Alpha St	-220.00
EFT22663	25/02/2022	RURAL RANGER SERVICES	Ranger services February 09, 11 and 16 2022	-930.00
EFT22664	25/02/2022	PW GEE WELDING SERVICES	Supply 50NB galv pipe	-178.93
EFT22665	25/02/2022	FIVE STAR BUSINESS & INNOVATION	CRC photocopier, January 2022	-1300.42
EFT22666	25/02/2022	ABLE SALES	Wongan Waste Facility - Generator 8KVA 1 Phase	-6290.00
EFT22667	25/02/2022	RICOH FINANCE	Supply of goods and services March 2022	-276.96
EFT22668	25/02/2022	JB HI-FI GROUP PTY LTD	Microsoft Surface Book extended warranty	-176.74
EFT22669	25/02/2022	SOUTHERN CROSS CARPET DRY CLEANERS	Carpet cleaning - CRC, Library and Function Room	-2460.00
EFT22670	25/02/2022	DOWERIN REFRIGERATION & AIR CONDITIONING SERVICES	Supply and install new PCB board and 2x outdoor fan motors on a/c at 30 Wandoo Cres	-2154.81
EFT22671	25/02/2022	TRACTUS AUSTRALIA		-2480.00
	12/01/2022	TRACTUS AUSTRALIA	Supply and install 1 tyre for water tanker	418.00
	14/01/2022	TRACTUS AUSTRALIA	Supply and install 2 tyres for Mack	1191.00
	14/01/2022	TRACTUS AUSTRALIA	Supply tube for grader ute	55.00
	14/01/2022	TRACTUS AUSTRALIA	Puncture repair kit for tyre roller	50.00
	14/01/2022	TRACTUS AUSTRALIA	Puncture repair kit for MSC VEHICLE	37.00
	31/01/2022	TRACTUS AUSTRALIA	Supply and install 3 tyres for Hilux	729.00
EFT22672	25/02/2022	POOL AND PUMP SERVICE AND REPAIRS PTY LTD	Site strip clean and assess W/T regulator	-1276.00
EFT22673	25/02/2022	INTEGRATED POSITIONING SYSTEMS PTY LTD	Dowerin-Kalannie Road - Feature Survey and Overlay/Widening design	-4444.00
EFT22674	25/02/2022	TRUCKZONE PTY LTD		-307.11
	20/09/2021	TRUCKZONE PTY LTD	Parts for Mack	2.87
	14/12/2021	TRUCKZONE PTY LTD	Pintel hook holland	1216.48
	17/01/2022	TRUCKZONE PTY LTD	Ball valves, tee swivels and connector	176.76
EFT22675	25/02/2022	TECHNOLOGY ONE LIMITED	Additional day of configuration support	-2156.00
EFT22676	25/02/2022	TRANSPORT ENGINEERING SOLUTIONS	Hydraulic pump as per quote QWS112341	-825.00
EFT22677	25/02/2022	OPEN SYSTEMS TECHNOLOGY PTY LTD T/AS COUNCIL FIRST	Dynamics, Office 365 and Power BI Pro for March 2022	-2531.72
EFT22678	25/02/2022	MARKET CREATIONS AGENCY	Part Payment -Website Redesign	-7557.00
EFT22679	25/02/2022	PLANTMAN EQUIPMENT PTY LTD	Grader Dry Hire - Hot Cold cab and chassis wash	-385.00
EFT22680	25/02/2022	TELETRAC NAVMAN	February Subscription.	-2071.41
EFT22681	28/02/2022	TELSTRA CORPORATION LIMITED	TELSTRA ACCOUNT - SPORT AND RECREATION COUNCIL	-55.00
EFT22682	28/02/2022	TELSTRA CORPORATION LIMITED	TELSTRA - MEDICAL CENTRE	-341.57
EFT22683	28/02/2022	TELSTRA CORPORATION LIMITED	TELSTRA - HARVEST BAN SMS	-751.96
EFT22684	28/02/2022	TELSTRA CORPORATION LIMITED	TELSTRA ACCOUNTS	-1842.31
EFT22685	28/02/2022	TELSTRA CORPORATION LIMITED	TELSTRA ACCOUNTS	-1847.19
EFT22686	28/02/2022	ANZ CORPORATE CREDIT CARD	ANNUAL CARD FEES	-150.00
EFT22687	24/02/2022	DEPARTMENT OF TRANSPORT	DOT PAYMENTS TO 24/02/2022	-42424.95
EFT22688	15/02/2022	WESTPAC BANKING CORPORATION	CREDIT CARD PURCHASES	-3810.65
DD11156.1	08/02/2022	AWARE SUPER ACCUMULATION	Payroll deductions	-8687.12
DD11156.2	08/02/2022	CBUS SUPER	Payroll deductions	-492.31
DD11156.3	08/02/2022	AUSTRALIAN SUPER PTY LTD	Superannuation contributions	-147.60
DD11156.4	08/02/2022	GUILD SUPER	Superannuation contributions	-107.84
DD11156.5	08/02/2022	AIA AUSTRALIA PTY LTD	Payroll deductions	-444.23
DD11156.6	08/02/2022	COLONIAL FIRST STATE FIRSTCHOICE PERSONAL SUPER	Superannuation contributions	-197.37
DD11156.7	08/02/2022	PRIME SUPER	Superannuation contributions	-920.41
DD11156.8	08/02/2022	REST SUPERANNUATION	Payroll deductions	-977.33
DD11156.9	08/02/2022	AUSTRALIAN SUPER	Superannuation contributions	-936.52
DD11181.1	22/02/2022	AWARE SUPER ACCUMULATION	Payroll deductions	-8709.49

List of Accounts due and submitted to Council February 2022				
Chq/EFT	Date	Name	Description	Amount
DD11181.2	22/02/2022	CBUS SUPER	Payroll deductions	-492.31
DD11181.3	22/02/2022	AUSTRALIAN SUPER PTY LTD	Superannuation contributions	-147.60
DD11181.4	22/02/2022	GUILD SUPER	Superannuation contributions	-109.35
DD11181.5	22/02/2022	AIA AUSTRALIA PTY LTD	Payroll deductions	-444.23
DD11181.6	22/02/2022	COLONIAL FIRST STATE FIRSTCHOICE PERSONAL SUPER	Superannuation contributions	-197.37
DD11181.7	22/02/2022	PRIME SUPER	Superannuation contributions	-905.70
DD11181.8	22/02/2022	REST SUPERANNUATION	Payroll deductions	-954.53
DD11181.9	22/02/2022	AUSTRALIAN SUPER	Superannuation contributions	-1003.53
DD11156.10	08/02/2022	HESTA SUPER FUND	Superannuation contributions	-434.71
DD11156.11	08/02/2022	AMP SUPERANNUATION LTD.	Superannuation contributions	-274.84
DD11156.12	08/02/2022	HOSTPLUS SUPERANNUATION FUND	Superannuation contributions	-57.40
DD11156.13	08/02/2022	ING SUPERANNUATION	Superannuation contributions	-53.74
DD11181.10	22/02/2022	HESTA SUPER FUND	Superannuation contributions	-420.69
DD11181.11	22/02/2022	AMP SUPERANNUATION LTD.	Superannuation contributions	-288.97
DD11181.12	22/02/2022	HOSTPLUS SUPERANNUATION FUND	Superannuation contributions	-57.40
DD11181.13	22/02/2022	ING SUPERANNUATION	Superannuation contributions	-32.02
			Municipal Bank	\$ 697,621.04
			Trust Bank	\$ -
			Total	\$ 697,621.04
			Recoverable	\$ 4,048.57
			Partially Recoverable	\$ 4,595.43

9.2.2 FINANCIAL REPORTS FOR FEBRUARY 2022

FILE REFERENCE:	F1.4
REPORT DATE:	15 March 2022
APPLICANT/PROPONENT:	N/A
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Alan Hart - Deputy Chief Executive Officer
ATTACHMENTS:	9.2.2 Financial Reports

PURPOSE OF REPORT:

That the following statements and reports for the month ended February 2022 be received.

BACKGROUND:

Under the Local Government (Financial Management) Regulations 1996 ('FMR') the Council is to prepare financial reports outlining the financial operations at the previous month end date.

Listed below is a compilation of the reports that will meet compliance, these are listed under Sections and the relevant regulations below.

Financial Activity Statement Report

Section 6.4 of the *Local Government Act 1995* regulation 34.1 of the FMR requires a local government to prepare each month a statement of financial activity reporting on the sources and application of funds, as set out in the annual budget containing the following detail:

- Annual budget estimates;
- Budget estimates to the end of the month to which the statement relates (known as YTD Budget);
- Actual amounts of expenditure, revenue and income to the end of the month to which the statement relates (known as YTD Actuals);
- Material variances between the comparatives of Budget v's Actuals; and
- The net current assets (NCA) at the end of the month to which the statement relates.

Regulation 34.2 - Each statement of financial activity must be accompanied by documents containing:

- An explanation of the composition of the net current assets of the month to which it relates, less committed assets and restricted assets containing the following detail:
 - An explanation of each of the material variances; and
 - Such other supporting information as is considered relevant by the local government.

Regulation 34.3 - The information in a statement of financial activity may be shown:

- According to nature and type classification;
- By program; or
- By business unit.

Each financial year a local government is to adopt a % value, calculation in accordance with AAS5, to be used in reporting material variances.

COMMENT:

Refer to attachment.

POLICY REQUIREMENTS:

Council Policy 4.8 - Monthly Financial Reporting Requirements.

LEGISLATIVE REQUIREMENTS:

- *Local Government Act 1995*
- Local Government (Financial Management) Regulations 1996

STRATEGIC IMPLICATIONS:

There are no Strategic Implications relating to this item.

SUSTAINABILITY IMPLICATIONS:

- **Environment**
There are no known environmental impacts associated with this proposal.
- **Economic**
There are no known economic impacts associated with this proposal.
- **Social**
There are no known social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

The financial reports for the period ending February 2022 are attached to the Council Agenda.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: No

Moved: Cr Tunstill**Seconded: Cr West**

That the following Statements and Reports for the month ended February 2022 be received:

- Monthly Statements as follows: -

a)	Statement of Financial Activity (by Nature and Type)	FM Regs 34
b)	Statement of Operating Activities by Programme/Activity (Summary)	FM Regs 34
c)	Statement of Net Current Assets (NCA)	FM Regs 34
d)	Rate setting statement	Discretionary
e)	Disposal of Assets	Discretionary
f)	Rates Outstanding Report	Discretionary
g)	Debtors Outstanding Report	Discretionary
h)	Bank Reconciliation Report	Discretionary
i)	Investment Report	Discretionary
j)	Reserve Account Balances Report	Discretionary
k)	Loans Schedule	Discretionary

CARRIED:7/0
RESOLUTION:040322

SHIRE OF WONGAN-BALLIDU
STATEMENT OF FINANCIAL ACTIVITY (N&T) FOR 28 FEBRUARY 2022

	Approved Budget 2021- 2022	Current Budget 2021-2022	YTD Budget	YTD Actual	Page	Variance Over or Under	10%
INCOME							
Rates	(3,061,114)	(3,061,114)	(3,060,921)	(3,065,549)		(0.2%)	✓
Grants Operating, Subsidies & Contributions	(1,513,732)	(1,513,732)	(699,605)	(1,173,651)		(67.8%)	×
Non Operating Grants, Subsidies & Contributions	(4,576,404)	(4,576,404)	(534,683)	(1,070,347)		(100.2%)	×
Fees & Charges & Service Charges	(621,697)	(621,697)	(381,664)	(849,583)		(122.6%)	×
Other Revenue	(125,821)	(125,821)	(75,002)	(103,993)		(38.7%)	×
Interest	(49,416)	(49,416)	(25,217)	(22,409)		11.1%	×
Profit on sale of Assets	(10,390)	(10,390)	(5,000)	(10,851)		(117.0%)	×
a: TOTAL INCOME	(9,958,574)	(9,958,574)	(4,782,093)	(6,296,383)			
OPERATING EXPENSES							
Employee Costs	2,361,003	2,361,003	1,567,082	1,405,274		10.3%	×
Materials & Contracts	1,153,985	1,193,985	819,453	1,265,939		(54.5%)	×
Utilities (Gas, Electricity) etc.	357,816	357,816	221,855	249,206		(12.3%)	×
Interest	47,668	47,668	28,146	31,627	11	(12.4%)	×
Insurance	279,860	279,860	277,727	257,430		7.3%	✓
Other General	344,763	344,763	234,023	206,814		11.6%	×
Loss on Asset Disposals	151,192	151,192	59,870	20,740		65.4%	×
Depreciation	2,520,170	2,520,170	1,704,411	1,734,886		(1.8%)	✓
b: TOTAL OPERATING EXPENSES	7,216,457	7,256,457	4,912,568	5,171,915			
c: NET OPERATING (SURPLUS) / DEFICIT	(2,742,117)	(2,702,117)	130,475	(1,124,467)			
CAPITAL EXPENSES							
Land & Buildings	1,686,931	1,686,931	178,755	76,031		57.5%	×
Furniture & Equipment	235,000	235,000	36,500	46,407		(27.1%)	×
Motor Vehicles	110,000	110,000	73,328	107,918		(47.2%)	×
Plant	751,000	751,000	545,992	263,067		51.8%	×
Infrastructure Other	418,139	418,139	254,133	49,022		80.7%	×
Infrastructure Roads	3,999,805	3,999,805	1,845,163	1,953,108		(5.9%)	✓
d: TOTAL CAPITAL	7,200,875	7,200,875	2,933,871	2,495,553			
e: TOTAL OPERATING & CAPITAL	4,458,759	4,498,759	3,064,346	1,371,085			
ADJUST - NON CASH ITEMS							
Depreciation	(2,520,170)	(2,520,170)	(1,704,411)	(1,734,886)			
Accruals and Adjustments				-			
Profit on sale of assets	10,390	10,390	5,000	10,851	6		
Loss on sale of assets	(151,192)	(151,192)	(59,870)	(20,740)	6		
FINANCING ACTIVITIES							
Proceeds from Sale of Assets	(196,000)	(196,000)	(94,323)	(153,783)	6		
Transfer from reserves	(1,302,000)	(1,342,000)	(1,342,000)	-	10		
Transfer to reserves	1,057,000	1,057,000	1,057,000	-	10		
Interest paid to reserves	9,575	9,575	6,320	2,582	10		
Net Movement in LSL Reserve			-	(58)			
LSL Provision in reserves			-	-			
Loan proceeds	-	-	-	-			
Loan principal repayment	119,587	119,587	119,587	64,460	11		
Loan to SSL Parties	-	-	-	-			
SSL Principal Reimbursements	(35,265)	(35,265)	(35,265)	(22,514)	11		
Less (Surplus)/deficit B/Fwd	(1,450,684)	(1,450,684)	(1,450,684)	(1,666,553)	5		
ADJUSTED CLOSING (SURPLUS) / DEFICIT	(0)	(0)	(434,300)	(2,149,557)			

