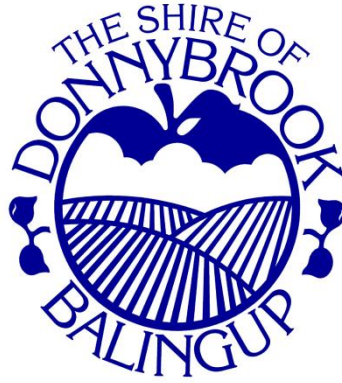


ATTACHMENTS

**Ordinary Council Meeting
28 August 2019**



ORDINARY MEETING OF COUNCIL MINUTES

Wednesday 24 July 2019

5.00pm

Shire of Donnybrook Balingup Council Chambers, Donnybrook

A handwritten signature in black ink, appearing to read 'BGR' followed by a flourish.

Ben Rose
Chief Executive Officer

26 July 2019



MINUTES OF ORDINARY MEETING OF COUNCIL

24 JULY 2019

TABLE OF CONTENTS

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS.....	4
2	ATTENDANCE.....	4
	2.1 APOLOGIES.....	4
	2.2 APPROVED LEAVE OF ABSENCE.....	4
	2.3 APPLICATION FOR A LEAVE OF ABSENCE.....	5
3	ANNOUNCEMENTS FROM PRESIDING MEMBER.....	5
4	DECLARATION OF INTEREST	5
5	PUBLIC QUESTION TIME	5
	5.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	5
	5.2 PUBLIC QUESTION TIME.....	5
6	PRESENTATIONS	5
7	CONFIRMATION OF MINUTES.....	6
	7.1 ORDINARY MEETING OF COUNCIL – 26 JUNE 2019.....	6
8	REPORTS OF COMMITTEES	6
9	REPORTS OF OFFICERS	6
	9.1 MANAGER CORPORATE SERVICES	7
	9.1.1 ACCOUNTS FOR PAYMENT	7
	9.1.2 MONTHLY FINANCIAL REPORT – MAY 2019.....	7
	9.1.3 AUDIT COMMITTEE CHARTER.....	8
	9.2 MANAGER WORKS AND SERVICES.....	10
	9.2.1 SHIRE OF DONNYBROOK BALINGUP: CITIES POWER PARTNERSHIPS – CONSIDERATION OF PLEDGE OPTIONS	10
	9.3 MANAGER DEVELOPMENT SERVICES.....	14
	9.3.1 SALE OF LOT 229 (43) STEERE STREET, DONNYBROOK.....	14
	9.3.2 PROPOSED EXPANSION OF DONNYBROOK 'IGA' SHOPPING CENTRE, INCLUDING INCREASED FLOOR AREA, CAFÉ AND LIQUOR STORE	17

9.4	<i>STRATEGIC BUILT PROJECTS AND ASSETS</i>	24
9.5	<i>MANAGER AGED CARE SERVICES</i>	24
9.5.1	TUIA LODGE QUARTERLY REPORT.....	24
9.6	<i>CHIEF EXECUTIVE OFFICER</i>	26
9.6.1	PARTNERSHIP WITH SHIRE OF COLLIE – FEASIBILITY ASSESSMENT OF DEVELOPING TOURIST VISITOR FACILITIES AT GLEN MERVYN DAM.....	26
10	ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN .	29
10.1	<i>COUNCILLOR</i>	29
11	QUESTIONS FROM MEMBERS.....	29
12	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING.....	29
13	MEETINGS CLOSED TO THE PUBLIC.....	30
13.1	<i>MATTERS FOR WHICH THE MEETING MAY BE CLOSED</i>	30
13.1.1	CONFIDENTIAL – WAIVING AND WRITE OFF OF RATES AND CHARGES.....	30
13.1.2	CONFIDENTIAL – LEWANA FIRE INCIDENT – FEBRUARY 2019.....	30
13.2	<i>PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC</i>	31
14	CLOSURE.....	31

SHIRE OF DONNYBROOK BALINGUP
MINUTES OF ORDINARY MEETING OF COUNCIL

Held at the Shire of Donnybrook Balingup Council Chambers
Wednesday 24 July at 5.00pm

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Shire President – Acknowledgment of Country

The Shire President acknowledged the traditional custodians of the land, the Noongar People, paying respects to Elders, past and present.

The Shire Present declared the meeting open at 5:00pm and welcomed the public gallery

Shire President – Public Notification of Recording of Meetings

The Shire President advised the meeting is being digitally recorded to assist with minute taking in accordance with Council Policy 1.25. The Shire President further stated the following:

If you do not give permission for your participation to be recorded, please indicate this at the meeting. Members are reminded that no other visual or audio recording of this meeting by any other means is allowed without the permission of the Chairperson.

2 ATTENDANCE

MEMBERS PRESENT

COUNCILLORS	STAFF
Cr Piesse (President)	Ben Rose – Chief Executive Officer
Cr Atherton	Steve Potter – Executive Manager Operations
Cr King	Alan Thornton – Manager Corporate Services
Cr Lindemann	Damien Morgan – Manager Works and Services
Cr Mills	Bob Wallin – Manager Development Services
Cr Mitchell	Maureen Keegan – Manager Executive Services
Cr Tan	
Cr Van Der Heide	
Cr Wringe	

PUBLIC GALLERY

5 members of the public were in attendance.

2.1 APOLOGIES

Nil

2.2 APPROVED LEAVE OF ABSENCE

Nil

2.3 APPLICATION FOR A LEAVE OF ABSENCE

Nil

3 ANNOUNCEMENTS FROM PRESIDING MEMBER

Nil

4 DECLARATION OF INTEREST

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Councillors to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Cr Van Der Heide declared an impartiality interest in item 9.3.2 as his daughter is employed at the IGA Shopping Centre.

Cr King has declared a proximity interest in item 13.1.2 Confidential Item Lewana Bushfire Incident. After reviewing the applicability of his proximity interest and determining that he did not have a proximity interest Cr King participated in the debate of this item.

Cr Wringe declared an impartiality interest in item 13.1.2 Confidential item Lewana Bushfire Incident as she is the Chairperson of the Kirup Volunteer Bushfire Brigade.

Cr Mitchell declared an impartiality interest in item 13.1.2 Confidential item Lewana Bushfire Incident as she is a member of the Kirup Volunteer Bushfire Brigade.

5 PUBLIC QUESTION TIME

5.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5.2 PUBLIC QUESTION TIME

Nil

6 PRESENTATIONS

Nil

7 CONFIRMATION OF MINUTES

7.1 ORDINARY MEETING OF COUNCIL – 26 JUNE 2019

Minutes of the Ordinary Meeting of Council held 26 June 2019 are attached (*attachment 7.1*)

COUNCIL RESOLUTION 97/19 (Executive Recommendation)

That the Minutes from the Ordinary Meeting of Council held 26 June 2019 be confirmed as a true and accurate record.

CARRIED 9/0 by En Bloc Decision

8 REPORTS OF COMMITTEES

Nil

9 REPORTS OF OFFICERS

Adoption by Exception:

COUNCIL RESOLUTION

Moved: Cr Tan

Seconded: Cr Wringe

That the following items be carried En Bloc:

- 7.1 Confirmation of Minutes Ordinary Council Meeting 26 June 2019**
- 9.1.1 Accounts for Payment**
- 9.1.2 Monthly Financial Report**
- 9.1.3 Audit Committee Charter**
- 9.2.1 Shire of Donnybrook Balingup: Cities Power Partnerships – Consideration of Pledge Options**
- 9.3.1 Sale of Lot 229 Steere Street Donnybrook**
- 9.5.1 Tuia Lodge Quarterly Report**
- 9.6.1 Partnership with Shire of Collie – Feasibility Assessment of Development Tourist Visitor Facilities at Glen Mervyn Dam**

Carried 9/0

9.1.3 AUDIT COMMITTEE CHARTER

Location	Shire of Donnybrook-Balingup
Applicant	Ben Rose, Chief Executive Officer
File Reference	FNC02
Author	Alan Thornton, Manager Corporate Services
Attachments	9.1.3 (1) Audit Committee Charter
Voting Requirements	Simple Majority
Executive Summary	<ul style="list-style-type: none"> Council to adopt Audit Committee Charter

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	Strategy	Action
4.1 – A strategically focussed, open and accountable local government	4.1.1 – Provide Accountable and Strategic Leadership	4.1.1.2 – Review Council, Committee and Working Group governance structures and meeting programs
4.1 – A strategically focussed, open and accountable local government	4.1.2 – Continue to enhance communication and transparency	4.1.2.1 – Ongoing meaningful communication and engagement with residents, ratepayers and stakeholders

BACKGROUND

At the 26 June Ordinary Council Meeting an Audit Committee consisting of three elected members and two independent external members was established.

DETAILS

The Local Government Act 1995 requires that all Local Governments establish an Audit Committee. An Audit Committee plays a key role in assisting a local government to fulfil its governance and oversight responsibilities in relation to financial reporting, internal control structure, risk management systems, legislative compliance, ethical accountability and the internal and external audit functions.

The Audit Committee is to report to Council and provide appropriate advice and recommendations on matters relevant to its Terms of Reference as detailed in the Audit Committee Charter.

CONSULTATION

Not Applicable

FINANCIAL IMPLICATIONS

Not Applicable.

POLICY COMPLIANCE

Not Applicable.

STATUTORY COMPLIANCE

Local Government Act 1995

Local Government (Audit) Regulations 1996

CONCLUSION

The Audit Committee Charter facilitates informed decision-making by Council in relation to the legislative functions and duties of the Shire that have not been delegated to the CEO.

COUNCIL RESOLUTION 100/19 (Executive Recommendation)

Moved: Cr Tan

Seconded: Cr Wringe

That Council Adopts the Audit Committee Charter as presented.

CARRIED 9/0 by En Bloc Decision

9.2 MANAGER WORKS AND SERVICES

9.2.1 SHIRE OF DONNYBROOK BALINGUP: CITIES POWER PARTNERSHIPS – CONSIDERATION OF PLEDGE OPTIONS

Location	Shire of Donnybrook Balingup
Applicant	Shire of Donnybrook Balingup
File Reference	WRK 15/4
Author	Damien Morgan
Attachments	9.2.1(1): Potential Actions
Voting Requirements	Simple Majority
Executive Summary	<ul style="list-style-type: none"> • Council previously supported the Shire joining the 'Cities Power Partnerships' at the October 2018 OCM; • Staff have determined that this requires the Council to make 'pledges' to commit to particular outcomes. • This report presents 'pledge' options for Council's consideration.

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	Strategy	Action No.	Actions
2.3 - A natural environment for the benefit of current and future generations	2.3. Efficient use of resources to minimise environmental impacts	2.3.4	Review the sustainability strategy
2.3 A natural environment for the benefit of the current and future generations	2.3.1 Efficient use of resources to minimise the environmental impacts	2.3.1.2	Encourage community to adopt alternative energy and green options
2.1 An attractive and maintained built environment	2.1.2 Provide effective and efficient regulatory services	2.1.2.2	Develop and implement asset management plans
2.4 – Efficient and effective waste management	2.4.2 Promotion of waste minimisation	2.4.2.1	Encourage recycling and organic waste recycling
1.3 An attractive visitor and tourist destination	1.3.1 Actively promote the district as an attractive destination	1.3.1.4	Support and promote local tourism events and attractions
4.1 A strategically focused, open and accountable local government	4.1.1 Provide accountable and strategic leadership	4.1.1.5	Support initiatives to nurture local civic, social and community leadership

BACKGROUND

At the Ordinary Meeting on 24 October 2018, Council resolved the following:

“That Council:

Endorse the Chief Executive Officer, on behalf of the Shire of Donnybrook Balingup to apply to join the Cities Power Partnership.”

Since the resolution, Officers have researched the process to join the Cities Power Partnership (CPP), including attending a CPP event on 30 May 2019.

As a result of the above, it has been determined the up-front and ongoing commitments required of the Shire in ‘joining’ the CPP are as follows:

- The Shire is to identify five actions from a list of potential actions proposed by the CPP.
- The Shire is to complete a six monthly online survey.
- The Shire is to nominate a point of contact.
- The Shire is to confirm the Shire is willing to be ‘buddied’ with other local governments.

DETAILS

It is recommended that prior to joining the CPP that any commitments be clearly outlined and endorsed by Council. The list of all potential actions is provided in *Attachment 9.2.1(1)* with a list of Staff’s recommended actions and an example of how each action can be achieved in Table 1 below.

	Recommended Action	Examples of Implementation
1. Renewable Energy	1.3. Install renewable energy on council buildings.	The Shire has already installed renewable energy solutions (e.g. solar panels) on a number of key council buildings and will continue to consider the incorporation of renewable energy initiatives on our building assets.
2. Energy Efficiency	2.3. Roll out energy efficient lighting (particularly street lighting) across the municipality.	The Shire will continue to investigate energy efficient solutions (e.g. LED lighting) when installing or upgrading lighting.
3. Sustainable Transport	3.3 Encourage sustainable transport use such as public transport, walking and cycling through council transport planning and design.	The Shire will continue to participate in the development of regional strategies such as the 2050 Bunbury Wellington Cycling Strategy. The Shire also supports sustainable transport by allocating funds each financial year to the development of pathways.
	3.5. Support cycling through provision of adequate cycle lanes, bike parking and end of ride facilities.	Strategic pathways such as the Meldene Estate Link will incorporate end of ride facilities.
4. Work Together and Influence	4.4 Set up meetings and attend events, such as the Community Energy Congress or the Cities Powers Partnership Summit, where like-minded cities can address common concerns and learn from others’ experience.	Officers will consider attending WA based meetings or events such as the recent round table event hosted by the CPP.

When determining the five recommended actions, officers have considered the following:

- Relevance to the Shire of Donnybrook Balingup;
- Environmental Impacts;
- Financial Implications;
- Ease of Implementation.

It is considered each of the five options are relevant to the Shire and are reasonable in terms of implementation and costs.

The Shire's Environmental Officer will be the nominated point of contact and will be responsible for completing the six monthly online survey.

CONSULTATION

Officers consulted with the CPP regarding the process to join the CPP and discussed the benefits of joining. The recent CPP meeting held in Perth provided an opportunity for the Environmental Officer to meet representatives of the CPP and other Local Governments.

As a result of the meeting in Perth, it was noted that there is a risk of the group being utilised to push particular political views and this is something that both staff and Council need to be cognisant of, to avoid becoming drawn into actions that may not necessarily reflect the intentions or position of the Shire. It is considered that by committing to the five pledges as recommended, this provides clear direction in terms of the extent to which the Shire is making commitments and it is recommended that clear advice be provided to the CPP that this is the case.

FINANCIAL IMPLICATIONS

Although there is no cost to join the CPP, depending on the actions chosen, there may be financial implications for future projects, and these will need to be identified and endorsed through the annual SoDB budget process.

There may also be a cost associated with officers or Councilor's attending meetings and events, but this should not significantly impact existing or future budgets.

POLICY COMPLIANCE

Not Applicable

STATUTORY COMPLIANCE

Not Applicable

CONCLUSION

Many of the recommended action are considered to already form part of our typical processes when planning new projects. However by formalising their status through the pledge commitment as proposed, it will only enhance their consideration by officers and Council when considering and planning Shire processes and projects. The recommended pledges are

consistent with strategies and actions identified in the Shire's Corporate Business Plan, and Council endorsement will reflect this.

**COUNCIL RESOLUTION 101/19
(Executive Recommendation)**

Moved: Cr Tan

Seconded: Cr Wringe

That Council:

- 1. Pledges to undertake the following five actions in agreeing to join the Cities Power Partnership:**

Number	Action
1.3	Install renewable energy on council buildings.
2.3	Roll out energy efficient lighting (particularly street lighting) across the municipality.
3.3	Encourage sustainable transport use such as public transport, walking and cycling through council transport planning and design.
3.5	Support cycling through provision of adequate cycle lanes, bike parking and end of ride facilities.
4.4	Set up meetings and attended events, such as the Community Energy Congress or the Cities Powers Partnership Summit, where like-minded cities can address common concerns and learn from others' experience.

- 2. Advises the Cities Power Partnership of Council's nominated actions when making application to join.**
- 3. Advises the Cities Power Partnership that Council's commitment is limited to the actions outlined in Point 1 and should not be construed as being tacit support for any political stance that the CPP or affiliated local government authorities may adopt;**
- 4. Instructs the Chief Executive Officer to consider measures to incorporate the identified actions in Point 1 as part of the process for the planning of future projects and processes.**

CARRIED 9/0 by En Bloc Decision

9.3 **MANAGER DEVELOPMENT SERVICES**

9.3.1 SALE OF LOT 229 (43) STEERE STREET, DONNYBROOK

Location	Lot 229 (43) Steere Street, Donnybrook
Applicant	First National Real Estate, Donnybrook
File Reference	A1358
Author	Bob Wallin (Principal Planner)
Attachments	Attachment 9.3.1(1): Location Plan
Voting Requirements	Absolute Majority
Executive Summary	<ul style="list-style-type: none"> • A party has expressed an interest to purchase Lot 229 Steere Street, Donnybrook for \$90 000. The land has been valued at \$95 000 by a licensed valuer (LMW) in February 2019. • Sale of land by Council requires compliance with Section 3.58 of the Local Government Act. • This proposal requires Council support as the proposed offer is slightly less than the market value estimate. • It is recommended that Council agrees to the sale.

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	Strategy	Actions
4.2 A respected, professional and trusted organisation	Effective and efficient operations and service provision	4.2.1.2 Seek a high level of legislative compliance and effective internal controls

BACKGROUND

The Shire has received an offer to purchase Lot 229 (43) Steere Street, Donnybrook for the sum of \$90,000 from Lisa Michelle Ritchie and James David Ritchie (*Attachment 9.3.2(1) – Location plan*).

Council at its 28 November 2018 Ordinary Council Meeting resolved to dispose of four lots, including Lot 229 Steere Street, Donnybrook as part of the Shire’s Land Asset Review. The resolution provides the Chief Executive Officer delegated authority to accept offers consistent with a certified independent land valuation and compliance with processes defined in Section 3.58 of the *Local Government Act 1995*.

The property was valued by LMW (certified independent land valuer) at \$95,000 in February 2019 and therefore a Council decision is required due to the variance from the valuation report.

The process of disposing of Shire land is controlled through Section 3.5 of the *Local Government Act 1985* (the Act) which requires:

- A market appraisal less than 6 months old;
- Giving public notice (14 days); and
- A Council decision being recorded in the minutes of the meeting (if a submission was received).

DETAILS

The proposed sale price of \$90,000 is slightly lower than the market evaluation provided for Lot 229 Steere Street, Donnybrook.

The offer is approximately within a 5% tolerance of the valuation figure and considered reasonable to accept given:

- There is no guarantee that another offer will be presented in the near future;
- The market in Donnybrook is relatively flat and there is no indication that conditions will change; and
- The lengthy timeframes involved with attracting purchases for the Shire's other properties on Mead Street.

CONSULTATION

If supported, the proposal will be advertised in accordance with Section 3.5 of the Act.

FINANCIAL IMPLICATIONS

Funds received (minus expenses) will be set aside in an appropriately designated Council reserve consistent with the resolution from Council's November 2018 Ordinary Council Meeting.

POLICY COMPLIANCE

Nil

STATUTORY COMPLIANCE

Section 3.58 of the Local Government Act. This sets out the process for the disposal of land by a local government.

CONCLUSION

The proposed sale price is consistent with the established market value. The process for disposing of land, including advertising will be undertaken in accordance with Section 3.58 of the Local Government Act.

**COUNCIL RESOLUTION 102/19
(Executive Recommendation)**

Moved: Cr Tan

Seconded: Cr Wringe

That Council:

- 1. Accepts the offer of \$90,000 received from Lisa Michelle Ritchie and James David Ritchie for the purchase of Lot 229 Steere Street, Donnybrook from the Shire;**
- 2. Advertises the sale to comply with Section 3.58 of the Local Government Act 1995; and**
- 3. Authorises the Chief Executive Officer to undertake any actions required to facilitate the sale of the land to implement points 1 and 2 above.**

CARRIED 9/0 by En Bloc Decision

9.3.2 PROPOSED EXPANSION OF DONNYBROOK ‘IGA’ SHOPPING CENTRE, INCLUDING INCREASED FLOOR AREA, CAFÉ AND LIQUOR STORE

Location	Lots 5, 6, 7, 8, 9 and 500 South Western Highway, Donnybrook
Applicant	MCG Architects
File Reference	A4275/A4276 and A323
Author	Bob Wallin (Manager Development Services)
Attachments	Attachment 9.2.3(1): Location Plan Attachment 9.2.3(2): Development plan Attachment 9.2.3(3): Previous Council report (February 2015)
Voting Requirements	Simple Majority
Executive Summary	<ul style="list-style-type: none"> Recommend conditional approval for the expansion of the existing IGA store, including a café, liquor store and a redesigned and expanded car parking area. The proposal complies with the requirements of Local Planning Scheme No. 7 regarding land use, car parking provision, setbacks, plot ratio, landscaping and street elevations.

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	Strategy	Actions
2.1 An attractive and maintained built environment	Maintain, renew and improve infrastructure within allocated resources	2.1.1.4 Maintain attractive town sites within resource capacity

BACKGROUND

Council has received an Application for Development Approval for the proposed expansion and redevelopment of the “IGA” store which includes Lots 5, 6, 7, 8, 9 and 500 South Western Highway, Donnybrook (*Attachment 9.3.2(1) – Location Plan*). The land is zoned “Commercial” under Local Planning Scheme 7 (LPS7).

The proposed design can be viewed in *Attachment 9.3.2(2)* and includes the following elements:

- Expanded and redesigned car parking area;
- A café (108m²);
- A bottle shop (300m²);
- Expansion of IGA shop (824m²);
- Public toilets; and
- A mall (112m²).

A similar proposal was approved by Council at its 11 February 2015 Ordinary Council Meeting. The previous approval which has lapsed, included:

- A redesign of the car parking areas;
- A café (84m²);
- Public toilets;
- A sign; and
- A new retail store with a floor area of 356m² (liquor store).

A copy of the previous Council report is provided in *Attachment 9.3.2(3)*. This provides relevant background context and analysis of issues.

DETAILS

There are two parts to assessing this development application. The first part relates to land use and the second to the physical development.

Land Use

In relation to the proposed uses, these are classified as follows:

Proposed Uses	Classification of Use type in LPS7	Designation of use type under Commercial zone.
Café	Restaurant	D (Discretionary)
Expansion of IGA store	Shop	D (Discretionary)
Bottle shop	Liquor Store	P (Permitted)

Land uses listed as “D” (Discretionary) require the application of discretion while uses listed as “P” (Permitted) means that the use is allowed as a right – subject to complying with LPS7 provisions. These uses do not require advertising as this only applies to proposed uses with an “A” listing.

The proposed uses are considered reasonable in the context of a shopping centre development and will not create any potential land use conflict with adjoining land.

Development (Built form outcomes)

There are several elements in considering built form outcomes with regard to LPS7 provisions. The following table lists specific requirements and demonstrates whether the development complies:

Design element	Requirement	Proposed	Compliance
Setbacks			
Front	Nil	Greater than nil	Complies
Side	Nil	Greater than nil	Complies
Rear	Nil	Greater than nil	Complies
Landscaping			
	10%	Details have not been provided. However, there is more than suitable land available to comply with this standard.	Can be conditioned to comply
Carparking			
Shop (IGA store)	1 bay per 20m ² Gross Floor Area (GFA) 2172m ² GFA / 20m ² = 109 bays		
Café (Restaurant)	1 bay per 4 seated patrons 24 seats / 4 = 6 bays		
(Liquor Store)	1 bay per 25m ² GFA 300m ² GFA / 25m ² = 12 bays		
Total required	127 bays	128 bays + caravan RV and Trailer spaces, + bicycle racks and motor bike spaces	Complies
Plot Ratio			
	Up to 2.0	Less than 1.0	Complies
Primary building elevation			
	Must have a façade that includes: <ul style="list-style-type: none"> • Architectural features • Must reflect building materials of adjoining development 	Design includes: A façade with significant areas of glazing, shade structures, vertical and horizontal stepping and inclusion of a vertical garden. The building includes masonry elements and feature treatments consistent with other buildings in the locality.	Complies
Loading and Servicing Vehicles			
	Space be provided	The site contains significant space at the rear of the site for loading and servicing the development.	Complies

CONSULTATION

The proposal includes frontage to the South Western Highway which triggers the need to seek advice from Main Roads Western Australia (MRWA). The submitted application proposes some changes to the access points onto SW Highway, however the applicant has indicated they are willing to be flexible in this regard and if needed can retain the existing access points and design the parking area accordingly. MRWA have advised that it has no objections should the retaining two existing crossovers be retained in their present locations, however some further consideration may be required if alternative access points are proposed.

Officers are confident that by continuing to liaise with both the applicant and MRWA that an acceptable solution for all parties can be achieved.

FINANCIAL IMPLICATIONS

Nil

POLICY COMPLIANCE

Local Planning Policy 9:17 *Industrial and Commercial Development Control* has the aim of improving the quality of commercial development within the Shire and encourages aesthetically attractive built form and streetscapes.

The policy outlines that this aim is achieved through applying development guidelines that address building appearance. The proposal satisfies the development guidelines by:

- Incorporating a variety of materials, colours and treatments;
- Including architectural features including verandahs, windows, doors, gables, and porticos in the street elevation;
- Providing a roof form with points of interest; and
- Including vertical and horizontal stepping of elevations.

STATUTORY COMPLIANCE

The development (building) and land use require planning approval under LPS7. The proposal satisfies LPS7 provisions in relation to land use (Table 1), setbacks, plot ratio and built form (clause 4.56 and clause 67 of the Deemed Provisions) and car parking provision (Table 2).

CONCLUSION

The proposed development satisfies the requirements of LPS7 and represents an improved floor plan and car parking layout as well as an upgrade to the existing building façade. The proposed uses are consistent with the intent of the “Commercial” zone objectives and will not create any potential for land use conflict.

Approval is recommended subject to conditions.

**COUNCIL RESOLUTION 103/19
(Executive Recommendation)**

Moved: Cr Tan Seconded Cr Wringe

That Council:

- 1. Grants development approval for the proposed re-development of the IGA shopping complex at Lots 5, 6, 7, 8, 9 and 500 South Western Highway, Donnybrook inclusive of the following elements;**

- **Expanded and redesigned car parking area;**
- **Café (108m²);**
- **Liquor store (300m²);**
- **Expansion of IGA shop (824m²);**
- **Public toilets; and**
- **Mall (112m²)**

in accordance with the approved plans, subject to the following conditions:

- 1.1 The layout of the site and the size, design and location of the buildings and works permitted must always accord with the endorsed plan(s) and must not be altered or modified without the further written consent of Council.**
- 1.2 Lots 5, 6, 7, 8, 9 and 500 South Western Highway, Donnybrook are to be amalgamated with an application to be lodged with the Western Australian Planning Commission within six months of the completion of development.**
- 1.3 All stormwater from the proposed building(s) and hardstand area(s) shall be contained on site in accordance with the Shire's specifications.**
- 1.4 A drainage management plan is to be prepared and implemented to the satisfaction of the Shire of Donnybrook Balingup.**
- 1.5 A minimum of 127 carparking bays shall be provided, as indicated on the approved plan. The internal layout of car parking is to be designed, constructed, paved, drained, marked, lit and maintained to the satisfaction of the Shire of Donnybrook Balingup.**
- 1.6 Prior to occupation, the applicant is required to upgrade crossovers to all public roads which are to be designed and constructed to the specifications and standards of the Shire of Donnybrook Balingup and/or Main Roads Western Australia.**
- 1.7 Prior to the development commencing a Landscaping Plan is to be prepared and approved by the Shire of Donnybrook Balingup. A minimum area of 10% of the site is to be set aside for landscaping.**

- 1.8 Prior to occupation of the proposed development landscaping of the development site shall be installed in accordance with the approved Landscaping Plan and thereafter maintained.**
- 1.9 The upgrading of the interface with Sharpe Street is to be designed and implemented to the satisfaction of the Shire of Donnybrook Balingup.**
- 1.10 Prior to the development commencing a management plan is to be prepared and approved by the Shire of Donnybrook Balingup to ensure public safety, amenity and access is maintained during the construction phase of the development.**

Carried 9/0

ADVICE NOTES

- 1. If the development the subject of this approval is not substantially commenced within 2 years, or another period specified in the approval after the date of the determination, the approval will lapse and be of no further effect.**
- 2. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought and obtained.**
- 3. If an applicant or owner 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 made within 28 days of the determination.**
- 4. An application for a Building Permit to construct the development hereby permitted is required to be submitted and approved by the local government prior to any construction works commencing on-site in relation to this determination.**
- 5. Car parking dimensions are to comply with Table 3 of Local Planning Scheme No. 7.**
- 6. Provision is to be made for of car parking for those with special accessibility needs which is to be in accordance with Australian Standard 2890.6-2009: *Off Street Parking for People with Disabilities*.**
- 7. With regard to Condition 1.1, subject to the final arrangements for access from South Western Highway being agreed upon by the Shire of Donnybrook Balingup and Main Roads WA, plans may need to be amended accordingly and once stamped approved, will become the approved plans for the development.**

- 8. With regard to Condition 1.5, the design of car parking may require modifications to satisfy detailed requirements of Main Roads Western Australia regarding configuration of cross overs and ensuring clear access from the South Western Highway. Please note that it will also be required to modify the alignment of car parking over Lots 8 and 9 to allow a clear flow of traffic from the highway instead of the access terminating immediately into a T section.**
- 9. With regard to Condition 1.7, the 10% landscaping calculation can include the vertical landscaping wall area, pedestrian environments and the alfresco area.**
- 10. With regard to Condition 1.7, landscaping is to include provision of shade tree planting for car parking spaces at a ratio of 1 tree per 6 bays (excluding caravan/trailer and RV parking) and planting treatments along the southern boundary of Lot 4.**
- 11. The applicant is advised to liaise with the Shire's Manager Works and Services to discuss implementation of conditions relevant to the carparking, access and drainage early in the process to ensure that development meet the requirements of the Shire of Donnybrook Balingup.**
- 12. The applicant is reminded of their obligations under the *Liquor Control Act 1988* in obtaining the relevant licences for the sale of alcohol.**

9.4 STRATEGIC BUILT PROJECTS AND ASSETS

Nil

9.5 MANAGER AGED CARE SERVICES

9.5.1 TUIA LODGE QUARTERLY REPORT

Location	Shire of Donnybrook Balingup
Applicant	Ben Rose, Chief Executive Officer
File Reference	CSV 01/2
Author	Jason Vlasschaert, Acting Manager Aged Care Services
Attachments	9.5.1(1): Tuia Lodge - Quarter Four Report 2018/19
Voting Requirements	Simple Majority
Executive Summary	It is recommended that the Tuia Lodge Quarterly Report for Quarter Four 2018/19 be received by Council.

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	Strategy	Actions
4.2 A respected, professional and trusted organisation	4.2.1 Effective and efficient operation and service provision	4.2.1.4 Demonstrate sound financial planning and management, including revenue / expenditure review and revenue diversification strategies and long term financial planning.

BACKGROUND

At its Ordinary Meeting on 23 August 2017 Council resolved to:

- 1) *...direct the Chief Executive Officer to prepare a quarterly report on an ongoing basis, regarding the management and operations of the Tuia Lodge Aged Care facility, with sufficient detail to ensure Elected Members can fulfil their individual obligations associated with the Shire of Donnybrook Balingup being the 'Approved Provider' for the facility.*
- 2) *That the report for each quarter, be presented at the next Ordinary Council meeting:*

REPORT	ORDINARY COUNCIL MEETING
July 1 – September 30	October 2017
October 1 – December 31	February 2018
January 1 – March 31	April 2018
April 1 – June 30	July 2018

The above resolution has been implemented and it is recommended the reports continue to be presented to Council on a quarterly basis.

DETAILS

This report covers quarter four (4) of the 2019/20 financial year. Comprehensive details including an Executive Summary, Residential Data, Employee Statistics, Occupational Safety and Health, Maintenance and Finance, are provided for Council's information at *attachment 9.5.1(1)*.

CONSULTATION

Not applicable.

FINANCIAL IMPLICATIONS

In accordance with 2018/19 Budget allocations.

POLICY COMPLIANCE

Not applicable.

STATUTORY COMPLIANCE

Aged Care Act 1997.

CONCLUSION

It is recommended that the Tuia Lodge Report for the fourth quarter of 2018/19 be received by Council.

COUNCIL RESOLUTION 104/19 (Executive Recommendation)

Moved: Cr Tan

Seconded: Cr Wringe

That Council receives the Tuia Lodge Quarterly Report for April – June 2019.

CARRIED 9/0 by En Bloc Decision

9.6 CHIEF EXECUTIVE OFFICER

9.6.1 PARTNERSHIP WITH SHIRE OF COLLIE – FEASIBILITY ASSESSMENT OF DEVELOPING TOURIST VISITOR FACILITIES AT GLEN MERVYN DAM

Location	Glen Mervyn Dam
Applicant	Ben Rose, Chief Executive Officer
File Reference	
Author	Ben Rose, Chief Executive Officer
Attachments	Nil
Voting Requirements	Simple Majority
Executive Summary	For Council to consider partnering with the Shire of Collie to undertake a feasibility assessment of developing managed camping facilities at Glen Mervyn Dam to encourage tourism activity in the Shire.

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	Strategy	Actions
<i>Outcome 2.4 - Efficient and effective waste management</i>	<i>2.4.1 Undertake efficient waste services</i>	<i>2.4.1.2 Provide efficient and effective waste services</i>

BACKGROUND

The Acting Chief Executive Officer and Shire President recently met with the Chief Executive Officer and Shire President of the Shire of Collie to discuss the possibility of supporting an application to the Collie Futures Fund to undertake a feasibility assessment of developing tourist visitor facilities at Glen Mervyn Dam.

DETAILS

The application would be developed and led by officers from the Shire of Donnybrook Balingup, with support from the Shire of Collie officers where appropriate. Funding would initially be sought to undertake a feasibility assessment with a view to developing facilities to encourage tourist visitation and facilitate water-based events being held.

Glen Mervyn Dam is located in the Shire of Donnybrook Balingup, however is reasonably close to the Shire of Donnybrook Balingup boundary with the Shire of Collie and is only 20km from the Collie townsite. It is currently managed by the Department of Biodiversity, Conservation and Attractions (DBCA). Whilst it is a popular place for local campers and water skiers, there are currently no formal amenities at the Glen Mervyn site.

The initial feasibility assessment would consider land use and planning implications, consultation with stakeholders within both Shires including DBCA, DWER, and Aboriginal groups as well as concept design and ongoing management implications. Other assessments including flora and fauna, and further Aboriginal heritage assessments may be required at a later stage.

The project may require the formation of a project management or reference group should the grant application be successful.

CONSULTATION

Public consultation may be appropriate at a later stage, if the concept proceeds.

Should Council support the Executive Recommendation, a joint media release from both Shires will be prepared.