** This sheet illustrates the variance analysis.
 For variance explanation refer to applicable note.

Key Within budget tolerance of 10%
 Over budget tolerance of 10%
 Under budget tolerance of 10%

✓
 ×
 0

Shire of Wongan-Ballidu Variance Report 28 February 2022				
<p>The Local Government (Financial Management) Regulations 1996 require that financial statements are presented monthly to council. Council has adopted 10% as its threshold for line items on the nature and type report shown on page 1. This report uses a traffic light system to flag those items that are within tolerance and others that fall out of the range. Variances are calculated using a comparison of year to date actual against year to date budget. It needs also to be noted that the early months of the financial year are a period when variance percentages are volatile and extremely sensitive to small movements in actual income and expense.</p>				
Code	Variance Actual to YTD Budget	Variance reason	Report Section	Comments
Operating Income				
✓	(4,628)	Within Threshold	Rates	Within Council variance reporting threshold.
✗	(474,046)	Timing	Grants Operating, Subsidies & Contributions	Operating Grants received in advance of what is estimated to be received at this time of the year.
✗	(535,664)	Timing	Non Operating Grants, Subsidies & Contributions	Non-Operating Grants are recognised as revenue when works are complete. This is only a timing variance.
✗	(467,919)	Permanent	Fees & Charges & Service Charges	Fees and Charges income is higher than expected due to Department of Transport Licencing income now being received through the Municipal Fund (previously trust account). This will be addressed during the Budget Review.
✗	(28,991)	Timing	Other Revenue	This is a timing variance only and is not expected to alter the result at the end of the financial year
✗	2,809	Permanent	Interest	Due to low interest rates, revenue from interest earnings is lower than predicted in the Annual Budget.
✗	(5,851)	Timing	Profit on sale of Assets	The profit on disposal of the Dr Vehicle was higher than expected due to a higher trade in. As this is a non-cash item item, this will not affect the result at the end of the year.
Operating Expenditure				
✗	(161,809)	Timing	Employee Costs	Employee Costs are lower than anticipated. Staff Vacancies has partially attributed to this. In addition, over the rest of the financial year, as the works program is completed this variance will reduce.
✗	446,487	Permanent	Materials & Contracts	Expenditure on Materials and Contracts is higher than expected due to Department of Transport Licencing payments. This will be addressed during the Budget Review
✗	27,351	Timing	Utilities (Gas, Electricity) etc.	Utility charges vary depending on when accounts are processed as they are received bi-monthly.
✗	3,481	Timing	Interest	This is a timing variance only and is not expected to alter the result at the end of the financial year
✓	(20,297)	Within Threshold	Insurance	Within Council variance reporting threshold.
✗	(27,210)	Timing	Other General	This is a timing variance only and is not expected to alter the result at the end of the financial year
✗	(39,130)	Timing	Loss on Asset Disposals	This is a timing variance only and is not expected to alter the result at the end of the financial year
✓	30,475	Within Threshold	Depreciation	Within Council variance reporting threshold.
Capital				
✗	(102,724)	Timing	Land & Buildings	This is a timing variance only and is not expected to alter the result at the end of the financial year
✗	9,907	Timing	Furniture & Equipment	This is a timing variance only and is not expected to alter the result at the end of the financial year
✗	34,590	Timing	Motor Vehicles	This is a timing variance only and is not expected to alter the result at the end of the financial year
✗	(282,925)	Timing	Plant	This is a timing variance only and is not expected to alter the result at the end of the financial year
✗	(205,112)	Timing	Infrastructure Other	This is a timing variance only and is not expected to alter the result at the end of the financial year
✓	107,945	Within Threshold	Infrastructure Roads	Within Council variance reporting threshold.

SHIRE OF WONGAN-BALLIDU
STATEMENT OF FINANCIAL ACTIVITY (PRG) FOR 28 FEBRUARY 2022

	Approved Budget	Current Budget	YTD BUDGET *	YTD Actual
INCOME				
General Purpose Funding	(4,177,066)	(4,177,066)	(3,469,516)	(3,962,792)
Governance	(35,021)	(35,021)	(28,108)	(28,222)
Law, Order & Public Safety	(55,150)	(55,150)	(34,479)	(38,524)
Health	(84,490)	(84,490)	(39,690)	(24,273)
Education & Welfare	(11,120)	(11,120)	(1,500)	(2,744)
Housing	(64,500)	(64,500)	(41,653)	(36,971)
Community Amenities	(216,014)	(216,014)	(137,093)	(172,479)
Recreation & Culture	(1,032,000)	(1,032,000)	(35,546)	(37,483)
Transport	(3,862,169)	(3,862,169)	(739,948)	(1,284,512)
Economic Services	(59,800)	(59,800)	(13,021)	(75,562)
Other Property & Services	(361,244)	(361,244)	(241,539)	(632,820)
a: TOTAL INCOME	(9,958,574)	(9,958,574)	(4,782,093)	(6,296,383)
OPERATING EXPENSES				
General Purpose Funding	105,726	105,726	66,891	68,892
Governance	550,799	550,799	384,752	231,642
Law, Order & Public Safety	165,592	165,592	109,549	160,316
Health	407,106	407,106	241,674	249,082
Education & Welfare	221,573	221,573	120,959	102,659
Housing	172,364	172,364	108,033	116,519
Community Amenities	530,375	530,375	373,440	344,595
Recreation & Culture	1,689,422	1,689,422	1,154,076	1,089,673
Transport	2,900,038	2,900,038	1,942,000	1,858,853
Economic Services	189,073	189,073	138,724	174,386
Other Property & Services	284,390	324,390	272,459	775,299
b: TOTAL OPERATING EXPENSES	7,216,457	7,256,458	4,912,558	5,171,915
c: NET OPERATING (SURPLUS)/DEFICIT	(2,742,117)	(2,702,116)	130,465	(1,124,467)
CAPITAL EXPENSES				
General Purpose Funding	-	-	-	-
Governance	245,000	245,000	43,164	35,184
Law, Order & Public Safety	-	-	-	11,223
Health	81,101	81,101	59,064	71,797
Education & Welfare	-	-	-	-
Housing	47,805	47,805	31,856	29,835
Community Amenities	323,431	323,431	57,592	6,304
Recreation & Culture	1,022,758	1,022,758	24,355	26,554
Transport	5,220,865	5,220,865	2,677,912	2,295,273
Economic Services	59,915	59,915	39,928	19,382
Other Property & Services	200,000	200,000	-	-
d: TOTAL CAPITAL EXPENSES	7,200,875	7,200,875	2,933,871	2,495,553
e: TOTAL OPERATING & CAPITAL	4,458,759	4,498,759	3,064,336	1,371,085

SHIRE OF WONGAN-BALLIDU ANALYSIS OF NET CURRENT ASSETS AS AT 28 FEBRUARY 2022			
NOTE 1A: INFORMATION ON OPENING SURPLUS / (DEFICIT).	2020-2021	Original Budget	2021-2022
SURPLUS / (DEFICIT)	1,666,553	48	2,149,557
COMPRISES			
Cash (including reserves)	4,251,107	1,425,747	5,134,281
Current rates	170,583	144,760	285,313
Sundry debtors	168,255	44,564	193,392
Tax receivables	28,294	23,264	56,087
Other debtors	11,882	22,723	13,122
A: SSL debtors (are excluded see D: adj)	35,265	39,089	12,751
Inventories	31,343	10,541	31,809
Less:			
Reserves	(1,911,869)	(1,396,857)	(1,914,451)
Sundry creditors\Prepaid Income	(669,267)	(29,564)	(1,195,135)
Accrued interest	(4,872)	-	(0)
ESL Levy Owed	(5,395)	-	(62,163)
PAYG/GST Due To ATO	(21,969)	-	(58,061)
B: Other - (are excluded see D: adj)		(5,000)	
LSL Cash backed Reserve	41,735	41,944	41,797
Tax liabilities	(16,602)		8,588
Other - Trust	88		(72)
C: Loan liability (are excluded see D: adj)	(124,515)	(125,470)	(60,055)
Current employee benefits provisions	(406,760)	(287,074)	(384,950)
D: Adjustments (see above A to C)	89,251	91,381	47,305
Surplus / (Deficit) Variance	1,666,553	48	2,149,557
NOTE 1B: CLOSING FUNDS alternate format to Note 1 above	2020-2021	Original Budget	2021-2022
Current assets			
Cash & cash equivalents	4,251,107	1,425,747	5,134,281
Sundry debtors	414,280	274,400	560,664
Inventories	31,343	10,541	31,809
Total current assets	4,696,729	1,710,688	5,726,755
Current liabilities			
Creditors/Accounts Payable/Prepaid Income	(718,106)	(29,564)	(1,306,772)
Current loan liability	(124,515)	(125,470)	(60,055)
Provisions	(406,760)	(287,074)	(384,950)
Total current liability	(1,249,381)	(442,108)	(1,751,777)
Net current assets	3,447,348	1,268,580	3,974,978
Less: restricted reserves	(1,911,869)	(1,396,857)	(1,914,451)
Less: SSL principal repayments	(35,265)	(39,089)	(12,751)
Add back: Current loan liability	124,515	125,470	60,055
Add back: LSL Cash backed Reserve	41,735	41,944	41,797
Add back: Movement in provisions between current and non-current			
Other - Trust	88	-	(72)
Surplus / (Deficit) Variance	1,666,553	48	2,149,557

SHIRE OF WONGAN-BALLIDU			
RATE SETTING STATEMENT AS AT 28 FEBRUARY 2022			
	2020-2021 Approved Budget	2020-2021 Current Budget	2020-2021 Year-to-Date Actual
<u>OPERATING INCOME</u>			
General Purpose Funding	(1,115,952)	(1,115,952)	(897,243)
Governance	(35,021)	(35,021)	(28,222)
Law, Order & Public Safety	(55,150)	(55,150)	(38,524)
Health	(84,490)	(84,490)	(24,273)
Education & Welfare	(11,120)	(11,120)	(2,744)
Housing	(64,500)	(64,500)	(36,971)
Community Amenities	(216,014)	(216,014)	(172,479)
Recreation & Culture	(1,032,000)	(1,032,000)	(37,483)
Transport	(3,862,169)	(3,862,169)	(1,284,512)
Economic Services	(59,800)	(59,800)	(75,562)
Other Property & Services	(361,244)	(361,244)	(632,820)
A	(6,897,460)	(6,897,460)	(3,230,833)
<u>OPERATING EXPENSES</u>			
General Purpose Funding	105,726	105,726	68,892
Governance	550,799	550,799	231,642
Law, Order & Public Safety	165,592	165,592	160,316
Health	407,106	407,106	249,082
Education & Welfare	221,573	221,573	102,659
Housing	172,364	172,364	116,519
Community Amenities	530,375	530,375	344,595
Recreation & Culture	1,689,422	1,689,422	1,089,673
Transport	2,900,038	2,900,038	1,858,853
Economic Services	189,073	189,073	174,386
Other Property & Services	284,390	324,390	775,299
B	7,216,457	7,256,457	5,171,915
C= A and B	318,997	358,997	1,941,082
<u>ADJUST FOR CASH BUDGET REQUIREMENTS</u>			
<u>Non-Cash Expenditure and Income</u>			
Depreciation on Assets	(2,520,170)	(2,520,170)	(1,734,886)
Accruals and Adjustments	-	-	-
Profit/(Loss) on Asset Sales	(140,802)	(140,802)	(9,889)
<u>Capital Expenditure & Income</u>			
Purchase of land & buildings	1,686,931	1,686,931	76,031
Purchase of furniture & equipment	235,000	235,000	46,407
Purchase of motor vehicles	110,000	110,000	107,918
Purchase of plant & machinery	751,000	751,000	263,067
Purchase of other infrastructure	418,139	418,139	49,022
Purchase of roads infrastructure	3,999,805	3,999,805	1,953,108
Proceeds from sale of assets	(196,000)	(196,000)	(153,783)
<u>Financing Activities</u>			
Repayment of Loan Principal	119,587	119,587	64,460
Loan proceeds / refinancing CL to NCL adj	-	-	-
Loans paid to SSL parties	-	-	-
Self Supporting Loan Income	(35,265)	(35,265)	(22,514)
<u>Reserve Movements</u>			
Transfers to Reserves	1,057,000	1,057,000	-
Interest paid to Reserves	9,575	9,575	2,582
Transfer from Reserves	(1,302,000)	(1,342,000)	-
Net Movement in LSL Reserve	-	-	(58)
LSL Provision in reserves	-	-	-
Estimated Muni (Surplus)/Deficit July 1 B/Fwd.	(1,450,684)	(1,450,684)	(1,666,553)
Estimated Muni (Surplus)/Deficit June 30 C/Fwd.	-	-	(2,149,557)
AMOUNT REQUIRED TO BE RAISED FROM RATES	3,061,113	3,061,113	3,065,549
TOTAL RATES RAISED	3,061,114	3,061,114	3,065,549
(Surplus) / Deficit Variance	(1)	(1)	0

SHIRE OF WONGAN-BALLIDU
ANALYSIS OF DISPOSED ASSETS AS AT 28 FEBRUARY 2022

		Budget Net	Current	Budget	Actual Net	Actual Sale	Actual
		Book Value	Budget Sale	(Profit) / Loss	Book Value	Proceeds	(Profit) /
			Proceeds				Loss
Asset No							
By Class							
Motor Vehicles							
Subaru Outback		19,610	25,000	(5,390)	16,989	26,500	(9,511)
Mazda CX9		34,589	31,000	3,589	31,387	32,727	(1,340)
Plant & Equipment							
JCB Backhoe		123,630	45,000	78,630	115,296	94,556	20,740
Komatsu Grader		158,973	90,000	68,973	-	-	-
Dual Pig Trailer (Howard Porter)	1403	-	5,000	(5,000)	-	-	-
TOTAL		336,802	196,000	140,802	163,672	153,783	9,889
By Program							
Governance							
Subaru Outback		19,610	25,000	(5,390)	16,989	26,500	(9,511)
Transport							
Mazda CX9		34,589	31,000	3,589	31,387	32,727	(1,340)
Other Property & Services							
JCB Backhoe		123,630	45,000	78,630	115,296	94,556	20,740
Komatsu Grader		158,973	90,000	68,973	-	-	-
Dual Pig Trailer (Howard Porter)	1403	-	5,000	(5,000)	-	-	-
TOTAL		336,802	196,000	140,802	163,672	153,783	9,889
Motor Vehicle and Plant & Equipment Change Over							
		Current	Current	Current	Actual	Actual	Change-Over
		Budget	Budget	Change-Over	Purchase	Sale	
		Purchase	Sale	Budget			
		Price					
Motor Vehicles							
Subaru Outback		66,000	25,000	41,000	65,835	26,500	39,335
Mazda CX9		44,000	31,000	13,000	42,083	32,727	9,356
Sub-total		110,000	56,000	54,000	107,918	59,227	48,691
Plant & Equipment							
JCB Backhoe		210,000	45,000	165,000	249,800	94,556	155,244
Komatsu Grader		390,000	90,000	300,000	-	-	-
Dual Pig Trailer (Howard Porter) TK34		50,000	5,000	45,000	-	-	-
Skidmount		55,000	-	55,000	-	-	-
Gang Mower		-	-	-	6,964	-	-
Generator for Tip		6,000	-	-	6,304	-	-
Various Trailer Replacements		40,000	-	40,000	-	-	-
Sub-total		751,000	140,000	605,000	263,067	94,556	155,244
TOTAL		861,000	196,000	659,000	370,986	153,783	203,935

SHIRE OF WONGAN - BALLIDU
REPORT ON BORROWINGS AS AT 28 FEBRUARY 2022

Existing Loans * Denotes (SSL) Self Supporting Loan

Loan No.	Particulars	Recipient	Maturity Date	Proposed Borrowings	Amount Borrowed	Loan Principal Paid in Feb 22	Accrued Int. Due	YTD Interest Paid	Loan Balance @ 30 June 2021	Refinancing	Principal Repayments YTD	Loan Balance @ 28 Feb 22
147	Aged Persons	Ninan House*	Jul-2022		100,000	(5,051)	-	-	15,158	-	(9,934)	5,227
151A	Aged Persons	Ninan House*	Oct-2032		300,000	-	-	(5,295)	243,798	-	(8,625)	235,173
152	Co-Location Construction	Shire	Dec-2039		2,000,000	-	-	(27,874)	1,876,706	-	(41,946)	1,834,760
153	Wongan Hills Community Store	Wongan Hills Community Store	Jul-2025		40,000	-	-	(100)	36,058	-	(3,955)	32,103
TOTAL EXISTING LOANS				-	2,440,000	(5,051)	-	(33,269)	2,171,720	-	(64,460)	2,107,263

Shire Loan Summary
Self Supporting Loan Summary

-	2,000,000	-	-	(27,874)	1,876,706	-	(41,946)	1,834,760
-	440,000	(5,051)	-	(5,395)	295,014	-	(22,514)	272,503

Current loan liability
Non current liability
Total Loan Liability

Loan Balance @ 28 Feb 22	SSL	Shire	Total
(55,126)	(12,750)	(42,376)	(55,126)
(2,052,137)	(259,751)	(1,792,386)	(2,052,137)
(2,107,263)	(272,501)	(1,834,762)	(2,107,263)

SHIRE OF WONGAN - BALLIDU															
ANALYSIS OF RESERVE ACCOUNTS AS AT 28 FEBRUARY 2022															
ADOPTED FULL YEAR'S BUDGET								CURRENT FULL YEAR'S BUDGET				ACTUAL YTD AT 28 FEBRUARY 2022			
Reserve Description	GL Acct.	Budget Opening Balance	Actual Opening Balance	Transfer in / Interest	Transfer to Muni	Transfer from Muni	EOY Balance	Transfer in / Interest	Transfer to Muni	Transfer from Muni	EOY Balance	Transfer from / Interest	Transfer to Muni/ Transfer from Reserve	Transfer from Muni/ Transfer to Reserve	Actual Balance
Community Resource Centre Reserve	01989	(37,344)	(37,344)	(187)	-	-	(37,531)	(187)	-	-	(37,531)	(52)	-	-	(37,396)
Depot Improvement Reserve	01940	(10,546)	(10,546)	(53)	-	-	(10,599)	(53)	-	-	(10,599)	(15)	-	-	(10,561)
Historical Publications Reserve	01965	(7,108)	(7,108)	(36)	-	-	(7,144)	(36)	-	-	(7,144)	(10)	-	-	(7,118)
Housing Reserve	01955	(117,862)	(117,862)	(591)	200,000	(245,000)	(163,453)	(591)	200,000	(245,000)	(163,453)	(163)	-	-	(118,025)
LSL Reserve	01935	(41,735)	(41,735)	(209)	-	-	(41,944)	(209)	-	-	(41,944)	(58)	-	-	(41,793)
Special Projects Reserve	01975	(360,900)	(360,900)	(1,809)	30,000	-	(332,709)	(1,809)	70,000	-	(292,709)	(500)	-	-	(361,400)
Patterson Street JV Housing Reserve	01988	(49,232)	(49,232)	(247)	-	(5,000)	(54,479)	(247)	-	(5,000)	(54,479)	(68)	-	-	(49,300)
Plant Reserve	01945	(594,288)	(594,288)	(2,978)	641,000	(740,000)	(696,266)	(2,978)	641,000	(740,000)	(696,266)	(824)	-	-	(595,112)
Quinlan Street JV Housing Reserve	01987	(49,788)	(49,788)	(250)	-	(5,000)	(55,038)	(250)	-	(5,000)	(55,038)	(69)	-	-	(49,857)
Stickland JV Housing Reserve	01986	(53,446)	(53,446)	(268)	-	(5,000)	(58,714)	(268)	-	(5,000)	(58,714)	(74)	-	-	(53,520)
Swimming Pool Reserve	01970	(63,993)	(63,993)	(321)	49,000	-	(15,314)	(321)	49,000	-	(15,314)	(89)	-	-	(64,082)
Waste Management Reserve	01920	(50,239)	(50,239)	(252)	-	(5,000)	(55,491)	(252)	-	(5,000)	(55,491)	(70)	-	-	(50,309)
Sporting Co-Location Reserve	01990	(425,241)	(425,241)	(2,126)	331,750	-	(95,617)	(2,126)	331,750	-	(95,617)	(590)	-	-	(425,831)
Doctors Subsidy Reserve	01991	(50,000)	(50,000)	(250)	50,250	-	-	(250)	50,250	-	-	-	-	-	(50,000)
IT Replacement Reserve	01992	-	-	-	-	(52,000)	(52,000)	-	-	(52,000)	(52,000)	-	-	-	-
TOTALS		(1,911,722)	(1,911,722)	(9,575)	1,302,000	(1,057,000)	(1,676,297)	(9,575)	1,342,000	(1,057,000)	(1,636,297)	(2,582)	-	-	(1,914,304)

SHIRE OF WONGAN-BALLIDU					
BANK RECONCILIATIONS FOR 28 FEBRUARY 2022					
	Total	Municipal (01100+01102)	Trust (21100)	Reserve (01105)	Cash On Hand (01101)
Opening Balance	5,305,149.50	3,338,560.90	51,589.84	1,914,148.76	850.00
Add: Receipts	578,941.04	578,639.05		301.99	
Adjustment	-				
Transfers In/(Out)	150.11		150.11		
Transfers In/(Out)	-	80.00	(80.00)		
	-				
Less: Payments - EFT & Cheques	(697,621.04)	(697,621.04)			
Payments - Bank Fees	(678.50)	(678.50)			
Investment - Transfers In/Out	-				
	-				
Balance as per General Ledger	5,185,941.11	3,218,980.41	51,659.95	1,914,450.75	850.00
Balance as per Bank Statements	231,128.95	179,469.00	51,659.95		
Balance as per Bank Deposit Certificates	1,914,450.72	-		1,914,450.72	
Balance as per Holder Certificates	3,031,214.35	3,030,364.35			850.00
Add: Outstanding Deposits	9,147.06	9,147.06			
Adjustments -	-				
	-				
Less: Unpresented Payments	-	-			
	-				
Adjustments & Transfers	-				
Rounding	0.03			0.03	
Balance as per Cash Book	5,185,941.11	3,218,980.41	51,659.95	1,914,450.75	850.00

SHIRE OF WONGAN - BALLIDU											
INVESTMENT REPORT FOR 28 FEBRUARY 2021											
MUNICIPAL INVESTMENTS											
Matured Municipal Investments											
Invest No.	Name	Maturity date	Particulars	From	To	Days	Opening Investment	Transfers in/out	YTD Interest	Closing Balance	Interest Realised
4705-91546	ANZ Online Saver Account			7/11/2018	15/12/2021		\$ 879,888.79	\$ (880,239.98)	\$ 351.19	\$ 0.00	\$ 351.19
Total of matured municipal investments							\$ 879,888.79	\$ (880,239.98)	\$ 351.19	\$ 0.00	\$ 351.19
Current Municipal Investments											
Invest No.	Name	Maturity	From	To	Days	Interest Rate	Opening Investment	Transfers in/out	YTD Interest	Closing Balance	Interest Realised
036-177 160485	Westpac Online Saver Account		6/10/2021				\$ 3,000,000.00	\$ 30,239.98	\$ 124.37	\$ 3,030,364.35	\$ 124.37
Total of current municipal investments							\$ 3,000,000.00	\$ 30,239.98	\$ 124.37	\$ 3,030,364.35	\$ 124.37
RESERVE INVESTMENTS											
Matured Reserve Investments											
Invest No.	Name	Maturity date	Particulars	From	To	Days	Opening Investment	Transfers in/out	YTD Interest	Closing Balance	Interest Realised
9788-42609	Term Deposit		5/08/2021	5/09/2021	30	0.10%	\$ 560,961.98	\$ (561,054.19)	\$ 92.21	\$ 0.00	\$ 92.21
9202-06415	Term Deposit		31/07/2021	31/08/2021	30	0.10%	\$ 502,200.37	\$ (502,286.36)	\$ 85.99	\$ 0.00	\$ 85.99
9789-82644	Term Deposit		3/04/2021	3/10/2021	183	0.10%	\$ 88,091.68	\$ (88,135.84)	\$ 44.16	\$ (0.00)	\$ 44.16
Total of matured reserve investments							\$ 1,151,254.03	\$ (1,151,476.39)	\$ 222.36	\$ 0.00	\$ 222.36
Current Reserve Investments											
Invest No.	Name	Maturity	From	To	Days	Interest Rate	Opening Investment	Transfers in/out	YTD Interest	Closing Balance	Interest Realised
2527-63397	ANZ Reserve Saver						\$ 760,614.93	\$ (762,511.38)	\$ 1,991.28	\$ 94.83	\$ 1,991.28
036-177 160629	Westpac Reserve Saver						\$ 500,000.00	\$ 1,413,987.77	\$ 368.12	\$ 1,914,355.89	\$ 368.12
Total of reserve investments and cash							\$ 1,260,614.93	\$ 651,476.39	\$ 2,359.40	\$ 1,914,450.72	\$ 2,359.40
Total of matured municipal and reserve investment							\$ 2,031,142.82	\$ (2,031,716.37)	\$ 573.55	\$ 0.00	\$ 573.55
Total of current municipal and reserve investment and cash							\$ 4,260,614.93	\$ 681,716.37	\$ 2,483.77	\$ 4,944,815.07	\$ 2,483.77

SHIRE OF WONGAN - BALLIDU RATES AND CHARGES OUTSTANDING 28 FEBRUARY 2022				
		Rates and Charges Raised for 2021/2022	\$ 3,334,751.95	Rates and service charges - raised 30.7.21
Rates and Charges Outstanding Breakdown				
Total Amount Outstanding		28.2.22	\$ 316,250.59	9%
Outstanding same time last year		28.2.21	\$ 358,307.91	11%
SUNDRY DEBTORS OUTSTANDING 28 FEBRUARY 2022				
Debtors Ageing Summary				
Current			\$ 98,508.83	
30 Days			\$ 3,068.57	
60 Days			\$ 23,919.19	
90 Days & Over			\$ 77,849.65	
Credit Balance			\$ (9,834.15)	
Total Outstanding			\$ 193,512.09	
Accounts 90 Days & Over:				
Date	Dr No.	Comments	Amount	
17/05/2019	1370	Standpipe Fees	\$ 1,328.25	Company in Liquidation
30/06/2021	1382	Refund	\$ 72,290.40	Copy sent - Refer AH
23/07/2021	416	Bitumen Driveway	\$ 4,066.00	Job yet to be completed (original \$4250.00) Job now completed
22/09/2021	1478	Food Licence	\$ 120.00	Letter sent - MW following up
30/11/2021	320	Headstone erection	\$ 45.00	Copy to be sent
Total			\$ 77,849.65	

9.2.3 COMPLIANCE AUDIT RETURN 2022 (CAR)

FILE REFERENCE:	F1.7.1
REPORT DATE:	15 March 2021
APPLICANT/PROPONENT:	N/A
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Finance, Audit and Review Committee Meeting held 07 March 2022
AUTHOR:	Alan Hart – Deputy Chief Executive Officer
ATTACHMENTS:	2022 Compliance Audit Return

PURPOSE OF REPORT:

To consider and adopt the 2022 Compliance Audit Return ('CAR').

BACKGROUND:

Council is required to carry out a Compliance Audit Return for the period 1 January 2021 to 31 December 2021 against the requirements included in the 2022 Compliance Audit Return.

The Compliance Audit Return is to be: -

- a) presented to Council at a meeting of the Council;
- b) adopted by the Council; and
- c) the adoption recorded in the Minutes of the meeting at which it is adopted.