FINANCIAL IMPLICATIONS

Funding would be sought from the South West Development Commission's Regional Economic Development Grants Scheme (REDS), or Collie Futures – Small Grants Scheme. Neither scheme requires a matching contribution from applicants, however the project would require some internal resources in terms of staff time to manage.

POLICY COMPLIANCE

Not applicable.

STATUTORY COMPLIANCE

Not applicable.

CONCLUSION

Glen Mervyn Dam is a well utilised local facility that represents a real opportunity to encourage further tourists to visit and stay in the local area. This is consistent with the strategic goals of both the Shire of Donnybrook Balingup and the Shire of Collie and the interaction between the two Shires thus far indicates that there is a willingness to work collaboratively to achieve a mutually beneficial outcome. The initial step of undertaking a feasibility assessment is recommended to determine the viability of such a concept.

**COUNCIL RESOLUTION 105/19
(Executive Recommendation)**

Moved: Cr Tan

Seconded: Cr Wringe

That Council:

- 1. Supports 'in-principle' the concept of establishing facilities at Glen Mervyn Dam to attract tourists and visitors to the local area and encourage water-based events to be held at the facility;**
- 2. Authorises the Chief Executive Officer to engage with the Shire of Collie with a view to preparing a joint grant application to secure funds to undertake a feasibility assessment of the concept;**
- 3. Authorises the Chief Executive Officer and/or Shire President to make a joint media statement with the Shire of Collie with regard to this resolution;**
- 4. Authorises the Chief Executive Officer to make representations to the Department of Biodiversity, Conservation and Attractions (DBCA) with regard to the concept.**

CARRIED 9/0 by En Bloc Decision

10 ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 COUNCILLOR

Nil

11 QUESTIONS FROM MEMBERS

Nil

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil

13 MEETINGS CLOSED TO THE PUBLIC

13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

The following confidential reports and recommendations have been distributed separately and are not for circulation:

13.1.1 CONFIDENTIAL – WAIVING AND WRITE OFF OF RATES AND CHARGES

13.1.2 CONFIDENTIAL – LEWANA FIRE INCIDENT – FEBRUARY 2019

These reports are confidential in accordance with section 5.23(2) of the *Local Government Act 1995*, which permits the meeting to be closed to the public.

COUNCIL RESOLUTION 106/19

Moved: Cr Tan

Seconded: Cr Atherton

That the meeting be closed to the public in accordance with section 5.23(2) of the *Local Government Act 1995* to discuss confidential items 13.1.1 and 13.1.2.

Carried 9/0

The meeting was closed to the public at 5:15pm

COUNCIL RESOLUTION 113/19

Moved: Cr Mitchell

Seconded: Cr Wringe

That:

- 1. In accordance with Section 5.23(2) of the *Local Government Act 1995* and Section 4A of the *Local Government (Administration Regulations) 1996*, agenda items 13.1.1 and 13.1.2 are to remain confidential as sensitive information is detailed in the reports.**
- 2. When the information in the reports is not sensitive the items will be included in the next occurring Council Agenda.**

COUNCIL RESOLUTION 114/19

Moved: Cr Mitchell

Seconded: Cr Wringe

That the meeting be re-opened to the public.

Carried 9/0

The meeting was reopened to the public at 6:16pm

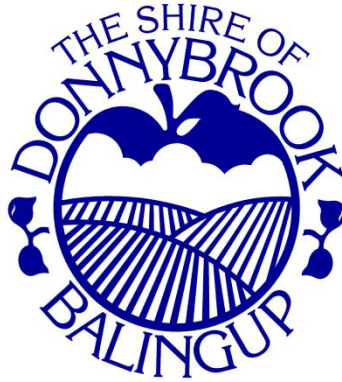
13.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

Nil

14 CLOSURE

The Shire President to advise that the next Ordinary Council Meeting will be held on Wednesday 24 July 2019 commencing at 5.00pm in the Shire of Donnybrook Balingup Council Chamber.

Meeting closed 6:17pm



Special Council Meeting Minutes

For the Purpose of the Adoption of the
Statutory Budget 2019/20 and
Audit Committee Recommendations

Held on

Wednesday 21 August 2019

Commencing at 5.00pm

Shire of Donnybrook Balingup Council Chambers, Donnybrook.

Benjamin Rose
Chief Executive Officer

16 August 2019

Disclaimer

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

TABLE OF CONTENTS

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	3
2	ATTENDANCE	3
2.1	APOLOGIES	4
2.2	APPROVED LEAVE OF ABSENCE	4
2.3	APPLICATION FOR LEAVE OF ABSENCE	4
3	DECLARATION OF FINANCIAL/IMPARTIALITY INTEREST	4
4	PUBLIC QUESTION TIME	5
5	PETITIONS/DEPUTATIONS/PRESENTATIONS	5
6	PRESENTATIONS/DEPUTATIONS.....	5
7	CONFIRMATION OF MINUTES.....	6
7.1	Special Meeting of Council – 22 July 2019	6
7.2	Minutes – Audit Committee 26 July 2019 (unconfirmed).....	6
8	REPORTS OF OFFICERS	7
8.1.1	<i>Adoption of the Statutory Budget 2019/20</i>	<i>7</i>
9	REPORTS OF COMMITTEES	18
9.1.1	<i>Change of name to the Audit Committee</i>	<i>18</i>
9.1.2	<i>Operating Surplus Report</i>	<i>19</i>
9.1.3	<i>May 2019 Interim Audit.....</i>	<i>31</i>
6	CLOSURE OF MEETING	32

Special Council Meeting Minutes

Held at the Shire of Donnybrook Balingup Council Chamber, Donnybrook
Wednesday 21 August 2019, commencing at 5.00pm

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Shire President – Acknowledgment of Country

The Shire President acknowledged the traditional custodians of the land, the Noongar People, paying respects to Elders, past and present.

The Shire Present declared the meeting open and welcome the public gallery.

Shire President - Public Notification of Recording of Meetings

The Shire President advised that the meeting is being digitally recorded to assist with minute taking in accordance with Council Policy 1.25. The Shire President further stated the following:

If you do not give permission for your participation to be recorded, please indicate this at the meeting. Members are reminded that no other visual or audio recording of this meeting by any other means is allowed without the permission of the Chairperson.

Shire President – Advice of purpose of Special Meeting of Council

The Shire President advises that the purpose of this Special Meeting of Council is for the adoption of the Statutory Budget 2019/20, and consideration of the Audit and Risk Management Committees recommended actions. Public questions presented tonight are required to be related to the adoption of the Statutory Budget 2019/20 or the Audit and Risk Committee reports.

2 ATTENDANCE

COUNCILLORS	STAFF
Cr Piesse (President)	Ben Rose – Chief Executive Officer
Cr Atherton	Steve Potter – Executive Manager Operations
Cr Lindemann	Alan Thornton – Manager Corporate Services
Cr Mills	Damien Morgan – Manager Works and Services
Cr Mitchell	Bob Wallin – Manager Development Services
Cr Tan	Maureen Keegan – Manager Executive Services
Cr Wringe	
Cr King	

PUBLIC GALLERY

2.1 APOLOGIES

Cr Van Der Heide

2.2 APPROVED LEAVE OF ABSENCE

Nil

2.3 APPLICATION FOR LEAVE OF ABSENCE

Cr Van der Heide has requested a leave of absence for the period 21 August 2019 to 28 August 2019 inclusive.

COUNCIL DECISION 114/19

Moved Cr Atherton Seconded Cr Mills

That Cr Van der Heide be granted a leave of absence for the period 21 August 2019 to 28 August 2019 inclusive.

Carried 8/0

Cr King has requested a leave of absence from the 28 August 2019 to 7 September 2019 inclusive.

COUNCIL DECISION 115/19

Moved Cr Atherton Seconded Cr Tan

That Cr King be granted a leave of absence from the 28 August 2019 to 7 September 2019.

Carried 8/0

3 DECLARATION OF FINANCIAL/IMPARTIALITY INTEREST

Division 6: Sub-Division 1 of the Local Government Act 1995. Care should be taken by all Councillors to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Nil

4 PUBLIC QUESTION TIME

Simon McInnes

The request for funding to be made available for a review of Local Planning Scheme No7 was knocked back, did that decision come from Council?

Executive Manager Operations

The Shire is required to undertake a review of the Scheme, however as LPS7 was only adopted in 2014 and there has been a relatively slow uptake of land, the Shire will be undertaken this internally rather than requiring the services of an external consultant as there not expected to be significant changes. This decision was made at a staff level.

Simon McInnes

Can I request an independent review be conducted rather than internal?

Executive Manager Operations

The Planning and Development (Local Planning Schemes) Regulations 2015 outline the Scheme review process which does not require an external consultant. An officer's report will be prepared prior to March 2020 for Council's consideration as required under the Regulations.

5 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

6 PRESENTATIONS/DEPUTATIONS

Mr Richard Walker item 7.1.1

A property overlaps both the Boyup Brook and Donnybrook Balingup Shire boundaries and as a result incurs twice the rates levies. Can the Shire review this situation and remedy the situation. Perhaps a Shire-Shire boundary adjustment is the best long term sustainable solution.

7 CONFIRMATION OF MINUTES

7.1 *Special Meeting of Council – 22 July 2019*

Minutes of the Special Meeting of Council held 22 July 2019 are at *attachment 7.1 (1)*.

COUNCIL DECISION 116/19 (Executive Recommendation)

Moved Cr Tan Seconded Cr Lindemann

That the Minutes from the Special Meeting of Council held 22 July 2019 be confirmed as a true and accurate record.

Carried 8/0

7.2 *Minutes – Audit Committee 26 July 2019 (unconfirmed)*

Minutes of the Audit Committee Meeting held 26 July 2019 are presented for noting (*attachment 7.2 (1)*).

COUNCIL DECISION 117/19 (Executive Recommendation)

Moved Cr Tan Seconded Cr Atherton

That the unconfirmed Minutes of the Audit Committee Meeting held 26 July 2019 be accepted and noted.

Carried 8/0

8 REPORTS OF OFFICERS

8.1.1 Adoption of the Statutory Budget 2019/20

Location	Shire of Donnybrook Balingup
Applicant	Shire of Donnybrook Balingup
File Reference	FNC 04/1
Author	Alan Thornton - Manager Corporate Services
Attachments	8.1.1 (1) 2019/20 Annual Budget 8.1.1 (2) 2019/20 Fees and Charges 8.1.1 (3) Budget comment
Voting Requirements	Absolute Majority
Executive Summary	<ul style="list-style-type: none"> Adoption of the 2019/20 Annual Budget. A proposed general rate increase of 1.95%.

Statutory Budget Changes

There has been two changes to the Budget Schedules.

- 1) An amount of \$900,000 has been allocated to the Preston Village Retirement Village, schedule 8. A funding amount of \$900,000 has also been recorded. Hence, the nett effect to the budget is zero.
- 2) Depreciation has changed by \$799.00 to match the depreciation schedule.

One requested change is for an expense of \$47,922 to be allocated to Bush Fire Brigades building modifications. DFES will match the \$47,922 expenditure with grant funding. Hence, the nett effect to the budget is zero.

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	Strategy	Action
4.1 – A strategically focussed, open and accountable local government	4.1.2 – Continue to enhance communication and transparency	4.1.2.1 Ongoing meaningful communication and engagement with residents, ratepayers and stakeholders
4.2 – A respected, professional and trusted organisation	4.2.1 – Effective and efficient operations and service provisions	4.2.1.4 – Demonstrate sound financial planning and management, including revenue/expenditure review diversification strategies and long term financial planning.

BACKGROUND

On 22 July 2019 Council adopted the 2019/20 Draft Annual Budget. The 2019/20 Annual Budget has now been produced in accordance with provisions of the Local Government Act 1995 (with additional supplementary budget papers). The 2019/20 Annual Budget is provided under separate cover.

DETAILS

A proposed general rate increase of 1.95% is necessary to meet the operating and capital expenditure in the 2019/20 draft budget. The recommended resolutions are required to adopt the 2019/20 Annual Budget and associated fees and charges that are levied with annual rates.

At the Ordinary Meeting on 24 April 2019 Council endorsed changes to reserve accounts for consideration in the Annual Budget.

The *Local Government Act section 6.11* requires that where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.

Council maintains a number of cash reserves for a variety of purposes:

- a) to provide funds for future liabilities.
- b) to provide funds for future asset acquisitions / replacement.
- c) to hold unspent funds for specific projects.
- d) to reduce the reliance on borrowing by accumulating funds for specific projects.

Where relevant, reserves are (and will be) supported by comprehensive plans that detail future funding requirements and the necessary annual allocations to reserves.

All cash backed reserve accounts are supported by money held in financial institutions.

Cash backed reserves will play an increasingly important cash flow role within the Integrated Planning and Reporting Framework (IPRF). This has necessitated the need to review the current structure of the reserve accounts. The revised reserve account structure is intended to create greater accountability and transparency for funds set aside in reserve for specific purposes.

The changes have been included in the 2019/20 Annual Budget document.

CONSULTATION

A period of public comment on the draft 2019/20 Budget was undertaken between the 25 July and 16 August. One submission was received and is provided in Attachment 8.1.1 (1).

In responding to the submission, it is acknowledged the Local Planning Scheme is required to be reviewed in 2019/20 as suggested in the submission, however this will be undertaken in-house by Planning staff and therefore will not require an additional Budget allocation as proposed.

FINANCIAL IMPLICATIONS

This report will adopt the 2019/20 Annual Budget as required by the Local Government Act 1995.

POLICY COMPLIANCE

Not Applicable

STATUTORY COMPLIANCE

Section 6.2 of the Local Government Act requires that:

“Not later than 31st August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.”

Note: The form and manner prescribed is detailed in Part 3 of the Local Government (Financial Management) Regulations 1996.

CONCLUSION

The recommended resolutions are required to adopt the 2019/20 Annual Budget and associated fees and charges that are levied with rates.

**COUNCIL DECISION 118/19
(Executive Recommendation)**

Moved Cr Tan Seconded Cr Mills

- 1. Pursuant to Section 6.2 of the Local Government Act 1995, Council adopts the 2019/20 Annual Budget, as attached.**
- 2. Pursuant to Section 6.16 of the Local Government Act 1995, Council adopts the Schedule of Fees and Charges for 2019/20, as attached.**
- 3. Pursuant to Section 6.32 of the Local Government Act 1995, Council adopts the following rates in the dollar and minimum payments for the 2019/20 financial year on all rateable land:**

General Rate:

UV = \$0.005377

GRV = \$0.081773

Minimum Payment:

UV = \$1,104

GRV = \$1,104

- 4. Pursuant to Section 6.45 of the Local Government Act 1995, Council sets due dates for the payment of rates and charges as follows:**

Payment in Full

Full Payment	15 October 2019
---------------------	------------------------

Two Instalments

1st Instalment	15 October 2019
2nd Instalment	17 February 2020

Four Instalments

1st Instalment	15 October 2019
2nd Instalment	16 December 2019
3rd Instalment	17 February 2020
4th Instalment	20 April 2020

- 5. Pursuant to Section 6.51 of the Local Government Act 1995, Council adopts a 11% rate of penalty interest on overdue rates and charges that remain unpaid.**

6. Pursuant to Section 6.45 of the Local Government Act 1995, Council adopts an interest rate of 5.5% where the owner has elected to pay rates and charges through an instalment option.
7. Pursuant to Section 6.45 of the Local Government Act 1995, Council adopts an instalment administration charge where the owner has elected to pay rates and charges through an instalment option being \$11.00 payable on the 2nd (and each subsequent) instalments; \$11.00 total fee for two (2) instalment option.
\$33.00 total fee for four (4) instalment option.
8. Pursuant to Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, Council adopts a material variance for reporting of \$5,000 for 2019/20.
9. Pursuant to section 66 of the Waste Avoidance and Resource Recovery Act 2007, Council set the 2019/20 rate in the dollar for a Management Levy for the purposes of;
 - a) Provision of suitable places, buildings and appliances for the disposal of refuse.
 - b) Construction and installation of plant for the disposal of refuse.

General Rate

GRV	\$0.120000
UV	\$0.030000

Maximum Payment

GRV	\$152.00
UV	\$152.00

10. Pursuant to section 67 of the Waste Avoidance and Resource Recovery Act 2007, Council sets the 2019/20 Waste Receptacle Charges.

Bin Service - 3 Bin Service	\$265.00
Bin Service - 2 Bin Service	\$221.00
Optional Bin - Rubbish (Fortnightly)	\$81.00
Optional Bin - Rubbish (Weekly)	\$158.00
Optional Bin - Recycling	\$63.00
Optional Bin - Organics	\$122.00
Aged Care Bin Service - 3 Bin Service	\$89.00

11. Pursuant to regulation 53 of the Building Regulations 2012, Council adopts the annual Swimming Pool Barrier Inspection fee of \$14.61 per swimming pool.
12. Pursuant to Section 6.11 of the Local Government Act 1995, Council adopts the following changes to Reserve Accounts for the 2019/20 Annual Budget

Current Reserve Name	Current Reserve Purpose	New Name	New Reserve Purpose	Comments
Electronic Equipment Reserve	<i>To provide future funding for the purchase and upgrade of electronic equipment.</i>	Information Technology Reserve	<i>To accumulate funds for the acquisition and replacement of information technology equipment and software.</i>	<i>An asset management plan is identified to be developed for this asset class.</i>
N/A	N/A	Recreation Centre Equipment Reserve	<i>To accumulate funds for the acquisition and replacement of fitness equipment at the Recreation Centre.</i>	<i>New Reserve. An asset management plan is identified to be developed for this asset class.</i>
Plant Replacement Reserve	<i>To fund the Shire's plant replacement program.</i>	Vehicle and Plant Reserve	<i>To accumulate funds for the acquisition and replacement of Council's vehicle fleet.</i>	<i>Allocations to and from this fund are determined by Council's Asset Management Plan - Vehicles.</i>
Buildings Reserve	<i>To fund the purchase and upgrade of Shire buildings.</i>	Building Reserve	<i>To accumulate funds for the construction, renewal and major maintenance of Council buildings.</i>	<i>Allocations to and from this fund are determined by Council's Asset Management Plan - Buildings.</i>
Building Maintenance Reserve	<i>To set aside funds for the future maintenance of Shire owned buildings in accordance with Council's Asset Management Programs.</i>	N/A	N/A	<i>Close and amalgamate with Building Reserve</i>

<i>N/A</i>	<i>N/A</i>	<i>Pathway Reserve</i>	<i>To accumulate funds for the construction, renewal and major maintenance of pathways.</i>	<i>New Reserve. An asset management plan is identified to be developed for this asset class.</i>
<i>N/A</i>	<i>N/A</i>	<i>Small Plant & Equipment (Works) Reserve</i>	<i>Established to accumulate funds for the acquisition and replacement of Councils small works plant & equipment.</i>	<i>New Reserve. An asset management plan is identified to be developed for this asset class.</i>
<i>N/A</i>	<i>N/A</i>	<i>Drainage & Stormwater Reserve</i>	<i>Established to accumulate funds for the construction, renewal and major maintenance of drainage infrastructure.</i>	<i>New Reserve. An asset management plan is identified to be developed for this asset class.</i>
<i>N/A</i>	<i>N/A</i>	<i>Parks & Reserves Reserve</i>	<i>Established to accumulate funds for the construction, renewal and major maintenance of parks & reserves infrastructure.</i>	<i>Allocations to and from this fund are determined by Council's Asset Management Plan – Parks & Reserves.</i>
<i>Roadworks Reserve</i>	<i>To contribute to the funding of the Shire's roadworks programme.</i>	<i>Roadworks Reserve</i>	<i>Established to accumulate funds for the construction, renewal and major maintenance of road infrastructure.</i>	<i>An asset management plan is identified to be developed for this asset class.</i>
<i>N/A</i>	<i>N/A</i>	<i>Aged Care Equipment Reserve</i>	<i>Established to accumulate funds for the acquisition and replacement of furniture & equipment in Council's aged care facilities.</i>	<i>New Reserve. An asset management plan is identified to be developed for this asset class.</i>

<i>Aged Care Housing Reserve</i>	<i>To receive any surplus funds from aged housing operations to provide future funding for the upgrade of aged housing facilities.</i>	<i>Aged Care Housing Reserve</i>	<i>Established to manage funds from aged housing schemes for the upgrade of Council managed aged housing facilities.</i>	
<i>Employee Leave & Gratuity Reserve</i>	<i>To fund the payment of annual leave, long service leave and gratuity payments to employees.</i>	<i>Employee Entitlements Reserve</i>	<i>Established to provide funds for the payment of long service leave and grandfathered gratuity scheme entitlements.</i>	<i>Past employees are entitled to transport their accrued Long Service Leave within Local Government. As such Council remains liable for Long Service Leave for the period of employment with Council.</i>
<i>N/A</i>	<i>N/A</i>	<i>27 Pay Period Reserve</i>	<i>Established to provide funds for the additional cash outlay in each eleventh year when 27 pay fortnights occur instead of the normal 26.</i>	<i>New Reserve</i>

Valuation Reserve	To assist in funding the cost of periodic revaluations of Unimproved and Gross Rental Valuations for rating purposes	Revaluation Reserve	Established to accumulate funds for; a) Asset Revaluations b) Rates Gross Rental Valuation - General Revaluation	
Town Planning Reserve	To fund future Town Planning projects including Town Planning Scheme Reserves, Rural Strategy, Municipal Inventory and Environmental plan.	Strategic Planning Studies Reserve	Established to accumulate funds for engaging strategic studies / reports.	
N/A	N/A	Council Election Reserve	This Reserve is established to accumulate funds for Council postal elections.	To annualise the cost of biennial Council election
N/A	N/A	Unspent Grants Reserve	To hold unexpended grants to be utilised in future financial periods.	New Reserve
Waste Management Reserve	To receive funds collected from the Shire's Waste Management levy for the purpose of providing waste management facilities.	Waste Management Reserve	To receive funds collected from the Shire's Waste Management levy for the purpose of providing waste management facilities	No Change

Bushfire Control & Management Reserve	To receive funds collected from the Shire's Fire Protection Levy for the purpose of providing fire fighting equipment to meet the needs of the district.	Bushfire Control & Management Reserve	To receive funds collected from the Shire's Fire Protection Levy for the purpose of providing fire fighting equipment to meet the needs of the district.	This levy no long raised. Replaced by the Emergency Services Levy (ESL). A small balance remains in this reserve (\$2,282) as at 30 June 2018. Recommend closure of this reserve as no longer required. Balance allocated to firefighting equipment purchased in excess of ESL funding.
Arbuthnott Memorial Scholarship	To fund the payment of the Arbuthnott Scholarship.	Arbuthnott Memorial Scholarship Reserve	To fund the payment of the Arbuthnott Scholarship.	No Change
Land Development Reserve Fund	To fund the purchase of land for future community purposes.	Land Development Reserve Fund	To fund the purchase of land for future community purposes.	No Change
Central Business District Reserve	To fund future Central Business District projects.	Central Business District Reserve	To fund future Central Business District projects.	No Change Only minimal funds in the Reserve, \$3,058 as a 30 June 2018.

Apple Funpark Reserve	To receive donations and to provide for the future capital upgrade and maintenance of equipment and facilities at the Apple Funpark in Collins Street, Donnybrook.	Apple Funpark Reserve	To receive donations and to provide for the future capital upgrade and maintenance of equipment and facilities at the Apple Funpark in Collins Street, Donnybrook.	No Change
N/A	N/A	Contribution To Works Reserve	To hold contributions for future works.	New Reserve
N/A	N/A	Carried Forward Projects Reserve	To hold unspent project funds.	New Reserve

Carried by absolute majority 8/0

**Note: Councillors will be informed of the 2018/19 year end position (surplus/profit).*

9 REPORTS OF COMMITTEES

9.1 AUDIT COMMITTEE

9.1.1 Change of name to the Audit Committee

CEO Comments

Discussion was held at the Audit Committee regarding changing the name of the Audit Committee to “Audit and Risk Management Committee”

No formal recommendation was made by the committee however the CEO deems it appropriate to change the name to better reflect the committee’s broader role.

COUNCIL DECISION 119/19 (Officer Recommendation)

Moved Cr Mills Seconded Cr King

That Council change the name of the Audit Committee to “Audit and Risk Management Committee”

Carried 8/0

9.1.2 Operating Surplus Report

Location	Shire of Donnybrook Balingup
Applicant	Not Applicable
File Reference	FNC02
Author	Stuart Eaton – Finance Office (Special Projects)
Attachments	Attachments 9.1.2a and 9.1.2b
Voting Requirements	Simple Majority
Executive Summary	Report relating a matter of significance raised in the 2017/18 Audit Report

STRATEGIC ALIGNMENT

The recommendation aligns with the following objectives within the Corporate Business Plan:

Outcome	Strategy	Actions
4.2 A respected, professional and trusted organisation	Effective and efficient operations and service provision	<p>4.2.1.1 Maintain effective and efficient policies, planning, operating procedures and practices.</p> <p>4.2.1.2 Seek a high level of legislative compliance and effective internal controls</p> <p>4.2.1.3 Monitor and measure organisational performance</p> <p>4.2.1.4 Demonstrate sound financial planning and management, including revenue/ expenditure review and revenue diversification strategies and long term financial planning</p>

BACKGROUND

The independent audit report of the 2017/18 Annual Financial Report (Attachment 8.1.1a) identified the following:

Report on Other Legal and Regulatory Requirements

In accordance with the Local Government (Audit) Regulations 1996 we report that:

- (i) In our opinion, the following matter indicate a significant adverse trend in the financial position of the Shire of Donnybrook-Balingup:*
 - a. Operating surplus ratio as reported in Note 19 of the financial report is below the Department of Local Government, Sport and Cultural Industries (DLGSCI) standard of zero for the last three years (2016: -0.57, 2017: -0.39 and 2018: -0.49).*

S7.12A of the Local Government Act 1995 (the Act) requires the following relating to significant matters raised in the audit report (Attachment 8.1.1b).

- (4) A local government must —*
 - (a) prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and*
 - (b) give a copy of that report to the Minister within 3 months after the audit report is received by the local government.*
- (5) Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website.*

DETAILS

Financial ratios are designed to provide users of annual financial reports with a clearer interpretation of the performance and financial results of a local government and a comparison of trends over a number of years.

Ratios may be disclosed as a percentage or a factor of one.

Financial ratios are included in the notes to the Annual Financial Report. These ratios provide users with key indicators of the financial performance of a local government.

Under regulation 50 of the Local Government (Financial Management) Regulations 1996, the Annual Financial Report is to include the following:

- a) Current Ratio
- b) Asset Consumption Ratio
- c) Asset Renewal funding Ratio
- d) Asset Sustainability Ratio
- e) Debt Service Cover Ratio
- f) Operating Surplus Ratio
- g) Own Source Revenue Coverage Ratio

The Shire’s ratio performance since 2013/14 is tabled below

	Standard	2017/18	2016/17	2015/16	2014/15	2013/14	5 Year Average
Current Ratio	1.00	✓ 1.96	✓ 2.65	✗ 0.71	✓ 1.35	✗ 0.77	✓ 1.49
Asset Consumption Ratio	0.50	✓ 0.65	✓ 0.65	✓ 0.59	✓ 0.69	✓ 0.64	✓ 0.64
Asset Renewal Ratio	0.75	✓ 0.87	✓ 1.15	✗ 0.31	✗ 0.61	✗ 0.42	✗ 0.67
Asset Sustainability Ratio	0.90	✗ 0.55	✗ 0.54	✓ 0.93	✗ 0.62	✗ 0.60	✗ 0.65
Debt Service Cover Ratio	2.00	✓ 15.81	✓ 4.01	✓ 2.47	✓ 14.17	✓ 2.68	✓ 7.83
Operating Surplus Ratio	0.01	✗ (0.49)	✗ (0.38)	✗ (0.57)	✗ (0.23)	✗ (0.38)	✗ (0.41)
Own Source Revenue Coverage Ratio	0.40	✓ 0.49	✓ 0.48	✓ 0.52	✓ 0.54	✓ 0.58	✓ 0.52
	Standard	2017/18	2016/17	2015/16	2014/15	2013/14	5 Year Average
Financial Health Indicator (max = 100)	70.00	✗ 65.00	✗ 64.00	✗ 36.00	✗ 60.00	✗ 33.00	✗ 51.60

source: mycouncil.wa.gov.au

The audit report for 2017/18 details auditor’s concerns with the trend of the Shire’s ‘Operating Surplus Ratio’.

The Shire Operating Surplus Ratio for the past 5 years

	Standard	2017/18	2016/17	2015/16	2014/15	2013/14	5 Year Average
Operating Surplus Ratio	0.01	✗ (0.49)	✗ (0.38)	✗ (0.57)	✗ (0.23)	✗ (0.38)	✗ (0.41)

The Operating Surplus Ratio is explained in Local Government Operational Guidelines Number 18 – June 2013 (Financial Ratios) p6.

4.4 Financial Performance Ratio

A key indicator of a local government’s financial performance is measured by the ‘Operating Surplus Ratio’. If a local government consistently achieves a positive operating surplus ratio and has soundly based long term financial plans showing that it can continue to do so in future, having regard to asset management and the community’s service level needs, then it is considered financially sustainable.

A positive ratio indicates the percentage of total own source revenue available to help fund proposed capital expenditure, transfer to cash reserves or to reduce debt.

A negative ratio indicates the percentage increase in total own source revenue (principally rates) that would have been required to achieve a break-even operating result.

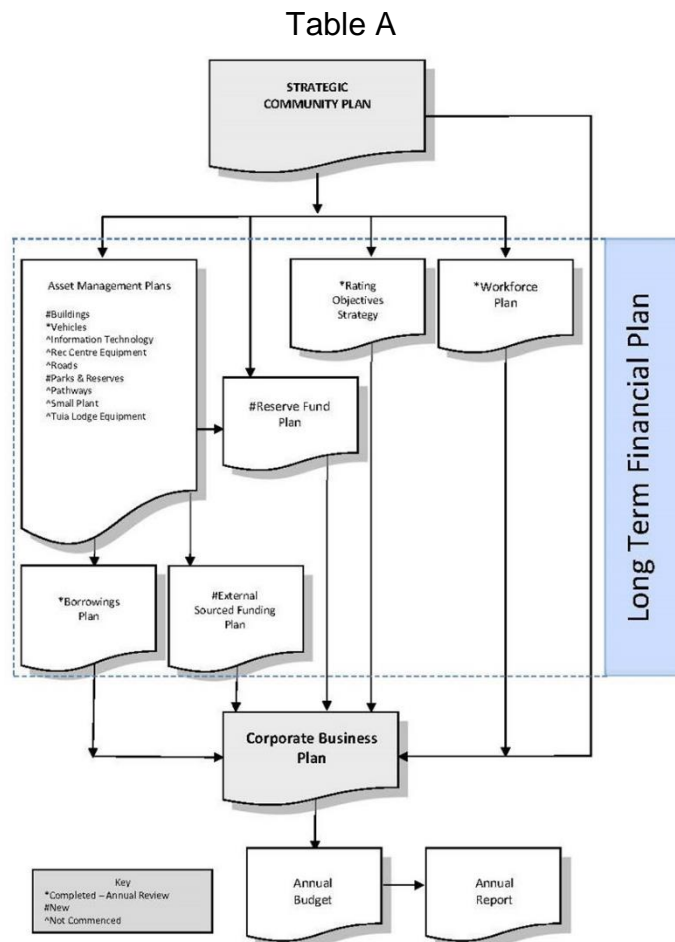
<i>Operating Surplus Ratio</i>	
<i>Operating Surplus Ratio =</i>	<i>(Operating Revenue MINUS Operating Expense) Own Source Operating Revenue</i>
<i>Purpose:</i>	<i>This ratio is a measure of a local government’s ability to cover its operational costs and have revenues available for capital funding or other purposes.</i>
<i>Standards:</i>	Basic Standard between 1% and 15% (0.01 and 0.15) Advanced Standard > 15% (>0.15).
<i>Definitions:</i>	

<i>'Operating Revenue'</i>	<i>Means the revenue that is operating revenue for the purposes of the AAS, excluding grants and contributions for the development or acquisition of assets.</i>
<i>'Operating Expense'</i>	<i>Means the expense that is operating expense for the purposes of the AAS.</i>
<i>'Own Source Operating Revenue'</i>	<i>Means revenue from rates and service charges, fees and user charges, reimbursements and recoveries *, interest income and profit on disposal of assets.</i>

Officer's briefed Elected Members in February 2018 relating to the Shire's financial ratios and performance against the Financial Health Indicator.

Officers identified a historical absence of robust long term asset management planning and a corresponding absence of sustainable 'own source' asset renewal funding within the budgetary framework. This was highlighted as an inhibitor towards improving sustainable financial health of the Shire.

In response to transitioning the organisation towards improved long term financial sustainability, an Integrated Financial Planning Framework was developed in 2018 (Table A)



Since introducing the Integrated Planning Framework in 2018 the following documents and long term financial plans have been developed and presented to Council.

	Introduced
Workforce Plan	2018
Borrowings Plan	2018
Rating Objectives Strategy	2018
Asset Management Plan – Vehicles	2018
Asset Management Plan – Buildings	2019
Asset Management Plan – Parks & Reserves	2019
Reserves Fund Plan	2019
External Sourced Funding Plan	2019

The following plans have been identified as required and are planned for future development

Asset Management Plan – Information Technology
Asset Management Plan – Recreation Centre Equipment
Asset Management Plan – Roads
Asset Management Plan – Pathways
Asset Management Plan – Small Plant
Asset Management Plan – Tuia Lodge Equipment

At the ordinary meeting of Council on 24 April 2019 officers reported the following when seeking Council to endorse the annual (2019/20) review of Integrated Planning and Financial Reporting Framework.

Officers are progressing the development of an Integrated Planning and Reporting Framework for the Shire (Table 1) that will improve the long term financial sustainability of the Shire of Donnybrook Balingup.

This corporate planning framework will provide greater integration of plans and become the driver for the Annual Budget.

A suite of financial planning systems are being developed and implemented that will;

- a) Accurately demonstrate the Shire’s capability to deliver services and manage its asset portfolio that can sustain our community into the future.*
- b) Accurately determine the real cost of managing the Shire’s asset portfolio.*
- c) Accurately determine the real cost of delivering services to the community.*
- d) Accurately determine the real contribution residents and users should make to the cost of services & facilities.*

One aspect of the financial planning framework is realigning the underlying foundation of the Annual Budget to respond to the aforementioned points in order to improve the long term financial sustainability for the Shire.

It is advised that Council has careful regard to longer-term considerations in making annual budget decisions. If they do not, they may find that the Shire is faced with future financial challenges. These long-term financial plans let Council see what its future financial obligations are. The plans help Council assess the need for early intervention to reduce future risks and associated revenue raising requirements of future generations.

If a Local Government runs ongoing under-lying operating deficits, it needs to recognise the longer-term implications. Not addressing this deficit is likely to mean that future Councils will struggle to be able to accommodate asset renewal needs and that service levels will decline over time.