The adopted Compliance Audit Return is to be submitted to the Director General, Department of Local Government and Communities by 31 March 2022.

COMMENT:

Regulation 14 requires that the local government's Audit Committee review the CAR and reports the results of that review to the Council prior to adoption by Council and the March submission to the Department.

POLICY REQUIREMENTS:

There are no known legislative requirements related to this item.

LEGISLATIVE REQUIREMENTS:

Local Government Act 1995 Section 7.13(i).

Local Government (Audit) Regulations Regulation 13, 14 and 15.

STRATEGIC IMPLICATIONS:

There are no strategic implications in relation to this item.

SUSTAINABILITY IMPLICATIONS:➤ **Environment**

There are no known environmental impacts associated with this proposal.

➤ **Economic**

There are no known economic impacts associated with this proposal.

➤ **Social**

There are no known social implications associated with this proposal.

➤ **Financial Implications:**

There are no financial implications in relation to this item.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: Yes

Moved: Cr Boekeman

Seconded: Cr West

That Council ADOPT the 2022 Compliance Audit Return as presented for the period 01 January 2021 to 31 December 2021.

CARRIED: 7/0
RESOLUTION:050322



Department of
**Local Government, Sport
and Cultural Industries**

Wongan-Ballidu - Compliance Audit Return 2021

Certified Copy of Return

Please submit a signed copy to the Director General of the Department of Local Government, Sport and Cultural Industries together with a copy of the relevant minutes.

Commercial Enterprises by Local Governments					
No	Reference	Question	Response	Comments	Respondent
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2021?	N/A	The shire has not undertaken any major trading transactions in 2021	Alan Hart
2	s3.59(2)(b) F&G Regs 7,8A, 8, 10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2021?	N/A	The shire has not undertaken any major land transactions in 2021	Alan Hart
3	s3.59(2)(c) F&G Regs 7,8A, 8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2021?	N/A	The shire has not undertaken any major land transactions in 2021	Alan Hart
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2021?	N/A	The shire has not undertaken any major trading or major land transactions in 2021	Alan Hart
5	s3.59(5)	During 2021, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	No		Alan Hart



Department of
**Local Government, Sport
and Cultural Industries**

Delegation of Power/Duty					
No	Reference	Question	Response	Comments	Respondent
1	s5.16	Were all delegations to committees resolved by absolute majority?	N/A	The Shire has no delegations to committees	Alan Hart
2	s5.16	Were all delegations to committees in writing?	N/A	The Shire has no delegations to committees	Alan Hart
3	s5.17	Were all delegations to committees within the limits specified in section 5.17?	N/A	The Shire has no delegations to committees	Alan Hart
4	s5.18	Were all delegations to committees recorded in a register of delegations?	N/A	The Shire has no delegations to committees	Alan Hart
5	s5.18	Has council reviewed delegations to its committees in the 2020/2021 financial year?	N/A	The Shire has no delegations to committees	Alan Hart
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Act?	Yes		Alan Hart
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes	Resolution 040221 OCM 24/02/21	Alan Hart
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes	Resolution 040221 OCM 24/02/21	Alan Hart
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes		Alan Hart
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the council to amend or revoke a delegation made by absolute majority?	N/A		Alan Hart
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes		Alan Hart
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2020/2021 financial year?	Yes	OCM 24/2/21 RES 040221	Alan Hart
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Admin Reg 19?	Yes		Alan Hart

Disclosure of Interest					
No	Reference	Question	Response	Comments	Respondent
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes	OCM 26/05/21 Resolution 070521	Alan Hart



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No	Reference	Question	Response	Comments	Respondent
2	s5.68(2) & s5.69 (5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by Admin Reg 21A, recorded in the minutes of the relevant council or committee meeting?	N/A		Alan Hart
3	s5.73	Were disclosures under section sections 5.65, 5.70 or 5.71A(3) recorded in the minutes of the meeting at which the disclosures were made?	Yes	OCM 28/04/21 Resolution 070421 OCM 6/05/21 Resolution 070521	Alan Hart
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	Yes		Alan Hart
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2021?	Yes		Alan Hart
6	s5.77	On receipt of a primary or annual return, did the CEO, or the mayor/president, give written acknowledgment of having received the return?	Yes		Alan Hart
7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76?	Yes		Alan Hart
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A, in the form prescribed in Admin Reg 28?	Yes		Alan Hart
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76, did the CEO remove from the register all returns relating to that person?	Yes		Alan Hart
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes		Alan Hart
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B, in the form prescribed in Admin Reg 28A?	Yes		Alan Hart
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes		Alan Hart
13	s5.89A(6)	When a person ceases to be a person who is required to make a disclosure under section 5.87A or 5.87B, did the CEO remove from the register all records relating to that person?	Yes		Alan Hart



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No	Reference	Question	Response	Comments	Respondent
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A (6) been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes		Alan Hart
15	Rules of Conduct Reg 11(1), (2) & (4)	Where a council member had an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person, did they disclose the interest in accordance with Rules of Conduct Reg 11(2)?* *Question not applicable after 2 Feb 2021	N/A		Alan Hart
16	Rules of Conduct Reg 11(6)	Where a council member disclosed an interest under Rules of Conduct Reg 11(2) was the nature of the interest recorded in the minutes?*	N/A		Alan Hart
		*Question not applicable after 2 Feb 2021			
17	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	Yes	OCM 28/04/21 RES 060421 OCM 16/09/21 RES 150921	Alan Hart
18	s5.71A & s5.71B (5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under s5.71A(1) relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A		Alan Hart
19	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under subsection 5.71B(6) recorded in the minutes of the council meeting at which the decision was considered?	N/A		Alan Hart
20	s5.103 Admin Regs 34B & 34C	Has the local government adopted a code of conduct in accordance with Admin Regs 34B and 34C to be observed by council members, committee members and employees?*	Yes		Alan Hart
		*Question not applicable after 2 Feb 2021			
21	Admin Reg 34B(5)	Has the CEO kept a register of notifiable gifts in accordance with Admin Reg 34B(5)?*	Yes		Alan Hart
		*Question not applicable after 2 Feb 2021			



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No	Reference	Question	Response	Comments	Respondent
22	s5.104(1)	Did the local government prepare and adopt, by absolute majority, a code of conduct to be observed by council members, committee members and candidates within 3 months of the prescribed model code of conduct coming into operation (3 February 2021)?	Yes	OCM 28/4/21 Resolution 050421	Alan Hart
23	s5.104(3) & (4)	Did the local government adopt additional requirements in addition to the model code of conduct? If yes, does it comply with section 5.104(3) and (4)?	No		Alan Hart
24	s5.104(7)	Did the CEO publish an up-to-date version of the adopted code of conduct on the local government's website?	Yes		Alan Hart
25	s5.51A(1) & (3)	Did the CEO prepare, and implement and publish an up-to-date version on the local government's website, a code of conduct to be observed by employees of the local government?	Yes	Updated May 2021	Alan Hart

Disposal of Property

No	Reference	Question	Response	Comments	Respondent
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) (unless section 3.58(5) applies)?	Yes		Alan Hart
2	s3.58(4)	Where the local government disposed of property under section 3.58(3), did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	Yes		Alan Hart



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Elections					
No	Reference	Question	Response	Comments	Respondent
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate?	Yes		Alan Hart
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years?	N/A	There were no gifts disclosed during the 2021 Election	Alan Hart
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with Elect Reg 30G(6)?	Yes		Alan Hart



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Finance					
No	Reference	Question	Response	Comments	Respondent
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Act?	Yes		Alan Hart
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Act, did it do so by absolute majority?	N/A	The shire has not delegated any powers to the Audit and Risk Committee	Alan Hart
3	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2021 received by the local government by 31 December 2021?	Yes	Received on the 21/12/21	Alan Hart
4	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under s7.9 (1) of the Act required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	N/A	The Shire received an Unqualified Audit for the 2020/21 year	Alan Hart
5	s7.12A(4)(a) & (4)(b)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters? Was a copy of the report given to the Minister within three months of the audit report being received by the local government?	N/A		Alan Hart
6	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under s7.12A(4)(b), did the CEO publish a copy of the report on the local government's official website?	N/A		Alan Hart
7	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June received by the local government within 30 days of completion of the audit?	Yes	Audit Report and Financial Statements submitted to the Department on 13/01/21	Alan Hart



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Integrated Planning and Reporting

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	OCM 15 December 2021. Review and community consultation undertaken in 2021.	Alan Hart
2	Admin Reg 19DA (1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	OCM 26/06/17 RES 090617	Alan Hart
3	Admin Reg 19DA (2) & (3)	Does the corporate business plan comply with the requirements of Admin Reg 19DA(2) & (3)?	Yes		Alan Hart

Local Government Employees

No	Reference	Question	Response	Comments	Respondent
1	Admin Reg 18C	Did the local government approve a process to be used for the selection and appointment of the CEO before the position of CEO was advertised?	N/A		Alan Hart
2	s5.36(4) & s5.37 (3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Admin Reg 18A?	N/A		Alan Hart
3	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	N/A		Alan Hart
4	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4)?	N/A		Alan Hart
5	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	N/A		Alan Hart
6	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A		Alan Hart



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Official Conduct					
No	Reference	Question	Response	Comments	Respondent
1	s5.120	Has the local government designated a senior employee as defined by section 5.37 to be its complaints officer?	Yes	CEO	Alan Hart
2	s5.121(1) & (2)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a)? Does the complaints register include all information required by section 5.121 (2)?	Yes	No complaints were received in 2021	Alan Hart
3	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	Yes		Alan Hart

Optional Questions					
No	Reference	Question	Response	Comments	Respondent
1	Financial Management Reg 5 (2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with Financial Management Reg 5(2)(c) within the three years prior to 31 December 2021? If yes, please provide the date of council's resolution to accept the report.	Yes	OCM 27/08/19 RES 010819	Alan Hart
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Audit Reg 17 within the three years prior to 31 December 2021? If yes, please provide date of council's resolution to accept the report.	No	Review to be undertaken in 2022	Alan Hart
3	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B, was the disclosure made within 10 days after receipt of the gift? Did the disclosure include the information required by section 5.87C?	N/A	No gifts were declared in 2021	Alan Hart
4	s5.90A(2) & (5)	Did the local government prepare, adopt by absolute majority and publish an up-to-date version on the local government's website, a policy dealing with the attendance of council members and the CEO at events ?	Yes	Council Policy 5.22 Resolution 020820 OCM 26 August 2020	Alan Hart



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No	Reference	Question	Response	Comments	Respondent
5	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4)?	Yes		Alan Hart
6	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes	Council Policy 5.23 Resolution 020920 OCM 23 September 2020	Alan Hart
7	s5.127	Did the local government prepare a report on the training completed by council members in the 2020/2021 financial year and publish it on the local government's official website by 31 July 2021?	Yes		Alan Hart
8	s6.4(3)	By 30 September 2021, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2021?	Yes		Alan Hart
9	s.6.2(3)	When adopting the annual budget, did the local government take into account all its expenditure, revenue and income?	Yes		Alan Hart

Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments	Respondent
1	F&G Reg 11A(1) & (3)	Did the local government comply with its current purchasing policy [adopted under F&G Reg 11A(1) & (3)] in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, \$250,000 or less or worth \$250,000 or less?	Yes		Alan Hart
2	s3.57 F&G Reg 11	Subject to F&G Reg 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in F&G Reg 11(1)?	N/A		Alan Hart
3	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with F&G Reg 14(3) and (4)?	Yes		Alan Hart
4	F&G Reg 12	Did the local government comply with F&G Reg 12 when deciding to enter into multiple contracts rather than a single contract?	N/A		Alan Hart



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No	Reference	Question	Response	Comments	Respondent
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents or each acceptable tenderer notice of the variation?	N/A		Alan Hart
6	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of F&G Regs 15 and 16?	Yes		Alan Hart
7	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of F&G Reg 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes		Alan Hart
8	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	No		Alan Hart
9	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	N/A		Alan Hart
10	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes		Alan Hart
11	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of F&G Regs 21 and 22?	N/A		Alan Hart
12	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A		Alan Hart
13	F&G Reg 23(3) & (4)	Were all expressions of interest that were not rejected under F&G Reg 23 (1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer?	N/A		Alan Hart
14	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with F&G Reg 24?	N/A		Alan Hart
15	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with F&G Reg 24AD(4) and 24AE?	N/A		Alan Hart



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No	Reference	Question	Response	Comments	Respondent
16	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	N/A		Alan Hart
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of F&G Reg 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A		Alan Hart
18	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of F&G Reg 24AG?	N/A		Alan Hart
19	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A		Alan Hart
20	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	N/A		Alan Hart
21	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A		Alan Hart
22	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of F&G Regs 24E and 24F?	N/A		Alan Hart

I certify this Compliance Audit Return has been adopted by council at its meeting on _____

Signed Mayor/President, Wongan-Ballidu

Signed CEO, Wongan-Ballidu

9.3 WORKS AND SERVICES

Nil

9.4 HEALTH, BUILDING AND PLANNING

9.4.1 APPLICATION FOR DEVELOPMENT APPROVAL P515 – R-CODE VARIATION PROPOSED NEW OUTBUILDING AT 32 SHIELDS CRESCENT, WONGAN HILLS

FILE REFERENCE:	P515/A499
REPORT DATE:	10 March 2022
APPLICANT/PROPONENT:	Mr Neil Panton
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Melissa Marcon – Manager of Regulatory Services
ATTACHMENTS:	Nil

PURPOSE OF REPORT:

Consideration and final determination of an Application for Development Approval for the construction and use of a new outbuilding at 32 Shields Crescent, Wongan Hills.

Development approval is required due to a variation of the R-Code for a residential property.

BACKGROUND:

The applicant is seeking Council's development approval for the construction and use of a new outbuilding at 32 Shields Crescent, Wongan Hills.

32 Shields Crescent, Wongan Hills comprises a total area of approximately 0.1350 hectares.

The outbuilding will be used to house a caravan which requires a 3.3m clearance and will be 0.5m from the boundary fence.