CONSULTATION

Not Applicable

POLICY COMPLIANCE

Not Applicable

STATUTORY COMPLIANCE

s7.12A of the Local Government Act 1995 (the act) requires the following relating to significant matters raised in the audit report

- (4) *A local government must —*
- (a) *prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and*
 - (b) *give a copy of that report to the Minister within 3 months after the audit report is received by the local government.*
- (5) *Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website.*

Department of Local Government, Sport and Cultural Industries (the Department) has advised Local Governments of the requirement in Department Circular 05-2009

LOCAL GOVERNMENT AUDITING

Local governments are reminded of their audit reporting obligations under section 7.12A(4)(a) of the Local Government Act 1995.

To assist, the department has prepared a template for use by local governments.

While the template is not in a prescribed form it is suggested that it is used by local governments to standardise the report format and support a uniform process.

Reporting requirements

In November 2017 the proclamation of the Local Government Amendment (Auditing) Act 2017 introduced a number of reforms to auditing laws.

These were outlined in Circular 16-2017 and the accompanying Guide to Local Government Auditing.

This included the introduction of a new category of audits called Performance Audits.

Legislation also now requires local governments to examine an audit report it receives and implement appropriate action in respect to the significant matters raised.

Local governments must prepare a report addressing the significant matters identified in the audit report.

The report should then be considered by the local government's audit committee before being adopted by council.

This report is to be provided to the Minister within three months of receiving the audit report and within 14 days after the local government gives the report to the Minister, the CEO must publish a copy of the report on the local government's official website.

This requirement applies to both a local government's financial audit as well as any Performance Audits undertaken by the Auditor General.

To date the Auditor General has undertaken a number of Performance Audits of selected local governments that include Records Management, Local Government Procurement, Timely Payment of Suppliers and Controls Over Corporate Credit Cards.

Section 7.12A(4)(a) of the Local Government Act 1995 (the Act) refers to the preparation of a report by a local government.

The report is to address any matters identified as significant by the auditor in the audit report, the report is to also state what action the local government has or intends to take in respect to each of those matters.

The Department proposes to maintain the ongoing process of examining audit reports to ensure compliance and monitoring the actions that local governments take or intend to take in addressing any significant matters identified in the audit reports.

If you have any questions regarding this information, please contact the Department on (08) 6551 8700 or via email audits@dlqsc.wa.gov.au.

The Department has advised the reporting to be in the following format

***TEMPLATE
REPORT***

Section 7.12A(4)(a) of the Local Government Act 1995

Office of the Auditor General (OAG) – Performance Audit

Purpose of Report

Significant Matter Identified by OAG

Implication

Management Comment

Action Taken or Intended to be Taken

Completion or Proposed Completion Date

Recommendation

CONCLUSION

Officers reiterate previous advice that the Shire's Integrated Financial Planning Framework will provide greater integration of plans and become the driver for the Annual Budget.

A suite of financial planning systems are being developed and implemented that will;

- a) Accurately demonstrate the Shire's capability to deliver services and manage its asset portfolio that can sustain our community into the future.
- b) Accurately determine the real cost of managing the Shire's asset portfolio.
- c) Accurately determine the real cost of delivering services to the community.
- d) Accurately determine the real contribution residents and users should make to the cost of services & facilities.

One aspect of the financial planning framework is realigning the underlying foundation of the Annual Budget to respond to the aforementioned points in order to improve the long term financial sustainability for the Shire.

It is advised that Council has careful regard to longer-term considerations in making annual budget decisions. If it does not, it may find that the Shire is faced with future financial challenges. These long-term financial plans let Council see what its future financial obligations are. The plans help Council assess the need for early intervention to reduce future risks and associated revenue raising requirements of future generations.

If a Local Government runs ongoing under-lying operating deficits, it needs to recognise the longer-term implications. Not addressing this deficit is likely to mean that future Councils will struggle to be able to accommodate asset renewal needs and that service levels will decline over time

All things being equal, an operating deficit / surplus will trend higher over time when increased sustainable 'own source' operating revenue sources are committed annually towards meeting the asset renewal requirements identified in the current and proposed, asset plans.

COUNCIL DECISION 120/19 (Committee Recommendation – 1)

Moved Cr Tan Seconded Cr Wringe

That the Audit Committee recommend the Council submit the following response in compliance of S7.12A of the Local Government Act 1995 relating to significant matter raised in the 2017/18 audit report.

1.1 Purpose of Report

To respond the Department of Local Government, Sport and Cultural Industries in compliance of S7.12A of the Local Government Act 1995 relating to significant matter raised in the 2017/18 audit report.

1.2 Significant Matter Identified by OAG

Report on Other Legal and Regulatory Requirements

In accordance with the Local Government (Audit) Regulations 1996 we report that:

(ii) In our opinion, the following matter indicate a significant adverse trend in the financial position of the Shire of Donnybrook-Balingup:

a. Operating surplus ratio as reported in Note 19 of the financial report is below the Department of Local Government, Sport and Cultural Industries (DLGSCI) standard of zero for the last three years (2016: -0.57, 2017: -0.39 and 2018: -0.49).

1.3 Implication

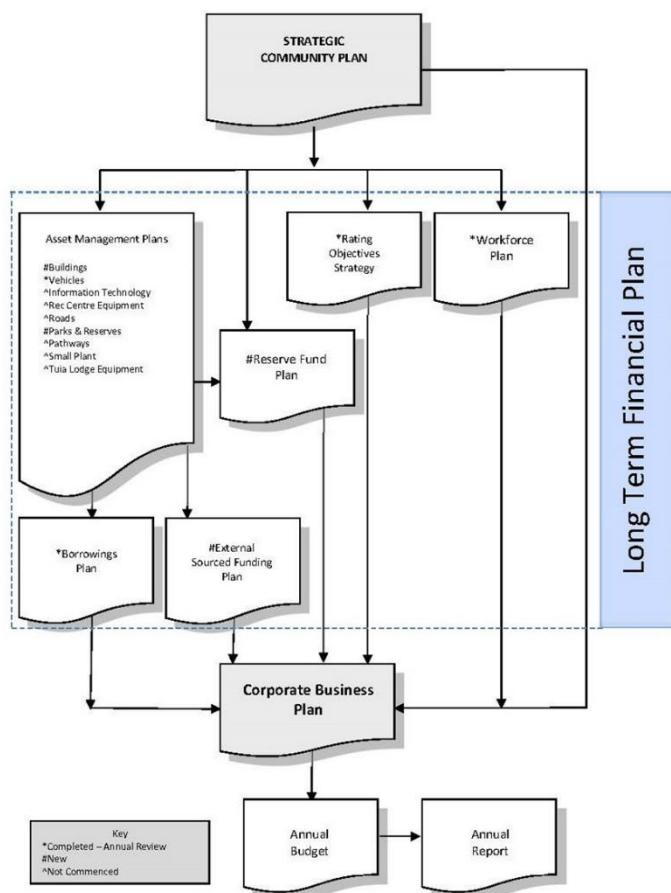
If a Local Government runs ongoing under-lying operating deficits, it needs to recognise the longer-term implications. Not addressing ongoing deficits is likely to mean that future Councils will struggle to be able to accommodate asset renewal needs and that service levels will decline over time. It is acknowledged that a trending reduction in the operating deficit is necessary for improved sustainable financial health of the Shire.

1.4 Management Comment

Historically, the Shire has had no robust integrated financial planning framework that incorporates sustainable 'own source' funded long term asset management plans. It is the opinion of CEO that this has resulted in a more adverse financial position of the Shire that would ordinary be the case under a fully developed Integrated Financial Planning Framework.

The Shire of Donnybrook Balingup is transitioning towards improved long term financial sustainability, an Integrated Financial Planning Framework was developed in 2018 (Table A).

Table A



1.5 Action Taken or Intended to be Taken

A suite of financial planning systems are being developed and implemented that will;

- a) Accurately demonstrate the Shire’s capability to deliver services and manage its asset portfolio that can sustain our community into the future.***
- b) Accurately determine the real cost of managing the Shire’s asset portfolio.***
- c) Accurately determine the real cost of delivering services to the community.***
- d) Accurately determine the real contribution residents and users should make to the cost of services & facilities.***

Since introducing the Integrated Financial Planning Framework in 2018 the following documents and long term financial plans have been developed and presented to Council.

	Introduced
Workforce Plan	2018
Borrowings Plan	2018
Rating Objectives Strategy	2018
Asset Management Plan – Vehicles	2018
Asset Management Plan – Buildings	2019
Asset Management Plan – Parks & Reserves	2019
Reserves Fund Plan	2019
External Sourced Funding Plan	2019

The following plans have been identified as required and are planned for future development.

Asset Management Plan – Information Technology
Asset Management Plan – Recreation Centre Equipment
Asset Management Plan – Roads
Asset Management Plan – Pathways
Asset Management Plan – Small Plant
Asset Management Plan – Tuia Lodge Equipment

This Integrated Financial Planning Framework and is reliant upon the developed sustainable ‘own source’ funding model being embedded within the annual budgetary process.

1.6 Completion or Proposed Completion Date

Council is committed to reduce the Operating Deficit and improving the Operating Surplus Ratio.

Since introducing the Integrated Financial Planning Framework in 2018 the following documents and long term financial plans have been developed and presented to Council.

	Introduced
Workforce Plan	2018
Borrowings Plan	2018
Rating Objectives Strategy	2018
Asset Management Plan – Vehicles	2018
Asset Management Plan – Buildings	2019
Asset Management Plan – Parks & Reserves	2019
Reserves Fund Plan	2019
External Sourced Funding Plan	2019

The following plans have been identified as required and are planned for future development across the next 5 years.

<i>Asset Management Plan – Information Technology</i>
<i>Asset Management Plan – Recreation Centre Equipment</i>
<i>Asset Management Plan – Roads</i>
<i>Asset Management Plan – Pathways</i>
<i>Asset Management Plan – Small Plant</i>
<i>Asset Management Plan – Tuia Lodge Equipment</i>

It is expected that the ongoing development of the Integrated Financial Planning Framework will lead to a trending improvement in the Operating Surplus Ratio and overall financial health of the Shire of Donnybrook Balingup.

Carried 7/1

Cr Mitchell is recorded as voting against the recommendation

**COUNCIL DECISION 121/19
(Committee Recommendation – 2)**

Moved Cr Tan Seconded Cr Atherton

That the Audit Committee recommend that Council commit to a trending improvement in the Operating Surplus Ratio and long term sustainable financial health of the Shire of Donnybrook Balingup through continued implementation and funding of its Integrated Financial Planning Framework.

Carried 7/1

Cr Mitchell is recorded as voting against the recommendation.

9.1.3 May 2019 Interim Audit

Location	Shire of Donnybrook-Balingup
Applicant	Not Applicable
File Reference	FNC02
Author	Alan Thornton – Manager Corporate Services
Attachments	Attachment 9.1.3 (1)
Voting Requirements	Simple Majority
Executive Summary	Report relating to findings identified during the May 2019 Interim Audit

STRATEGIC ALIGNMENT

The recommendation aligns with the following objectives within the Corporate Business Plan:

Outcome	Strategy	Action No.	Actions
4.2 A respected, professional and trusted organisation	Effective and efficient operations and service provision	4.2.1.1	Maintain effective and efficient policies, planning, operating procedures and practices.
		4.2.1.2	Seek a high level of legislative compliance and effective internal controls
		4.2.1.3	Monitor and measure organisational performance
		4.2.1.4	Demonstrate sound financial planning and management, including revenue/ expenditure review and revenue diversification strategies and long term financial planning

BACKGROUND

The financial year audit process for the 2018/19 financial year commences with an interim audit. The Office of the Auditor General (OAG) will be directing the 2018/19 financial year audit.

AMD Chartered Accountants have been engaged by the Office of the Auditor General

to conduct the financial year audit on behalf of the OAG.

AMD Chartered Accountants conducted an onsite interim audit review on 9th and 10th May 2019.

DETAILS

From the May 2019 interim audit AMD identified four items of risk and concerns with respect to the probability and/or consequences of adverse outcomes if action is not taken. These items are detailed in Attachment 8.1.2.

CONSULTATION

Not applicable

POLICY COMPLIANCE

Not applicable

STATUTORY COMPLIANCE

- *Local Government Act 1995(ACT).*
- Regulation 51(2) of the Local Government (Financial Management) Regulations 1996.
- Audit Regulation 17 review
- Financial Management System Review Report

COMMITTEE RECOMMENDATION

That the Audit Committee recommend the Auditor's Interim Audit Management Report for the year ended 30 June 2019 be received by Council and the recommendations of the auditor be noted.

COUNCIL DECISION 122/19

Moved Cr Mills Seconded Cr Tan

That the Auditor's Interim Audit Management Report for the year ended 30 June 2019 be received by Council and the recommendations of the auditor be noted.

Carried 8/0

6 CLOSURE OF MEETING

The Shire President to declare the meeting closed at 6:12pm.

**SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995**

**LIST OF ACCOUNTS AUTHORISED AND PAID BY THE CHIEF EXECUTIVE OFFICER
IN ACCORDANCE WITH DELEGATION NO. 3.2 AND PRESENTED TO
COUNCIL ON 28 AUGUST 2019**

MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description	Municipal	Trust
CCP3405	BP BALDIVIS NORTHBOUND	DB5 CEO - FUEL EXPENSES	\$ 195.08	
CCP3406	COMFORT HOTEL PERTH CITY	ACCOMMODATION FOR CEO TO ATTEND WALGA - MEET THE CEO	\$ 100.00	
CCP3407	DONNYBROOK RIVERSIDE	COUNCIL DINNER FOLLOWING OCM 26 JUNE 19	\$ 348.00	
CCP3408	GALVINS PLUMBING SUPPLIES	TUJA LODGE - WATER FILTER FOR STAFF KITCHEN	\$ 298.02	
CCP3409	MICROSOFT REGIONAL SALES CORP	MICROSOFT EMAIL SERVICE FOR PERIOD 26/05/2019 - 25/06/2019	\$ 529.43	
CCP3410	RAPID WEB SERVICES	IT - HTTPS CERTIFICATE FOR ALTUS - PAYROLL	\$ 13.24	
CCP3411	SOUTH REGIONAL TAFE	TUJA LODGE - ADDITIONAL TRAINING FEES	\$ 239.95	
CCP3412	ASSETLABELS.COM.AU PTY LTD	ASSET LABELS FOR NEW COMPUTER EQUIPMENT	\$ 251.50	
CCP3413	DEPT OF MINES, IND REG & SAFETY	COPY OF MINING TENAMENT 70/11282	\$ 7.57	
CCP3414	MICROSOFT REGIONAL SALES	MICROSOFT CLOUD BASED EMAIL SERVICE MONTHLY PAYMENT	\$ 534.87	
CCP3415	HILTON PERTH PARMELIA	TUJA LODGE - ACCOMMODATION FOR LAWSENSE SEMINAR	\$ 348.50	
CCP3416	PLANNING INSTITUTE AUSTRALIA	2019 WA PLANNING CONFERENCE REGISTRATION	\$ 465.00	
CCP3417	RED CROSS EMERGENCY SERV WA	EHO - RECOVERY COMMUNICATION TRAINING	\$ 330.00	
CCP3418	VILLAGE HARVEST RESTAURANT	COUNCIL DINNER FOLLOWING OCM 24 JULY 2019	\$ 406.00	
3782	DEPARTMENT OF COMMERCE	TRANSFER BOND FOR B COLLARD		\$ 656.80
3783	SHIRE OF DONNYBROOK BALINGUP	RECOUP RESIDENT'S KITTY - JUNE/JULY 19		\$ 809.75
3784	ASCOT MOTOR CLUB	BOND REFUND		\$ 1,100.00
3785	DEPT OF MINES, IND REG & SAFETY	BSL LEVY COLLECTIONS - JUNE 2019		\$ 1,135.96
3786	SHIRE OF DONNYBROOK BALINGUP	BSL AGENCY COLLECTION FEES - JUNE 2019		\$ 50.00
3787	CONSTRUCTION TRAINING FUND	BCITF LEVY COLLECTIONS - JUNE 2019		\$ 1,532.82
3788	SHIRE OF DONNYBROOK BALINGUP	BCITF AGENCY COLLECTION FEES - JUNE 2019		\$ 45.38

SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995

LIST OF ACCOUNTS AUTHORISED AND PAID BY THE CHIEF EXECUTIVE OFFICER
IN ACCORDANCE WITH DELEGATION NO. 3.2 AND PRESENTED TO
COUNCIL ON 28 AUGUST 2019

MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description		Municipal	Trust
EFT16896b	SHIRE OF DONNYBROOK BALINGUP	TUJA LODGE - SPECIAL PAY FOR PERIOD ENDING 17/07/2019	\$	57.77	
EFT16896c	SHIRE OF DONNYBROOK BALINGUP	TUJA LODGE - PAYROLL FOR PERIOD ENDING 17/07/2019	\$	69,674.45	
EFT16896d	SHIRE OF DONNYBROOK BALINGUP	PAYROLL FOR PERIOD ENDING 17/07/2019	\$	131,076.46	
EFT16896e	WESTNET PTY LTD	BALINGUP LIBRARY - NBN WIRELESS SERVICE - JULY 2019	\$	64.90	
EFT16896f	AUSTRALIAN TAX OFFICE	BAS - JUNE 19	\$	73,314.00	
EFT16897	AUSTRALIAN SERVICES UNION	PAYROLL DEDUCTIONS	\$	25.90	
EFT16898	A & R ENGINEERING	DB1027 LOADER - BALL & CABLE, TUJA - GENERATOR SERVICE	\$	1,411.55	
EFT16899	ALL-TECH PLUMBING	TUJA LODGE - SUPPLY & INSTALL REPLACEMENT HOT WATER SYS	\$	1,479.50	
EFT16900	WINC AUSTRALIA PTY LTD	CONTINENCE PRODUCTS ORDER - JUNE 2019	\$	2,492.53	
EFT16901	AUSRECORD PTY LTD	BUILDING - DRAWER RACK	\$	198.00	
EFT16902	ATC EMPLOYMENT SOLUTIONS	TUJA LODGE - CASUAL & TRAINEE WAGES W/E 09.07.2019	\$	2,126.32	
EFT16903	ALL TERRAIN FARM & MAINTENANCE	GRIMWADE RD - VERGE MITIGATION WORKS	\$	500.00	
EFT16904	BUNBURY RETRAVISION	MININIUP UNIT 8 - REPLACEMENT FREE-STANDING OVEN	\$	1,444.00	
EFT16905	BDA TREE LOPPING	VARIOUS SHIRE SITES - TREE PRUNING FOR JUNE 2019	\$	13,486.00	
EFT16906	AGRI SPARK AUTO ELECTRICS	DB4647 & DB2134 - RED ARC TOW PRO	\$	665.00	
EFT16907	BULLIVANTS PTY LTD	DEPOT - RECOVERY STRAP & SHACKLES	\$	1,146.35	
EFT16908	BP SERVICE STATION	MGMT DBK TRANSIT PRK & ADMIN FUEL EXPENSES - JUNE 2019	\$	3,982.98	
EFT16909	COUNTRY WOMENS ASSOC - BLN	1 x WREATH FOR ANZAC DAY 2019	\$	60.00	
EFT16910	BLUE FORCE PTY LTD	PRESTON VILLAGE - EMERG HELP MONITORING - JUNE 2019	\$	183.51	
EFT16911	BNY HARVEY REGIONAL COUNCIL	ORGANICS DISPOSAL - JUNE 2019	\$	1,515.04	
EFT16912	STAFF REIMBURSEMENTS	TUJA LODGE - REIMBURSEMENT OF POLICE CLEARANCE EXPENSES	\$	55.10	

**SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995**

**LIST OF ACCOUNTS AUTHORISED AND PAID BY THE CHIEF EXECUTIVE OFFICER
IN ACCORDANCE WITH DELEGATION NO. 3.2 AND PRESENTED TO
COUNCIL ON 28 AUGUST 2019**

MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description	Municipal	Trust
EFT16913	BUNBURY BLINDS & CURTAINS	BLN HALL RENEW - WINDOW TREATMENTS & HANG STAGE CURTAIN	\$ 6,460.00	
EFT16914	STAFF REIMBURSEMENTS	BLN LIBRARY - REIMBURSEMENT OF POLICE CLEARANCE EXPENSES	\$ 55.10	
EFT16915	COCA COLA AMATIL (AUST) P/L	DBK REC CTR - KIOSK DRINK PURCHASES	\$ 149.59	
EFT16916	DUG CROSS ELECTRICS	REPAIR LIGHT AND POWER POINT AT DEPOT	\$ 110.00	
EFT16917	CRAVEN FOODS	DBK REC CTR - KIOSK SNACK SUPPLIES	\$ 146.41	
EFT16918	CLEANAWAY	REFUSE COLLECTION - JUNE 2019	\$ 18,617.50	
EFT16919	CHUBB FIRE & SECURITY PTY TLD	EGAN PARK MEN IN SHEDS - SUPPLY & INSTALL EXTINGUISHERS	\$ 510.35	
EFT16920	DONNYBROOK MEDICAL SERVICES	PRE EMPLOYMENT MEDICAL - CASUAL LIBRARY OFFICER	\$ 165.00	
EFT16921	DONNYBROOK NEWSAGENCY	TUIA LODGE - NEWSPAPERS & MISC STATIONERY - JUNE 2019	\$ 40.80	
EFT16922	DONNYBROOK FARM SERVICE	RETIC FITTINGS FOR BALINGUP HALL, DEPOT SUPPLIES	\$ 633.90	
EFT16923	FORTUS	DB2201 CAT LOADER - 8E4567/25 CUTTING BLADE	\$ 669.86	
EFT16924	FOWLER SURVEYS	VICTORY LN - SETOUT OF LINEMARKING	\$ 352.00	
EFT16925	FRONTLINE FIRE & RESCUE	ESL - PROTECTIVE CLOTHING	\$ 893.20	
EFT16926	HANCOCK MEMORIALS	DONNYBROOK BUSH MEMORIAL PLAQUE	\$ 631.40	
EFT16927	JASON SIGNMAKERS	DEPOT - FLEXIBLE WHITE STEEL GUIDE POSTS X 100, RURAL RD NO'S	\$ 7,030.77	
EFT16928	STAFF REIMBURSEMENTS	REIMBURSE PHONE ALLOWANCE TO WORKS OVERSEER - JUNE 19	\$ 80.00	
EFT16929	JB HI FI	CAR CHARGER FOR MAINTENANCE TRUCK IPAD	\$ 30.62	
EFT16930	JOHN GOSPER DESIGN	BEELERUP BFB - ENERGY ASSESSMENT OF THE PLANS	\$ 385.00	
EFT16931	WESFARMERS KLEENHEAT GAS P/L	TUIA LODGE - BULK LPG ORDER & BOTTLE SUPPLY FEES	\$ 1,736.61	
EFT16932	LIVING SPRINGS	BLN LIBRARY - WATER COOLER RENTAL 2019/20, ADMIN - WATER	\$ 308.00	
EFT16933	MALATESTA ROAD PAVING	JAYES ST - 250 LITRES OF EMULSION	\$ 400.00	

SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995

LIST OF ACCOUNTS AUTHORISED AND PAID BY THE CHIEF EXECUTIVE OFFICER
IN ACCORDANCE WITH DELEGATION NO. 3.2 AND PRESENTED TO
COUNCIL ON 28 AUGUST 2019

MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description	Municipal	Trust
EFT16934	MORRISSEY HOMESTEAD INC	TUIA LODGE - HIRE OF BUS - BUS TRIP 28.06.2019	\$ 144.00	
EFT16935	STAFF REIMBURSEMENTS	TUIA LODGE - REIMBURSEMENT OF NURSE REGISTRATION FEES	\$ 170.00	
EFT16936	BLUE EAST PTY LTD	MACQUARIE ROAD - GRAVEL SUPPLY 1100 TONNE APPROX	\$ 11,131.34	
EFT16937	NATURALISTE HYGIENE SERVICES	ADMIN - SUPPLY EXTRA SANITARY UNIT TO UNISEX TOILET	\$ 107.57	
EFT16938	NEVERFAIL SPRINGWATER LIMITED	DBK REC CTR - BOTTLED WATER PLUS DELIVERY	\$ 97.25	
EFT16939	OFFICEWORKS	TUIA LODGE - STATIONERY ORDER JULY 2019	\$ 347.75	
EFT16940	PRESTIGE PRODUCTS	DBK REC CTR - CLEANING SUPPLIES	\$ 138.27	
EFT16941	PROLINE KERBING	KERBING AT VICTORY LANE	\$ 10,901.00	
EFT16942	PRESTON VALLEY MAINTENANCE	DBK REC CTR - VARIOUS MINOR BUILDING REPAIRS & MAINTENANCE	\$ 957.00	
EFT16943	PAYPAC PAYROLL SERVICES PTY LTD	TUIA LODGE - PAYROLL PROCESSING SERVICES - JUNE 2019	\$ 1,782.22	
EFT16944	PRIME INDUSTRIAL PRODUCTS	DB18069 TRAILER - STEEL DB2462 GRADER - BRUSH COVER	\$ 866.84	
EFT16945	PROGRAMMED PROPERTY SERVICES	BLN HALL RENEWAL - PAINTING WORKS	\$ 49,280.00	
EFT16946	DONNYBROOK RSL	FITTING OF SIGN ON RSL ROCK WALL	\$ 200.00	
EFT16947	BRIDGETOWN REFRIGERATION	DBK REC CTR - ADJUSTMENTS TO POOL HEAT PUMP	\$ 137.50	
EFT16948	ROSTER WITH ROSS PTY LTD	TUIA LODGE - ZUUS PAYROLL SYSTEM 12/07/2019 - 11/08/2019	\$ 149.00	
EFT16949	SLEE ANDERSON & PIDGEON	TUIA LODGE - PROFESSIONAL LEGAL FEES	\$ 485.10	
EFT16950	STEWART & HEATON CLOTHING CO.	ESL BFB PPE - SUPPLY BUSHFIRE SERVICE T-SHIRTS	\$ 2,321.55	
EFT16951	FERGUSON BUILDING	KIRUP VOLUNTEER BUSH FIRE BRIGADE (VFBF) SHED EXTENSION	\$ 25,245.00	
EFT16952	SURGICAL HOUSE PTY LTD	TUIA LODGE - PHARMACEUTICAL SUPPLIES	\$ 469.96	
EFT16953	SNL ELECTRICS	DBK APPLE FUNPARK - FIX VANDALISED LIGHT FITTING	\$ 109.85	
EFT16954	UPLAND CONSULTING	BLN HALL PROJECT - PROJECT MANAGEMENT SERVICES	\$ 1,660.72	

SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995

LIST OF ACCOUNTS AUTHORISED AND PAID BY THE CHIEF EXECUTIVE OFFICER
IN ACCORDANCE WITH DELEGATION NO. 3.2 AND PRESENTED TO
COUNCIL ON 28 AUGUST 2019

MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description	Municipal	Trust
EFT16955	VISIMAX SAFETY PRODUCTS	ESL - 'PERMIT TO SET FIRE TO THE BUSH' BOOKS	447.85	\$
EFT16956	VIP GARDENING	LANGLEY VILL, MINNINUP COTT - GARDEN MAINTENANCE JUNE 2019	660.00	\$
EFT16957	THE WORKWEAR GROUP PTY LTD	ADMIN & REC CTR - 2019/20 UNIFORM ORDERS	1,315.00	\$
EFT16958	LAWSENSE PTY LTD	TUJA LODGE - LAW FOR AGED CARE MANAGERS WA CONFERENCE	1,590.00	\$
EFT16959	WA TREASURY CORPORATION	GOVT GUARANTEE FEE FOR PERIOD ENDING 30/06/2019	769.86	\$
EFT16959a	SHIRE OF DONNYBROOK BALINGUP	TUJA LODGE - PAYROLL FOR PERIOD ENDING 31/07/2019	68,450.66	\$
EFT16959b	SHIRE OF DONNYBROOK BALINGUP	PAYROLL FOR PERIOD ENDING 31/07/2019	125,572.64	\$
EFT16959c	SHIRE OF DONNYBROOK BALINGUP	TUJA LODGE - SUPERANNUATION FOR THE MONTH OF JULY 2019	24,662.29	\$
EFT16960	PETSTOCK (BUNBURY) PTY LTD	RANGERS - LEADS, COLLARS, MUZZLES, HAULTI & LEAD ROPE	53.96	\$
EFT16961	MORUYA MEDICAL CENTRE	PRE-EMPLOYMENT MEDICAL - RATES OFFICER	220.00	\$
EFT16961a	DEPARTMENT OF TRANSPORT	REFUND LICENSING AGENCY COLLECTIONS FOR JULY 19		\$
EFT16961b	WESTNET PTY LTD	BALINGUP LIBRARY - NBN WIRELESS SERVICE - AUGUST 2019	64.90	\$
EFT16962	A & L PRINTERS	2019/20 FIREBREAK ORDER BOOKLET PRODUCTION	4,208.00	\$
EFT16963	APRA LIMITED	DBK AMPHITHEATRE - APRA LICENCE FEE 01/08/2019 - 31/10/2019	136.81	\$
EFT16964	AUSTRALIA POST	SHIRE POSTAGE - JULY 2019	1,084.55	\$
EFT16965	DFES DIRECT BRIGADE ALARMS	TUJA LODGE - DFES ANNUAL MONITORING FEE 2019/2020	1,840.93	\$
EFT16966	WESTERN ALLPEST SERVICES	TUJA LODGE - QUARTERLY RODENT CONTROL JULY 2019	160.00	\$
EFT16967	AUSTRALIA DAY COUNCIL OF WA	2019/2020 AUSTRALIA DAY COUNCIL OF WA GOLD MEMBERSHIP	594.00	\$
EFT16968	AUSTRALIAN SERVICES UNION - WA	PAYROLL DEDUCTIONS	25.90	\$
EFT16969	AMD SOUTHWEST PTY LTD	PREP & ATTENDANCE AUDIT COMMITTEE MEETING - JULY 2019	1,045.00	\$
EFT16970	AMITY SIGNS	RURAL ROAD NUMBER PLATES	64.35	\$
				\$ 55,086.80

SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995

LIST OF ACCOUNTS AUTHORISED AND PAID BY THE CHIEF EXECUTIVE OFFICER
IN ACCORDANCE WITH DELEGATION NO. 3.2 AND PRESENTED TO
COUNCIL ON 28 AUGUST 2019

MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description	Municipal	Trust
EFT16971	ALL-TECH PLUMBING	MULLALYUP FIRE STATION - REPLACE LEAKING BACKFLOW DEVICE	\$ 1,710.50	
EFT16972	WINC AUSTRALIA PTY LTD	ADMIN & DEPOT- STATIONERY & PPE SUPPLIES	\$ 1,854.06	
EFT16973	AMPAC DEBT RECOVERY (WA) P/L	RATES RECOVERY EXPENSES FOR PERIOD ENDING 31/07/2019	\$ 528.44	
EFT16974	ATC EMPLOYMENT SOLUTIONS	TUJA LODGE - CASUAL & TRAINEE WAGES W/E 16/07/2019	\$ 7,581.64	
EFT16975	APPLIANCE TESTING SUPPLIES	OSH - TEST TAGS & TAG REMOVER	\$ 208.01	
EFT16976	ALLIED CARE GROUP	TUJA LODGE - ACFI CONSULTANCY JUNE 2019	\$ 4,754.13	
EFT16977	AW ROADWORKS PTY LTD	FERGUSON RD - TRAFFIC MANAGEMENT 2 DAYS	\$ 1,716.00	
EFT16978	AUST RISK SERVICES AUSTRALASIA	ICAM LEAD INVESTIGATOR TRAINING - OSH	\$ 1,400.00	
EFT16979	BUNNINGS GROUP LIMITED	DBK REC CTR & DEPOT - ASSORTED TOOLS & HARDWARE	\$ 542.86	
EFT16980	BOC LIMITED	TUJA LODGE - OXYGEN CONCENTRATOR FEES 28/06/2019 - 28/07/2019	\$ 54.87	
EFT16981	BELL FIRE EQUIPMENT COMPANY P/L	TUJA LODGE - EMERG WARNING SYSTEM & FIRE ALARM - JUNE 2019	\$ 168.66	
EFT16982	CARDNO (WA) PTY LTD	PREPARATION OF BLACKSPOT SUBMISSION	\$ 3,498.00	
EFT16983	DONNYBROOK PHYSIOTHERAPY	TUJA LODGE - PHYSIOTHERAPY EXPENSES - JULY 2019	\$ 1,716.00	
EFT16984	BALINGUP POST OFFICE	ADMIN - 10 x 16GB USB FOR STATIONERY	\$ 30.00	
EFT16985	BDA TREE LOPPING	VARIOUS SHIRE SITES - TREE PRUNING - JULY 2019	\$ 20,900.00	
EFT16986	BALINGUP LIQUOR & GENERAL STORE	VARIOUS BFB'S - DIESEL PURCHASES	\$ 507.97	
EFT16987	BANKS PEST AND WEED CONTROL	SPRAY WATTLES BLN - NANNUP RD, SUCKERS GOLDFIELDS RD	\$ 1,820.50	
EFT16988	BIG APPLE BAKERY	CATERING FOR 25/7/2019 - BGEA MEETING	\$ 80.00	
EFT16989	BLUE FORCE PTY LTD	PRESTON VILLAGE - EMERGENCY HELP MONITORING - JULY 2019	\$ 183.56	
EFT16990	BUNBURY HARVEY REGIONAL COUNCIL	ORGANICS DISPOSAL & REGIONAL WASTE PROGRAM - JULY 2019	\$ 3,034.43	
EFT16991	BRANDICOOT	WEB HOSTING SERVICE - AUGUST 2019	\$ 198.00	

SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995

LIST OF ACCOUNTS AUTHORISED AND PAID BY THE CHIEF EXECUTIVE OFFICER
IN ACCORDANCE WITH DELEGATION NO. 3.2 AND PRESENTED TO
COUNCIL ON 28 AUGUST 2019

MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description	Municipal	Trust
EFT16992	STAFF REIMBURSEMENTS	REIMBURSE CEO TELECOMMUNICATIONS - JULY/AUGUST 2019	\$ 215.08	
EFT16993	AIMEE BEARD	SCHOOL HOLIDAY PROGRAM - MUM & DAUGHTER PAMPER	\$ 100.00	
EFT16994	COCA COLA AMATIL (AUST) P/L	DBK REC CTR - KIOSK DRINK PURCHASES	\$ 253.85	
EFT16995	COATES HIRE OPERATIONS PTY LTD	HIRE OF ROLLER FOR SHOULDER GRADING	\$ 7,193.90	
EFT16996	CITY & REGIONAL FUELS	DIESEL EXPENSES - JULY 2019	\$ 14,843.08	
EFT16997	CLIFFORD AUTO REPAIRS	DB631 BUILDING - REPLACE ABS SENSOR & FULL SERVICE	\$ 1,445.75	
EFT16998	DUG CROSS ELECTRICS	DBK LIBRARY - REPAIRS TO CARPARK LIGHTS	\$ 680.00	
EFT16999	CARPET COURT FLOORING CENTRES	LANGLEY VILLAS - REPLACE FLOORING UNIT 7 - WATER DAMAGE	\$ 3,278.00	
EFT17000	STAFF REIMBURSEMENTS	DBK SES - REIMBURSEMENT FOR PURCHASE OF TREND ANTIVIRUS	\$ 95.00	
EFT17001	CRS ELECTRICAL	DBK LIBRARY - INSTALL POWER OUTLET & SMART TV	\$ 1,144.00	
EFT17002	CLEANAWAY	REFUSE COLLECTION - JULY 2019	\$ 23,321.42	
EFT17003	CALIBRE PROFESSIONAL SERV P/L	HERITAGE PRECINCT - DEVELOP CONCEPT PLANS	\$ 1,636.25	
EFT17004	STAFF REIMBURSEMENTS	REIMBURSE OF ACCOMM, PARKING & MEAL EXPENSES - SEMINARS	\$ 281.93	
EFT17005	DONNYBROOK MEDICAL SERVICES	PRE EMPLOYMENT MEDICAL - P/T RANGER	\$ 165.00	
EFT17006	DONNYBROOK NEWSAGENCY	TUIA LODGE - NEWSPAPER SUPPLY & MISC STATIONERY - JULY 2019	\$ 54.00	
EFT17007	DONNYBROOK BUTCHERS	COUNCILLORS AND STAFF BBQ 2 AUG 2019 CATERING	\$ 255.25	
EFT17008	DONNYBROOK FRUIT BARN	CATERING FOR WORKING GROUP - VC MITCHELL SPORT PRECINCT	\$ 658.20	
EFT17009	DONNYBROOK PANEL BEATERS	DB1714 - BLN BFB 3.4 - ASSESS & REPAIR DELUGE SYSTEM	\$ 97.90	
EFT17010	DONNYBROOK & DISTRICTS PLUMBING	ADMIN BLDG - MAINTENANCE TO SEPTIC SYSTEM	\$ 1,100.00	
EFT17011	DONNYBROOK FAMILY BAKERY	TUIA LODGE - BREAD SUPPLY JULY 2019	\$ 300.00	
EFT17012	DONNYBROOK TYRE SERVICE	DB2134 - TYRES X 2, DB631 TYRES X 2 & ALIGNMENT	\$ 1,240.00	

SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995

LIST OF ACCOUNTS AUTHORISED AND PAID BY THE CHIEF EXECUTIVE OFFICER
IN ACCORDANCE WITH DELEGATION NO. 3.2 AND PRESENTED TO
COUNCIL ON 28 AUGUST 2019

MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description	Municipal	Trust
EFT17013	DONNYBROOK DISTRICT HIGH SCHOOL	DBK LBRY - OPERATING EXPENSES	\$ 2,188.55	
EFT17014	DONNYBROOK FARM SERVICE	VARIOUS SHIRE DEPTS - POOL CHEMICALS, RETIC & GARDEN PARTS	\$ 2,353.31	
EFT17015	DONNYBROOK ARTS & CRAFT GROUP	SCHOOL HOLIDAY PROGRAM - PIZZA & PICASSO	\$ 310.00	
EFT17016	STATE LIBRARY OF WA	DBK LIBRARY - BETTER BEGINNINGS PROGRAM 2019/20	\$ 297.00	
EFT17017	DBK COMMUNITY RESOURCE CENTRE	LICENCE TESTING EXPENSES - JULY 2019 FINAL	\$ 39.00	
EFT17018	DIVERSE PLUMBING	TUJA LODGE - SUPPLY/INSTALL HEATING VALVE ON ZIP HYDRO TAP	\$ 649.00	
EFT17019	DAVSON+WARD PTY LTD	BRIDGE ST HOUSING - PRE-TENDER ESTIMATE EARLY WORKS	\$ 2,200.00	
EFT17020	EARTHMAC PTY LTD	VICTORY LN - TRAFFIC MANAGEMENT & PLAN X 2 DAYS	\$ 1,171.50	
EFT17021	EATON LASER ENGRAVING	BLN TOWN HALL - SUPPLY PLAQUE FOR OPENING	\$ 440.00	
EFT17022	BUNBURY FREIGHT SERVICES	TUJA LODGE - FREIGHT FOR PHARMACEUTICAL SUPPLIES - JULY 2019	\$ 139.61	
EFT17023	FAIRTEL PTY LTD	DONNYBROOK SES - PHONE AND NBN SERVICE	\$ 283.61	
EFT17024	FRONTLINE FIRE & RESCUE	VARIOUS BFB'S- PROTECTIVE CLOTHING & EQUIPMENT	\$ 2,086.95	
EFT17025	FITRIC	DBK REC CTR - PUMP CLASS INSTRUCTOR EXPENSES	\$ 700.00	
EFT17026	SUEZ RECYC & RECOVERY PTY LTD	PROCESSING OF RECYCLABLES - JULY 2019	\$ 2,482.96	
EFT17027	ROYAL GALA TOURS	HIRE OF COACH FOR TOUR VC MITCHELL PARK SPORTING PRECINCT	\$ 900.00	
EFT17028	STAFF REIMBURSEMENTS	DBK REC CTR - REIMBURSEMENT OF COSTS FOR CRAFT ITEMS	\$ 21.00	
EFT17029	HASTIE WASTE PTY LTD	MGMT DBK & BLN LANDFILL SITES - JULY 2019	\$ 48,125.88	
EFT17030	COVERT SIGNS	PRESTON RIVER LOOP WALK SIGNAGE & OTHER MISC SIGNS	\$ 2,282.50	
EFT17031	INDIGENOUS PROFESS SERVICES	TUJA LODGE - MONTHLY MARKETING SERVICES - JULY 2019	\$ 1,430.00	
EFT17032	SOUTH WEST ISUZU	DB1149 TRUCK - FRONT RIGHT CORNER PANEL	\$ 457.12	
EFT17033	JASON SIGNMAKERS	STAFF PARKING SIGN	\$ 29.15	

**SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995**

**LIST OF ACCOUNTS AUTHORISED AND PAID BY THE CHIEF EXECUTIVE OFFICER
IN ACCORDANCE WITH DELEGATION NO. 3.2 AND PRESENTED TO
COUNCIL ON 28 AUGUST 2019**

MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description	Municipal	Trust
EFT17034	JOMAR CONTRACTING	ROSEDENE LANE BRIDGE - REPAIR WORKS	\$ 1,485.00	
EFT17035	STAFF REIMBURSEMENTS	TUIA LODGE - REIMBURSEMENT OF POLICE CLEARANCE	\$ 55.10	
EFT17036	WESFARMERS KLEENHEAT GAS P/L	TUIA LODGE - BULK LPG ORDER	\$ 1,761.55	
EFT17037	LANDGATE	CERTIFICATE OF TITLE & LEASE FOR LOT 5343 DP184608	\$ 52.40	
EFT17038	LOCAL HEALTH AUTH. ANALYTICAL	ANALYTICAL SERVICES - FOOD SAMPLING 2019/20	\$ 1,536.01	
EFT17039	LIVING SPRINGS	ADMIN - BOTTLED WATER - JULY 2019	\$ 121.00	
EFT17040	LO-GO APPOINTMENTS	RECRUITMENT SERVICE FEE MANAGER EXECUTIVE SERVICES	\$ 5,721.50	
EFT17041	LOCAL GOVT PROFESSIONALS AUST	2019/20 ANNUAL SUBSCRIPTION - LG PROFESSIONALS WA - EMO	\$ 531.00	
EFT17042	LGISWA	2019/20 LGIS INSURANCE EXPENSES	\$ 266,553.83	
EFT17043	MALATESTA ROAD PAVING & HOTMIX	LOWDEN FERGUSON RD - PREMIX FOR BRIDGE APPROACHES	\$ 3,962.50	
EFT17044	LGIS BROKING	2019/20 LGIS INSURANCE EXPENSES	\$ 28,598.25	
EFT17045	MULLALYUP FOREST FARM NURSERY	P&G - GOLDEN ELMS	\$ 605.00	
EFT17046	MM ELECTRICAL MERCHANDISING	TUIA LODGE - 5 X LED LIGHTBULBS	\$ 126.50	
EFT17047	MARKETFORCE PRODUCTIONS	RECRUITMENT ADVERTISING - SEEK	\$ 348.79	
EFT17048	MOA BENCHMARKING	TUIA LODGE - RESIDENTIAL MONTHLY FEES - AUGUST 2019	\$ 215.00	
EFT17049	MARKET CREATIONS PTY LTD	DELIVER INTERNAL AND EXTERNAL COMMUNICATION STRATEGIES	\$ 858.00	
EFT17050	MORE TELECOM	TUIA LODGE - MONTHLY TELEPHONE SERVICES	\$ 692.90	
EFT17051	NIGHTGUARD SECURITY SERVICES PL	AFTER HOURS SECURITY TO EVALUATE ALARM INCIDENTS	\$ 220.00	
EFT17052	NH3	LANGLEY VILLAS UNIT 9 - SUPPLY AND INSTALL NEW AC UNIT	\$ 1,999.67	
EFT17053	OFFICEWORKS	VARIOUS DEPTS - STATIONERY & OFFICE FURNITURE SUPPLIES	\$ 1,668.11	
EFT17054	OFFICEWORKS	TUIA LODGE - STATIONERY ORDER AUGUST 2019	\$ 246.44	

**SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995**

**LIST OF ACCOUNTS AUTHORISED AND PAID BY THE CHIEF EXECUTIVE OFFICER
IN ACCORDANCE WITH DELEGATION NO. 3.2 AND PRESENTED TO
COUNCIL ON 28 AUGUST 2019**

MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description	Municipal	Trust
EFT17055	PFI CLEANING SUPPLIES	VARIOUS SHIRE SITES - CLEANING SUPPLIES	\$ 1,102.23	
EFT17056	PRESTON PRESS	JULY ADVERTISING EXPENSES	\$ 465.00	
EFT17057	PRESTON VALLEY MAINTENANCE	BLN HALL - HIRE SCAFFOLD, DOOR SEAL, HAND RAILS AT STAGE	\$ 1,754.50	
EFT17058	J PALAZZOLO	DBK REC CTR - SPIN CLASS INSTRUCTOR EXPENSES - JULY 2019	\$ 250.00	
EFT17059	PYJAMA DRAMA SOUTH WEST	SCHOOL HOLIDAY PROGRAM - SECRET SLEEPOVER	\$ 300.00	
EFT17060	PRESTON POWER EQUIPMENT	DEPOT - CHAIN LUBRICANT	\$ 187.00	
EFT17061	PEEL PODIATRY CLINIC	TUIJA LODGE - PODIATRY SERVICES - JULY 2019	\$ 1,480.00	
EFT17062	PROMOTE YOU	TUIJA LODGE - EMBROIDERY ON 4 X NURSES TOPS	\$ 26.40	
EFT17063	PROGRAMMED PROPERTY SERVICES	BALINGUP HALL - MINOR PAINTING WORKS	\$ 352.00	
EFT17064	HOLCIM (AUSTRALIA) PTY LTD	VICTORY LN - 10 TONNE OF AGGREGATE	\$ 636.72	
EFT17065	WREN OIL	OIL WASTE DISPOSAL ADMIN & COMPLIANCE FEES	\$ 16.50	
EFT17066	STAFF REIMBURSEMENTS	REIMBURSE HOME INTERNET EXPENSES - AUGUST 2019	\$ 39.95	
EFT17067	RETECH RUBBER	DONNYBROOK APPLE FUNPARK SOFTFALL REPAIR JUNE 2019	\$ 1,250.70	
EFT17068	RTR FITNESS	DBK REC CTR - FITNESS INSTRUCTOR EXPENSES FOR JULY 2019	\$ 1,000.00	
EFT17069	SLEE ANDERSON & PIDGEON	DWMF - FINALISING CONTRACT & SEEKING ADVICE ON RECYCLING	\$ 7,090.60	
EFT17070	SPENCER SIGNS	4 x TEAR DROP PROMOTIONAL BANNERS	\$ 1,386.00	
EFT17071	STEWART & HEATON CLOTHING CO	VARIOUS BFB'S - PROTECTIVE CLOTHING	\$ 353.14	
EFT17072	SOS OFFICE EQUIPMENT	VARIOUS SHIRE SITES - PHOOCOPIER EXPENSES	\$ 1,791.75	
EFT17073	BUNBURY TRUCKS	DB4550 HINO TRUCK - LEFT HAND DOOR HANDLE	\$ 47.97	
EFT17074	SPORTSMARINE	DBK REC CTR - NEW BASKETBALLS	\$ 61.95	
EFT17075	WA COUNTRY HEALTH SERVICE - SW	TUIJA LODGE - RESIDENTS MEALS JUNE 2019	\$ 16,587.05	

SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995

LIST OF ACCOUNTS AUTHORISED AND PAID BY THE CHIEF EXECUTIVE OFFICER
IN ACCORDANCE WITH DELEGATION NO. 3.2 AND PRESENTED TO
COUNCIL ON 28 AUGUST 2019

MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description	Municipal	Trust
EFT17076	STALEY FOOD & PACKAGING	TUIA LODGE - KITCHEN, LAUNDRY & CLEANING CONSUMABLES	\$ 3,918.10	
EFT17077	SURGICAL HOUSE PTY LTD	TUIA LODGE - PHARMACEUTICAL SUPPLIES	\$ 1,758.80	
EFT17078	SIGNS PLUS	TUIA LODGE & ADMIN - BADGES FOR NEW STAFF	\$ 384.50	
EFT17079	SOUTH WEST SCREENS & DOORS	TUIA LODGE - INSTALL NEW FLYSCREENS TO ROOM 4	\$ 160.00	
EFT17080	NAOMI LOUISE SMITH	SCHOOL HOLIDAY PROGRAM - ARTS & CRAFTS	\$ 250.00	
EFT17081	SNL ELECTRICS	DBK REC CTR - INSTALL 2 X RHEEM HOT WATER UNITS	\$ 462.00	
EFT17082	STRATAGREEN	P&G - HEAVY DUTY FLAT TREE TIE	\$ 114.27	
EFT17083	TRUCKLINE	DB4050 HINO TRUCK - SPRING BRAKE CHAMBER	\$ 55.00	
EFT17084	TOLL TRANSPORT PTY LTD	VARIOUS SHIRE DEPTS - FREIGHT EXPENSES	\$ 448.26	
EFT17085	JOHANNA TORRISI	TUIA LODGE - REIMBURSEMENT OF VOLUNTEER POLICE CLEARANCE	\$ 24.20	
EFT17086	UNICREST GROUP LTD	DONNYBROOK SES - MARQUEES	\$ 4,494.60	
EFT17087	LANDGATE	VALUATION SERVICES - JULY 2019	\$ 556.42	
EFT17088	EARTH 2 OCEAN COMMUNICATIONS	DB4170 HINO TRUCK - RADIO, ANTENNA & PROGRAMMING FEE	\$ 1,056.33	
EFT17089	IT VISION USER GROUP	IT VISION USER GROUP MEMBERSHIP SUBSCRIPTION 2019/20	\$ 748.00	
EFT17090	VIP GARDENING	TUIA, MINNINUP & LANGLEY - GARDENING MAINTENANCE JUNE 2019	\$ 2,071.30	
EFT17091	STAFF REIMBURSEMENTS	TUIA LODGE - REIMBURSE MEAL & PARKING FOR TRAINING	\$ 122.40	
EFT17092	VEHICLES CLEANED BY JANINE	TUIA LODGE - CLEANING OF 2 X TUIA LODGE CARS	\$ 90.00	
EFT17093	WA LOCAL GOVERNMENT	WALGA ASSOCIATION MEMBERSHIP 2019/20	\$ 29,654.27	
EFT17094	VEOLIA ENVIRONMENTAL SERVICES	SWEEPING PRESEAL FROM VICTORY LANE CARPARK	\$ 635.80	
EFT17095	WORK CLOBBER	MITIGATION - PROTECTIVE CLOTHING	\$ 359.79	
EFT17097	WEST COAST FIT	DBK REC CTR - AQUA & GROUP FITNESS INSTRUCTOR - JULY 2019	\$ 130.00	

SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995

LIST OF ACCOUNTS AUTHORISED AND PAID BY THE CHIEF EXECUTIVE OFFICER
IN ACCORDANCE WITH DELEGATION NO. 3.2 AND PRESENTED TO
COUNCIL ON 28 AUGUST 2019

MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description	Municipal	Trust
EFT17098	BW & SJ WRIGHTON	RATES REFUND	\$ 953.19	
EFT17099	LGIS BROKING	2019/20 LGIS INSURANCE EXPENSES	\$ 98,401.43	
EFT17099a	SHIRE OF DONNYBROOK BALINGUP	TUJA LODGE - PAYROLL FOR PERIOD ENDING 14/08/2019	\$ 69,094.36	
EFT17099b	SHIRE OF DONNYBROOK BALINGUP	PAYROLL FOR PERIOD ENDING 14/08/2019	\$ 125,923.35	
EFT17099c	SG FLEET AUSTRALIA PTY LIMITED	CESM - VEHICLE LEASE FOR PERIOD 09/08/2019 - 08/09/2019	\$ 1,561.90	
EFT17100	ANGELA J WINTER	DBK LIBRARY - FIRST AID COURSES FOR 4 STAFF	\$ 440.00	
53382	AUST INST OF BUILDING SURVEYORS	AIBS MEMBERSHIP FOR BUILDING SURVEYOR (TO BE REIMBURSED)	\$ 560.00	
53383	SUPA IGA DONNYBROOK	TUJA LODGE - GROCERIES	\$ 3,864.04	
53384	DONNYBROOK MENS SHED (INC)	BLN TOWN HALL RENEWAL - REPAIRS DOORS & MAKE HAND RAILS	\$ 700.00	
53385	MCLEODS BARRISTERS & SOLICITORS	LEASE DRAFTING - DONNYBROOK MEDICAL CENTRE	\$ 772.53	
53386	TELSTRA	VARIOUS SHIRE SITES - TELEPHONE EXPENSES	\$ 1,328.05	
53387	SYNERGY	VARIOUS SHIRE SITES - ELECTRICITY EXPENSES	\$ 14,224.30	
53388	WESTNET PTY LTD	VARIOUS SHIRE SITES - INTERNET EXPENSES	\$ 990.57	
53389	SHIRE OF DONNYBROOK BALINGUP	TUJA LODGE - RECOUP PETTY CASH	\$ 157.90	
53390	SHIRE OF DONNYBROOK BALINGUP	TUJA LODGE - STAFF RATES FOR THE MONTH OF JULY 2019	\$ 465.00	
53391	AUST COMMS & MEDIA AUTHORITY	LAND MOBILE SYSTEM & FIXED POINT TO POINT RADIO LICENCES	\$ 352.00	
53392	DANIKA LEA COOKE	CONTRIBUTION TO CROSSOVER	\$ 300.00	
53393	DONNYBROOK HARDWARE & GARDEN	VARIOUS SHIRE DEPTS - TOOLS, HARDWARE & EQUIPMENT	\$ 1,245.46	
53394	SUPA IGA DONNYBROOK	TUJA LODGE - GROCERIES	\$ 5,202.68	
53395	SUPA IGA DONNYBROOK	ADMIN, REC CTR & DEPOT - GROCERY SUPPLIES	\$ 647.99	
53396	DEPT OF PRIMARY INDUSTRIES	RANGERS - STOCK OWNER RE-REGISTRATION 08/2019 - 07/2022	\$ 76.50	

SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995

LIST OF ACCOUNTS AUTHORISED AND PAID BY THE CHIEF EXECUTIVE OFFICER
IN ACCORDANCE WITH DELEGATION NO. 3.2 AND PRESENTED TO
COUNCIL ON 28 AUGUST 2019

MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description	Municipal	Trust
53397	MCLEODS BARRISTERS & SOLICITORS	SEEKING CLARIFICATION RE LEGAL ACCESS ARRANGEMENTS	\$ 3,024.45	
53398	REPCO - DONNYBROOK	DEPOT - GOODS AND SERVICES - JULY 2019	\$ 383.37	
53399	STAFF REIMBURSEMENTS	DB008 CAT ROLLER - REIMBURSEMENT OF WEIGHBRIDGE FEES	\$ 75.00	
53400	TELSTRA	VARIOUS SHIRE SITES - TELEPHONE EXPENSES	\$ 2,350.80	
53401	WATER CORPORATION	VARIOUS SHIRE SITES - WATER, SEWERAGE & INDUSTRIAL WASTE	\$ 8,650.49	
53402	SYNERGY	VARIOUS SHIRE SITES - ELECTRICITY EXPENSES	\$ 18,485.35	
DD24217.1	WA SUPER	PAYROLL DEDUCTIONS	\$ 19,571.76	
DD24217.2	REST SUPERANNUATION	PAYROLL DEDUCTIONS	\$ 133.85	
DD24217.3	ASGARD AESA SUPER	PAYROLL DEDUCTIONS	\$ 150.00	
DD24217.4	BENDIGO SMARTSTART SUPER	PAYROLL DEDUCTIONS	\$ 376.01	
DD24217.5	AUSTRALIAN SUPER	PAYROLL DEDUCTIONS	\$ 1,071.27	
DD24217.6	MACQUARIE SUPERANNUATION PLAN	PAYROLL DEDUCTIONS	\$ 163.65	
DD24217.7	COMM BANK GROUP SUPER	PAYROLL DEDUCTIONS	\$ 183.16	
DD24217.8	NORTH	PAYROLL DEDUCTIONS	\$ 156.75	
DD24217.9	PLUM SUPERANNUATION FUND	PAYROLL DEDUCTIONS	\$ 321.51	
DD24217.10	ONEPATH MASTERFUND	PAYROLL DEDUCTIONS	\$ 216.60	
DD24217.11	UNISUPER	PAYROLL DEDUCTIONS	\$ 54.13	
DD24263.1	WA SUPER	PAYROLL DEDUCTIONS	\$ 18,280.73	
DD24263.2	PLUM SUPERANNUATION FUND	PAYROLL DEDUCTIONS	\$ 321.51	
DD24263.3	ONEPATH MASTERFUND	PAYROLL DEDUCTIONS	\$ 216.60	
DD24263.4	UNISUPER	PAYROLL DEDUCTIONS	\$ 56.49	

SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995

LIST OF ACCOUNTS AUTHORISED AND PAID BY THE CHIEF EXECUTIVE OFFICER
IN ACCORDANCE WITH DELEGATION NO. 3.2 AND PRESENTED TO
COUNCIL ON 28 AUGUST 2019

MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description	Municipal	Trust
DD24263.5	REST SUPERANNUATION	PAYROLL DEDUCTIONS	\$ 133.85	
DD24263.6	COL FIRSTCHOICE PERSONAL SUPER	PAYROLL DEDUCTIONS	\$ 91.86	
DD24263.7	AUSTRALIAN SUPER	PAYROLL DEDUCTIONS	\$ 1,037.79	
DD24263.8	MLC NOMINEES PTY LTD	PAYROLL DEDUCTIONS	\$ 43.31	
DD24263.9	BENDIGO SMARTSTART SUPER	PAYROLL DEDUCTIONS	\$ 524.26	
DD24263.10	MACQUARIE SUPERANNUATION PLAN	PAYROLL DEDUCTIONS	\$ 88.21	
DD24263.11	COMM BANK GROUP SUPER	PAYROLL DEDUCTIONS	\$ 183.16	
DD24263.12	NORTH	PAYROLL DEDUCTIONS	\$ 130.62	
DD24263.13	ASGARD AESA SUPER	PAYROLL DEDUCTIONS	\$ 202.91	
DD24287.1	SPECTRUM SUPER	PAYROLL DEDUCTIONS	\$ 50.56	
DD24287.2	ASGARD AESA SUPER	PAYROLL DEDUCTIONS	\$ 181.87	
DD24287.3	PLUM SUPERANNUATION FUND	PAYROLL DEDUCTIONS	\$ 327.13	
DD24287.4	AMP LIFE LIMITED	PAYROLL DEDUCTIONS	\$ 108.06	
DD24287.5	ONEPATH MASTERFUND	PAYROLL DEDUCTIONS	\$ 216.60	
DD24287.6	UNISUPER	PAYROLL DEDUCTIONS	\$ 25.27	
DD24287.7	REST SUPERANNUATION	PAYROLL DEDUCTIONS	\$ 133.85	
DD24287.8	WA SUPER	PAYROLL DEDUCTIONS	\$ 18,047.59	
DD24287.9	AUSTRALIAN SUPER	PAYROLL DEDUCTIONS	\$ 1,037.79	
DD24287.10	COL FIRSTCHOICE PERSONAL SUPER	PAYROLL DEDUCTIONS	\$ 14.88	
DD24287.11	MLC NOMINEES PTY LTD	PAYROLL DEDUCTIONS	\$ 23.91	
DD24287.12	BENDIGO SMARTSTART SUPER	PAYROLL DEDUCTIONS	\$ 521.30	

**SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995**

**LIST OF ACCOUNTS AUTHORISED AND PAID BY THE CHIEF EXECUTIVE OFFICER
IN ACCORDANCE WITH DELEGATION NO. 3.2 AND PRESENTED TO
COUNCIL ON 28 AUGUST 2019**

MANUAL/AUTO CHEQUES

Chq/EFT	Name	Description	Municipal	Trust
DD24287.13	MACQUARIE SUPERANNUATION PLAN	PAYROLL DEDUCTIONS	\$ 100.94	
DD24287.14	COMMBANK GROUP SUPER	PAYROLL DEDUCTIONS	\$ 183.16	
DD24287.15	NORTH	PAYROLL DEDUCTIONS	\$ 138.45	
			\$ 1,693,618.74	\$ 60,417.51
			\$ 1,754,036.25	

SHIRE OF DONNYBROOK/BALINGUP
LOCAL GOVERNMENT ACT 1995

**LIST OF ACCOUNTS AUTHORISED AND PAID BY THE
 CHIEF EXECUTIVE OFFICER IN ACCORDANCE WITH
 DELEGATION NO. 3.2 AND PRESENTED TO COUNCIL
 ON 28 AUGUST 2018.**

SUMMARY:

<i>Bank</i>	<i>Cheque Number</i>	<i>Amount</i>
Municipal	CCP3405 - CCP3418, EFT16896b-EFT17100, 53382 - 53402, DD24217.1- DD24217.11, DD24263.1- DD24263.13, DD24287.1- DD24287.15	\$1,693,618.74
Trust	3782 - 3788, EFT16961a	\$60,417.51
<i>Monthly Cheque Totals</i>		<u><u>\$1,754,036.25</u></u>

CERTIFICATION OF MANAGER OF CORPORATE SERVICES

This schedule of accounts paid under delegated authority (No 3.1) covering cheques numbered from CCP3405 - CCP3418, EFT16896b-EFT17100, 53382 - 53402, DD24217.1-DD24217.11, DD24263.1-DD24263.13, DD24287.1-DD24287.15 Trust 3782 - 3788, EFT16961a totalling \$1,754,036.25 is herewith presented to Council. The payments have been checked and are fully supported by vouchers and invoices which have been duly certified as to the goods and the rendition of services, prices and computations and the amounts shown were due for payment.



 MANAGER OF CORPORATE SERVICES

 DATE

23-8-2019



**Interim Monthly
Financial Reports**
Management Statements

**For the period ended
30th June 2019**

Shire of Donnybrook-Balingup

Monthly Report to Council

TABLE OF CONTENTS

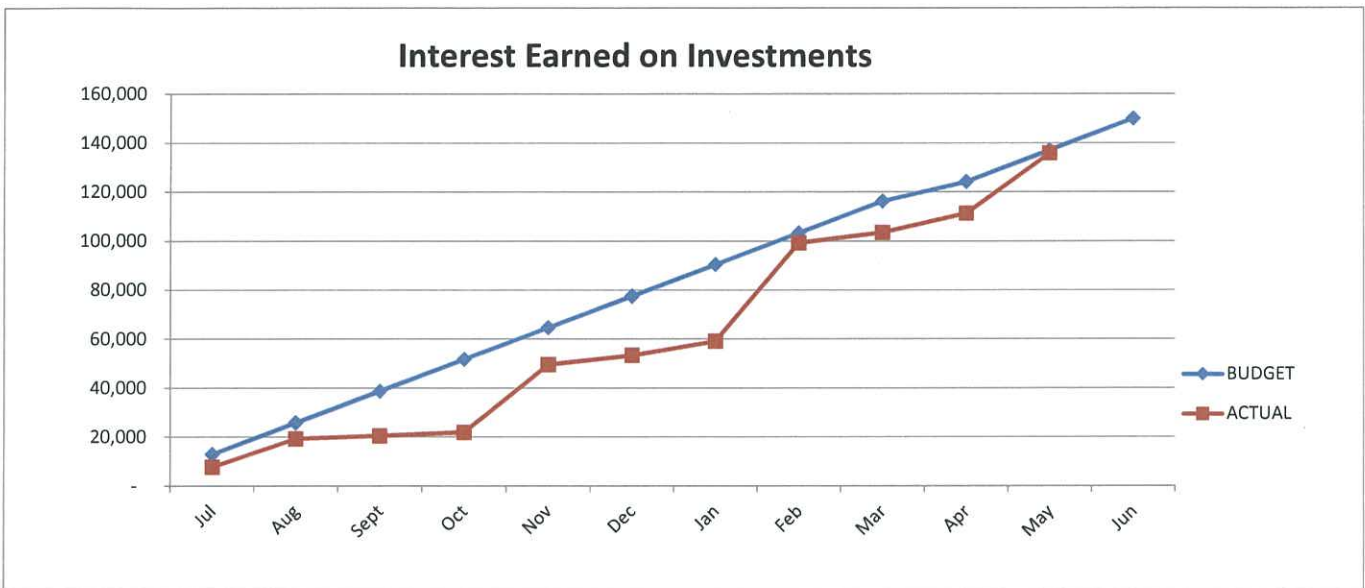
<u>FINANCIAL STATEMENTS</u>	Page
1) Graphical Presentation of Key Financial Data	2 - 6
2) Operating Statement (by Program)	7
3) Operating Statement (by Nature & Type)	8 - 11
4) Statement of Financial Activity	12
5) Variance Reports	13 - 15
6) Summary of Financial Activity - Cash	16 - 17
7) Notes - Financial Statement	18 - 27
8) Capital Works Program (Appendix A)	28 - 30
9) Asset Disposal Schedule	32
10) Schedule of Investments held	33
11) Spread of Investments	34
12) Summary of Bank Reconciliation	35
13) Percentage of Rates Collected to Date	36 - 37

Shire of Donnybrook / Balingup
Graphical Presentation of Key Financial Data
For Period ended 30th June 2019

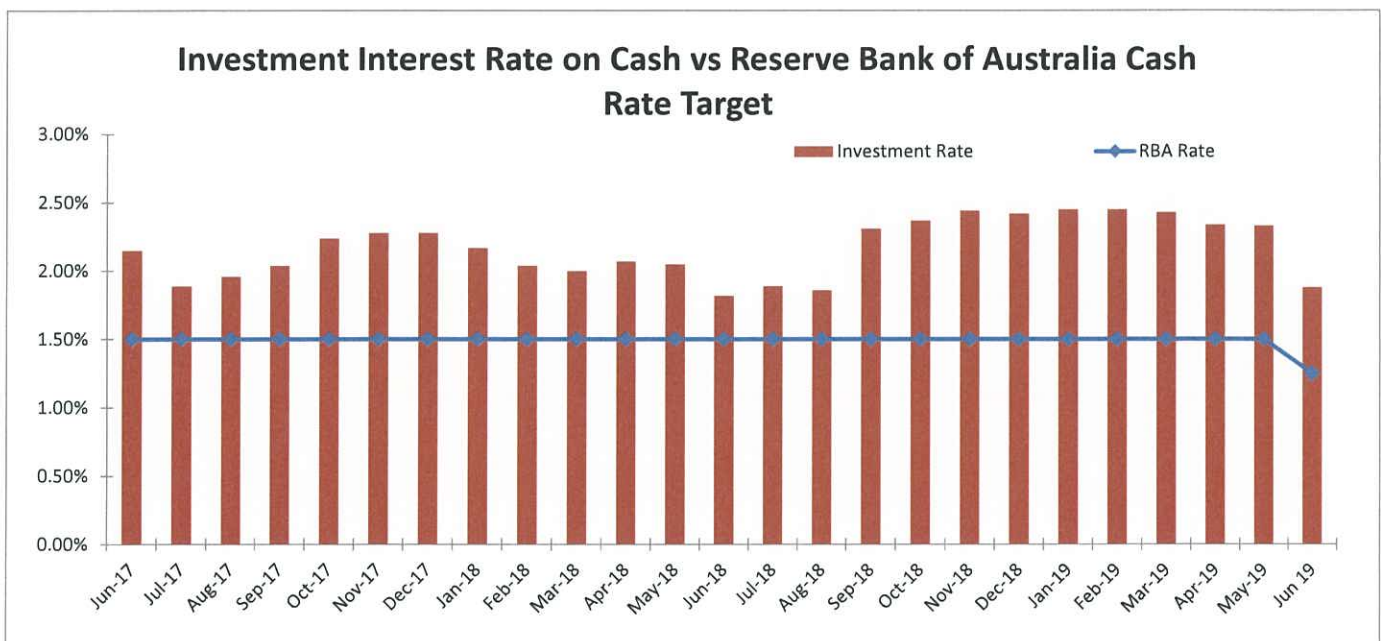
* **Cash & Investments**

As at reporting date total interest earnings on Shire Municipal and Reserve Funds are:

	YTD Actual	YTD Budget
Municipal Fund:	\$ 63,423	\$ 55,000
Reserve Fund:	\$ 93,203	\$ 95,000
	\$ 156,626	\$ 150,000



The following graph compares the Shire's interest rate earned on investments against the Reserve Bank's reference rate. Council has continued to maintain a return above the RBA cash target rate.