Synergy Map 10/03/2022



Map of Bush Fire Prone Area 10/03/2022

COMMENT:

The applicant would like to erect a new outbuilding at 32 Shields Crescent, Wongan Hills. The outbuilding will be made from Colorbond material and measure 7m x 7.76m. It will have an eave

height of 3.3m on one side and 3m on the other to follow the line of the existing outbuilding with a ridge height of 3.8m.

32 Shields Crescent, Wongan Hills is in a Bush Fire Prone Area however will not require a BAL assessment based on Building Amendment Regulations 2016 (Bush Fire);

Reg 7 amends reg. 31BA to insert exemptions for specified minor alterations (renovations, alterations, extensions, improvements or repairs) from meeting the bush fire performance requirements of the Building Code.

(1) Inserts sub reg. (1A), which defines the following terms:

Excluded building work means alterations to a relevant building if:

- (a) The estimated value of the alteration is less than \$20,000; or
- (b) The alteration does not increase the risk of ignition from bush fire attack for the existing building being altered.

32 Shields Crescent, Wongan Hills is classified 'Residential' zone in the Shire of Wongan Ballidu Local Planning Scheme No. 5 (LPS5).

The Zone Objectives for the development and use of any land classified 'Residential' zone are as follows:

- To provide for a range of housing and a choice of residential densities to meet the needs of the community.
- To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.
- To provide for a range of non-residential uses, which are compatible with and complementary to residential development.

The setbacks from the boundary fence of the outbuilding the applicant is requesting, are outside the Deemed to Comply requirements under the R-Codes. The wall height requirements are also outside the Deemed to Comply requirements, therefore a variation to the R-Codes is requested.

5.4.3 Outbuildings Deemed-to-Comply – development satisfies the following deemed-to-comply requirements (c)

Deemed-to-Comply (R-Codes) C3 Outbuildings that:	Proposed Outbuilding Specifications
i. are not attached to a dwelling	Outbuilding is not attached to the dwelling
ii. are non-habitable	Outbuilding is being used for caravan storage
iii. collectively do not exceed 60m ² in area or 10 per cent in aggregate of the site area, whichever is the lesser	The proposed outbuilding will be the third structure on the residential property with a shed and single residence. The total area of the outbuilding is 54.32m ² (existing & new)
iv. do not exceed a wall height of 2.4m	Wall height 3.3m on one side and 3m on the other

v. do not exceed a ridge height of 4.2m	Ridge height 3.8 m
vi. are not within the primary or secondary street set back area	Outbuilding is not within the primary or secondary street set back area
vii. do not reduce the amount of open space required in Table 1; and Table 1 requirement 60%	Open space at completion of outbuilding and single residence will be 65%
viii. are set back in accordance with Tables 2a and 2b Set back requirement 1.0 m	Side setback 0.5m

Under the Residential Design Codes (R-Codes), 32 Shields Crescent, Wongan Hills is zoned R10/25.

The size of an outbuilding can be varied if the application complies with the Design Principles set out by the R-Codes.

Design Principle 5.4.3 Outbuildings

P3 Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.

The application has been assessed with due regard for the specific objectives and standards of the Shire's local planning framework including LPS5 and all relevant local planning policies, the Residential Design Codes and the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The development application has been assessed in consultation with the above documents and is subject to compliance with a number of conditions. As such it is recommended Council exercise its discretion and grant conditional approval to the application to ensure the development proceeds in accordance with the information and plans submitted in support of the proposal and the relevant standards and requirements of the Shire's local planning framework.

POLICY REQUIREMENTS:

There are no policy requirements in relation to the item.

LEGISLATIVE REQUIREMENTS:

Planning and Development Act 2015

Planning and Development (Local Planning Schemes) Regulations 2015

Shire of Wongan Ballidu Local Planning Scheme No. 5

State Planning Policy 7.3 Residential Design Codes Volume 1

State Planning Policy 3.7 Planning in Bushfire Prone Areas

Building Amendment Regulations 2016 (Bush Fire)

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this item.

SUSTAINABILITY IMPLICATIONS:➤ **Environment**

There are no known environmental implications associated with this item.

➤ **Economic**

There are no known economic implications associated with this item.

➤ **Social**

There are no known social implications associated with this item

FINANCIAL IMPLICATIONS:

There are no financial implications to Council in relation to this item as all costs will be incurred by the applicant.

VOTING REQUIREMENTS:**ABSOLUTE MAJORITY REQUIRED:**

Moved: Cr Boekeman

Seconded: Cr Coad

That Council APPROVE the Development Application to allow the applicant to build the outbuilding at 32 Shields Crescent, Wongan Hills subject to the following conditions and advice notes:

Conditions

1. The proposed development shall be completed within a period of two (2) years from the date of this approval.
2. The proposed development shall be undertaken strictly in accordance with the information and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by Council.
3. All stormwater drainage generated by the proposed outbuilding shall be contained and managed on site to the specifications and satisfaction of the Shire's Chief Executive Officer.
4. All external surfaces of the proposed outbuilding shall be clad with new materials only.
5. Building to be constructed using Colorbond range of colours.
6. The proposed outbuilding shall be used for private storage purposes only unless otherwise approved by Council.

Advice Notes

1. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement, memorial or restrictive covenant. It is the responsibility of the applicant and landowner and not the Shire to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether it has been drawn to the Shire's attention.
2. This is a development approval of the Shire of Wongan Ballidu under its Local Planning Scheme No. 5. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary

approvals, consents, permits and licences required under any other law, and to commence and carry out development in accordance with all relevant laws.

3. The applicant/landowner is reminded of their obligation to ensure compliance with the following requirements:
 - a. Shire of Wongan Ballidu Annual Firebreak Notice, all land zoned Residential; Rural Townsite and Commercial is required to reduce all annual grass and herbage to a height of not more than 75mm.
 - b. Shire of Wongan Ballidu Health Local Law
4. In accordance with the Building Act 2011 and Building Regulations 2012, a building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction or earthworks on the land.
5. The proposed outbuilding is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements must be submitted to the Shire with the building permit application.
6. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
7. No construction works shall commence on the land prior to 7 am without the Shire's written approval. No construction works are permitted to be undertaken on Sundays or Public Holidays.
8. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Wongan Ballidu Local Planning Scheme No. 5 and may result in legal action being initiated by the local government.
9. If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be submitted within 28 days of the determination.

CARRIED:7/0
RESOLUTION:060322

9.4.2 APPLICATION FOR DEVELOPMENT APPROVAL P516 – R-CODE VARIATION PROPOSED NEW OUTBUILDING AT 3 BOOTH STREET, WONGAN HILLS

FILE REFERENCE:	P516/A720
REPORT DATE:	11 March 2022
APPLICANT/PROPONENT:	Action Outdoors
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Melissa Marcon – Manager of Regulatory Services
ATTACHMENTS:	Nil

PURPOSE OF REPORT:

Consideration and final determination of an application for development approval for the construction and use of a new outbuilding at 3 Booth Street, Wongan Hills.

Development approval is required due to a variation of the R-Code for a residential property.

BACKGROUND:

The applicant is seeking Council's development approval for the construction and use of a new outbuilding at 3 Booth Street, Wongan Hills.

3 Booth Street, Wongan Hills comprises a total area of approximately 0.1073 hectares. The outbuilding will be used for storage and hobbies.



Synergy Map 11 March 2022



Bushfire Prone Area Map 11 March 2022

COMMENT:

The applicant would like to erect a new outbuilding at 3 Booth Street, Wongan Hills. The outbuilding will be made from Colorbond material and measure 12m x 8m x 4.705m. The proposed outbuilding will be installed on the north side of the property, beside the main residence.

Access to the proposed shed will be via the existing dirt driveway from Booth Street. The proposed shed is to be set back 1m from the East boundary fence and 2m from the North boundary fence. It will have an eave height of 4m and a ridge height of 4.705m.

There is a large gum tree on the verge of Booth Street outside the property.

3 Booth Street, Wongan Hills is classified 'Residential' zone in the Shire of Wongan Ballidu Local Planning Scheme No. 5 (LPS5).

The Zone Objectives for the development and use of any land classified 'Residential' zone are as follows:

To provide for a range of housing and a choice of residential densities to meet the needs of the community.

To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.

To provide for a range of non-residential uses, which are compatible with and complementary to residential development.

The setbacks from the boundary fence of the outbuilding the applicant is requesting, are outside the Deemed to Comply requirements under the R-Codes. The wall height requirements are also outside of the Deemed to Comply requirements and therefore a variation to the R-Codes is requested.

5.4.3 Outbuildings Deemed-to-Comply – development satisfies the following deemed-to-comply requirements (c)

Deemed-to-Comply (R-Codes) C3 Outbuildings that:	Proposed Outbuilding Specifications
are not attached to a dwelling	Outbuilding is not attached to the dwelling
are non-habitable	Outbuilding is being used for storage and hobbies.
collectively do not exceed 60m ² in area or 10 per cent in aggregate of the site area, whichever is the lesser	The proposed outbuilding is the only structure on the residential property aside from the single residence. The total area of the shed is 96m ²
do not exceed a wall height of 2.4m	Wall height 4m
do not exceed a ridge height of 4.2m	Ridge height 4.705m
are not within the primary or secondary street set back area	Outbuilding is not within the primary or secondary street set back area
do not reduce the amount of open space required in Table 1; and Table 1 requirement 60%	Open space at completion of outbuilding will be 68.78%
are set back in accordance with Tables 2a and 2b Set back requirement 1.5 m rear of outbuilding Set back requirement 2.4 m front of outbuilding Setback side of building 1 m	Rear set back is 1 m Front set back is 1 m Side set back is 2 m

Under the Residential Design Codes (R-Codes), 3 Booth Street, Wongan Hills is zoned R10/25.

The size of an outbuilding can be varied if the application complies with the Design Principles set out by the R-Codes.

Design Principle 5.4.3 Outbuildings

P3 Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.

The application has been assessed with due regard for the specific objectives and standards of the Shire's local planning framework including LPS5 and all relevant local planning policies, the Residential Design Codes and the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The development application has been assessed in consultation with the above documents and is subject to compliance with a number of conditions. As such it is recommended Council exercise its discretion and grant conditional approval to the application to ensure the development proceeds in accordance with the information and plans submitted in support of the proposal and the relevant standards and requirements of the Shire's local planning framework.

POLICY REQUIREMENTS:

There are no policy requirements in relation to the item.

LEGISLATIVE REQUIREMENTS:

Planning and Development Act 2015
 Planning and Development (Local Planning Schemes) Regulations 2015
 Shire of Wongan Ballidu Local Planning Scheme No. 5
 State Planning Policy 7.3 Residential Design Codes Volume 1

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this item.

SUSTAINABILITY IMPLICATIONS:

Environment

There are no known environmental implications associated with this item.

Economic

There are no known economic implications associated with this proposal.

Social

There are no social implications associated with this proposal.

FINANCIAL IMPLICATIONS:

There are no financial implications to Council in relation to this item as all costs will be incurred by the applicant.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED:

Moved: Cr West

Seconded: Cr Tunstill

That Council APPROVE the Development Application to allow the applicant to build the outbuilding at 3 Booth Street, Wongan Hills subject to the following conditions and advice notes:

Conditions

1. The proposed development shall be completed within a period of two (2) years from the date of this approval.
2. The proposed development shall be undertaken strictly in accordance with the information and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by Council.
3. All stormwater drainage generated by the proposed outbuilding shall be contained and managed on site to the specifications and satisfaction of the Shire's Chief Executive Officer.
4. All external surfaces of the proposed outbuilding shall be clad with new materials only.
5. Building to be constructed using Colorbond range of colours.
6. The proposed outbuilding shall be used for private storage purposes only unless otherwise approved by Council.

Advice Notes

1. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement, memorial or restrictive covenant. It is the responsibility of the applicant and landowner and not the Shire to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether it has been drawn to the Shire's attention.
2. This is a development approval of the Shire of Wongan Ballidu under its Local Planning Scheme No. 5. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits, and licences required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. The applicant/landowner is reminded of their obligation to ensure compliance with the following requirements:
 - a. Shire of Wongan Ballidu Annual Firebreak Notice, all land zoned Residential; Rural Townsite and Commercial is required to reduce all annual grass and herbage to a height of not more than 75mm.
 - b. Shire of Wongan Ballidu Health Local Law
4. In accordance with the Building Act 2011 and Building Regulations 2012, a building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction or earthworks on the land.
5. The proposed outbuilding is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements must be submitted to the Shire with the building permit application.
6. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
7. No construction works shall commence on the land prior to 7 am without the Shire's written approval. No construction works are permitted to be undertaken on Sundays or Public Holidays.
8. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Wongan Ballidu Local Planning Scheme No. 5 and may result in legal action being initiated by the local government.
9. If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be submitted within 28 days of the determination.

LOST:2/5

RESOLUTION:070322

Moved: Cr Coad Seconded by: Cr Boekeman

That SHIRE survey immediate neighbours and seek written submissions and that the application is tabled for consideration at the next Council meeting including any written submissions received.

CARRIED:7/0

RESOLUTION: 080322

9.4.3 APPLICATION FOR DEVELOPMENT APPROVAL P513 – PROPOSED SIGN WRITING BUSINESS AT 7 FENTON PLACE, WONGAN HILLS

FILE REFERENCE:	A621/P513
REPORT DATE:	14 March 2022
APPLICANT/PROPONENT:	John Pauley – Wheatbelt Signs
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Melissa Marcon – Manager of Regulatory Services
ATTACHMENTS:	Nil

PURPOSE OF REPORT:

Consideration and final determination of an Application for Development Approval to establish and operate a sign writing business within the existing building at 7 Fenton Place, Wongan Hills.

BACKGROUND:

The applicant is seeking Council's development approval to establish and operate a sign writing business within an existing building at 7 Fenton Place, Wongan Hills.

Under the terms of the application received, the proposed sign writing business will be conducted by the owner and will involve the manufacturing and distribution of various types of signs on a commercial basis.

The applicant has confirmed that no large machinery will be used or stored on the premises and no loud noises will permeate from 7 Fenton Place, Wongan Hills.

7 Fenton Place comprises a total area of approximately 0.1113 hectares, the land contains one existing outbuilding, a showroom and shop front.



Google Maps 14/03/2022

COMMENT:

7 Fenton Place, Wongan Hills is classified 'Commercial' zone in the Shire of Wongan-Ballidu Local Planning Scheme No.5 (LPS5).