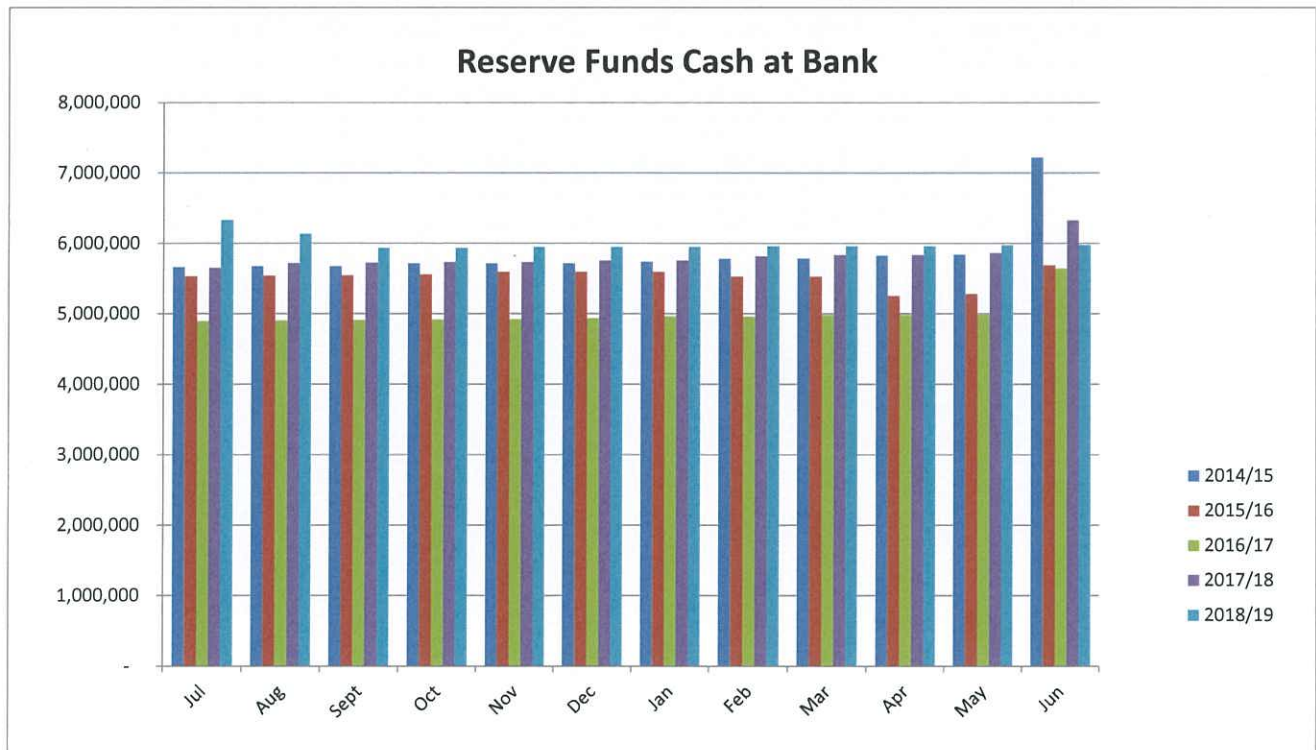
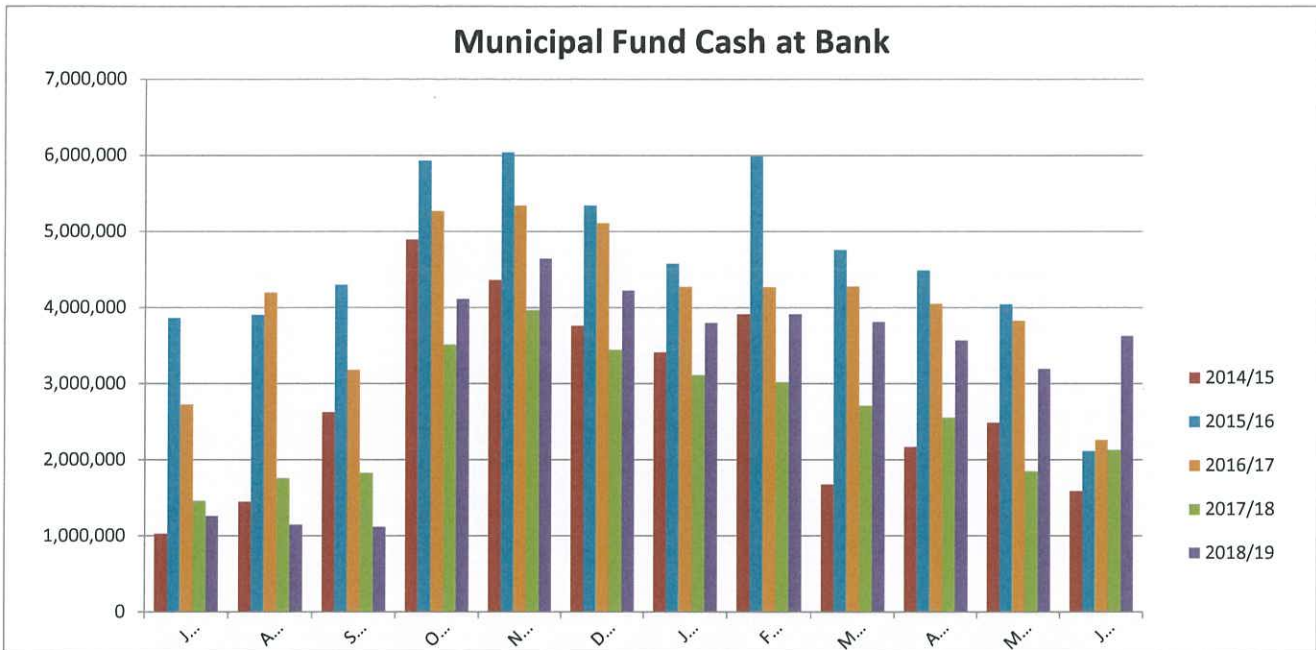


Shire of Donnybrook / Balingup
Graphical Presentation of Key Financial Data
For Period ended 30th June 2019

*** Cash & Investments**

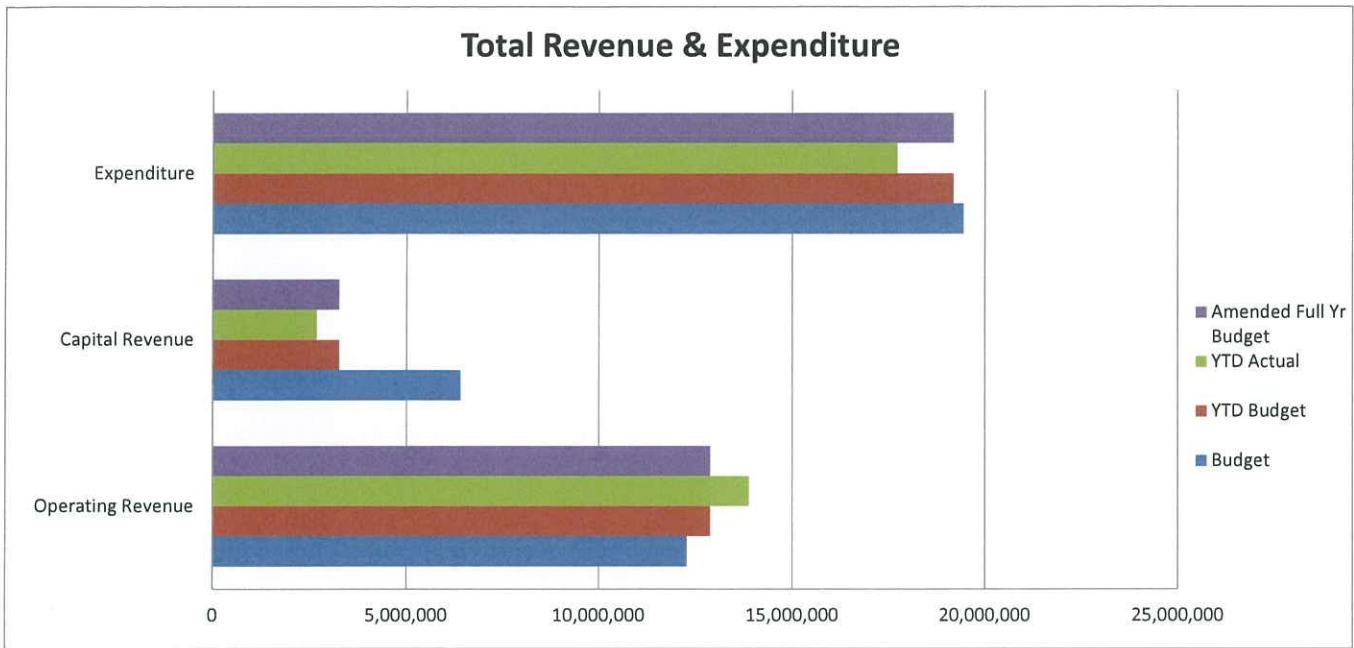
As at reporting date, the Shire's Municipal Bank fund shows a reconciled balance of \$3,629,039.89. This includes investments held by the Shire of \$2,023,769.33.

Municipal Investment Funds total	\$	2,023,769
Restricted Funds total	\$	-
Municipal Fund Cash at Bank total	\$	1,605,271
Reserve Funds Cash at Bank	\$	5,975,102
	<u>\$</u>	<u>9,604,142</u>



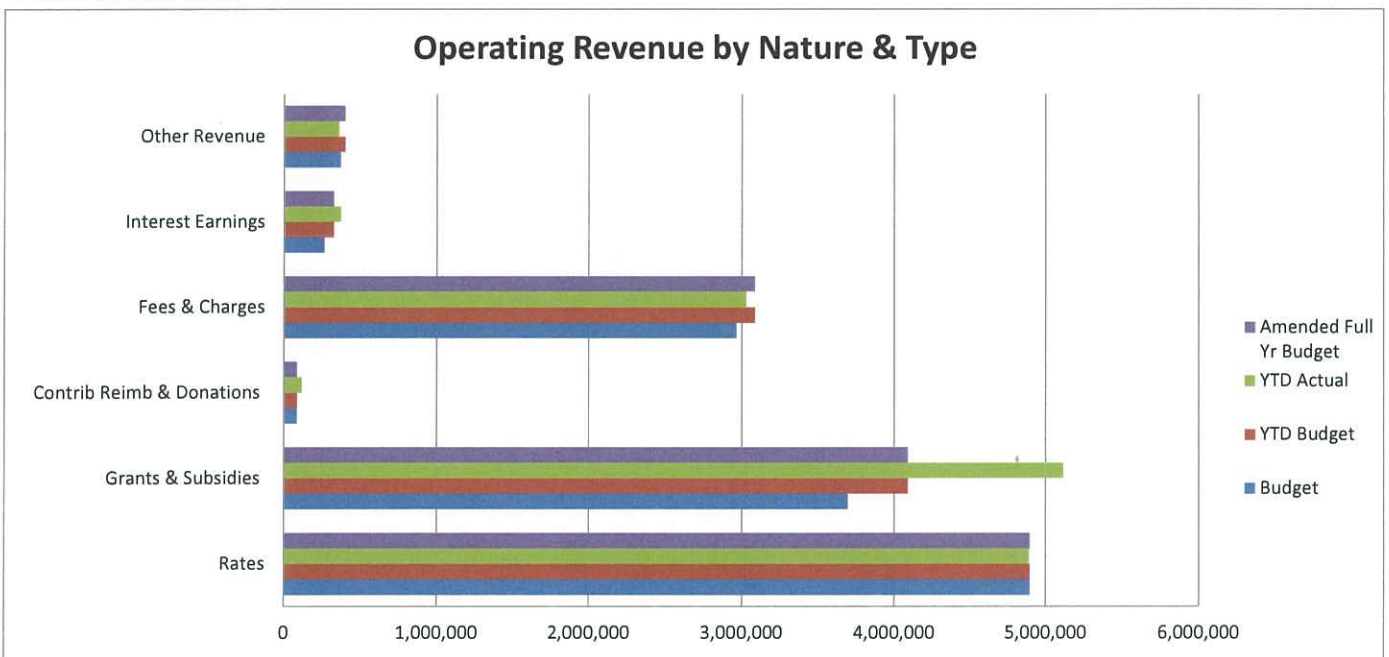
Shire of Donnybrook / Balingup
Graphical Presentation of Key Financial Data
For Period ended 30th June 2019

* **Nature & Type Reporting**



Total Revenue & Expenditure	Amended Full Yr			
	Budget	Budget	YTD Budget	YTD Actual
Operating Revenue	12,279,047	12,886,446	12,886,446	13,888,019
Capital Revenue	6,400,663	3,265,507	3,265,507	2,684,643
Expenditure	19,446,987	19,190,216	19,190,216	17,727,711

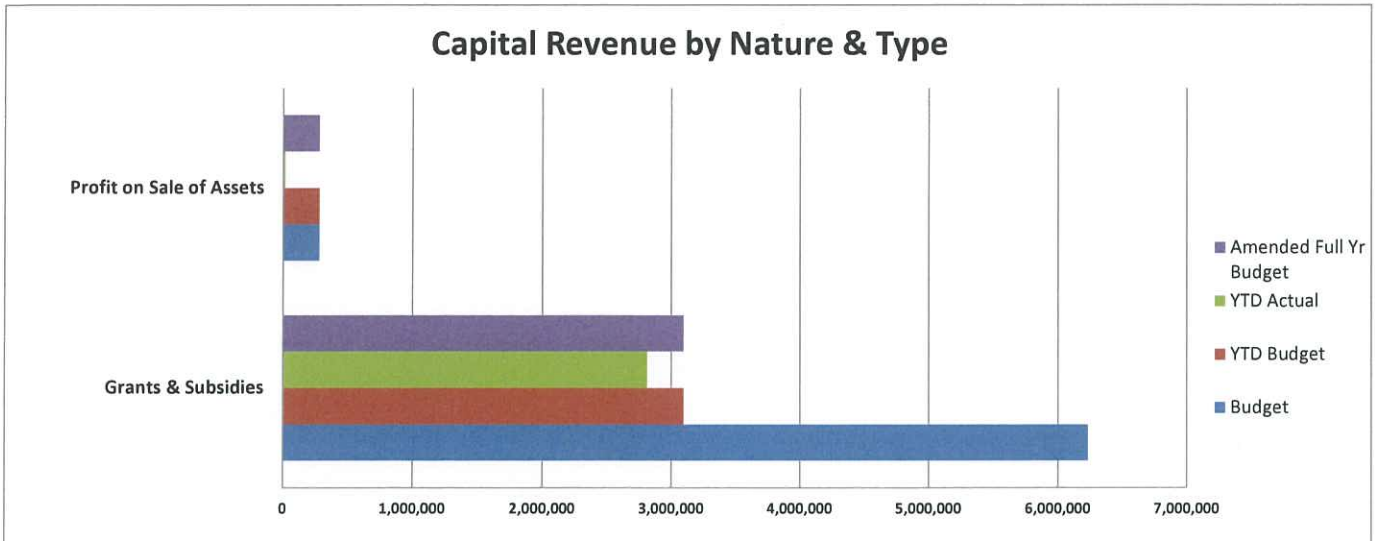
A further detailed analysis of total operating revenue, capital revenue and expenditures is provided via the various nature and type subsections listed below:



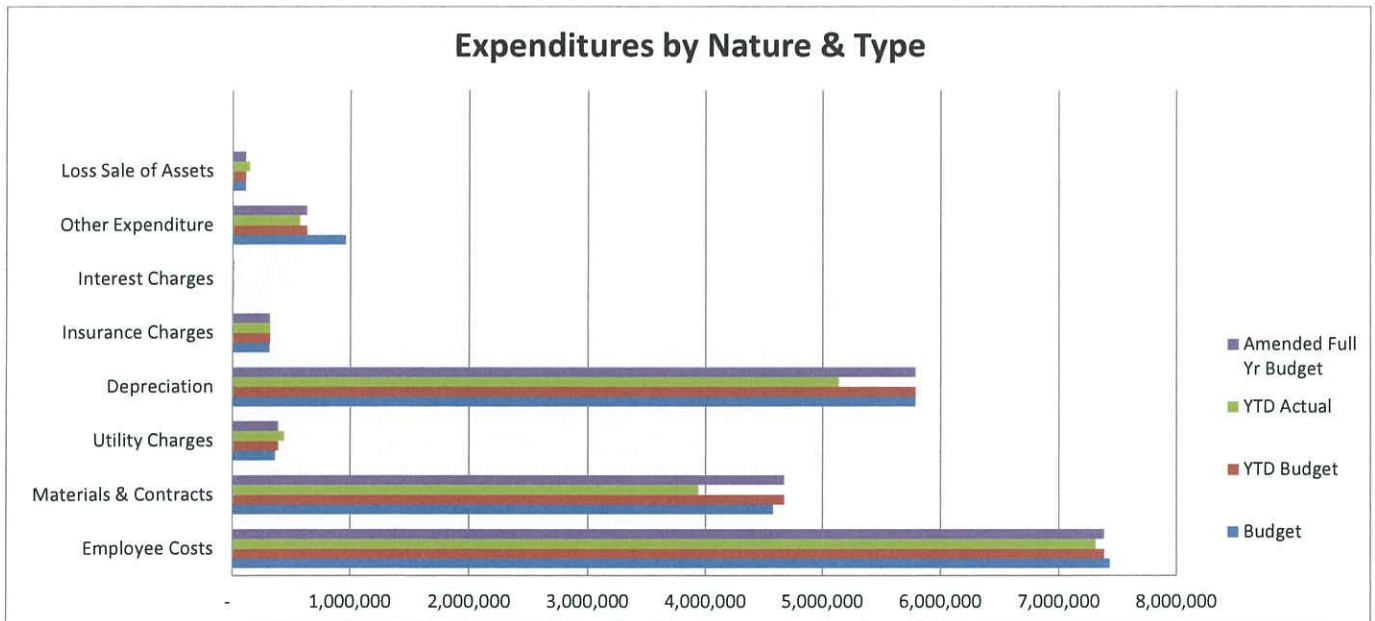
Operating Revenue by Nature & Type	Amended Full Yr				
	Budget	Budget	YTD Budget	YTD Actual	YTD Variance
Rates	4,898,169	4,897,168	4,897,168	4,893,202	-0.08
Grants & Subsidies	3,693,642	4,092,003	4,092,003	5,117,350	25.06
Contrib Reimb & Donations	85,779	86,679	86,679	116,325	34.20
Fees & Charges	2,966,558	3,084,957	3,084,957	3,029,509	-1.80
Interest Earnings	265,672	324,759	324,759	372,320	14.65
Other Revenue	369,227	400,880	400,880	359,313	-10.37
Total	12,279,047	12,886,446	12,886,446	13,888,019	

Shire of Donnybrook / Balingup
Graphical Presentation of Key Financial Data
For Period ended 30th June 2019

* **Nature & Type Reporting (continued)**



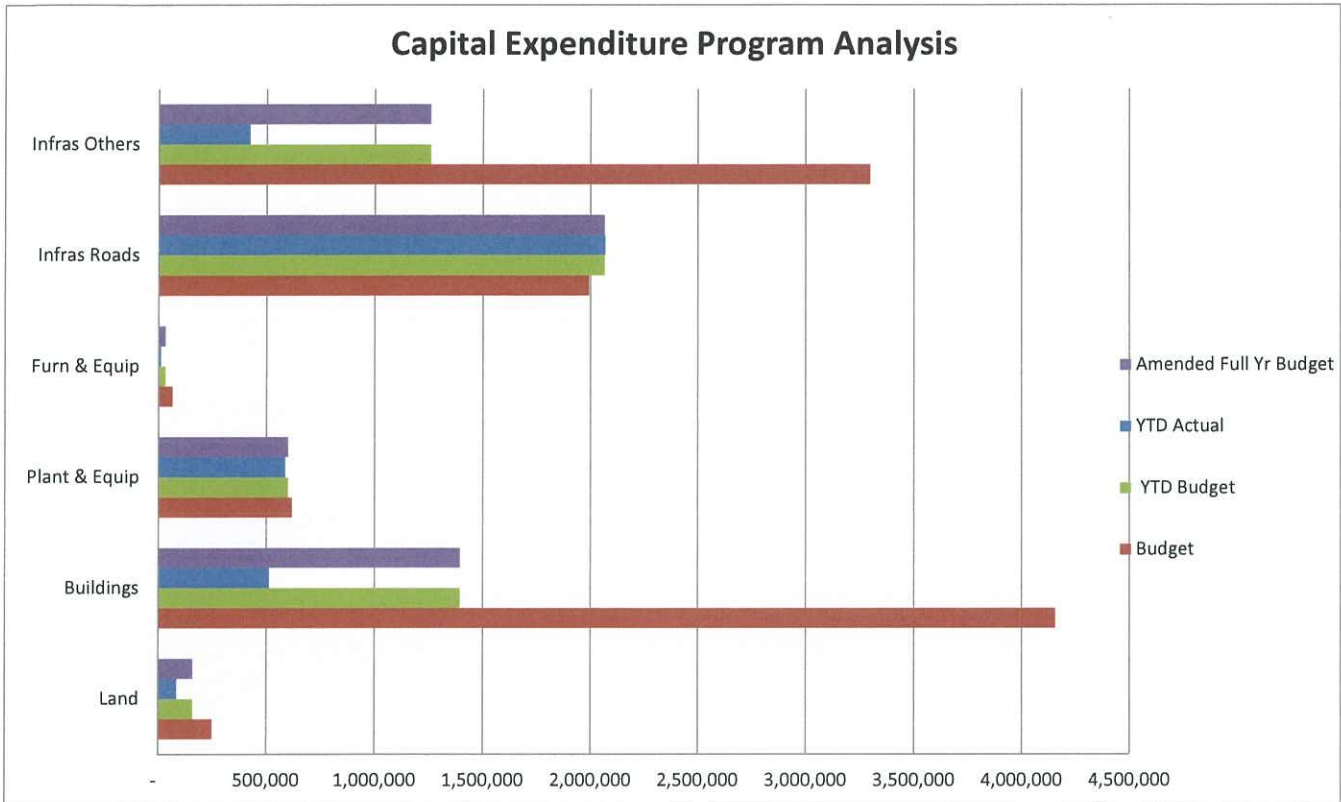
Capital Revenue by Nature and Type	Amended Full Yr		YTD Budget	YTD Actual	YTD Variance
	Budget	Budget			
Grants & Subsidies	6,231,625	3,096,469	3,096,469	2,812,110	-9.18
Profit on Sale of Assets	281,362	281,362	281,362	16,385	-94.18
Total	6,512,987	3,377,831	3,377,831	2,828,495	



Expenditures by Nature and Type	Amended Full Yr		YTD Budget	YTD Actual	YTD Variance
	Budget	Budget			
Employee costs	7,432,262	7,384,618	7,384,618	7,313,590	-0.96
Materials and contracts	4,578,007	4,669,497	4,669,497	3,938,770	-15.65
Utility charges	363,858	388,073	388,073	438,424	12.97
Depreciation on Non Current Assets	5,788,427	5,788,427	5,788,427	5,135,786	-11.27
Insurance charges	312,590	317,887	317,887	318,890	0.32
Interest charges	11,443	11,443	11,443	11,005	-3.82
Loss on sale of asset	112,324	112,324	112,324	143,851	28.07
Other expenditure	960,400	630,271	630,271	571,245	-9.37
TOTAL	19,559,311	19,302,540	19,302,540	17,871,563	

Shire of Donnybrook / Balingup
Graphical Presentation of Key Financial Data
For Period ended 30th June 2019

* **Capital Acquisitions by Asset Class**



Capital Acquisitions	Amended Full Yr		YTD Budget	YTD Actual	YTD Variance
	Budget	Budget			
Land	250,000	160,500	160,500	85,364	-46.81
Buildings	4,156,500	1,395,474	1,395,474	513,121	-63.23
Plant & Equipment	620,352	601,275	601,275	588,271	-2.16
Furniture & Equipment	64,400	32,000	32,000	11,965	-62.61
Infrastructure Roads	1,994,841	2,066,905	2,066,905	2,069,876	0.14
Infrastructure Others	3,299,200	1,257,752	1,257,752	422,851	-66.38
TOTAL	10,385,293	5,513,906	5,513,906	3,691,447	

**Shire of Donnybrook / Balingup
Operating Statement
For Period ended 30th June 2019**

		Total Original Budget 2018/19	Total Amended Budget 2018/19	Budget Year-to-date 2018/19	Actual Year-to-date 2018/19
Operating Revenues					
Rate Revenue	3	4,898,169	4,897,168	4,897,168	4,893,202
General Purpose Funding	3	1,296,179	1,290,151	1,290,151	2,327,504
Governance	4	15,466	45,551	45,551	44,413
Law, Order & Public Safety	5	458,488	715,173	715,173	736,708
Health	7	149,066	144,316	144,316	138,873
Education and Welfare	8	3,450,648	3,865,378	3,865,378	3,827,747
Housing	9				
Community Amenities	10	1,221,297	1,234,121	1,234,121	1,221,344
Recreation & Culture	11	323,426	237,285	237,285	258,196
Transport	12	188,581	249,572	249,572	254,039
Economic Services	13	166,227	246,551	246,551	240,981
Other Property & Services	14	111,500	111,500	111,500	91,128
		12,279,047	13,036,766	13,036,766	14,034,136
Operating Expenses Excluding Borrowing Costs Expenses					
General Purpose Funding	3	(245,653)	(246,393)	(247,057)	(285,793)
Governance	4	(1,128,885)	(1,009,199)	(1,014,137)	(939,100)
Law, Order & Public Safety	5	(1,370,553)	(1,667,993)	(1,667,993)	(1,444,023)
Health	7	(233,673)	(236,688)	(240,045)	(194,481)
Education and Welfare	8	(4,426,299)	(4,573,478)	(4,595,094)	(4,654,543)
Housing	9				
Community Amenities	10	(1,793,469)	(1,798,815)	(1,803,140)	(1,532,652)
Recreation & Culture	11	(3,446,903)	(3,388,066)	(3,388,066)	(3,027,787)
Transport	12	(5,151,655)	(5,210,298)	(5,210,298)	(4,630,848)
Economic Services	13	(952,354)	(524,481)	(541,015)	(449,347)
Other Property & Services	14	(131,789)	(143,401)	(143,401)	(285,425)
		(18,881,233)	(18,798,812)	(18,850,246)	(17,443,999)
Borrowing Costs Expenses					
General Purpose Funding	4	(0)	(0)	(664)	(3)
Health	7	(4,938)	(4,938)	(3,357)	(2,713)
Housing	9				
Education and Welfare	8	(0)	(0)	(19,436)	(14,425)
Recreation and Culture	11	(2,180)	(2,180)	0	0
Transport	12	0	0	0	0
Economic Services	13	(4,325)	(4,325)	(16,534)	(8,699)
		(11,443)	(11,443)	(39,991)	(25,840)
Contributions/Grants for the Development of Assets					
Governance	4	0	0	0	0
Law, Order & Public Safety	5	436,175	155,054	155,054	23,898
Health	7	0	0	0	0
Education and Welfare	8	1,555,000	678,000	678,000	600,000
Community Amenities	10	0	0	0	0
Recreation & Culture	11	206,000	211,374	211,374	210,374
Transport	12	4,034,450	2,052,041	2,052,041	1,977,838
Economic Services	13	0	0	0	0
		6,231,625	3,096,469	3,096,469	2,812,110
GAIN OR (LOSS) ON THE DISPOSAL OF ASSETS					
Governance	4	(7,524)	(7,524)	(7,524)	-16,328
Law, Order & Public Safety	5	(8,690)	(8,690)	(8,690)	(7,503)
Health	7	(8,472)	(8,472)	(8,472)	(4,075)
Education & Welfare	8	0	0	0	(78,416)
Housing	9				
Community Amenities	10	(11,650)	(11,650)	(11,650)	-9,157
Recreation & Culture	11	0	0	0	0
Transport	12	(62,300)	(62,300)	(62,300)	(11,988)
Economic Services	13	267,674	267,674	267,674	0
		169,038	169,038	169,038	(127,467)
Net Profit OR Loss / Result		(212,966)	(2,507,982)	(2,507,982)	(699,380)

Shire of Donnybrook / Balingup
Operating Statement (by Nature/Type)
For the Period ended 30th June 2019

	Total Original Budget 2018/19	Total Amended Budget 2018/19	Budget Year-to-date 2018/19	Actual Year-to-date 2018/19
OPERATING REVENUE AND EXPENDITURE				
(a) Summary by Nature and Type				
Revenue				
Rates	4,898,169	4,897,168	4,897,168	4,893,202
Grants and Subsidies (Operating)	3,693,642	4,092,003	4,092,003	5,117,350
Contributions Reimbursements and Donations (Operating)	85,779	86,679	86,679	116,325
Fees and Charges	2,966,558	3,084,957	3,084,957	3,029,509
Interest Earnings	265,672	324,759	324,759	372,320
Other Revenue	369,227	400,880	400,880	359,313
	<u>12,279,047</u>	<u>12,886,446</u>	<u>12,886,446</u>	<u>13,888,019</u>
Expenditure				
Employee Costs	(7,432,262)	(7,384,618)	(7,384,618)	(7,313,590)
Materials and Contracts	(4,578,007)	(4,669,497)	(4,669,497)	(3,938,770)
Utility Charges	(363,858)	(388,073)	(388,073)	(438,424)
Depreciation on Non Current Assets	(5,788,427)	(5,788,427)	(5,788,427)	(5,135,786)
Insurance Expenses	(312,590)	(317,887)	(317,887)	(318,890)
Interest Expenses	(11,443)	(11,443)	(11,443)	(11,005)
Other Expenses	(960,400)	(630,271)	(630,271)	(571,245)
	<u>(19,446,987)</u>	<u>(19,190,216)</u>	<u>(19,190,216)</u>	<u>(17,727,711)</u>
Less Applicable to Capital Works	(554,311)	(530,281)	(530,281)	(455,670)
	<u>(6,613,629)</u>	<u>(5,773,489)</u>	<u>(5,773,489)</u>	<u>(3,384,023)</u>
Non-operating grants, subsidies and contributions	6,231,625	3,096,469	3,096,469	2,812,110
Profit on asset disposals	281,362	281,362	281,362	16,385
Loss on asset disposals	(112,324)	(112,324)	(112,324)	(143,851)
Loss on revaluation of non current assets	0	-	-	-
Net result	<u>(212,966)</u>	<u>(2,507,982)</u>	<u>(2,507,982)</u>	<u>(699,380)</u>
Other comprehensive income				
Changes on revaluation of non-current assets	0	0	0	0
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
Total Comprehensive Income	<u>(212,966)</u>	<u>(2,507,982)</u>	<u>(2,507,982)</u>	<u>(699,380)</u>

Shire of Donnybrook / Balingup
Operating Statement (by Nature/Type - detail)
For the Period ended 30th June 2019

OPERATING REVENUE AND EXPENDITURE	2018/2019			
	Original Budget	Amended Budget	YTD Budget	Actual
(b) Classified According to Nature and Type:				
OPERATING REVENUE				
Rate Revenue				
Rates (incl. Discount)	4,898,169	4,897,168	4,897,168	4,893,202
Grants & Subsidies (Operating)				
General Purpose Grant	1,005,029	967,282	967,282	2,014,841
MRD Special Grants	92,131	149,739	149,739	149,739
Interest on Deferred Rates	3,200	8,262	8,262	4,100
Other Grants	417,882	608,574	608,574	612,002
Aged Hostel Subsidy	2,175,400	2,358,146	2,358,146	2,336,667
Grants & Subsidies (Capital)				
Local Roads Grant	-	-	-	-
MRD Special Grants	3,949,000	2,014,768	2,014,768	1,936,027
Other Grants	1,253,675	977,928	977,928	845,210
Contributions & Donations (Operating)				
Contributions, Reimbursements & Donations	85,779	86,679	86,679	116,325
Contributions & Donations (Cap)				
Contributions, Reimbursements & Donations	1,028,950	103,773	103,773	30,873
Fees and Charges				
Rates Instalment Charges	20,000	21,030	21,030	20,810
Rates Direct Debit Fees	6,250	6,250	6,250	6,355
Refuse Removal Charges	428,365	430,000	430,000	430,246
Waste Management Levy	550,800	558,000	558,000	557,303
Recycling Charges	100,032	101,240	101,240	101,757
Rental Income	1,313,250	1,355,840	1,355,840	1,316,399
Hall Income	8,700	10,500	10,500	13,544
Ground Rent	10,355	10,027	10,027	9,460
Recreation Centre Income	186,010	159,900	159,900	168,621
Caravan Park	46,850	42,850	42,850	41,020
Fines and Penalties	5,100	5,300	5,300	5,953
Other Fees and Charges	284,846	378,020	378,020	353,939
Private Works	6,000	6,000	6,000	4,100
Interest Earnings				
Rates Penalty Interest Charge	31,500	51,500	51,500	56,698
Interest on Rates Instalments	15,500	18,287	18,287	18,057
Interest on Municipal Funds	138,672	159,972	159,972	170,458
Interest on Reserve Funds	80,000	95,000	95,000	127,107
Other Revenue				
Royalties	25,020	25,020	25,020	24,920
Commissions	88,275	80,275	80,275	80,077
Other Income	13,600	15,564	15,564	16,272
Reimbursements	242,332	280,021	280,021	238,044
Profit on Sale of Non-Current Assets	281,362	281,362	281,362	16,385
Total Operating Revenue	18,792,034	16,264,277	16,264,277	16,716,513

Shire of Donnybrook / Balingup
Operating Statement (by Nature/Type - detail)
For the Period ended 30th June 2019

OPERATING REVENUE AND EXPENDITURE (b) Classified According to Nature and Type:	2018/2019			
	Original Budget	Amended Budget	YTD Budget	Actual
<u>OPERATING EXPENDITURE</u>				
Employee Costs				
Salaries and Wages	6,215,925	6,124,361	6,124,361	6,184,380
Superannuation	643,207	665,409	665,409	637,395
Workers Compensation	234,128	233,753	233,753	228,000
Clothing and Uniforms	56,769	113,018	113,018	106,882
Training Expenses	170,927	134,271	134,271	64,418
Fringe Benefits Tax	81,000	81,000	81,000	82,974
Employee Provisions	-	-	-	(10,011)
Other Employee Costs	30,306	32,806	32,806	19,552
Materials				
Chemicals / Gas	26,200	26,400	26,400	12,516
General Supplies	441,071	505,875	505,875	649,330
Road Materials	112,101	115,601	115,601	65,227
Phone/Fax	44,428	58,179	58,179	69,224
Fuels & Oils	160,000	161,500	161,500	223,296
Plant Parts	189,000	209,000	209,000	155,307
Tools/Hardware	1,550	3,050	3,050	13,559
Office Supplies	181,028	173,775	173,775	117,106
Garden Supplies	41,100	52,593	52,593	104,883
Kiosk Purchases (Rec)	20,600	15,900	15,900	9,274
Freight & Transport	9,010	11,010	11,010	12,843
Safety Equipment	250	250	250	4,094
Contracts				
Lease & Rental Expenses	12,373	15,494	15,494	36,742
Service Contracts & Repairs	155,947	176,501	176,501	177,095
Contract Labour	2,100,575	2,143,191	2,143,191	1,556,130
Plant Hire (External)	4,300	28,300	28,300	78,472
Security Service	3,563	4,063	4,063	4,175
Professional Services & Consultants	708,859	599,487	599,487	344,184
Rubbish Disposal Contract	275,904	277,180	277,180	222,137
Recycling Contract	90,148	92,148	92,148	83,175
Utility Charges				
Sewerage	20,100	23,100	23,100	25,461
Electricity	278,410	297,410	297,410	322,907
Water	65,348	67,563	67,563	90,056
Insurance Expenses				
Insurance	312,590	317,887	317,887	318,890
Interest Expenses				
Interest on Overdraft	-	-	-	-
Interest on Loans	11,443	11,443	11,443	11,005

Shire of Donnybrook / Balingup
Operating Statement (by Nature/Type - detail)
For the Period ended 30th June 2019

4. OPERATING REVENUE AND EXPENDITURE	2018/2019			
(b) Classified According to Nature and Type:	Original Budget	Amended Budget	YTD Budget	Actual
OPERATING EXPENDITURE (cont)				
Other Expenditure				
Refreshments	37,450	38,050	38,050	28,180
Subscriptions / Donations	216,495	217,952	217,952	153,124
Valuations / Title Searches	86,500	86,500	86,500	84,293
Postage	18,500	18,350	18,350	12,449
Accommodation	11,150	10,150	10,150	7,448
Licence Fees	19,350	19,450	19,450	11,568
Advertising	44,910	44,910	44,910	36,048
Councillor Allowances	110,848	108,546	108,546	105,922
Bank Charges	24,587	24,864	24,864	18,251
Other Expenditure	390,610	61,499	61,499	113,962
Loss on Sale of Non-Current Assets	112,324	112,324	112,324	143,851
Depreciation				
Depreciation on Assets	5,788,427	5,788,427	5,788,427	5,135,786
Less: Applicable to Capital Works	(554,311)	(530,281)	(530,281)	(455,670)
Total Operating Expenditure	19,005,000	18,772,259	18,772,259	17,415,893
NET PROFIT OR LOSS / RESULT	(212,966)	(2,507,982)	(2,507,982)	(699,380)

Shire of Donnybrook - Balingup
Statement of Financial Activity
For the Period ended 30th June 2019

		2018/19 Original Budget \$	2018/19 Amended Budget \$	2018/19 YTD Budget \$	2018/19 YTD Actual \$	Variances Budget to Actual YTD %
REVENUES						
General Purpose Funding (Excl. Rates)	3	1,296,179	1,290,151	1,290,151	2,327,504	80.41
Governance	4	20,904	50,989	50,989	44,836	(12.07)
Law, Order, Public Safety	5	458,488	715,173	715,173	736,708	3.01
Health	7	149,066	144,316	144,316	138,873	(3.77)
Education and Welfare	8	3,450,648	3,865,378	3,865,378	3,827,747	(0.97)
Housing	9					
Community Amenities	10	1,221,297	1,234,121	1,234,121	1,221,344	(1.04)
Recreation and Culture	11	323,426	237,285	237,285	258,196	8.81
Transport	12	196,831	257,822	257,822	270,002	4.72
Economic Services	13	433,901	514,225	514,225	240,981	(53.14)
Other Property and Services	14	111,500	111,500	111,500	91,128	(18.27)
		<u>7,662,240</u>	<u>8,420,960</u>	<u>8,420,960</u>	<u>9,157,318.61</u>	<u>8.74</u>
EXPENSES						
General Purpose Funding	3	(245,653)	(246,393)	(246,393)	(285,790)	15.99
Governance	4	(1,141,847)	(1,027,099)	(1,027,099)	(955,850)	(6.94)
Law, Order, Public Safety	5	(1,379,243)	(1,676,683)	(1,676,683)	(1,451,526)	(13.43)
Health	7	(247,083)	(245,160)	(245,160)	(195,843)	(20.12)
Education and Welfare	8	(4,426,299)	(4,575,658)	(4,575,658)	(4,718,534)	3.12
Housing	9					
Community Amenities	10	(1,805,119)	(1,814,790)	(1,814,790)	(1,541,808)	(15.04)
Recreation & Culture	11	(3,449,083)	(3,388,066)	(3,388,066)	(3,027,787)	(10.63)
Transport	12	(5,222,205)	(5,280,848)	(5,280,848)	(4,658,798)	(11.78)
Economic Services	13	(956,679)	(524,481)	(524,481)	(440,648)	(15.98)
Other Property and Services	14	(131,789)	(143,401)	(143,401)	(285,425)	99.04
		<u>(19,005,000)</u>	<u>(18,922,579)</u>	<u>(18,922,579)</u>	<u>(17,562,010)</u>	<u>(7.19)</u>
Net Operating Result Excluding Rates:		<u>(11,342,760)</u>	<u>(10,501,619)</u>	<u>(10,501,619)</u>	<u>(8,404,691)</u>	<u>(19.97)</u>
Adjustments for Cash Budget Requirements:						
Non-Cash Expenditure and Income						
(Profit)/Loss on Asset Disposals		(169,038)	(169,038)	(169,038)	127,467	(175.41)
Depreciation on Assets		5,788,427	5,788,427	5,788,427	5,135,786	(11.27)
Capital Expenditure and Income						
Non Operating Grants, Subsidies & Contributions		6,231,625	3,096,469	3,096,469	2,812,110	(9.18)
Purchase Land and Buildings		(4,406,500)	(1,555,974)	(1,555,974)	(598,485)	(61.54)
Purchase Infrastructure Assets - Roads		(1,994,841)	(2,066,905)	(2,066,905)	(2,069,876)	0.14
Purchase Infrastructure Assets - Other		(3,299,200)	(1,257,752)	(1,257,752)	(422,851)	(66.38)
Purchase Plant and Equipment		(620,352)	(601,275)	(601,275)	(588,271)	(2.16)
Purchase Furniture and Equipment		(64,400)	(32,000)	(32,000)	(11,965)	(62.61)
Proceeds from Disposal of Assets		597,190	180,380	180,380	210,519	16.71
Repayment of Debentures		(30,795)	(30,795)	(30,795)	(30,795)	(0.00)
Repayment of Preston Village Fixed Loans		(930,000)	0	0	0	
Loan Principal repayments		0	0	0	0	
Proceeds from Leased Preston Village		930,000	0	0	0	
Proceeds from New Debentures		1,400,000	400,000	400,000	0	(100.00)
Advances to Community Groups		0	0	0	0	
Adjust Self Supporting Loan		0	0	0	0	
Self-Supporting Loan Principal Income		8,660	8,660	8,660	8,660	(0.00)
Transfers to Reserves (Restricted Assets)		(643,251)	(1,410,923)	(1,410,923)	(35,607)	(97.48)
Transfers from Reserves (Restricted Assets)		2,124,900	1,858,318	1,858,318	384,841	(79.29)
Adjust Current Asset (Self Supporting Loan)		0	0	0	0	
Adjust Non Current Assets & Liabilities		0	0	0	0	
ADD Estimated Surplus/(Deficit) July 1 B/Fwd		1,522,166	1,565,218	1,565,215	1,565,218	0.00
LESS Estimated Surplus/(Deficit) June 30 C/Fwd			168,359	168,356	3,007,579	1,686.44
Budgeted deficiency before general rates		(4,898,169)	(4,897,168)	(4,897,168)	(4,893,202)	(0.08)
Estimated amount to be raised from general rates		4,898,169	4,897,168	4,897,168	4,893,202	
Surplus / (deficit)		0	0	0	0	

Shire of Donnybrook Balingup
Variance Reporting Threshold - \$5,000

Account No.	Account Description	Account Type	Revised Full Year Budget 30/06/2019	Actual to 30/06/2019	Variance Amount	Variance %	Permanent Variation	Comment
General Purpose Funding								
1962	LEGAL COSTS (RATES)	Exp	33,000	19,140	-13,860	-42.00		Full budget provision not utilised as reduction in debt recovery proceeding occurred during 18/19
0121	LEGAL COSTS (RATES)	Inc	-38,000	-16,131	21,869	-57.55		Reduced income due to reduction in rates sent to recovery in 18/19
4881	INTEREST ON INVESTMENTS	Inc	-55,000	-63,423	-8,423	15.32		Additional income of approx. \$8k received above the revised estimate.
0091	GENERAL PURPOSE GRANT	Inc	-967,282	-2,014,841	-1,047,559	108.30		Advanced payment of 50% for 2019/20 year received - to be transferred to Reserve.
0613	VALUATION RESERVE TRNSFR	Inc	-60,000	0	60,000	-100.00		Reserve transfers to be processed as part of End of Year accounting
Governance								
6932	COUNCILLOR TRAINING	Exp	10,000	3,967	-6,034	-60.34		Full budget provision not utilised
1072	FRINGE BENEFITS TAX	Exp	28,500	22,457	-6,043	-21.20		Expenditure less than budget estimate - final result
0593	TRNSFR FROM LSL RESERVE	Inc	-17,750	0	17,750	-100.00		Reserve transfers to be processed as part of End of Year accounting
0554	PURCHASE PLANT VEHICLES	Exp	101,251	93,570	-7,681	-7.59		Expenditure less than budget estimate
0584	FURNITURE AND EQUIPMENT	Exp	7,000	0	-7,000	-100.00		Full budget provision not utilised
0595	SALE OF PLANT VEHICLE	Inc	-58,726	-44,545	14,181	-24.15		Income less than budget estimate
0615	ELECTRONIC EQUIPMENT RESERVE TRNSFR	Inc	-42,000	0	42,000	-100.00		Reserve transfers to be processed as part of End of Year accounting
6945	FROM BUILDING RESERVE	Inc	-128,000	0	128,000	-100.00		Reserve transfers to be processed as part of End of Year accounting
6955	TFR FROM PLANT RESERVE	Inc	-42,525	0	42,525	-100.00		Reserve transfers to be processed as part of End of Year accounting
0182	SUBSCRIPTIONS	Exp	47,854	24,861	-22,993	-48.05		Website re-design and intranet installation c/forward to 19/20 budget
0952	AUDIT FEES	Exp	22,730	12,160	-10,570	-46.50		Awaiting final invoice for interim audit
0962	CONSULTANTS FEES	Exp	21,930	16,104	-5,826	-26.57		Expenditure to exceed budget by approx \$13.5k due to expanded scope approved by CEO
1042	PUBLIC RELATIONS	Exp	68,000	43,091	-24,909	-36.63		Expenditure less than budget estimate - implementation of communication strategy to be c/forward 19/20
2004	TRANSFER TO RESERVE (UNSPENT C/FWD PROJECTS)	Exp	143,000	0	-143,000	-100.00		Reserve transfers to be processed as part of End of Year accounting
Law, Order & Public Safety								
5142	ESL OPERATING EXPENSES SHIRE	Exp	348,360	279,777	-68,583	-19.69		Full budget provision not utilised
6412	CESM OFFICE EXPENSES	Exp	5,731	31,358	25,627	447.17		60% expenditure is recouped from DFES
6962	BUSH FIRE MITIGATION - SEMC	Exp	275,212	176,423	-98,789	-35.90		Expenditure less than budget estimate
0745	REIMBURSEMENTS BRIGADE	Inc	-200	-14,167	-13,967	6983.51	x	Increased income due to insurance refund for review of brigade membership numbers
5983	REIMBURSEMENTS CESM	Inc	-70,179	-97,647	-27,468	39.14		Recoup based on 60% of actual expenditure
6963	OFFICE OF ENERGY MGMT. - FIRE MITIGATION GRANT	Inc	-272,570	-235,397	37,173	-13.64		Income less than budget estimate
0384	BUSH FIRE BUILDINGS - CAP WORKS	Exp	163,054	40,209	-122,845	-75.34		Commencement of Kirup/Brazier BFB delayed - project c/forward to 19/20
0765	GOVERNMENT GRANTS	Exp	-155,054	-23,898	131,156	-84.59		Grant income dependant on completion of capital works - balance of funding won't be received until 2019/20
0775	TRANSFER FROM RESERVE	Exp	-88,000	0	88,000	-100.00		Reserve transfers to be processed as part of End of Year accounting
0322	RANGER SERV. RESOURCE SHARING	Exp	27,727	19,557	-8,170	-29.47		Reduced expenditure due to agreement finalising March 19
0802	GENERAL EXPENSES (AC)	Exp	36,000	17,113	-18,887	-52.46		Expenditure less than budget estimate
0885	PLANT RESERVE TRNSFR	Inc	-24,060	0	24,060	-100.00		Reserve transfers to be processed as part of End of Year accounting
1163	ESL GRANT FUNDING FOR SES	Inc	-19,850	-25,578	-5,728	28.85		1st Qtr grant for 19/20 received in June 19
Health								
1485	PLANT RESERVE TRNSFR	Inc	-15,187	0	15,187	-100.00		Reserve transfers to be processed as part of End of Year accounting
1592	MEDICAL CENTRE MTC	Exp	38,771	30,038	-8,733	-22.52		Full budget provision not utilised - Painting of Facias \$5k c/forward to unspent projects reserve for 19/20
Education and Welfare								
1362	COMMUNITY CENTRE / INFANT HEALTH CLINIC	Exp	22,158	16,313	-5,845	-26.38		Full budget provision not utilised
5932	1ST DONNYBROOK SCOUT BLDG	Exp	8,012	2,561	-5,451	-68.03		Full budget provision not utilised - \$4.5k for building mtce to be accrued.
4652	COMM. DEV. INITIATIVES	Exp	5,000	0	-5,000	-100.00		No expenditure during 18/19
4762	SEED FUNDING YOUTH RELATED PROGRAMMES	Exp	7,500	2,264	-5,236	-69.81		Full budget provision not utilised
0983	TUIA LODGE STAFF TRAINING	Exp	35,000	10,080	-24,920	-71.20		Full budget provision not utilised
1682	TUIA LODGE MTCE	Exp	1,033,895	1,079,902	46,007	4.45		Final projected result
1722	LANGLEY VILLAS MTCE U1-6	Exp	44,091	29,902	-14,189	-32.18		Final projected result
1732	MINN COTTAGES 1-4 MTC	Exp	25,244	19,393	-5,851	-23.18		Final projected result

Shire of Donnybrook Balingup
Variance Reporting Threshold - \$5,000

Account No.	Account Description	Account Type	Revised Full Year Budget 30/06/2019	Actual to 30/06/2019	Variance Amount	Variance %	Permanent Variation	Comment
Education and Welfare								
1734	MINNINUP COTTAGES 5 - 8 MAINTENANCE	Exp	26,034	17,775	-8,259	-31.73		Final projected result
1742	MINN COTTAGES 9-12	Exp	33,112	16,388	-16,724	-50.51		Final projected result
3322	CONSULTANCY - AGED CARE SERVICES	Exp	64,568	6,818	-57,750	-89.44		Full budget provision not utilised - \$37,750 for Aged Care Services review outstanding
4192	PRESTON VILLAGE RETIREMENT UNITS	Exp	69,667	59,518	-10,149	-14.57		Full budget provision not utilised
6062	FURN. & EQUIP. TUJA - NON CAPITAL	Exp	14,684	20,444	5,760	39.22		Final projected result
1173	MINNINUP COTTAGES RENT U5-8	Inc	-34,153	-28,418	5,735	-16.79		Final projected result - reduction due to unit vacancies while renovations being completed
1693	TUJA LODGE SUBSIDY	Inc	-2,358,146	-2,336,667	21,479	-0.91		Final projected result
1703	TUJA LODGE RENTAL - BASIC DAILY CARE FEE	Inc	-705,693	-656,690	49,003	-6.94		Final projected result - income reflects level of care
1706	TUJA LODGE RENTAL - DAILY ACCOMM FEE	Inc	-143,322	-163,197	-19,875	13.87		Final projected result - income reflects level of care
1753	LANGLEY VILLAS RENT U1-6	Inc	-58,515	-52,765	5,750	-9.83		Final projected result - reduction due to unit vacancies
7133	REIMBURSEMENTS AGED CARE SERVICES	Inc	-148,270	-141,795	6,475	-4.37		Final projected result
1684	TUJA LODGE FURNITURE & EQUIPMENT	Exp	25,000	11,965	-13,035	-52.14		Full budget provision not utilised
4714	RETIREE FUNDED UNITS LOT 152 - BUILDING	Exp	250,000	31,935	-218,065	-87.23		Preston Village Asset upgrades have exceeded budget by \$15k - Siteworks for development of Bridge St land have yet to commence
7384	BUILDINGS - TUJA LODGE	Exp	455,832	35,124	-420,708	-92.29		Expenditure less than budget estimate - fire suppression system carried over to 19/20. Expenditure for various building upgrades is less than budget estimate
8094	WELL AGED HOUSING - BUILDING ASSET RENEWAL	Exp	171,600	75,537	-96,063	-55.98		Full budget provision not utilised
8104	AFFORDABLE HOUSING - BRIDGE STREET	Exp	150,000	73,369	-76,631	-51.09		Full budget provision not utilised - balance c/forward to 19/20 budget
0435	COMMUNITY CONTRIBUTIONS - TUJA LODGE	Inc	-78,000	0	78,000	-100.00		Contribution from Tuia Charitable Trust remains unresolved
0445	PROCEEDS FROM LOAN - TUJA LODGE EXTENSIONS	Inc	-400,000	0	400,000	-100.00		Loan for Tuia Fire Suppression system carried over to 19/20
1775	FROM AGED HOUSING RESERVE	Inc	-171,600	0	171,600	-100.00		Reserve transfers to be processed as part of End of Year accounting
7315	TRANSFER FROM LAND DEVELOPMENT RESERVE	Inc	-250,000	0	250,000	-100.00		Reserve transfers to be processed as part of End of Year accounting
Community Amenities								
1762	DOMESTIC REFUSE COLLECT	Exp	199,247	135,644	-63,603	-31.92		Final projected result
1772	RUBBISH SITES MTC	Exp	513,276	460,456	-52,820	-10.29		Final projected result
1782	DOMESTIC RECYCLING PICKUP	Exp	115,105	94,360	-20,745	-18.02		Final projected result
1802	ORGANIC REFUSE REMOVALS	Exp	123,092	113,698	-9,394	-7.63		Final projected result
2003	BULK REFUSE CHARGES	Inc	-75,000	-49,586	25,414	-33.89		Final projected result - income less than budget estimate
2072	LANDCARE DEV./ENV. PLNG.	Exp	18,280	5,117	-13,163	-72.01		Full budget provision not utilised - Roadside weed spraying delayed due to weather
5332	OFFICE EXPENSES - NATURAL RESOURCE MANAGEMENT	Exp	25,327	17,457	-7,870	-31.07		Full budget provision not utilised
2172	LAND USE PLANNING	Exp	20,000	0	-20,000	-100.00		No expenditure incurred during 2018/19
2223	CHARGES - T/P APPROVAL	Inc	-25,000	-37,331	-12,331	49.32		Income has exceeded budget estimate by approx \$12k
2274	PURCHASE PLANT EQUIPMENT	Exp	33,413	40,617	7,204	21.56		Executive's decision to standardise vehicles has resulted in expenditure exceeding the budget estimate for T/Planner vehicle. Three vehicles were purchased in one transaction as a group resulting in overall additional charge of \$4k in total for all three vehicles.
2335	FROM PLANT RESERVE	Inc	-25,313	0	25,313	-100.00		Reserve transfers to be processed as part of End of Year accounting
2302	DBK CEMETERY MNTCE	Exp	60,506	52,659	-7,847	-12.97		Full budget provision not utilised - normal operational variance
2312	BLN CEMETERY MNTCE	Exp	23,200	18,013	-5,187	-22.36		Full budget provision not utilised - normal operational variance
4932	UPPER PRESTON CEMETERY	Exp	9,997	4,981	-5,016	-50.18		Full budget provision not utilised - normal operational variance
Recreation and Culture								
2412	PUBLIC HALLS - DBK	Exp	75,779	60,117	-15,662	-20.67		Repainting of Foyer and Stairwell and some maintenance deferred
2422	PUBLIC HALLS - BLN	Exp	20,794	14,732	-6,062	-29.15		Full budget provision not utilised
2555	FROM BUILDING RESERVE	Inc	-35,000	0	35,000	-100.00		Reserve transfers to be processed as part of End of Year accounting
2584	BALINGUP HALL - NEW STOREROOM	Exp	202,500	210,099	7,599	3.75		Final projected result
2662	EGAN PARK	Exp	83,760	78,090	-5,670	-6.77		Full budget provision not utilised - normal operational variance
2672	MITCHELL PARK	Exp	123,900	67,558	-56,342	-45.47		Full budget provision not utilised - \$10k gen mtc, \$15k Football Club Mtc and \$30k VC Mitchell Park masterplan
2712	BLN PARKS & RESERVES	Exp	236,240	255,939	19,699	8.34		Final projected result
2722	REC CENTRE MTC	Exp	294,946	262,213	-32,733	-11.10		Final projected result
5652	WALK TRAILS	Exp	44,500	219	-44,281	-99.51		Minimal expenditure incurred during 18/19
1583	GOVT GRANTS - SPORT & RECREATION	Inc	-12,500	-35,950	-23,450	187.60		Additional \$24k received for VC Mitchell Park Lighting projected c/ff 2019/20
2813	DBK REC CENTRE - CHARGES	Inc	-159,900	-168,621	-8,721	5.45		Final projected result

Shire of Donnybrook Balingup
Variance Reporting Threshold - \$5,000

Account No.	Account Description	Account Type	Revised Full Year Budget 30/06/2019	Actual to 30/06/2019	Variance Amount	Variance %	Permanent Variation	Comment
Recreation and Culture								
0694	RESERVE ST FUNPARK	Exp	15,000	8,588	-6,412	-42.74		Final projected result - normal operational variance
2682	PARK EQUIPMENT	Exp	10,000	305	-9,695	-96.95		Minimal expenditure incurred during 18/19
7294	BUILDINGS - DBK RECREATION CENTRE	Exp	127,575	95,580	-31,995	-25.08		Final projected result - some capital work c/forward to 19/20
8054	PRESTON RIVER PARKLAND DONNYBROOK	Exp	10,000	0	-10,000	-100.00		No expenditure to date
0685	TRANSFER FROM BUILDING RESERVE	Inc	-90,503	0	90,503	-100.00		Reserve transfers to be processed as part of End of Year accounting
2962	OFFICE EXPENSES DBK	Exp	115,000	96,997	-18,003	-15.65		Final projected result - normal operational variance
2972	GENERAL EXPENSES BLN	Exp	46,721	28,843	-17,878	-38.27		Final projected result - normal operational variance
5662	DONNYBROOK RESOURCE CENTRE MAINTENANCE	Exp	25,000	1,051	-23,949	-95.80		Minimal expenditure incurred during 18/19
2953	TFR FROM EMPLOYEE LEAVE RESERVE	Inc	-8,750	0	8,750	-100.00		Reserve transfers to be processed as part of End of Year accounting
2963	REIMBURSE RESOURCE CENTRE	Inc	-12,500	-416	12,084	-96.67		Minimal income - subject to Library Building mtc works as 50% costs recouped from Department of Education
5272	PROMOTION OF COMMUNITY EVENTS	Exp	38,000	27,963	-10,037	-26.41		Final projected result
Transport								
3200	BRIDGEWORKS - EXT. FUNDED	Exp	1,035,768	266,347	-769,421	-74.29		Projects have been undertaken by Main Roads on behalf of the Shire - we are awaiting invoices to pay for work completed - Any surplus funds will be allocated to Bridge Reserve for spending on Bridge Mtc in accordance with Grant rules.
3210	ROADWORKS GENERAL	Exp	540,892	533,417	-7,475	-1.38		Full budget provision not utilised
3240	FOOTPATHS	Exp	96,417	89,809	-6,608	-6.85		Full budget provision not utilised
3300	ROADS TO RECOVERY FEDERAL FUNDING PROGRAM	Exp	689,271	696,884	7,613	1.10		Full budget provision not utilised
3331	ROADS TO RECOVERY FEDERAL GRANT FUNDING	Inc	-685,000	-606,259	78,741	-11.50		Funding is part of 5 year program with Roads to Recovery - payments have been staged over various years our full allocation has been received.
3351	FROM ROADWORKS RESERVE	Inc	-314,125	-184,841	129,284	-41.16		Reserve transfers to be processed as part of End of Year accounting
0150	DONNYBROOK TOWNSCAPE WORKS	Exp	25,000	19,011	-5,989	-23.96		Full budget provision not utilised
3370	STREET TREES & PRUNING	Exp	83,580	26,114	-57,466	-68.76		Full budget provision not utilised - less pruning of trees within townsites was required during 18/19 than anticipated
341M	GENERAL ROAD MAINTENANCE	Exp	991,800	1,034,856	43,056	4.34		Final projected result
3420	LIGHTING OF STREETS	Exp	83,040	76,728	-6,312	-7.60		Final projected result - normal operational variance
3430	STREET CLEANING	Exp	90,000	81,988	-8,012	-8.90		Final projected result - normal operational variance
3450	BRIDGE MAINTENANCE	Exp	249,761	244,405	-5,356	-2.14		Final projected result - normal operational variance
3460	TRAFFIC SIGNS & CONTROL	Exp	18,000	10,180	-7,820	-43.44		Final projected result - normal operational variance
3550	ROAD ASSET MANAGEMENT	Exp	48,000	13,661	-34,339	-71.54		Full budget provision not utilised - changes in requirements for the timing of asset revaluations has resulted in less expenditure.
3554	PURCHASE PLANT & EQUIPMNT	Exp	403,913	387,644	-16,269	-4.03		Full budget provision not utilised
3541	CONTRIBUTION TO WORKS	Inc	0	-5,503	-5,503			Income received for Meldene Estate development
3565	RESERVE FUND TRANSFER	Inc	-315,825	0	315,825	-100.00		Reserve transfers to be processed as part of End of Year accounting
3575	SALE OF PLANT & EQUIPMENT	Inc	-88,088	-126,595	-38,507	43.71		Income exceeds budget estimates - higher trade in values received
Economic Services								
2192	DONNYBROOK TRANSIT PARK MAINTENANCE	Exp	61,732	48,451	-13,281	-21.51		Full budget provision not utilised
3912	AREA PROMOTION	Exp	86,207	67,224	-18,983	-22.02		Full budget provision not utilised - \$15k develop & implement Local Tourism strategy
7152	BALINGUP TRANSIT PARK MTCE.	Exp	37,808	31,602	-6,206	-16.42		Full budget provision not utilised
0294	TRANSIT PARK DONNYBROOK - CONSTRUCTION	Exp	10,000	0	-10,000	-100.00		Budget provision not utilised
7312	TOURISM INFRASTRUCTURE	Exp	20,000	0	-20,000	-100.00		Budget provision not utilised - carried forward to 19/20
4082	CONTRACT LABOUR & RELIEF	Exp	5,000	0	-5,000	-100.00		Budget provision not utilised
4132	SUNDRY BUILDING EXPENSES	Exp	16,310	9,354	-6,956	-42.65		Full budget provision not utilised
Public Works Overheads								
4462	CONFER & TRAIN EXPENSES	Exp	38,401	23,193	-15,208	-39.60		Full budget provision not utilised
4423	TRNSFR FROM RES. LSL&GRAT	Inc	-29,480	0	29,480	-100.00		Reserve transfers to be processed as part of End of Year accounting
4570	SALARIES AND WAGES	Exp	6,200,055	6,616,967	416,912	6.72		Final projected result - transfers from Employee Entitlements Reserve for \$143k as part of the End of Year process will offset part of the variance of actual wages compared to budget.
Note 1	Budget and Actual Income shown as negative figures. Budget and Actual Expenditure shown as positive figures. Therefore a negative variance indicates either more income or less expenditure than budget YTD estimate (positive effect on budget) Therefore a positive variance indicates either less income or more expenditure than budget YTD estimate (negative effect on budget)							
Note 2	Salaries and Wages variances are shown in total only in Schedule 14 (Public Works Overheads) Variances relating to internal costings and allocations are not reported. Variances relating to amounts transferred to/from Reserve have not been reported.							

Shire of Donnybrook / Balingup
Summary of Financial Activity - Cash
For the Period ended
30th June 2019

	Sch No	2018/19 Amended Budget		2018/19 Actual	
		Income	Expenditure	Income	Expenditure
OPERATING SECTION					
General Purpose Funding	3	6,247,319	246,393	7,215,158.85	285,789.88
Governance	4	63,301	933,266	44,413.33	864,506.37
Law, Order & Public Safety	5	715,173	1,607,474	736,707.95	1,389,915.43
Health	7	144,316	193,630	138,873.13	152,248.86
Welfare Services	8	3,865,578	4,233,523	3,799,389.68	4,335,725.10
Housing	9				
Community Amenities	10	1,234,121	1,724,040	1,221,344.13	1,471,139.33
Recreation & Culture	11	281,035	2,366,329	258,196.31	2,131,177.56
Transport	12	249,572	1,794,325	254,038.87	1,678,550.24
Economic Services	13	246,551	489,308	240,980.89	411,396.33
Other Property & Services	14	140,980	143,401	91,128.06	285,425.10
		13,187,946	13,731,689	14,000,231.20	13,005,874.20
CAPITAL SECTION					
Governance	4	271,251	272,664	44,636.37	117,173.68
Law, Order & Public Safety	5	283,478	285,069	40,261.63	82,225.16
Health	7	22,275	32,698	11,363.64	36,439.53
Welfare Services	8	1,501,614	1,060,932	602,013.97	227,930.84
Housing	9				
Community Amenities	10	33,413	43,413	9,545.45	47,697.77
Recreation & Culture	11	510,537	426,210	419,033.26	372,960.79
Transport	12	2,770,079	3,603,003	2,289,274.14	2,814,107.80
Economic Services	13	0	52,212	0.00	23,706.00
Transfers To Reserves	15	0	1,179,423	0.00	1,703.15
		5,392,647	6,955,624	3,416,128.46	3,723,944.72
Total Income & Expenditure		18,580,593	20,687,313	17,416,359.66	16,729,818.92
Less Depreciation W/Back			(709,861)		-723,502.39
Net		18,580,593	19,977,452	17,416,359.66	16,006,316.53
Add Surplus July 1 B/Fwd		1,565,218		1,565,218.10	
Adjustment to Non Current Liabilities (Gravel)					
Adjust Non Current Assets					
Adjust Current Asset Land Held for Resale				0.00	
Adjust Leave Reserve W/Back					
Less Loan Principal repayments					
Adjust movement Pensioners Deferred Rates					
Adjust Self Supporting Loan					
Adjust to NCL (Leave Provisions)					-32,318.00
Rounding Adjustment					
Surplus/Deficit C/Fwd			168,359		3,007,579.23
		20,145,811	20,145,811	18,981,577.76	18,981,577.76

Shire of Donnybrook / Balingup
Summary of Financial Activity - Cash
For the Period ended
30th June 2019

Surplus/Deficit Summary C/Forward Represented by;

(A) Cash at Bank and on Hand	3,631,202	
Sundry Debtors Rates	420,488	
Receivables/Debtors	263,533	
Self Supporting Loan Debtors	-	
Accrued Income	70,554	
GST Asset Clearing A/C	94,231	
ESL Asset Clearing A/C	23,895	
Land Held for Resale	151,676	
Prepayments	2,530	
Stock on Hand	<u>28,251</u>	4,686,361
(B) Provision for LSL Current	(318,573)	
Provision for A/L Current	(435,668)	
Add Cash Backed Reserve	250,709	
Payments received in Advance	-	
Accrued Salaries/Wages	(181,501)	
Accrued Loan Interest	(2,436)	
Accrued Expenses	(35,835)	
GST Liability Clearing A/C	(41,047)	
ESL Liability Clearing A/C	(116)	
PAYG Clearing A/C	(109,803)	
Prepaid Rates	(115,057)	
Payroll Creditors	-	
Add Back Current Loan Liability	-	
SS Loan Repayment	-	
Sundry Creditors	<u>(689,455)</u>	(1,678,782)
Net Current Assets		<u><u>3,007,579</u></u>

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 30th June 2019

1. SIGNIFICANT ACCOUNTING POLICIES

The significant accounting policies which have been adopted in the preparation of this financial report are:

(a) Basis of Accounting

The financial report has been prepared in accordance with applicable Australian Accounting Standards, (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. The report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

(b) The Local Government Reporting Entity

All Funds through which the Council controls resources to carry on its functions have been included in the financial statements forming part of this budget.

In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated.

All monies held in the Trust Fund are excluded from the financial statements.

(c) Rounding Off Figures

All figures shown in this report are rounded to the nearest dollar.

(f) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

(g) Goods and Services Tax

In accordance with recommended practice, revenues, expenses and assets capitalised are stated net of any GST recoverable, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST.

(h) Superannuation

The Shire of Donnybrook / Balingup contributes to a number of Superannuation Funds on behalf of employees. All funds to which the Shire contributes are defined contribution plans.

(i) Fixed Assets

Property, plant and equipment and infrastructure assets are brought to account at cost or fair value less, where applicable, any accumulated depreciation, amortisation or impairment losses.

Effective from 1 July 2012, the Local Government (Financial Management) Regulations were amended and the measurement of non-current assets at Fair Value became mandatory.

(j) Investments

All investments are valued at cost and interest on those investments is recognised when accrued.

(k) Impairment

In accordance with Australian Accounting Standards the Shire's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication that they may be impaired.

An impairment loss is recognised whenever the carrying amount of an asset or its cash-generating units exceeds its recoverable amount. Impairment losses are recognised in the income statement.

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 30th June 2019

1. SIGNIFICANT ACCOUNTING POLICIES (Continued)

(l) Depreciation of Non-Current Assets

All non-current assets having a limited useful life are systematically depreciated over their useful lives in a manner which reflects the consumption of the future economic benefits embodied in those assets. Assets are depreciated from the date of acquisition or, in respect of internally constructed assets, from the time the asset is completed and held ready for use.

Depreciation is recognised on a straight-line basis, using rates which are reviewed each reporting period. Major depreciation periods are:

Buildings	40 to 60 years
Office Furniture and Equipment	5 to 10 years
Computer Equipment	5 years
Plant and Equipment	4 to 15 years

Infrastructure:

Bridges	50 to 80 years
Road clearing and earthworks	not depreciated
Road Pavement	50 years
Road Seal	18 years
Carparks	15 years
Cycleways	40 years
Footpaths - Concrete	60 years
Footpaths - Slab	20 years
Storm Water Drainage	25 to 25 years

(m) Land Held for Resale

Land purchased for development and/or resale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development and interest incurred on the financing of that land during its development. Interest and holding charges incurred after development is complete are recognised as expenses.

Revenue arising from the sale of property is recognised in the operating statement as at the time of signing a binding contract of sale.

(n) Employee Entitlements

The provisions for employee entitlements relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries and Annual Leave (Short-term benefits)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the municipality has a present obligation to pay resulting from employees' services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates.

(ii) Annual Leave and Long Service Leave (Long-term benefits)

The provision for employees' benefits for annual leave and long service leave expected to be settled more than 12 months from the reporting date represents the present value of the estimated future cash outflows to be made by the employer resulting from the employees' service to balance date.

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 30th June 2019

2. COMPONENT FUNCTIONS/ACTIVITIES

The activities relating to the Local Government's components are as follows:

(b) Statement of Objective

In order to discharge its responsibilities to the community, the Shire has developed a set of operational and financial objectives. These objectives have been established both on an overall basis and for each of its broad activities/programs.

Council operations as disclosed in this budget encompass the following service orientated activities/programs:

03 GENERAL PURPOSE FUNDING

Objective: To collect revenue to allow for the provision of services.

Activities: General rate revenue, general purpose grants and interest revenue.

04 GOVERNANCE

Objective: To provide a decision making process for the efficient allocation of scarce resources.

Activities: Administration and operation of facilities and services to members of Council; Other costs that relate to the tasks of assisting elected members and ratepayers on matters which do not concern specific council services.

05 LAW, ORDER, PUBLIC SAFETY

Objective: To provide services to help insure a safer community.

Activities: Supervision of various local laws, fire prevention, animal control and State Emergency Service.