Council's stated objectives for the development and use of any land classified 'Commercial' zone are as follows:

- To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites.
- To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.
- To ensure the development is not detrimental to the amenity of adjoining owners or residential properties in the locality.
- To maintain safety and efficiency of traffic flows and provide for adequate facilities for the storage and circulation of vehicles.
- To preclude the storage of bulky and unsightly goods where they may be in public view.

Under the terms of the Zoning Table in LPS5 a sign writing business is classed as a 'bulky goods showroom' –

(b) used to sell by retail goods and accessories by retail if –

- (i) a large area is required for the handling, display or storage of the goods; or
- (ii) vehicular access is required to the premises for the purpose of collection of purchased goods

A 'bulky goods showroom' is listed as a 'D' use in the Zoning Table. Under Clause 3.3.2 a 'D' use means that the use is not permitted unless the local government has exercised its discretion by granting development approval.

There are marked street parking bays on Fenton Place and an area for parking to the side of the showroom for onsite parking.

There is access and egress from the property on both Fenton Place and Coomer Street Wongan Hills.

POLICY REQUIREMENTS:

There are no policy requirements in relation to the item.

LEGISLATIVE REQUIREMENTS:

Planning and Development Act 2015
 Planning and Development (Local Planning Schemes) Regulations 2015
 Shire of Wongan-Ballidu Local Planning Scheme No.5

STRATEGIC IMPLICATIONS:

There are no known strategic implications associated with this item.

SUSTAINABILITY IMPLICATIONS:**➤ Environment**

There are no known environmental implications associated with this item.

➤ Economic

The establishment of a business in Wongan Hills demonstrates growth within the Shire and could provide economic benefit to local businesses.

➤ Social

There are no known social implications associated with this item.

FINANCIAL IMPLICATIONS:

There are no financial implications to Council in relation to this item as the costs will be covered by the applicant.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: No

Moved: Cr Coad

Seconded: Cr Boekeman

That Council APPROVE the Development Application for the proposed sign writing business at 7 Fenton Place, Wongan Hills subject to the following conditions and advice notes:

Conditions

1. The proposed development shall be completed within a period of two (2) years from the date of this approval. If the development is not completed within this period, the approval will lapse and be of no further effect. Where an approval has lapsed no development shall be carried out without the further approval of the Shire of Wongan Ballidu having first been sought and obtained.
2. The proposed development shall be undertaken strictly in accordance with the information and plans submitted in support of the application subject to any modifications required as a consequence of any condition/s of this approval or otherwise approved by Council.

Advice Notes

1. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement, memorial or restrictive covenant. It is the responsibility of the applicant and landowner and not the Shire to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Shire's attention.
2. This is a development approval of the Shire of Wongan Ballidu under its Local Planning Scheme No. 5. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licences required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. The applicant/landowner is reminded of their obligation to ensure compliance with the following requirements:
 - a. Shire of Wongan Ballidu Annual Firebreak Notice. All land zoned Residential, Rural Townsite and Commercial are required to reduce all annual grass and herbage to a height of not more than 75mm.
 - b. Shire of Wongan Ballidu Health Local Law
4. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
5. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Wongan Ballidu Local Planning Scheme No. 5 and may result in legal action being initiated by the local government.
6. If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be submitted within 28 days of the determination.

CARRIED:7/0
RESOLUTION:090322

9.4.4 DEVELOPMENT APPLICATION – PROPOSED UPGRADES & ADDITIONS TO COOPERATIVE BULK HANDLING LIMITED'S EXISTING GRAIN HANDLING & STORAGE FACILITY IN CADOUX

FILE REFERENCE:	A1600 / P490
REPORT DATE:	15 March 2022
APPLICANT/PROPONENT:	Cooperative Bulk Handling Limited
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	23 September 2020 – Resolution 110920
AUTHOR:	Mr Joe Douglas
ATTACHMENTS:	Attachment 1 – Development Application Documentation & Plans & other supporting information Attachment 2 – Additional Road Upgrade Information from CBH dated 25 February 2022

PURPOSE OF REPORT

Consideration and final determination of a development application submitted by Cooperative Bulk Handling Limited (CBH) for a number of proposed upgrades and additions to its existing grain handling and storage facility on Lot 2 on Deposited Plan 65578 Cochrane Road, Cadoux, including the construction of new stormwater drainage infrastructure on the adjoining Lot 9001 on Deposited Plan 65578 immediately west.

BACKGROUND

Cooperative Bulk Handling Limited (CBH) have submitted a development application seeking Council's approval for a number of proposed upgrades and additions to its existing grain handling and storage facility on Lot 2 on Deposited Plan 65578 Cochrane Road, Cadoux including:

- i) Construction of a new compacted, concrete stabilised hardstand area in the land's northern half, including all associated vegetation clearing works and bulk earthworks;
- ii) Installation of two (2) new 1.8 metre high, 300 metre long and 35 metre wide steel framed grain storage bulkheads on the new hardstand area, each comprising a total storage capacity of 39,300 tonnes (i.e. an additional 78,600 tonnes of on-site grain storage capacity is proposed which represents a 54% increase to the facility's current storage capacity);
- iii) Installation of a new auger pit, air compressor and conveyor loading system immediately adjacent to the new grain storage bulkheads referred to above;
- iv) Construction of new sealed internal access roads in the land's northern half, including drainage culverts where required, to provide a direct connection to the existing grain storage infrastructure in the land's southern half;
- v) Upgrades to an existing drive-over grid road between the two existing grain storage bulkheads in the land's southern half;
- vi) Construction of a new internal bypass road between an existing aboveground weighbridge adjacent to the land's southern boundary and the southern-most grain storage bulkhead;
- vii) Widening of an existing internal access road between the aboveground weighbridge and the land's western boundary for heavy vehicle stacking purposes during deliveries;

- viii) Installation of road markings and furniture associated with all proposed new internal roads;
- ix) Construction of all required stormwater drainage infrastructure, including two new stormwater drainage basins on Lot 2 and one new stormwater drainage basin on Lot 9001 located immediately west pursuant to a construction and access licence agreement with the relevant landowner (i.e. P.V.J. Nominees Pty Ltd); and
- x) Construction of a new transformer pad in the land's south-western corner for electricity supply purposes.

A full copy of the development application, including various supporting information and plans, is provided in Attachments 1 and 2 to assist Council's consideration and determination of the proposal.

Lot 2 is located immediately adjacent to the northern boundary of the Cadoux townsite, comprises a total area of approximately 15.67 hectares and is gently sloping from east to west.

The land has been extensively cleared throughout, with the exception of some existing remnant native vegetation in its north-eastern and eastern portions and is characterised by a shallow drainage line and dams constructed in the same general location for stormwater drainage management purposes.



Location & Lot Configuration Plan (Source: Landgate)

It is significant to note the soils on the land, which comprise silty sand to a depth of 0.1 to 0.6 metres overlying sandy clay / clayey sand to a depth of 1.5 to 3.7 metres with laterite or igneous rock below,

are likely to have very low permeability and must therefore be considered carefully when planning for all future stormwater drainage infrastructure and ongoing maintenance and management. Dust management will also be an important consideration during the construction process.

Whilst Lot 2 and Lot 9001 immediately west have not been identified as containing any sites of European or Aboriginal cultural heritage significance or subject to major inundation or flooding during extreme storm events, the southern-most portion of Lot 2 has been designated by the Fire and Emergency Services Commissioner as being bushfire prone. Notwithstanding this fact, as the proposed development will not increase the overall bushfire threat, a bushfire attack level (BAL) assessment and bushfire management plan are not required in support of the application.

Lot 2, which forms an integral part of CBH's existing grain handling and storage facility in the Cadoux townsite, already contains three (3) existing approved open storage bulkheads and various associated infrastructure, including sealed internal access roads, a sample hut, weighbridge, auger pit and conveyor loading system.

Lot 2 is bounded by:

- An operational railway reserve, Dowerin-Kalannie Road and King Street immediately east, both of which are sealed and drained regional distributor roads under the care, control and management of the Shire of Wongan-Ballidu;
- Broadacre agricultural land comprising Lot 9001 immediately north and west which is currently used for cropping and grazing purposes and accommodates stormwater drainage from the existing development on Lot 2; and
- A small agricultural lot, undeveloped Vacant Crown Land, an operational railway reserve comprising grain storage infrastructure associated with CBH's current activities, and Cochrane Road immediately south which is also a sealed and drained regional distributor road under the care, control and management of the Shire.

It is significant to note all roads abutting CBH's facility in Cadoux form part of Main Roads WA designated Restricted Access Vehicles (RAV) road network which allows for the passage of prime mover and trailer combinations up to a maximum length of 36.5 metres and gross vehicle mass of 87.5 tonnes.

COMMENT

Lots 2 and 9001 are classified 'Rural' zone in the Shire of Wongan-Ballidu Local Planning Scheme No.5 (LPS5).

The stated objectives in Table 2 of LPS5 for the development and use of any land classified 'Rural' zone are as follows:

- *To provide for the maintenance or enhancement of specific rural character;*
- *To protect broadacre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use;*
- *To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from*

damage;

- *To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone;*
- *To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses;*
- *To support small scale, low impact, short-term tourist accommodation in rural locations;*
- *To support mining activities where an environmental management plan has been prepared and the project is acceptable to the local government, EPA and the Department responsible for mining; and*
- *To preclude the disposal of used tyres or any other material that may be detrimental to the quality of the land.*

When considering and determining previous development applications for Lot 2 Council has accepted that the development and use of Lot 2 for 'grain handling and storage purposes', which is a use not expressly listed in the Zoning Table of LPS5, is consistent with the objectives of the land's current 'Rural' zoning classification in LPS5 and is therefore permitted (i.e. Resolution No.110920 on 23 September 2020).

Notwithstanding the permissibility of the proposed development of Lots 2 and 9001 for 'grain handling and storage purposes', Council's development approval is still required for the proposed works as they are not of a type listed in clause 61(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* or Schedule A of LPS5 as being exempt from the need for development approval.

Assessment of the application in the context of the specific aims, objectives, standards and requirements of LPS5, the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* and advice received from Main Roads WA has confirmed the proposed development is compliant, or capable of compliance, with the following requirements:

- The general aims and objectives of LPS5 including those specific to all land classified 'Rural' zone;
- Land capability and suitability;
- Land use compatibility including buffer separation distances to sensitive land uses;
- Lot boundary setbacks;
- Amenity of the locality including potential environmental, visual and social impacts;
- Protection of the natural environment, water resources and cultural heritage significance;
- On-site vehicle access and parking; and
- Flood, stormwater drainage and bushfire risk management.

Notwithstanding the above conclusion, Council should note the following key points when considering and determining the application:

1. Environmental Impact

Clause 67(2)(o) of the Deemed Provisions requires decision-makers to have due regard for the likely effect of a development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource.

Consideration must also be given to the objectives and policy measures of State Planning Policy 2 entitled 'Environment and Natural Resources Policy' as it applies specifically to the protection, conservation and enhancement of the natural environment and other natural resources.

A Technical Memorandum prepared by a suitably qualified environmental consultant was submitted in support of the application and confirmed as follows:

- i) *An environmental assessment, including site survey, was undertaken in 2020 accordance with the Environmental Protection Authority's (EPA) guidance: Technical Guidance: Flora and Vegetation Surveys for Environmental Impact Assessment (EPA 2016), Technical Guidance: Terrestrial Fauna Surveys (EPA 2020), as well as the Department of Sustainability, Environment, Water, Population and Communities (SEWPaC) EPBC Act referral guidelines for three (3) threatened black cockatoo species (SEWPaC 2012);*
- ii) *No Threatened or Priority Ecological Communities were recorded on the land during the survey;*
- iii) *A total of 22 flora species, representing 8 families and 19 genera, were recorded within the survey area. No conservation significant flora species listed under the Environment, Biodiversity and Conservation Act 1999 (EPBC Act), the Biodiversity and Conservation Act 2016 (BC Act) or by the Department of Biodiversity, Conservation and Attractions (DBCA) were recorded within the survey area;*
- iv) *A total of 11 introduced (weed) flora species were recorded from the survey area, none of which are listed as Declared Pests under the Biosecurity and Agriculture Management Act 2007 or as Weeds of National Significance;*
- v) *A total of 12 vertebrate fauna species were recorded during the survey, comprising 11 birds, and one mammal. No conservation significant fauna species were recorded during the survey;*
- vi) *There were no direct sightings or records of foraging evidence or activity of black cockatoos within the survey area during the field survey. A total of 24 potentially suitable breeding trees were mapped within the survey area comprising 21 Eucalyptus salmonophloia (Salmon Gum) and three Eucalyptus salubris (Gimlet) trees however, none of these trees contained hollows suitable for nesting. The site occurs outside the modelled distribution of all three species of black cockatoo. Whilst there is one record of Carnaby's Cockatoo within 10 kilometres of the site, all of the three black cockatoo species are considered unlikely to occur;*
- vii) *Given the limited environmental values identified within the survey area, the proposed removal of native vegetation is not considered to trigger the requirements for formal assessment under either the EPBC Act or Part IV of the Environmental Protection Act 1986 (EP Act); and*
- viii) *An assessment of the criteria for relevant clearing permit exemptions under Regulation 5 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 has been undertaken for the proposed removal of up to 3.1 hectares of remnant native vegetation identified within the survey area. Based on the amount of remnant vegetation identified being*

below 5 hectares, not classified as an ESA and requiring a suitable building licence to support construction activities, the proposed clearing works are considered to be exempt from the need for a clearing permit application and approval.

Council should note it is CBH's responsibility to determine whether an exemption to the need for a clearing permit approval is applicable for the proposed clearing of up to 3.1 hectares of remnant native vegetation to accommodate the proposed development. If a clearing permit is not required as suggested by the key findings of the Technical Memorandum above, it is reasonable to conclude the proposed clearing works are acceptable from a regulatory perspective and won't therefore have a detrimental impact on the natural environment.

Should a clearing permit approval be required, it is reasonable to expect the proposed clearing works would only be approved by the Department of Water and Environmental Regulation if they were considered acceptable from an environmental perspective, including any proposed offset measures.