07 HEALTH

Objective: To provide an operational framework for good community health.

Activities: Health Inspection and administration, preventative services and medical centre buildings.

08 EDUCATION AND WELFARE

Objective: To meet the needs of the community in these areas.

Activities: Operation of Frail Aged Hostel, Well Aged Housing, Community Development Child Care Centre & Youth Welfare

09 HOUSING

Objective: To help ensure adequate housing.

Activities: Maintenance of rental housing facilities. Council does not currently provide services in this area.

10 COMMUNITY AMENITIES

Objective: Provide services required by the community.

Activities: Refuse and recycling collection services, operation of refuse disposal sites, town planning & regional development, cemeteries, public conveniences and protection of the environment

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 30th June 2019

2. COMPONENT FUNCTIONS/ACTIVITIES (continued)

11 RECREATION AND CULTURE

Objective: To establish and manage efficiently infrastructure and resources which will help the social well being of the community.

Activities: Maintenance of public Halls, parks and reserves, sporting facilities, libraries and museum.

12 TRANSPORT

Objective: To provide effective and efficient transport services to the community.

Activities: Construction and maintenance of roads, drainage works, footpaths, parking facilities, traffic signs, street cleaning, street trees, private works and traffic management.

13 ECONOMIC SERVICES

Objective: To help promote the Shire and improve its economic well being.

Activities: Promotion of Tourism, Maintenance of Caravan Park, building control, noxious weed control, receipt of royalties and agency commissions for Department of Transport.

14 OTHER PROPERTY & SERVICES

Activities: Plant repairs, public works overheads and other operational costs.

3. CASH AND INVESTMENTS

Actual cash balances versus end-of-year projected results are detailed below:

Restricted (See below)

Restricted

 Municipal Fund - Unspent Loan Fund

Unrestricted

 Municipal Fund

 Municipal Investment Account

 Petty Cash on Hand

Total Cash Balance

The following reserve funds have restrictions imposed by Council under Regulations or by external requirements:

Waste Management Reserve

Bushfire Control & Management Reserve

Aged Housing Reserve

Employee Leave & Gratuity Reserve

Arbuthnott Memorial Reserve

Town Planning Reserve

Land Development Reserve

Plant Replacement Reserve

Roadworks Reserve

Valuation Reserve

CBD Development Reserve

Buildings Reserve

Building Maintenance Reserve

Electronic Equipment Replacement Reserve

Apple Fun Park Reserve

	Budget 30/06/2019	B/Forward 01/07/2018	YTD Actual 30/06/2019
	4,857,895	6,339,544	5,975,102
		68,294	
	551,095	2,072,908	1,606,273
	0	0	2,023,769
	1,160	1,160	1,160
Total Cash Balance	5,410,150	8,481,906	9,606,304
	1,430,705	1,372,381	1,372,381
	2,282	2,282	2,282
	916,559	1,319,602	1,347,960
	233,227	265,917	256,256
	3,485	3,685	3,685
	40,051	40,051	40,051
	6,834	223,548	223,548
	321,634	395,296	395,296
	1,046,166	1,297,007	1,112,166
	950	60,950	60,950
	3,054	3,054	3,054
	454,446	890,446	690,446
	232,298	237,121	237,121
	84,698	126,698	126,698
	81,506	101,506	103,209
	4,857,895	6,339,544	5,975,102

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 30th June 2019

4. NET CURRENT ASSETS

Composition of Net Current Asset Position

CURRENT ASSETS

	Budget 30/06/2019 \$	B/Forward 01/07/2018 \$	YTD Actual 30/06/2019 \$
Cash at Bank and on Hand	552,255	2,142,362	3,631,202
Restricted Assets - Reserves	4,857,895	6,339,544	5,975,102
Sundry Debtors Rates	349,722	403,361	420,488
Receivables/Debtors	90,000	87,919	263,533
Accrued Income	50,000	151,127	70,554
GST Asset Clearing A/C	40,000	42,178	94,231
ESL Asset Clearing A/C	0	0	23,895
Prepayments	5,000	5,778	2,530
Stock on Hand	210,000	14,587	28,251
Land Held for Resale	151,676	151,676	151,676
Self Supporting Loan Debtors	8,899	8,660	0
	6,315,447	9,347,192	10,661,463

CURRENT LIABILITIES

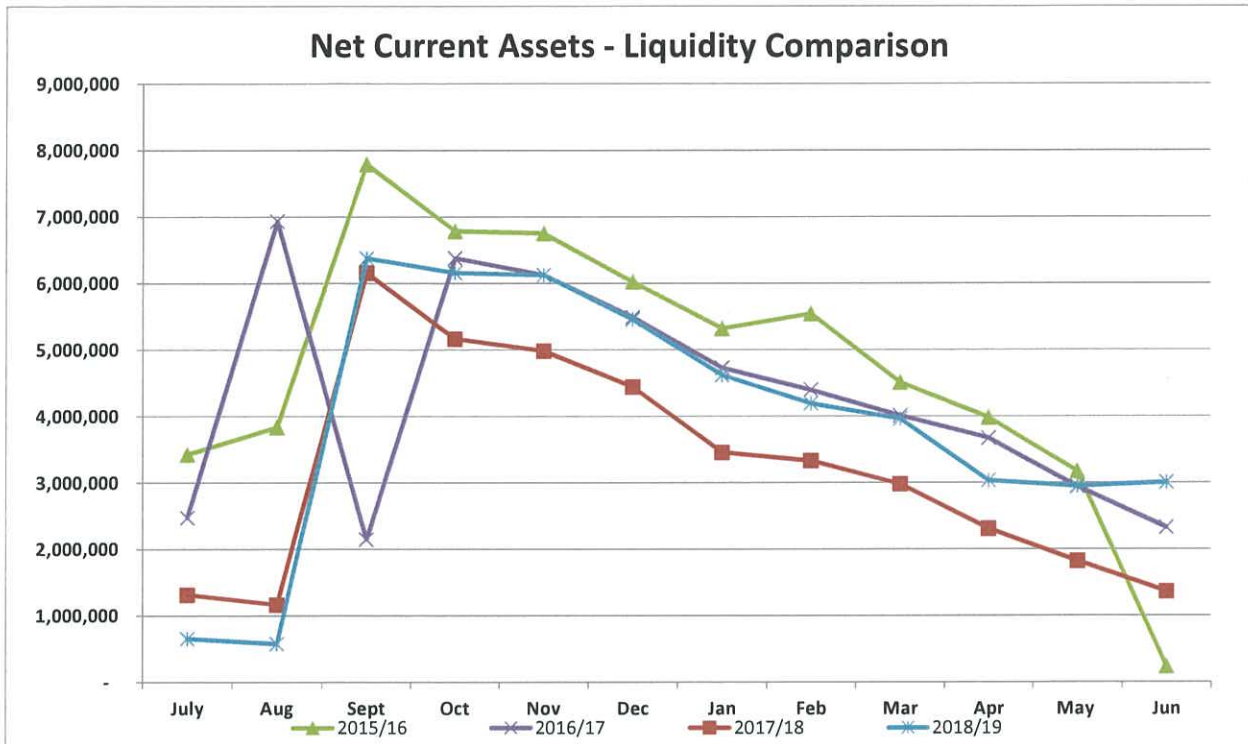
	Budget 30/06/2019 \$	B/Forward 01/07/2018 \$	YTD Actual 30/06/2019 \$
Provision for LSL Current	(348,262)	(348,262)	(318,573)
Provision for A/L Current	(448,308)	(448,308)	(435,668)
Add Cash Backed Reserve	265,917	265,917	250,709
Payments Received in Advance	-	-	-
Accrued Salaries/Wages	(150,000)	(160,432)	(181,501)
Accrued Loan Interest	(3,000)	(2,873)	(2,436)
Accrued Expenses	(115,000)	(115,890)	(35,835)
Prepaid Rates	(100,000)	(100,995)	-
GST Liability Clearing A/C	-	(57,857)	(41,047)
Add Back Current Loan Liability	75,313	30,795	-
ESL Liability Clearing A/C	-	-	(116)
PAYG Clearing A/C	(100,000)	(99,337)	(109,803)
Prepayment Current Liability	-	-	(115,057)
Loan Liability (Current Portion)	(75,313)	(30,795)	-
Self Supporting Loan Income	-	(8,659)	-
Sundry Creditors	(458,899)	(408,787)	(689,455)
Less Restricted Assets - Reserves	(4,857,895)	(6,339,543)	(5,975,102)
	(6,315,447)	(7,825,026)	(7,653,884)

NET CURRENT FUNDING POSITION **0** **1,522,166** **3,007,579**

Net Current Assets - Liquidity Comparison				
Month	2015/16	2016/17	2017/18	2018/19
July	3,425,364	2,472,603	1,313,270	655,255
August	3,836,027	6,931,525	1,167,107	577,376
September	7,788,427	2,146,982	6,157,360	6,377,761
October	6,783,116	6,375,921	5,163,094	6,155,719
November	6,750,395	6,125,536	4,982,406	6,125,435
December	6,019,206	5,490,506	4,442,157	5,457,420
January	5,319,959	4,726,458	3,456,447	4,619,542
February	5,542,368	4,398,054	3,330,127	4,195,258
March	4,507,516	4,006,630	2,978,456	3,962,956
April	3,981,586	3,672,213	2,307,336	3,032,763
May	3,175,754	2,942,571	1,822,010	2,948,242
June	235,314	2,327,226	1,361,688	3,007,579

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 30th June 2019

4. NET CURRENT ASSETS



Current Ratio

This ratio is a modified commercial ratio designed to focus on the liquidity position of local government that has arisen from past year's transactions.

A ratio of less than 1:1 means that a local government does not have sufficient assets that can be quickly converted into cash to meet its immediate cash commitments. This may arise from a budget deficit from the past year, a Council decision to operate an overdraft or a decision to fund leave entitlements from next year's revenues.

Current Ratio =

$$\frac{\text{Current assets minus restricted current assets}}{\text{Current liabilities minus liabilities associated with restricted assets}}$$

	2015/16	2016/17	2016/17	2018/19
July	3.19	3.01	3.16	1.37
August	7.38	7.68	2.11	1.33
September	6.71	3.07	6.87	5.44
October	5.44	5.65	5.43	4.64
November	5.86	5.34	4.56	5.82
December	5.98	4.59	5.38	4.79
January	6.98	4.88	3.32	3.84
February	4.07	4.80	3.74	3.32
March	4.14	3.88	3.58	3.73
April	3.86	3.59	2.70	2.65
May	2.84	2.66	2.55	3.03
June	1.08	2.85	1.75	2.79

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 30th June 2019

5. VARIANCE ANALYSIS

The Local Government (Financial Management) Regulations 1996, require a variance analysis between budget year-to-date and actual results to be conducted monthly and reported to Council.

Council has determined that a materiality threshold of \$5,000 will apply for reporting purposes. That is all variances greater than \$5,000 will be reported to Council.

Any variance less than \$5,000 will not be reported to Council. The variance analysis applies to all income and expenditure items, except non-cash items such as depreciation.

A table showing material variances, as at 30th June 2019 has been prepared for Council information and has been included with this report. The comments provided are applicable as at reporting date.

Please note that this is a preliminary report and is subject to change as end-of-year figures have not been finalised including transfers to and from reserves, restricted cash and final calculations of depreciation and assets.

Council will receive a final report after the annual audit due to commence on 14th October 2019.

General Purpose Funding

The general purpose grant variance relates to the advance payment received of 50% for the 2019/20 that has been received in June. Investment income has exceeded the budget by \$8.5k due to amount of funds available to invest.

The full budget provision for legal costs for rates recovery has not been utilised, this is due to a reduction in debt recovery proceedings during 18/19 - this will also be reflected with a reduction in income.

All transfers to or from Reserves are still to be processed as part of the End of Year accounting procedures.

Governance

Material variances have been shown on the Variance Analysis Schedule - they represent the interim projected results within this program.

Additional expenditure of \$13.5k relating to consultants fees is due to expanded scope approved by CEO Council is still awaiting the final tax invoice from the OAG for the interim audit.

Implementation of the Communication Strategy has been carried forward to 19/20 budget.

All transfers to or from Reserves are still to be processed as part of the End of Year accounting procedures.

Law, Order and Public Safety

Material variances have been shown on the Variance Analysis Schedule - they represent the interim projected results within this program.

Identified variances primarily relate to fire control expenditure, ESL operating expenses and Bushfire mitigation works. ESL operating expenditure has come in under budget by approx \$69k. The Shire has also received an insurance refund of approx. \$13.5 due to a review of brigade membership numbers.

Reduction in Capital expenditure for Kirup BFB due to timing of works - any unspent funds will be carried forward to 2019/20. Corresponding grant won't be received until project has been completed in 19/20.

All transfers to or from Reserves are still to be processed as part of the End of Year accounting procedures.

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 30th June 2019

5. VARIANCE ANALYSIS

Health

Transfer from Plant Reserve for replacement of PEHO vehicle to be processed as part of End of Year.

Education and Welfare

Material variances reported within this program principally relate to the operation of Council's Frail Aged Lodge & Well Aged units. Any surplus or deficit is carried to Council's Aged Housing Reserve fund.

Preston Village Asset upgrades have exceeded the budget by approx \$15k - this relates to the exterior painting of the units. Siteworks for the development of Bridge St land have yet to commence.

All transfers to or from Reserves are still to be processed as part of the End of Year accounting procedures.

Community Amenities

Material variances are shown on the Variance Analysis Schedule and represent the Interim end of year result within this program. Adjustments for end of year are still required.

Recreation and Culture

Material variances are shown on the Variance Analysis Schedule and represent the interim end of year result within this program. Adjustments for end of year are still required.

All transfers to or from Reserves are still to be processed as part of the End of Year accounting procedures.

Additional funding of \$25k has been received for VC Mitchell Park Lighting project - these funds will be transferred to Reserve for 19/20 budget expenditure.

Transport

Material variances are shown on the Variance Analysis Schedule and represent the current end of year result within this program. Adjustments for end of year are still required.

Any projects that remain incomplete will be carried forward to the 2019/20 financial year together with unspent budget allocations

All transfers to or from Reserves are still to be processed as part of the End of Year accounting procedures.

Economic Services

Material variances are shown on the Variance Analysis Schedule and represent the interim end of year result within this program. Adjustments for end of year are still required.

Public Works Overheads

Wages and salaries expenditure is approx. \$417k over budget. Transfers from Employee Leave Reserve for \$143k will offset some of the additional expenditure.

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 30th June 2019

6. ASSET ACQUISITION

Acquisition of assets are capitalised in accordance with Australian Accounting Standard 21.

ASSETS ACQUIRED BY TYPE

	2018/19	
	Amended Budget \$	Actual \$
Land & Buildings	1,555,974	598,485
Plant & Equipment	601,275	588,271
Furniture & Equipment	32,000	11,965
Infrastructure Assets - Roads	2,066,905	2,069,876
Infrastructure Assets - Other	1,257,752	422,851
	5,513,906	3,691,447

6. ASSET ACQUISITION

ASSETS ACQUIRED BY PROGRAM

	2018/19	
	Amended Budget \$	Actual \$
Governance	129,664	117,174
Law, Order & Public Safety	205,069	82,225
Health	22,275	26,016
Education and Welfare	1,052,432	227,931
Housing	-	-
Community Amenities	43,413	47,698
Recreation & Culture	417,550	364,301
Transport	3,741,219	2,814,108
Economic Services	40,500	11,994
	5,652,122	3,691,447

Note: Full details of Assets acquired or constructed are shown in Appendix A of the report.

Shire of Donnybrook - Balingup
Notes To And Forming Part of the Financial Statements
For the Period ended 30th June 2019

7. DISPOSAL OF ASSETS

ASSETS DISPOSED BY TYPE

	2018/19	
	Budget \$	Actual \$
Proceeds of Sale of Assets		
Land	420,000	0
Buildings		0
Furniture & Equipment		0
Plant & Equipment	177,190	210,428
Infrastructure Assets	0	0
	597,190	210,428
Less Written Down Value at Disposal	428,152	337,894
Profit/(Loss) on Disposal	169,038	(127,467)

ASSETS DISPOSED BY PROGRAM (Profit / Loss on Disposal)

	2018/19	
	Budget \$	Actual \$
Governance	(7,524)	(16,328)
Law, Order & Public Safety	(8,690)	(7,503)
Education & Welfare	0	(78,416)
Health	(8,472)	(4,075)
Housing	0	0
Community Amenities	(11,650)	(9,157)
Recreation & Culture	0	0
Transport	(62,300)	(11,988)
Economic Services	267,674	0
	169,038	(127,467)

Note: Full details of Assets sold/disposed are shown in Appendix B of the report.

8. LOAN REDEMPTION (Loan Principal Repayment)

The total loan principal outstanding as at 30th June 2019 is \$205,306.49.

SHIRE OF DONNYBROOK / BALINGUP
Notes to and forming part of the Financial Statements
For the Period ended 30th June 2019

APPENDIX A Details of Capital Works Program - 2018/19

Ledger Account	Proposed Works	2018/19 Amended Budget	Total Cost	Land	Buildings	Plant & Equipment	Furniture & Equipment	Infrastructure Roads	Infrastructure Other
GOVERNANCE									
Other Governance									
105640	Shire Admin Centre. Design, Costing etc	0	0			0			
105640	Replace Air Conditioners in Shire Office	0	15			15			
105640	Install Air Conditioning in Council Chambers	16,413	16,414			16,414			
105640	Establish Wireless Access Points in Shire Office	5,000	7,175			7,175			
105640	Additional Records Storage Solution	0	0			0			
105540	Replace Toyota Prado - DB5	55,688	52,952			52,952			
105540	Replace Hyundai Santa Fe - DB007	45,563	40,617			40,617			
105840	Misc IT Hardware inc. new Switches & Wifi	7,000	0				0		
105840	Replacement of Shire Office Telephone System	0	0				0		
		<u>129,664</u>	<u>117,174</u>	0	23,604	93,570	0	0	0
LAW, ORDER AND PUBLIC SAFETY									
Fire Control									
103840	Beelerup Fire Station 1x Appliance Bay Facility	0	13,344			13,344			
103840	Lowden BFB Modifications - Training/Meeting R	18,150	19,128			19,128			
103840	Mumballup BFB - 4500lt Water Tank	6,904	4,770			4,770			
103840	Kirup/Brazier BFB - Ablutions, Meeting Room &	138,000	2,967			2,967			
Animal Control									
108840	Replace Mitsubishi Triton Ute - DB92	40,423	40,423			40,423			
108840	Dog Lifter for DB92	0	0			0			
Law, Order and Public Safety									
112240	CCTV Cameras Donnybrook CBD	1,592	1,592						1,592
		<u>205,069</u>	<u>82,225</u>	0	40,209	40,423	0	0	1,592
HEALTH									
Health Inspection and Administration									
114540	EHO Vehicle - DB252	22,275	26,016			26,016			
		<u>22,275</u>	<u>26,016</u>	0	0	26,016	0	0	0

SHIRE OF DONNYBROOK / BALINGUP
Notes to and forming part of the Financial Statements
For the Period ended 30th June 2019

APPENDIX A Details of Capital Works Program - 2018/19

Ledger Account	Proposed Works	2018/19 Amended Budget	Total Cost	Land	Buildings	Plant & Equipment	Furniture & Equipment	Infrastructure Roads	Infrastructure Other
EDUCATION AND WELFARE									
Other Welfare									
116840	Tuia Lodge - Furniture & Equipment	25,000	11,965				11,965		
173840	Tuia Lodge Fire Suppression System	400,000	6,250		6,250				
173840	Tuia Lodge Various Building Upgrades	55,832	28,874		28,874				
180940	Minninup Cottages Unit 1 - Replace Kitchen	20,000	49,786		49,786				
180940	Minninup Cottages Unit 2 - Total Renovation	45,000	1,409		1,409				
180940	Minninup Cottages Unit 3 - Renovate Bathroom	15,000	0		0				
180940	Minninup Cottages Unit 5 - Replace Kitchen	20,000	1,409		1,409				
180940	Minninup Cottages Unit 6 - Replace Kitchen	20,000	1,409		1,409				
180940	Minninup Cottages Unit 6 - Replace Bathroom	15,000	0		0				
180940	Minninup Cottages Unit 7 - Replace Stove	2,000	2,175		2,175				
180940	Minninup Cottages Unit 7 - Replace Carpet	0	1,855		1,855				
180940	Minninup Cottages Unit 8 - Replace Kitchen	20,000	1,409		1,409				
180940	Minninup Cottages Unit 10 - Replace Oven	2,000	1,575		1,575				
180940	Minninup Cottages Unit 11 - Replace Oven	2,000	1,710		1,710				
180940	Minninup Cottages Unit 12 - Replace Oven & O	4,000	1,575		1,575				
180940	Langley Villas Unit 1, 2 & 6 - Replace Ovens	5,100	4,995		4,995				
180940	Langley Villas Unit 2 - Replace Carpet	0	2,460		2,460				
180940	Langley Villas Unit 3 - Replace Vinyl	0	2,120		2,120				
180940	Langley Villas Unit 5 - Concrete Entrance	1,500	1,650		1,650				
147140	Preston Village - Completion of Roofing Works	5,000	4,435		4,435				
147140	Preston Village - Address Efflorescence in Units	5,000	0		0				
147140	Preston Village - Exterior Painting of Units	6,000	27,500		27,500				
147140	Preston Village - Repair Water Damaged Eaves	250	0		0				
147140	Construction of Units 14 to 17	233,750	0		0				
181040	Affordable Housing Project - Siteworks / Land R	150,000	73,369	73,369					
181040	Affordable Housing Project - Building Constructi	0	0		0				
		1,052,432	227,931	73,369	142,596	0	11,965	0	0
COMMUNITY AMENITIES									
Town Planning & Regional Development									
122740	Principal Planner Vehicle - DB463	33,413	40,617			40,617			
Other Community Ammenities									
109640	Donnybrook Cemetery Internal Roads	10,000	7,080						7,080
		43,413	47,698	0	0	40,617	0	0	7,080
RECREATION AND CULTURE									
Public Halls									
125840	Balingup Hall - Asset Preservation Works	200,000	207,705		207,705				
125840	Balingup Hall - Install Air Conditioner in Physio f	2,500	2,394		2,394				
128640	RSL Memorial Hall	5,424	5,424						5,424

SHIRE OF DONNYBROOK / BALINGUP
Notes to and forming part of the Financial Statements
For the Period ended 30th June 2019

APPENDIX A Details of Capital Works Program - 2018/19

Ledger Account	Proposed Works	2018/19 Amended Budget	Total Cost	Land	Buildings	Plant & Equipment	Furniture & Equipment	Infrastructure Roads	Infrastructure Other
RECREATION AND CULTURE									
Other Recreation and Sport									
172940	Dbk Rec Centre - Install Safety Railing in Pool	3,920	3,920		3,920				
172940	Dbk Rec Centre - Stadium Roof - Defects Liabil	2,100	2,100		2,100				
172940	Dbk Rec Centre - Install New Pool Blanket	36,063	36,363		36,363				
172940	Dbk Rec Centre - Replace 2 x Domestic Heath I	8,352	8,352		8,352				
172940	Dbk Rec Centre - Resurface Stadium Floor	44,440	38,800		38,800				
172940	Dbk Rec Centre - Pool Filter Upgrades	7,500	0		0				
172940	Dbk Rec Centre - Upgrade Plant Room Electric	15,500	4,665		4,665				
172940	Dbk Rec Centre - Install Smoke Alarms in Gym	1,000	0		0				
172940	Dbk Rec centre - Foyer Lounge Suite & Coffee	1,200	1,123		1,123				
172940	Dbk Rec Centre - Indoor Pool, Replace Aluminu	1,000	0		0				
172940	Dbk Rec Centre - Upgrade Pool Changerooms	3,000	0		0				
172940	Dbk Rec Centre - Repair Damaged Pool Conco	3,500	257		257				
107140	Balingup Skatepark Equipment - Asset Renewal	5,481	5,481						5,481
126820	Playground Equipment - Various Locations	10,000	305						305
106940	Apple Funpark - Ongoing Equipment Replacem	0	3,688						3,688
106940	Apple Funpark - Renewal Planning	15,000	4,900						4,900
180540	Indigenous Sculpture park - Lighting & Interpeta	10,000	0						0
111840	Replace Shire Owned Streetlights in Dbk CBD	10,850	10,850						10,850
182140	Park & Gardens Infrastructure Donnybrook	5,000	5,000						5,000
Libraries									
130440	Dbk Community Library - Planning for upgrade	2,000	0		0				
110840	Balingup Library - Computer w/station	1,500	600		600				
Other Culture									
110940	Donnybrook Town Centre Revitalisation	22,220	22,374						22,374
		417,550	364,301.16	0	306,279	0	0	0	58,023
TRANSPORT									
Construction, Streets, Roads Bridges, Depots									
132000	Bridgeworks (Special Grants)	1,035,768	266,347						266,347
132100	Roadworks Construction - General	540,892	533,417					533,417	
132600	Regional Road Group Projects	686,901	687,356					687,356	
133000	Roads to Recovery Program	689,271	696,884					696,884	
133300	Blackspot Projects	149,841	152,218					152,218	
133400	Commodity Route Projects	0	0					0	
132400	Footpath Construction Program	96,417	89,809						89,809
168800	Depot Capital		433		433				

SHIRE OF DONNYBROOK / BALINGUP
Notes to and forming part of the Financial Statements
For the Period ended 30th June 2019

APPENDIX A Details of Capital Works Program - 2018/19

Ledger Account	Proposed Works	2018/19 Amended Budget	Total Cost	Land	Buildings	Plant & Equipment	Furniture & Equipment	Infrastructure Roads	Infrastructure Other
TRANSPORT									
Road Plant Purchases									
135540	Replace Hino Truck - DB4170	202,500	197,830			197,830			
135540	Replace Kubota Tractor - DB4806	70,875	75,050			75,050			
135540	Replace Mitsubishi Pajero - DB2222	45,563	41,167			41,167			
135540	Replace Kubota Mower - DB606	32,400	27,025			27,025			
135540	Replace Steel Flatbed Trailer - DB6232	6,000	5,797			5,797			
135540	New Vehicle - Exec. Manager Operations	46,575	40,774			40,774			
135540	Sundry Small Plant (to be determined by MSW)	0	0			0			
		3,603,003	2,814,108	0	433	387,644	0	2,069,876	356,156
ECONOMIC SERVICES									
Tourism and Area Promotion									
102940	Transit Park Dbk - Install Additional Powered Sit	10,000	0						0
173120	Develop Visitor & Tourism Infrastructure	20,000	0						0
Building Control									
141940	Purchase Multi Function Printer	0	0				0		
Other Economic Services									
143140	Land Acquisitions	10,500	11,994	11,994					
		40,500	11,994	11,994	0	0	0	0	0
TOTAL CAPITAL EXPENDITURE		5,513,906	3,691,447	85,364	513,121	588,271	11,965	2,069,876	422,851

SHIRE OF DONNYBROOK / BALINGUP
Notes to and forming part of the Financial Statements
For the Period ended 30th June 2019

Appendix B Asset Disposal Schedule - 2018/19

Asset No.	Asset Details	Asset Classification	Budget Proceeds Sale of Asset	Budget Written Down Value	Budget Profit/Loss	Actual Proceeds Sale of Asset	Actual Written Down Value	Actual Profit / Loss
GOVERNANCE								
General Administration								
61248	Toyota Prado - DB5	Plant & Equipment	35,438	30,000	5,438	29,091	28,669	422
61246	Hyundai Santa Fe - DB007	Plant & Equipment	23,288	36,250	(12,962)	15,455	32,205	(16,750)
			<u>58,726</u>	<u>66,250</u>	<u>(7,524)</u>	<u>44,545</u>	<u>60,873</u>	<u>(16,328)</u>
LAW, ORDER, PUBLIC SAFETY								
Animal Control								
61256	Mitsubish Triton Ute - DB92	Plant & Equipment	15,188	23,878	(8,690)	16,364	23,866	(7,503)
			<u>15,188</u>	<u>23,878</u>	<u>(8,690)</u>	<u>16,364</u>	<u>23,866</u>	<u>(7,503)</u>
HEALTH								
Health Inspection and Administration								
61261	Toyota Corolla - Db252	Plant & Equipment	7,088	15,560	(8,472)	11,364	15,439	(4,075)
			<u>7,088</u>	<u>15,560</u>	<u>(8,472)</u>	<u>11,364</u>	<u>15,439</u>	<u>(4,075)</u>
EDUCATION & WELFARE								
Other Welfare								
61209	Hino Bus - Tuia	Plant & Equipment	-	-	-	2,014	80,430	(78,416)
			<u>-</u>	<u>-</u>	<u>-</u>	<u>2,014</u>	<u>80,430</u>	<u>(78,416)</u>
COMMUNITY AMENITIES								
Town Planning & Regional Development								
61249	Hyundai IX35 - DB463	Plant & Equipment	8,100	19,750	(11,650)	9,545	18,702	(9,157)
			<u>8,100</u>	<u>19,750</u>	<u>(11,650)</u>	<u>9,545</u>	<u>18,702</u>	<u>(9,157)</u>
TRANSPORT								
Road Plant Purchases								
61184	Hino 700 Series Truck - DB4170	Plant and Equipment	34,425	77,500	(43,075)	70,000	67,043	2,957
60707	Kubota M7040 Tractor - DB4806	Plant and Equipment	20,250	12,000	8,250	25,000	11,994	13,006
61242	Kubota Mower - DB606	Plant and Equipment	10,125	26,000	(15,875)	7,050	25,823	(18,773)
61259	Mitsubishi Pajero - DB222	Plant and Equipment	23,288	34,888	(11,600)	24,545	33,722	(9,177)
			<u>88,088</u>	<u>150,388</u>	<u>(62,300)</u>	<u>126,595</u>	<u>138,583</u>	<u>(11,988)</u>
ECONOMIC SERVICES								
Other Economic Services								
10140	Mead Street Subdivision	Land	420,000	152,326	267,674	-	-	-
			<u>420,000</u>	<u>152,326</u>	<u>267,674</u>	<u>-</u>	<u>-</u>	<u>-</u>
			<u>597,190</u>	<u>428,152</u>	<u>169,038</u>	<u>210,428</u>	<u>337,894</u>	<u>(127,467)</u>

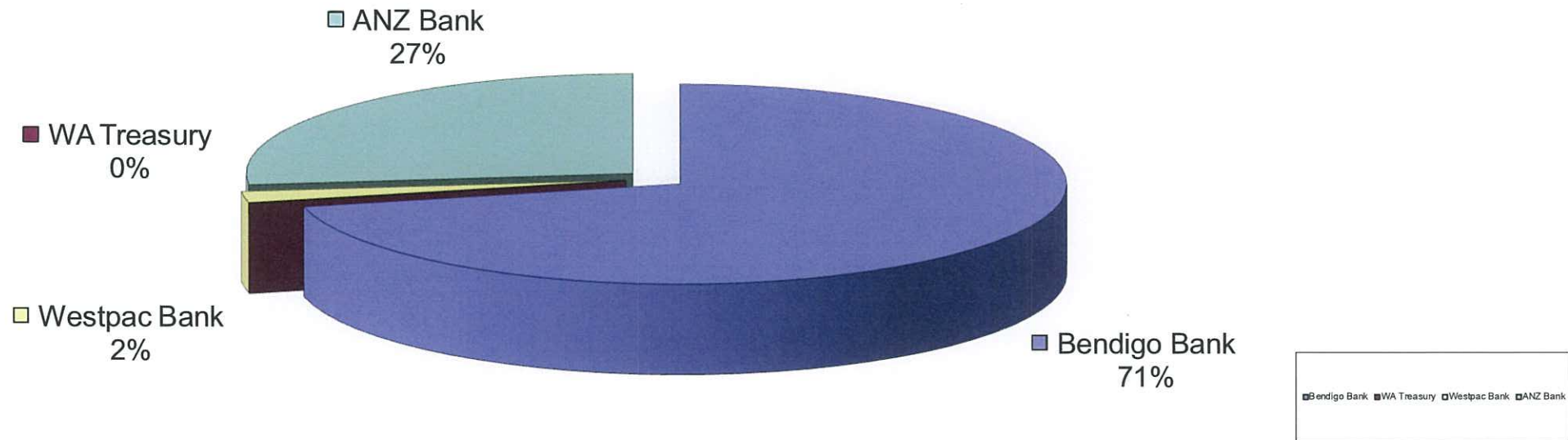
Shire of Donnybrook-Balingup
Schedule of Investments Held
For the period ended 30th June 2019