In light of the above findings, it is concluded the proposed development will satisfy the objectives and requirements of State Planning Policy 2 entitled 'Environment and Natural Resources Policy' as it applies specifically to the protection, conservation and enhancement of the natural environment and other natural resources due to the need to comply with other regulatory requirements.

2. Land Use Compatibility & Potential Amenity Impacts

Clause 67(2)(m) of the Deemed Provisions requires decision-makers to have due regard for the compatibility of any proposed development with its setting, including:

- i) the compatibility of the development with the desired future character of its setting; and
- ii) the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development.

Clause 67(2)(n) of the Deemed Provisions also requires decision-makers to have due regard for the amenity of the locality including the following:

- i) environmental impacts of the development;
- ii) the character of the locality;
- iii) social impacts of the development.

All State Planning Policies of relevance to the proposal reinforce and support the abovementioned Deemed Provisions by requiring consideration of the potential for environmental and off-site impacts, land use conflict, separation distances to sensitive land uses, and potential mitigation measures including statutory buffers.

The reporting officer has considered the proposal in the context of the relevant requirements and formed the view it is generally compatible and suitable in its local setting and will not have a detrimental impact upon the amenity of the locality for the following reasons:

- i) It represents a logical extension to an existing approved, strategically important and widely accepted grain handling and storage facility in a well-established rural setting that is well

removed from existing sensitive land uses and capable of accommodating the proposed development;

- ii) It will not compromise the continued use of any immediately adjoining or other nearby properties for extensive agricultural purposes or the ability to establish additional sensitive land uses with separation distances that comply with all relevant State and environmental policies if the demand arose;
- iii) The potential environmental impacts have been investigated with a specialist report confirming they are acceptable and manageable within the current regulatory framework;
- iv) It will be mostly screened from public view due to the existing remnant native vegetation in the roadside verges along King Street and Dowerin-Kalannie Road which will be retained, aside from some minor trimming works for traffic safety purposes if required;
- v) Potential issues surrounding noise and dust, particularly during the initial construction phase of the project, are also manageable within the current regulatory framework; and
- vi) It is expected the development will be well supported by the local community for its many perceived and actual benefits, and will not have any detrimental social impacts.

3. Stormwater Drainage Management

Clause 67(2)(o) of the Deemed Provisions requires decision-makers to have due regard for the suitability of the land for the development, including the possible risk of flooding, subsidence, landslip and soil erosion.

The application is supported by a comprehensive Stormwater Drainage Management Plan prepared by a suitably qualified consultant that provides a hydrologic and hydraulic analysis of the subject land's drainage conditions in the pre-development and post-developed scenarios to measure, anticipate and mitigate adverse drainage impacts resulting from the proposed works.

Given the very low permeability of soils on the land, their susceptibility to flooding and erosion, and the fact the Stormwater Drainage Management Plan is based upon modelling and a number of associated assumptions that have not been tested, it is recommended Council adopt a precautionary approach to all proposed stormwater drainage management arrangements.

This can be achieved by imposing a condition on any development approval that may ultimately be granted requiring a further report to be prepared by a suitably qualified consultant for submission to the Shire by 31 October 2023, unless otherwise agreed, confirming all measures proposed in the Stormwater Drainage Management Plan have been implemented, including ongoing maintenance requirements, as well as details of any additional works that may be required to minimise the risk of flooding and erosion during extreme storm events.

4. Off-Site Vehicle Access & Traffic

Clauses 67(2)(s) and (t) of the Deemed Provisions require decision-makers to have due regard for:

- a) the adequacy of the proposed means of access to and egress from the site and arrangements for the loading, unloading, manoeuvring and parking of vehicles; and
- b) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety.

A Traffic Impact Statement and Road Safety Audit prepared by a suitably qualified consultant was submitted in support of the application and confirmed as follows:

- i) *The existing grain receival facility averages 44 truckloads per day and 122 truckloads per day during peak periods, with an average 39-tonne payload over a 65 day campaign period during each harvest season which equates to a 76.8% utilisation rate based on the facility's existing storage capacity of 145,275 tonnes;*
- ii) *Based on the 39-tonne average truck payload and additional 70,740-tonnes of effective grain storage capacity (i.e. 90% of the additional 78,600 tonnes proposed), an average of 28 additional truckloads per day per and up to 77 additional truckloads during peak days is expected;*
- iii) *For all out-loading traffic, which occurs throughout the year depending on demand, 10 truckloads per day has been assumed as per CBH's TS10A – Design Specification for the existing facility and proposed expanded facility;*
- iv) *The additional volume of traffic likely to be generated by the proposed expansion works is considered to be low, can be accommodated within the existing capacity of the road network and is unlikely to increase the likelihood of crashes to unacceptable levels;*
- v) *The sealed widths of the surrounding road network are equal to or above the minimum required road widths for their relative RAV categories;*
- vi) *The available Safe Intersection Sight Distances (SISD) and Entering Sight Distances (ESD) at the site exit (i.e. the Cochrane Road & King Street intersection) are below minimum requirement as per Austroads Guide to Road Design Part4A and MRWA's RAV Assessment Guidelines. This can be attributed to existing vegetation adjacent to the intersection which adversely impacts sight distances and may obscure a driver's vision of vehicles on the through road. This may increase the risk of right angle or right turn through crashes resulting in serious or fatal injury to vehicle occupants. It is therefore recommended that vegetation within the sight triangles be removed to achieve the required sight lines in accordance with Austroads Guide to Road Design;*
- vii) *Based on the swept path assessment, the left turn movements at the site exit will not be lane correct and RAV 5-7 template turning towards both sides of King Street have minimal clearance to the intersection edge of seal. The non-lane correct movement is deemed acceptable if minimum sight distance is achieved;*
- viii) *The Dowerin-Kalannie Road southbound approach to the CBH site exit is derestricted at 110km/h and the speed is reduced to 70km/h after Cochrane Road where it intersects with King Street. It is assumed the 70km/h speed zone reduction south of this intersection was implemented to reduce the crash risks due to turning vehicles. It is therefore recommended that the 70km/h speed zone location be extended on Dowerin-Kalannie Road north of the CBH site exit at the Cochrane Road and King Street intersection on a temporary basis during harvest periods which is consistent with the relevant Austroads design guidance;*
- ix) *An unprotected culvert is located at the Cochrane Road and King Street intersection and within the clear zone on the King Street northern leg. Should a vehicle inadvertently leave the roadway in the section of road adjacent to the unprotected culvert headwall, a driver is likely to experience loss of control with the resultant crash causing serious or fatal injury. It is therefore recommended that the culvert outside of the clear zone at the intersection be extended;*
- x) *There is evidence of pavement deterioration at the Cochrane Road and King Street intersection due to trucks turning. Flushing of the bitumen seal may result in reduced skid resistance and*

lower side friction which may contribute to loss of control where vehicles enter or exit the intersection. Additionally, if intervention does not occur in an appropriate timeframe, pavement defects may deteriorate to an extent that they adversely impact on vehicles being able to traverse the road safely. It is therefore recommended that the existing defects be repaired and ongoing routine maintenance be undertaken to ensure all pavement defects are corrected at an appropriate intervention level;

- xi) There are missing pavement markings and signs on the Cochrane Road and King Street intersection as well as the Cochrane Road and Wongan Hills-Cadoux Road intersection. Lack of intersection controls may result in a driver failing to recognise the road environment particularly at night or in inclement conditions. This may increase the risk of crashes with resultant injury to vehicle occupants. It is therefore recommended that pavement markings and signage compliant with Australian Standard AS 1742.2 be installed at both intersections;*
- xii) No signage is provided opposite the terminating leg of the "T" junction at the Cochrane Road and King Street Intersection. There is a risk of vehicles overshooting the intersection on account of the lack of hazard boards opposite the terminating leg of the intersection. This may increase the risk of rear end or right-angle crashes. It is therefore recommended that the need to provide terminating signage at this intersection be reviewed and if warrants are met, make provision for the installation of hazard boards.*

As can be seen from the above conclusions and referral advice received from Main Roads WA, in which no objections were raised by that agency, the proposed development is considered acceptable in terms of the additional volume of traffic likely to be generated and is unlikely to increase the likelihood of crashes to unacceptable levels.

Notwithstanding these findings, there are a number of existing deficiencies with the local road network that need to be considered and addressed to improve the safety of the road infrastructure for all road users, particularly in light of the additional heavy vehicle traffic volumes likely to be generated by the proposed development during harvest periods.

In order to provide a better understanding of the nature and scope of works required to address the existing road network deficiencies identified in the Traffic Impact Statement and Road Safety Audit and their potential cost implications, CBH in association with its traffic and civil engineering consultant, prepared and submitted additional information on 25 February 2022 at the reporting officer's request for the Shire's consideration (see Attachment 2).

Council should note CBH has indicated a willingness to consider a possible 50/50 shared contribution towards the cost of all required works provided:

- a) they are limited to the six (6) findings and associated recommendations in the Road Safety Audit report, including the clearing (i.e. trimming only) of roadside vegetation to provide safe intersection site distances; and
- b) the Shire assumes all responsibility for seeking and obtaining any regulatory approvals that may be required, as well as executing and managing the required works and any associated contractors.

Having regard for:

- i) the various pre-existing deficiencies with the current road network in the vicinity of the proposed development, the majority of which are considered fairly minor and unlikely to require significant expenditure either individually or collectively;
- ii) the fact CBH and its shareholder growers are not the only users of the local road network in the vicinity of the grain handling and storage facility in Cadoux;
- iii) the Shire's responsibility for the care, control and management of the local road network adjacent to the Cadoux facility, including ongoing maintenance obligations, which could be funded in part using the annual ex-gratia payments made by CBH in lieu of annual rates which will increase if the proposed development is approved; and
- iv) the Shire's ability to seek additional road funding assistance from State and Federal government sources as well as coordinate and undertake works to all relevant standards at slightly reduced rates compared to commercial contractors,

the proposed 50/50 cost sharing arrangement to address the six (6) findings and associated recommendations in the Road Safety Audit report is considered fair and reasonable. As such, a suitable condition has been included in the recommendation below to reflect and give legal effect to this proposed arrangement, including preparation and implementation of an interim Traffic Management Plan prior to commencement of the 2022/23 harvest period as recommended by Main Roads WA.

In light of all the above findings it is concluded the development proposal for Lots 2 and 9001 is acceptable and unlikely to have any negative impact on the general amenity, character, functionality and safety of the immediate locality subject to compliance with a number of conditions. As such, it is recommended Council exercise its discretion and grant conditional approval to the application to ensure the development proceeds in a proper and orderly manner.

An alternative to the recommendation for conditional development approval provided below is not considered necessary for the following reasons:

- i) The proposal is well founded, permissible and has scope to be approved immediately;
- ii) The issues identified are capable of being suitably addressed through the imposition of conditions on any development approval that may ultimately be granted; and
- iii) CBH is obliged to address/satisfy any other statutory and regulatory requirements applicable to the proposal as it applies to all development on the subject land.

POLICY REQUIREMENTS

- State Planning Policy 2 – *Environment and Natural Resources Policy*
- State Planning Policy 2.5 – *Rural Planning*
- State Planning Policy 2.9 – *Water Resources*
- State Planning Policy 4.1 – *State Industrial Buffer*

LEGISLATIVE REQUIREMENTS

- *Planning and Development Act 2005*
 - Section 162 entitled 'No development except with approval';
- *Schedule 2 (Deemed Provisions) of the Planning and Development (Local Planning Schemes)*

Regulations 2015

- Clause 60 entitled 'Requirement for development approval';
- Clause 66 entitled 'Consultation with other authorities'; and
- Clause 67 entitled 'Consideration of application by local government'.
- *Shire of Wongan-Ballidu Local Planning Scheme No.5*
 - Clause 3.3 entitled 'Interpreting Zoning Table';
 - Clause 4.8 entitled 'Additional Site and Development Requirements';
 - Table 5 – Development Table; and
 - Sub-clause 4.8.7 entitled 'Water provisions and management'.

STRATEGIC IMPLICATIONS

- *Wheatbelt Regional Planning and Infrastructure Framework (WAPC, 2015)* – The proposal is considered to be consistent with the following aims and objectives:
 - Effective infrastructure and service delivery that assists and promotes sustainable growth and caters for the needs of communities;
 - A diversified and adaptive economy that increases its contribution to the Western Australian economy; and
 - The management of environmental and landscape values to support the social, cultural and economic development of the region.
- *Midland Centres Economic Development and Implementation Strategy (WDC, 2016)* - The proposal is considered to be consistent with the following key goals:
 - Maintaining and enhancing the natural environment;
 - Diversification and ongoing development of agricultural industry;
 - Encouraging and facilitating existing businesses to grow in a sustainable manner;
 - Improving investment in regional infrastructure to ensure greater prosperity, productivity and growth of the communities;
 - Supporting public-private partnerships and other arrangements to deliver efficient and timely infrastructure projects; and
 - Supporting sustainable building and infrastructure design including ongoing major transport corridor improvements to facilitate greater movement and provide State solutions.
- *Shire of Wongan-Ballidu Local Planning Strategy 2015* - The proposal is considered to be consistent with the following key objectives, strategies and actions:
 - Support the sustainable continuation of primary industry and agricultural activity as the key economic activity in the Shire;
 - Protect the Shires natural resources through the responsible management of the land and addressing issues such as endemic vegetation, salinity and water management;
 - Protect areas of Aboriginal and European heritage;
 - Encourage the development of a transport network that provides efficient and effective access in and around the townsites and adjoining Shires;
 - Encourage implementation of the 2020 road plan and continue to seek funding from appropriate sources; and
 - Acknowledge changing practices for grain handling and work with CBH and other stakeholders

to ensure upgrading of road infrastructure as rail infrastructure is removed.

- *Shire of Wongan-Ballidu Strategic Community Plan 2021-2031 & Corporate Business Plan 2016/17 – 2019/20* - The proposal is considered to be consistent with the following goal, strategies and actions:

<i>Our Economy – The Shire facilitates and welcomes opportunities for different employment and business needs</i>		
Goal	Strategies	Actions
Foster a vibrant and diverse local economy and employment opportunities	<ul style="list-style-type: none"> • Build the readiness of business to services emerging market needs. 	<ul style="list-style-type: none"> • Facilitate local business networking and development opportunities/activities

SUSTAINABILITY IMPLICATIONS

- **Environment**

The environmental impacts associated with the proposed development will be managed in accordance with all regulatory requirements to ensure they are within acceptable limits.

- **Economic**

The proposed development could reasonably be expected to make a positive contribution to economic development and growth both locally and at State level through regional employment and procurement opportunities and continued investment in the development and growth of the grain growing industry in Western Australia.

- **Social**

There are no known social value implications associated with the proposal.

FINANCIAL IMPLICATIONS

There are no immediate financial implications for the Shire aside from the administrative costs associated with processing the application which are provided for in Council's annual budget and will be offset by the development application fee paid by the applicant.

All costs associated with the proposed development of Lots 2 and 9001 will be met by CBH in its capacity as the applicant / proponent.

The financial implications of addressing the six (6) findings and associated recommendations in the Road Safety Audit report, including preparation and implementation of an interim Traffic Management Plan prior to commencement of the 2022/23 harvest period as recommended by Main Roads WA, are yet to be determined in full. Notwithstanding this fact, the various matters required to be addressed are unlikely to require significant expenditure either individually or collectively and could be offset through ex-gratia payments made by CBH annually in lieu of rates, which will increase as a consequence of the proposed development, as well as road funding assistance from State and Federal government sources.

It is significant to note should CBH be aggrieved by Council's final decision in this matter it has the right to either seek Council's reconsideration of that decision, including any conditions imposed thereon, or submit an application to the State Administrative Tribunal requesting a formal review. Should this occur for whatever reason the Shire would need to respond, the cost of which cannot be determined at this preliminary stage but could be expected, based on the recent experience of other local government authorities in Western Australia, to range anywhere from \$2,000 to \$60,000 excluding GST depending upon how far the matter proceeds through the reconsideration and/or review processes.

VOTING REQUIREMENTS

Simple Majority

ABSOLUTE MAJORITY REQUIRED: No

Moved: Cr Tunstill

Seconded: Cr Coad

That Council resolve to:

1. DETERMINE in accordance with clause 3.3.4 of the Shire of Wongan-Ballidu Local Planning Scheme No.5 that the proposed development of additional grain storage infrastructure on Lot 2 on Deposited Plan 65578 Cochrane Road, Cadoux, including the construction of new stormwater drainage infrastructure on the adjoining Lot 9001 on Deposited Plan 65578 immediately west, is consistent with the objectives of the 'Rural' zone and the previous approved development of the land for the same purposes and is therefore permitted.
2. APPROVE the development application submitted by Cooperative Bulk Handling Limited to construct additional grain storage infrastructure on Lot 2 on Deposited Plan 65578 Cochrane Road, Cadoux, including the construction of new stormwater drainage infrastructure on the adjoining Lot 9001 on Deposited Plan 65578 immediately west subject to the following conditions and advice notes:

Conditions

1. This decision constitutes development approval only and is valid for a period of four (4) years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. The approved development shall be undertaken in accordance with the following information and plans submitted in support of the updated Application for Development Approval dated 10 December 2021 subject to any modifications required as a consequence of any condition/s of this approval or any further approval issued by the local government to amend the original approval:
 - Site Layout - Drawing No.370-ENG-CI-DCO-0026 (Rev. A);
 - Stormwater Management Plan – Shawmac Document No.200601 0-REP-003;
 - Traffic Impact Statement – Shawmac Document No. 2012020-TIS-002 (Rev. C);
 - Road Safety Audit – Shawmac Document Reference: 100621_01;

- Additional Road Upgrade Information dated 25 February 2022; and
 - Ecological Australia Environmental Memorandum dated 28 October 2020.
3. Any additional development which is not in accordance with the application the subject of this approval or any condition of approval will require the further approval of the local government.
 4. Prior to occupation of the development, all stormwater drainage works must be completed in accordance with the approved Stormwater Management Plan referenced in Condition 1 above and maintained thereafter for the life of the development in accordance with the local government's requirements.
 5. The applicant shall, at its own cost, arrange for the preparation of further report by a suitably qualified consultant for submission to the local government by 31 October 2023, unless otherwise agreed, confirming all measures proposed in the Stormwater Drainage Management Plan have been implemented, including ongoing maintenance requirements, as well as details of any additional works that may be required to minimise the risk of flooding and erosion during extreme storm events.
 6. The applicant shall prepare a deed of agreement with the local government for execution by no later than 30 June 2022 to:
 - i. address the six (6) findings and associated recommendations in the Road Safety Audit report, including all works referenced in the 'Additional Road Upgrade Information' dated 25 February 2022 as agreed following further discussion and negotiation; and
 - ii. provide for the preparation and implementation of an interim Traffic Management Plan prior to commencement of the 2022/23 harvest period which shall include the installation of Variable Message Sign Boards in appropriate locations along Dowerin-Kalannie Road and King Street near the Cochrane Road and King Street intersection in accordance with Main Roads WA standards and procedural requirements for signs of this type with the following messages to be displayed on-screen to alert motorists to the potential safety risks associated with heavy vehicle movements at the Cochrane Road and King Street intersection until the various upgrade works required pursuant to the deed of agreement are completed in their entirety:

Screen 1:
TRUCKS
ENTERING

Screen 2:
PROCEED
WITH
CAUTION

The deed of agreement required by this condition shall confirm each party's role, responsibilities and obligations and provide for the sharing of all associated costs, including preparation of the deed, on a 50/50 basis.

7. Suitable directional signage shall be installed on Lot 2 prior to occupation of the development to provide for the safe and convenient movement of all vehicles attending the site.
8. All waste generated by the proposed development, including the initial construction phase, must only be disposed at the local government's main waste management facility located on Hospital Road, Wongan Hills. The existing waste disposal facilities in

Cadoux and Ballidu may not be used as they are only designed and approved to accommodate general household waste.

Advice Notes

1. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant/landowners and not the local government to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the local government's attention.
2. This is a development approval of the Shire of Wongan-Ballidu under its Local Planning Scheme No.5. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowners to obtain any other necessary approvals, consents, permits and licenses required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. The applicant/landowners are responsible for ensuring the correct siting of all structures on the land the subject of this approval. An identification survey demonstrating correct siting and setbacks of structures may be requested of the proponent by the local government to ensure compliance with this determination notice and all applicable provisions.
4. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Wongan-Ballidu Local Planning Scheme No.5 and may result in legal action being initiated by the local government.
5. If the applicant/landowners are aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be submitted within 28 days of the determination.

CARRIED:7/0
RESOLUTION:100322

9.5 COMMUNITY SERVICES

Nil

Item 10. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Moved: Cr Coad

Seconded: Cr Boekeman

That Council ACCEPT new business of an urgent nature:

Item 10.1 REQUEST TO WAIVE CONDITION TWO FROM DEVELOPMENT APPLICATION P503.

CARRIED: 7/0
RESOLUTION:10.1

10.1 REQUEST TO WAIVE CONDITION TWO FROM DEVELOPMENT APPLICATION P503

FILE REFERENCE:	P518/P503/A1140
REPORT DATE:	22 March 2022
APPLICANT/PROPONENT:	Tracey De Grussa
OFFICER DISCLOSURE OF INTEREST:	Nil
PREVIOUS MEETING REFERENCES:	Nil
AUTHOR:	Melissa Marcon – Manager of Regulatory Services
ATTACHMENTS:	Nil

PURPOSE OF REPORT:

To consider a request from the applicant to waive condition number 2 of the development application P503 previously approved by Council at the Ordinary Council Meeting on 24 August 2021.

BACKGROUND:

The applicant is the owner of 43 Fairbank Street, Ballidu. At the Ordinary Council Meeting in August 2021, a development application was approved to change the land use of the property to 'Community Purpose'.

COMMENT:

In the letter sent to Tracey on 2 December 2021 the Shire of Wongan Ballidu Local Planning Scheme No. 5 (LPS5) Clause 4.8.5 states-

Carparking

Unless otherwise provided by the Scheme, all non-residential development is required to provide marked and onsite car parking. Local Government shall determine car parking requirements having regard to the nature of the development, the number of vehicles likely to be attracted to the development and the maintenance of desirable safety, convenience and amenity standards.

Under the Planning and Development (Local Planning Schemes) Regulations 2015;
Schedule 2, Part 9 Clause 67 – Consideration of application by local government

(2) In considering an application for development approval (other than an application on which approval cannot be granted under sub clause (1)), the local government is to have due regard

to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application-

(s) The adequacy of –

(i) The proposed means of access and egress from the site; and

(ii) Arrangement for the loading, unloading, maneuvering and parking of vehicles;

The development is classed as a 'non-residential development therefore under the LPS5 clause 4.8.5 applies.

As outlined in the letter sent in December following the November OCM it was explained to the applicant the reasoning behind the condition –

'The number of car parking bays has been assessed at three (3) having due regard to the number of visitors and yourself that may be at the centre at any one time. For example, parking provided for your vehicle plus the 3-6 people you have visiting, as advised in your letter dated 15th November 2021';

An explanation was also given about the reasoning behind the type of surface in the condition –

'In addressing the scheme requirements for you to provide car parking, the Shire considered the very minimum standard that could be applied, and as such only set the standard as gravel opposed to bitumen or asphalt so as not to place an unreasonable burden on the development'.

Since receiving the request from the applicant in January, MRS has spoken with a town planner and the Department of Planning Lands and Heritage regarding Condition 2 on the application. Both have said that the request is not unreasonable. Both have also said that a condition can be amended.

MRS advised Council that the process for amending or cancelling a DA requires the applicant to complete a DA explaining that they want the condition removed and provide reasons why.

The fee payable for *'determining an application to amend or cancel a development approval'* is \$295.00.

On receipt of the application, it would then go through the same process as a DA and be presented to Council as an Agenda item within the 60 day time period.



Rear of property where condition 2 was required

POLICY REQUIREMENTS:

There are no policy requirements associated with this agenda item.

LEGISLATIVE REQUIREMENTS:

Planning and Development Act 2015

Planning and Development (Local Planning Schemes) Regulations 2015

Shire of Wongan Ballidu Local Planning Scheme No. 5

STRATEGIC IMPLICATIONS:

There are no known Strategic implications associated with this item.

SUSTAINABILITY IMPLICATIONS:

➤ **Environment**

There are no known environmental implications associated with this item.

➤ **Economic**

There are no known economic implications associated with this proposal.

➤ **Social**

There are no known social implications associated with this item.

FINANCIAL IMPLICATIONS:

Loss of income for the Shire due to the waiving of the application fee of \$295.00.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY REQUIRED: Yes

Options and Implications

Option 1

That Council DECLINE the request from the applicant to waive condition number 2 from development application P503, therefore P503 remains as per Council Resolution O50821.

Option 2

That Council APPROVE the request from the applicant to waive condition number 2 from development application P503.

Development Approval P503 is superseded by Development Approval P518 subject to the following conditions –

Conditions

1. Parking - ingress and egress to properties along both sides of Fairbank Street between Alpha Street and Bunyip Street shall remain clear of parked vehicles associated with the Nyungar Heritage and Cultural Centre.
2. Provide a minimum landscaped area of 10% in accordance with the Local Planning Scheme No. 5, Table 5 Development Table.

Advice Note:

1. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement, memorial or restrictive covenant. It is the responsibility of the applicant and landowner and not the Shire to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Shire's attention.
2. This is a development approval of the Shire of Wongan Ballidu under its Local Planning Scheme No. 5. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licences required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. The applicant/landowner is reminded of their obligation to ensure compliance with the following requirements:
4. Shire of Wongan Ballidu Annual Firebreak Notice, all land zoned Residential, Rural Townsite and Commercial is required to reduce all annual grass and herbage to a height of no more than 75mm.
5. Shire of Wongan Ballidu Health Local Law
6. In accordance with the Building Act 2011 and Building Regulations 2012, a building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction or earthworks on the land. 7. The proposed dwelling is required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements must be submitted to the Shire with the building permit application.

8. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
10. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Wongan Ballidu Local Planning Scheme No. 4 and may result in legal action being initiated by the local government.
11. If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be submitted within 28 days of the determination.

Moved: Cr Coad

Seconded: Cr Boekeman

Option 2

That Council APPROVE the request from the applicant to waive condition number 2 from development application P503.

Development Approval P503 is superseded by Development Approval P518 subject to the following conditions –

Conditions

Parking - ingress and egress to properties along both sides of Fairbank Street between Alpha Street and Bunyip Street shall remain clear of parked vehicles associated with the Nyungar Heritage and Cultural Centre.

Provide a minimum landscaped area of 10% in accordance with the Local Planning Scheme No. 5, Table 5 Development Table.

Advice Note:

1. This approval is not an authority to ignore any constraint to development on the land which may exist through contract or on title, such as an easement, memorial or restrictive covenant. It is the responsibility of the applicant and landowner and not the Shire to investigate any such constraints before commencing development. This approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the Shire's attention.
2. This is a development approval of the Shire of Wongan Ballidu under its Local Planning Scheme No. 5. It is not a building permit or an approval to commence or carry out development under any other law. It is the responsibility of the applicant/landowner to obtain any other necessary approvals, consents, permits and licences required under any other law, and to commence and carry out development in accordance with all relevant laws.
3. The applicant/landowner is reminded of their obligation to ensure compliance with the following requirements:
4. Shire of Wongan Ballidu Annual Firebreak Notice, all land zoned Residential, Rural Townsite and Commercial is required to reduce all annual grass and herbage to a height of no more than 75mm.
5. Shire of Wongan Ballidu Health Local Law
6. In accordance with the Building Act 2011 and Building Regulations 2012, a building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction or earthworks on the land.
7. The proposed dwelling is

required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements must be submitted to the Shire with the building permit application.

8. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
9. Failure to comply with any of the conditions of this development approval constitutes an offence under the provisions of the Planning and Development Act 2005 and the Shire of Wongan Ballidu Local Planning Scheme No. 4 and may result in legal action being initiated by the local government.
10. If the applicant/landowner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be submitted within 28 days of the determination.

CARRIED: 4/3
RESOLUTION:120322

Item 11. MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

Item 12. QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

Item 13. CLOSURE

There being no further business, the Shire President, Cr M Stephenson, declared the meeting closed at 4.15pm.

Signed by:
Cr M Stephenson
Shire President