FUND	WHERE HELD	% RATE	MATURITY	OPENING	DEPOSITS	WITHDRAWALS	CLOSING
MUNICIPAL FUND							
Municipal Fund	Bendigo - 120942362	Variable	At Call	\$1,102,716.26	\$2,844,628.24	-\$2,311,148.33	\$1,636,196.17
	Bendigo 2803185	1.40%	22-Jul-2019	\$506,063.98	\$1,000,769.52	\$0.00	\$1,506,833.50
	Bendigo 2803189	1.75%	14-Jun-2019	\$1,019,011.94	\$1,465.70	-\$1,020,477.64	\$0.00
	ANZ Bank 9106-40138	1.60%	20-Jul-2019	\$501,783.56	\$745.80	\$0.00	\$502,529.36
	WA Treasury - General	1.45%	At Call	\$14,391.97	\$14.50	\$0.00	\$14,406.47
				\$3,143,967.71	\$3,847,623.76	-\$3,331,625.97	\$3,659,965.50
TRUST FUND							
General Trust Fund	Bendigo - 120942578	Variable	At Call	\$93,390.00	\$23,911.00	-\$83,338.24	\$33,962.76
Licensing Trust Fund	Bendigo - 120942446	Variable	At Call	-\$320.68	\$127,160.30	-\$122,224.44	\$4,615.18
				\$93,069.32	\$151,071.30	-\$205,562.68	\$38,577.94
Roadworks Bonds	Westpac A/c: 17-3083	2.15%	28-Aug-2019	\$17,282.71	\$0.00	\$0.00	\$17,282.71
Tuia Lodge Accommodation Bonds	Bendigo A/c: 706110	1.70%	2-Sep-2019	\$1,624,064.29	\$5,428.38	-\$6,060.46	\$1,623,432.21
Tuia Lodge Accommodation Bonds	Bendigo A/c: 17-88978	1.55%	15-Jul-2019	\$3,528,973.15	\$5,075.92	-\$25,839.57	\$3,508,209.50
Extractive Industry Licence	Westpac A/c: 57-8390	2.15%	28-Aug-2019	\$111,204.66	\$0.00	\$0.00	\$111,204.66
Miscellaneous Investments	Westpac A/c: 57-8403	2.15%	28-Aug-2019	\$67,464.83	\$0.00	\$0.00	\$67,464.83
Donnybrook Balingup Aged Homes	Bendigo A/c: 2915923	1.55%	17-Jul-2019	\$264,774.97	\$1,650.31	\$0.00	\$266,425.28
Public Open Space Contributions	Westpac A/c: 57-8411	2.15%	28-Aug-2019	\$76,068.97	\$0.00	\$0.00	\$76,068.97
				\$5,689,833.58	\$12,154.61	-\$31,900.03	\$5,670,088.16
FUND	WHERE HELD	% RATE	MATURITY	OPENING	DEPOSITS	WITHDRAWALS	CLOSING
LONG TERM INVESTMENT							
Bendigo Bank Shares	Bendigo Bank	-	At Call	\$25,000.00	\$0.00	\$0.00	\$25,000.00
				\$25,000.00	\$0.00	\$0.00	\$25,000.00
INVESTMENT FUND							
Aged Housing Reserve	ANZ A/c: 9732-82219	1.76%	31-Jul-2019	\$1,330,952.10	\$5,556.21	\$0.00	\$1,336,508.31
Waste Management Reserve	ANZ A/c: 9732-82198	1.76%	31-Jul-2019	\$1,380,342.66	\$1,996.76	-\$9,958.80	\$1,372,380.62
Buildings	ANZ A/c: 9732-82235	1.76%	31-Jul-2019	\$694,452.37	\$1,004.58	-\$5,011.27	\$690,445.68
Land	ANZ A/c: 9732-82235	1.76%	31-Jul-2019	\$224,844.06	\$325.25	-\$1,621.22	\$223,548.09
Valuation Reserve	Bendigo A/c: 2915919	1.55%	15-Jul-2019	\$61,328.08	\$382.25	-\$760.23	\$60,950.10
Employee Leave & Gratuity Reserve	Bendigo A/c: 2915919	1.55%	15-Jul-2019	\$254,668.30	\$1,587.32	\$0.00	\$256,255.62
Building Maintenance Reserve	Bendigo A/c: 2915919	1.55%	15-Jul-2019	\$238,591.79	\$1,487.11	-\$2,957.60	\$237,121.30
Roadworks Reserve Account	Bendigo A/c: 2915914	1.55%	15-Jul-2019	\$1,119,063.10	\$6,974.98	-\$13,693.68	\$1,112,344.40
CBD Development Reserve	Bendigo A/c: 2915914	1.55%	15-Jul-2019	\$3,072.48	\$19.15	-\$38.09	\$3,053.54
Bushfire Control & Management Reserve	Bendigo A/c: 2915921	1.55%	15-Jul-2019	\$2,296.07	\$14.31	-\$28.47	\$2,281.91
Arbutnott Reserve	Bendigo A/c: 2915921	1.55%	15-Jul-2019	\$3,707.51	\$23.11	-\$45.97	\$3,684.65
Electronic Equipment Replacement Fund	Bendigo A/c: 2915921	1.55%	15-Jul-2019	\$127,483.89	\$794.59	-\$1,580.29	\$126,698.19
Langley Villas & Minn Cottis Contingency Account	Bendigo A/c: 2915921	1.55%	15-Jul-2019	\$11,522.82	\$71.82	-\$142.84	\$11,451.80
Town Planning Reserve	Bendigo A/c: 2915921	1.55%	15-Jul-2019	\$40,299.59	\$251.18	-\$499.55	\$40,051.22
Plant Replacement Reserve	Bendigo A/c: 2915921	1.55%	15-Jul-2019	\$397,747.03	\$2,479.11	-\$4,930.50	\$395,295.64
Apple Fun Park Reserve	Bendigo A/c: 2915921	1.55%	15-Jul-2019	\$103,450.98	\$1,043.10	-\$1,282.51	\$103,211.57
				\$6,018,822.83	\$24,010.83	-\$42,551.02	\$6,000,282.64
TOTAL CASH & INVESTMENTS				\$14,945,693.44	\$4,034,860.50	-\$3,611,639.70	\$15,368,914.24

Investments Balances

	Amount	% Exposure	Maximum Exposure Permitted	S&P Rating Short Term
Bendigo Bank	\$10,957,074.54	71.29%	75%	A -2
WA Treasury	\$14,406.47	0.09%	100%	AAA
Westpac Bank	\$272,021.17	1.77%	100%	A -1+
ANZ Bank	\$4,125,412.06	26.84%	100%	A -1+
	\$15,368,914.24	100.00%		

**Shire of Donnybrook - Balingup
Investment Balances**



**Shire of Donnybrook-Balingup
Summary of Bank Reconciliation
For the period ended 30th June 2019**

MUNICIPAL FUND

Balance as per Bank Statements	1,636,196
Investments	2,023,769
Deposits not yet Credited	(3,133)
Less Outstanding Cheques	(52,328)
Receipts not yet processed	(57)
Outstanding Transfers from Reserve	16,770
Outstanding Transfers to Reserves	(3,631)
Outstanding Transfers to Trust	-
Outstanding Transfers from Trust	5,428
Cheques not Yet Processed	-
Credit Card Payments	6,025
Bank Adjustment	-
<i>Balance as per Cash At Bank Account</i>	<u>3,629,040</u>

PETTY CASH

Shire Petty Cash on Hand	300
Shire Till Float on Hand	300
Tuia Lodge Petty Cash on Hand	200
Tuia Lodge Resident Kitty Float	1,000
Rec Centre Till Float on Hand	200
Dbk Community Library	100
Balingup Library	60
<i>Balance as per Petty Cash Account</i>	<u>2,160</u>

TRUST FUNDS

Balance as per Bank Statements	38,578
Investments	5,676,149
Plus Deposits not yet Credited	9,361
Less Outstanding Cheques	(6,891)
Less DOT EFT payment	(13,678)
Bank Adjustment	5
Outstanding Transfers	(5,428)
<i>Balance as per Cash At Bank Account</i>	<u>5,698,095</u>

RESERVE FUND

Investments	5,975,283
<i>Balance as per Cash At Bank Account</i>	<u>5,975,283</u>

LONG TERM INVESTMENT

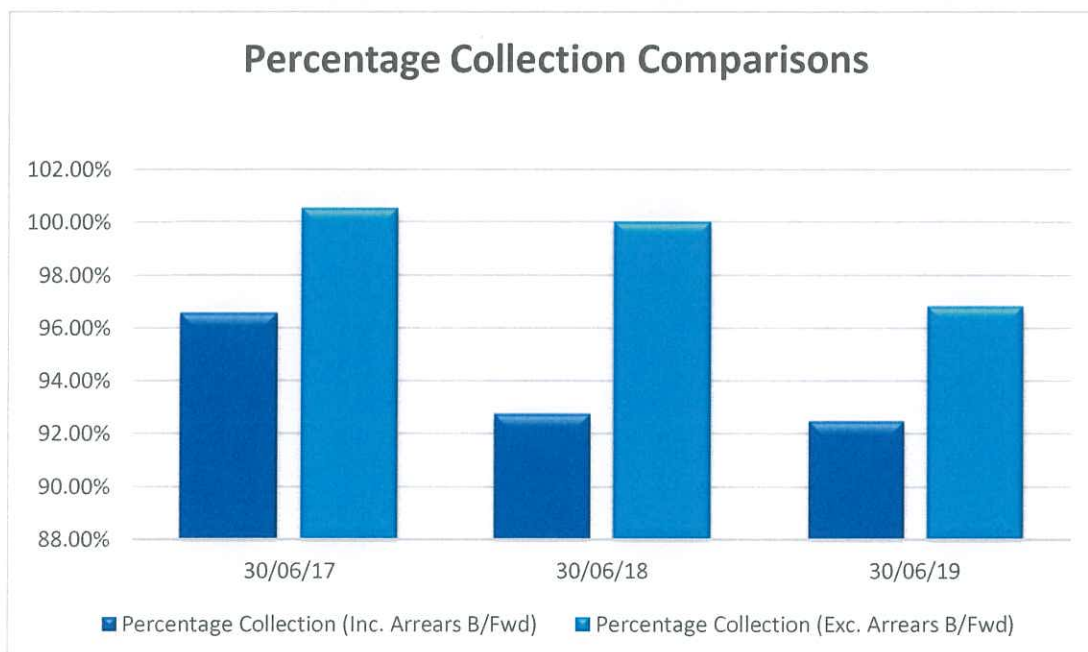
Bendigo Shares	25,000
<i>Balance as per Cash At Bank Account</i>	<u>25,000</u>

TOTAL BALANCE CASH AT BANK	<u>15,329,578</u>
-----------------------------------	--------------------------

SHIRE OF DONNYBROOK-BALINGUP

Rates Comparison Statistics as at 30th June 2019

	30/06/17	30/06/18	30/06/19
Arrears Brought Forward	181,059	363,693	233,567
Billing To Date	4,420,317	4,679,421	5,009,142
Total Raised Inc. Arrears	4,601,376	5,043,114	5,242,709
Less Received To Date	4,442,518	4,678,763	4,849,114
Balance Owed	158,858	364,351	393,595
Percentage Collection (Inc. Arrears B/Fwd)	96.55%	92.78%	92.49%
Percentage Collection (Exc. Arrears B/Fwd)	100.50%	99.99%	96.81%



SHIRE OF DONNYBROOK-BALINGUP

Rates Collection Statistics as at 30th June 2019

	Rates % May 19'	Movement in June '19	Rates % June '19
Arrears Brought Forward	369,683	-136,116	233,567
Billing To Date	5,006,697	2,445	5,009,142
	<hr/>		<hr/>
Less Received To Date	5,376,380	-133,672	5,242,709
	4,878,545	-29,431	4,849,114
Balance Owed	497,835	-104,241	393,595
Percentage Collection (Including Arrears B/Fwd)	90.74%	1.75%	92.49%
Percentage Collection (On 18/19)	0.00%	96.81%	96.81%

Note: Rates equating to approx 2.5% are not immediately collectable, being validly deferred under the State Governments' Scheme for Pensioner Rates deferrment. ie only 97.5% is collectable.

Vintage Home Town for Life - Request for Short Term Loan Facility

Historical Background

The concept for the Vintage project was initiated as a result of a 2004 report completed by Curtin University 'Towards Aging in Place'. The very comprehensive survey identified a need for affordable, appropriate housing for older citizens who wished to remain living in Balingup.

After exhaustive negotiations with numerous housing and funding bodies, it became apparent that there was no funding available to assist a small community to provide appropriate housing. However there was considerable interest and support from groups such as Anglicare and SWDC and support from the Shire with regard to planning.

A committee was established to explore a possible way forward and in 2006, the 'Vintage Home Town for Life' board was formed. Progressively, a block of land was secured, planning approval was obtained and the task of funding the project began.

A self supporting loan was provided from the Shire with additional funding from the Bendigo Bank, crucially, both loans secured by personal guarantees by Vintage board directors.

Country Builders were contracted to build 3 cottages and on completion, the first resident moved in in 2007. To get the project to this stage had involved a huge amount of voluntary work by the Vintage board and community members.

All three cottages were occupied over the next 18 months and all loans fully repaid. The Vintage project has been self funded since inception and continues to be so.

In 2017, there were strong indications of the need for additional cottages. In recognition of the success and social contribution Vintage had made to the community, we were the recipients of a Royalties for Regions grant. With this funding, stage two of the project to build another 4 cottages began in 2016. An adjoining block of land owned by the Shire was made available and purchased at an agreed, but discounted price. Building of the first two of 4 planned units began in 2018. Both are now completed and one new resident has moved in. It is expected the last two cottages will be built when the present vacant cottage is occupied.

Financial Background

Financially Vintage Home Town for Life operates on a break- even basis where maintenance fees collected from residents cover all our expenses, including insurance, legal fees, audit fees, repairs and maintenance etc. We also hold approx. \$90,000 in back up funds. When we lease out our new currently vacant unit these funds will also be put aside giving us approx. \$380,000

in back up funds. This will put us in a position to repay an existing resident should they need or choose to move on.

Our concern is that if 2 residents were to leave within a short period of time we would not have sufficient funds to repay both exiting residents.

We have investigated putting in place an at call loan with our bankers, however, because of our set up within the Retirement Villages Act the bank discounts our assets by the value of lease values owed to our residents which leaves almost nothing for us to borrow against.

We do have a period of 12 months prior to having to repay our residents their lease refund but with the current retirement village property market and the added rural location of Balingup we may not be able to find two new residents within this time.

Our request to the Shire is to have an agreement in place that should the worst scenario eventuate we have the ability to borrow on a short-term basis sufficient funds to repay a resident after the 12-month period until we are able to find another resident to take over the lease.

It may never happen but we want to be prepared and it is good due diligence on the part of the Vintage board to have contingencies in place.

Some further information as requested by the Shire CEO follows below:

Loan amount

The maximum loan amount we would request at any time would be \$500,000. This would be an absolute worst case scenario where 3 residents were to vacate within a short period of time. This would also mean that we were unable to re lease any of the vacated units. We believe this scenario is unlikely but if it was to occur we would require \$500,000.

In our current situation we have one new unit unleased, one new unit leased and our 3 older units all leased. Once the 2nd new unit has been leased we will have approx. \$380,000 in reserve funds which could be used to pay out two of our existing residents. Two of our existing residents have been in their units for 8 years or more, therefore we repay 75% of their original lease amount \$157,500 and \$168,750. The third unit lessee has been in their unit 5.5 years and their repayment amount is currently \$200,000 reducing to \$187,500 over the next couple of years. As you can see from these figures once the 2nd new unit has been leased we are in a position to repay two residents, that means even in the worst case scenario we would only require a maximum of \$200,000 in the way of a loan.

Our other saving grace is that with the 3 older units we have 6 months from when the resident advises us they will be leaving to repay them which should give us a reasonable amount of time to refurbish and re lease the unit. The two new units are covered under the latest Retirement

Villages Act amendments which will allow us 12 months before we are required to repay the amount.

There are a lot of variables in what will affect the amount that might be required by Vintage and this facility is being requested as a “just in case measure” as we don’t want to be caught out.

We would immediately advise the Shire of any resident leaving which in turn would give the Shire a minimum 6 months’ notice of the requirement of funds.

Payback timeframe

The maximum time for repayment would be 12 months from the time the loan was drawn down. This would give us 18 months to refurbish and re lease the 3 older units and 2 years for the new units. The Vintage board is very proactive and follows good governance practice. As a board we would be putting other contingencies in place prior to 18 months passing to remain financially viable so would not allow the situation to continue longer than this.

We review our budgets and residents’ maintenance charges annually to ensure we maintain a positive cash flow and in recent years we have instigated a contingency fund to allow for larger repairs that might be required. The local Balingup community are strong supporters of Vintage with trades, financial assistance and professional advice so we are in a very strong position to maintain viability into the future.

Payment Default Implications.

As a board we feel very strongly that we would not get into a position where we would default on the loan. Vintage have successfully managed our retirement units for over 10 years with a very supportive Balingup community. Vintage has since inception been financially responsible and expects to be so in the future. The sole purpose for this request is so that in the event of exceptional circumstances, Vintage could at all times, while addressing short term financial commitments, remain solvent.

We look forward to your favourable review of our request. If any further information is required, please do not hesitate to ask.

Jackie Massey
Chair of the Board
Vintage Home Town For Life Ltd

2 August 2019

SHIRE OF DONNYBROOK BALINGUP RECEIVED - 1 AUG 2019
Record No: 160R71110
File No: TEN 01
Officer: TCO
X Ref:
Corresps:
Signed Off:

The Donnybrook Social Club (Seniors) Inc.
PO Box 626, Donnybrook WA 6239
telephone 9731 0396.

31st July 2019.

Mr. Benjamin Rose
CEO
Shire of Donnybrook-Balingup
Bentley Street
Donnybrook WA 6239

Dear Mr. Rose,

On behalf of the Seniors club I ask you not to Dispose of the Community Bus. I know it is getting old but it has given our community good service for a lot of years.

I know it was officially purchased for use by HACC and after their services were finished and HACC was taken over by CHC. It just became the Community bus.

The Seniors would use it a lot more often but our problem is getting drivers.

Please reconsider the decision. When I was on council I remember my first budget and the question came up 'Get rid of the bus or spend \$5000 and keep it on the road'.

Perhaps the Shire could ask volunteers to drive the bus to lodge their details with the Shire and so alleviate our problem and allow us to get out and about more.

Yours sincerely,



Gwendoline Nidd (Mrs.)
Secretary.

Home Display Settings

File Systems Search Save New Query Cancel Lookup First Previous Next Last Codes Related Information Searches Tools Spooler Window Help

1: 15758 Full Extent Zoom In Zoom Out Pan Identify Locate Measure Select Length Map Legend

Systems Records Registration - IAM70971 AM - X Property Map Enquiry - A3324 R9607 BEELERUP RD BEELERUP 6239 - X

- Favourites
- Mapping
- Town Planning
- Central Records
- Favourites
- Financial Management
- Rates And Property
- Technical
- In House Developments

Search PickList Property Financial Summary Ownership Parcel Memos

Legal flag Non-current

Assess No. A3324 Old No.

Owner SHIRE OF DONNYBROOK-BALIN

Property Address R9607 BEELERUP RD BEELERUP 6239

House R9607 Lot 349

Street BEELERUP

Type RD

Suburb BEELERUP 6239

Ward 01 DONNYBROOK/BALING

Area

Locality 13 BEELERUP

Zoning F3 PRIORITY

Land use

VEN Number

Pens No

Valuation Details

Gross Rental Value	Unimproved Value
0.00	0.00



Workflow

A3324 Items

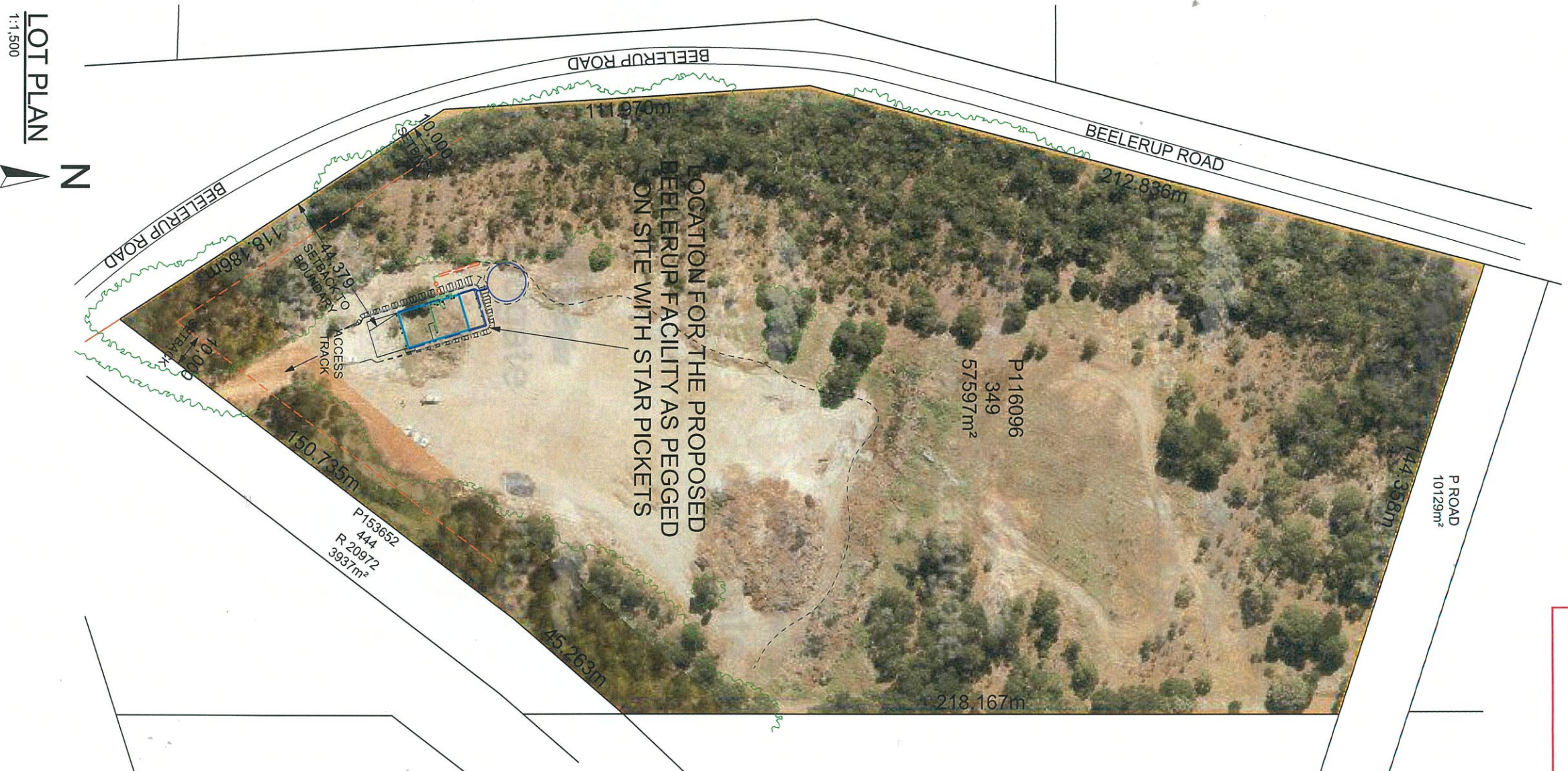
- Process Histo
- Comments (0)
- Work Items (0)
- Central Reco
- 0 Associate
- 0 Associate
- Create New

My Open It

Property Ma

A3324 Items

APPENDIX A



EcoAngle Design & Drafting

HIA Green Smart
PROFESSIONAL

A.B.N. 60 646 133 563 : Mob: 0412 638 465 : email: ecoangledesign@gmail.com

All drawings to be read in conjunction with engineers details

Job: Beelerup Volunteer Bush Fire Brigade Facility
Purchase Order #: PO 76372
Client: Shire of Donnybrook-Balingup

SITE: Lot 349
Beelerup Road,
Beelerup,
6239.

DATE ISSUED: 31/05/2019
SHEET 1 OF 11
A3 SHEET
420mm X 297mm

All contractors to verify all dimensions on site prior to commencing any works or producing shop drawings. Do not scale from drawings. This drawing is copyright and remains the property of Shire of Donnybrook-Balingup. It may not be used without authorisation.

ASSESSMENT OF FIRE BRIGADE SHED

The proposed fire brigade shed does not require a planning approval. However, it is necessary to show that the proposal complies with the purpose and intent of LPS7. The Table below shows how the proposed fire brigade shed complies with the purpose and intent of the Priority Agriculture zone and LPS7 provisions more generally.

Land Use Considerations for Priority Agriculture Zone			
Land Use	Land Use Classification under Table 1 LPS7	Permissibility	
Fire Brigade Shed (Public Works)	Not listed	Use is consistent with the objectives of the zone and is permitted (clause 3.18.2(i) of LPS7)	
Built Form Considerations for Priority Agriculture Zone			
Design Element	Required	Proposal	Compliance
Setbacks			
Minimum front setback	30m	44m	Yes
Minimum side setback	20m	Over 20m	Yes
Minimum rear setback	20m	Over 20m	Yes
Abutting State Forest Managed land	100m	n/a	n/a
Abutting intensive agricultural activity	100m	n/a	n/a
Road capacity	Not impact on local capacity	Will not impact on local road network capacity	Yes
Servicing capacity	Not impact on local servicing capacity	Will not impact on local servicing capacity	Yes
Built Form Considerations (general)			

General appearance of buildings and preservation of amenity (clause 4.17)	development to be in harmony with established streetscape in terms of bulk, scale, material used, architectural features....	The proposed shed is of a scale and design fitting within an agricultural locality where there is no limits to shed height or floor area	yes
Car Parking Civic use (nearest approximate) Table 2 1 bay per 30m ² Gross Floor Area GFA)	216m ² GFA proposed 8 spaces required	Suitable space available for more than 8 car parking spaces	yes

In addition, clause 67 of the *Planning and Development (Local Planning Schemes) Regulations 2015* details matters to be considered by local governments when making a planning decision. The key relevant items detailed that may be relevant are listed as follows:

- (a) aims and provisions of LPS7;
- (m) compatibility of the development with its setting;
- (n) amenity of the locality;
- (o) likely effect on the natural environment;
- (s) adequacy of access;
- (v) potential loss of any community service or benefit.

The proposed fire brigade shed does not trigger any concern with regards to matters detailed in clause 67.

Subject Site





Shire of Donnybrook-Balingup Scheme Amendment No. 13

LOT 176 SOUTH WESTERN HIGHWAY, DONNYBROOK



Harley Dykstra[®]

PLANNING & SURVEY SOLUTIONS





PLANNING AND DEVELOPMENT ACT 2005
RESOLUTION DECIDING TO AMEND A LOCAL PLANNING SCHEME
SHIRE OF DONNYBROOK - BALINGUP

LOCAL PLANNING SCHEME NO.7

AMENDMENT NO. 13

RESOLVED that the Council, in pursuance of Section 75 of the Planning and Development Act 2005, amend the above local planning scheme by:

- I. Amending Schedule 6 – Additional Uses, to include an additional use of ‘Industry-light’ for Lot 176 South Western Highway, as follows:

Schedule 6 – ADDITIONAL USES

No.	Description of Land	Additional Use(s) Permitted	Conditions of Use
A6	Lot 176 South Western Highway, Donnybrook	Industry-light	Landscaping along the highway interface to the satisfaction of the local government. Local Area Plan to be prepared to the create a unified theme and consistency with setbacks, building orientation and façade treatments visible from the South West Highway, and internal landscaping treatments, signage control and access points. Notice on title to advise of potential impacts on local amenity resulting from business activity.

- II. Amending the Scheme Map accordingly

The Amendment is standard under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reason(s):

- Proposed changes to the Scheme Map are consistent with a Local Planning Strategy endorsed by the Commission
- The amendment would have minimal impact on land in the scheme area that is not the subject of the amendment
- The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area

Dated this _____ day of _____ 20____ .

CHIEF EXECUTIVE OFFICER

BUNBURY

21 Spencer Street, Bunbury
PO Box 778, Bunbury WA 6231

T: 08 9792 6000
E: bunbury@harleydykstra.com.au

ABN 77 503 764 248

Albany Bunbury Busselton Forrestdale Perth

www.harleydykstra.com.au



FS 536019



DOCUMENT CONTROL

Control Version	Date	Status	Distribution	Comment
A	21/6/2019	Draft	HD	For QA
B	27/6/2019	Final	Client	For Comment
C	9/7/2019	Final	WAPC/LG	For Lodgement
D	5/8/2019	Final	WAPC/LG	Amended to incorporate LG response 2.8.19

Prepared for: Inneka Thiel
Prepared by: DC
Reviewed by: LB

Date: 5 August 2019
Job No: 21877
Ref: D

DISCLAIMER

This document has been prepared by HARLEY DYKSTRA PTY LTD (the Consultant) on behalf of the Client. All contents of the document remain the property of the Consultant and the Client except where otherwise noted and is subject to Copyright. The document may only be used for the purpose for which it was commissioned and in accordance with the terms of engagement for the commission.

This document has been exclusively drafted. No express or implied warranties are made by the Consultant regarding the research findings and data contained in this report. All of the information details included in this report are based upon the existent land area conditions and research provided and obtained at the time the Consultant conducted its analysis.

Please note that the information in this report may not be directly applicable towards another client. The Consultant warns against adapting this report's strategies/contents to another land area which has not been researched and analysed by the Consultant. Otherwise, the Consultant accepts no liability whatsoever for a third party's use of, or reliance upon, this specific document.

BUNBURY

21 Spencer Street, Bunbury
PO Box 778, Bunbury WA 6231

T: 08 9792 6000
E: bunbury@harleydykstra.com.au

ABN 77 503 764 248

Albany Bunbury Busselton Forrestdale Perth

www.harleydykstra.com.au



FS 536019



TABLE OF CONTENTS

DOCUMENT CONTROL	III
DISCLAIMER	III
MINISTER FOR PLANNING	1
PROPOSAL TO AMEND A LOCAL PLANNING SCHEME	1
1 INTRODUCTION	1
2 SUBJECT LAND AND TITLE INFORMATION	2
3 LAND USE	3
3.1 Existing Land Use	3
3.2 Surrounding land uses and zones	3
4 PLANNING FRAMEWORK	4
4.1 Planning Background	4
4.2 Shire of Donnybrook-Balingup Planning Strategy	4
4.3 Shire of Donnybrook – Balingup Local Planning Scheme No. 7	5
4.4 SPP 3.7 – Planning in Bushfire Prone Areas (SPP 3.7)	6
4.5 Planning considerations – Access	6
4.6 Planning considerations – Drainage	6
4.7 Planning considerations – Effluent Disposal	6
4.8 Planning considerations – Power and Water	7
4.9 Planning considerations – Visual Amenity	7
5 REZONING PROPOSAL AND JUSTIFICATION	8
5.1 Scheme Map Modifications	8
6 CONCLUSION	9
APPENDIX A CERTIFICATE OF TITLE	1



MINISTER FOR PLANNING

PROPOSAL TO AMEND A LOCAL PLANNING SCHEME

LOCAL AUTHORITY	SHIRE OF DONNYBROOK – BALINGUP
DESCRIPTION OF TOWN PLANNING SCHEME	LOCAL PLANNING SCHEME NO. 7
TYPE OF SCHEME	LOCAL PLANNING SCHEME
NO. OF AMENDMENT	AMENDMENT NO. 13
AMENDING SCHEDULE 6 TO INCLUDE AN ADDITIONAL USE OF 'INDUSTRY-LIGHT' FOR LOT 176 SOUTH WESTERN HIGHWAY, DONNYBROOK, AND AMENDING THE SCHEME MAP ACCORDINGLY.	

1 INTRODUCTION

This report has been prepared on behalf of the Landowner to support the initiation of Amendment no. 13 to the Shire of Donnybrook-Balingup Local Planning Scheme No. 7 (LPS 7).

This Scheme Amendment seeks to amend Schedule 6 – Additional Uses of LPS 7, to include an additional use of 'Industry-light' for Lot 176 South Western Highway, as follows:

Schedule 6 – ADDITIONAL USES

No.	Description of Land	Additional Use(s) Permitted	Conditions of Use
A6	Lot 176 South Western Highway, Donnybrook	Industry-light	Landscaping along the highway interface to the satisfaction of the local government. Local Area Plan to be prepared to the create a unified theme and consistency with setbacks, building orientation and façade treatments visible from the South West Highway, and internal landscaping treatments, signage control and access points. Notice on title to advise of potential impacts on local amenity resulting from business activity.

The subject site was zoned Special Use no. 17 (SU17) under the previous Shire of Donnybrook-Balingup Town Planning Scheme no. 4 (TPS 4), which acknowledged “*The purpose of this Special Use zone is to allow Lot 176 to be developed for light industry/commercial uses, while ensuring that a high level of amenity is achieved.*”



Amendment 13 simply seeks to provide Council with increased flexibility to consider a wider range of suitable land uses for this site, as previously available under TPS 4.

Importantly, Amendment 13 will not result in any changes to the quantity of Commercial zoned land available within the Donnybrook townsite. However, the amendment will assist with addressing a shortfall of land available for Light Industry use in this locality.

It is respectfully requested the Shire of Donnybrook-Balingup support Amendment 13 to LPS 7.

2 SUBJECT LAND AND TITLE INFORMATION

The 'subject site' is located at Lot 176 South Western Highway, Donnybrook - on the southern side of the South Western Highway, approximately 600m north-west of the Donnybrook Post office.

A location plan of the subject site is included at **Figure 1**.

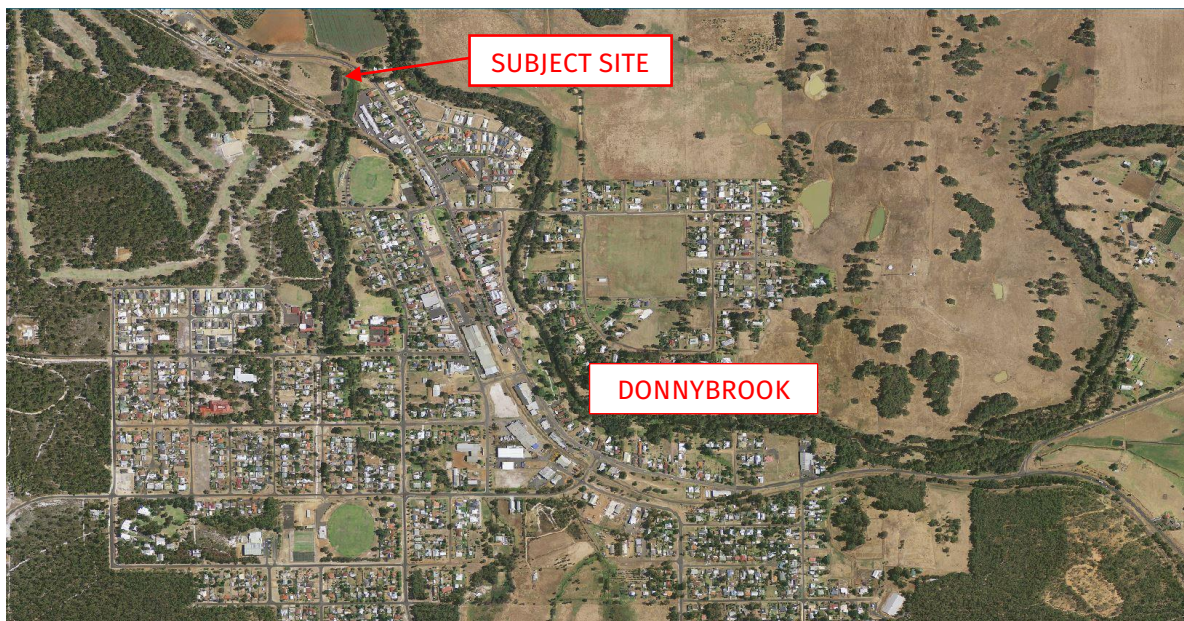


FIGURE 1 – LOCATION PLAN

(source: Landgate)

Particulars of the landholding and ownership are contained in **Table 1** below.

Landowner:	INNEKA THIEL			
Lot No.	Vol/Folio	Plan/Diagram	Area	Road Name/No.
Lot 176	2542/882	DP29609	1.9048ha	South Western Highway

TABLE 1 – SUMMARY OF LAND

A copy of the Certificate of Title and Deposited Plan are included at **Appendix A**.



3 LAND USE

3.1 Existing Land Use

The subject site is not currently used for any specific land use. The landholding is vacant and predominately cleared of vegetation, with the exception of a small pocket of Tasmanian Blue Gums located adjacent the western and eastern boundary(s), and a row of fruit trees in the central portion of the site.

An aerial photograph of the subject site is included at **Figure 2**.



Figure 2: Subject site aerial photo (source: Landgate)

3.2 Surrounding land uses and zones

The subject site is zoned 'Commercial' under the Shire of Donnybrook-Balingup Local Planning Scheme 7 (LPS 7). To the north of the subject site, on the opposite side of South Western Highway, the land is zoned Priority Agriculture and contains an orchard. Land abutting the western boundary of the site is zoned Light Industry, and contains light industrial uses (*Blackwood Tank Service*). A railway reserve is located to the south of the subject site, and residential and commercial uses to the south east.

Figure 3 below shows the existing zoning of the subject site and surrounding area.

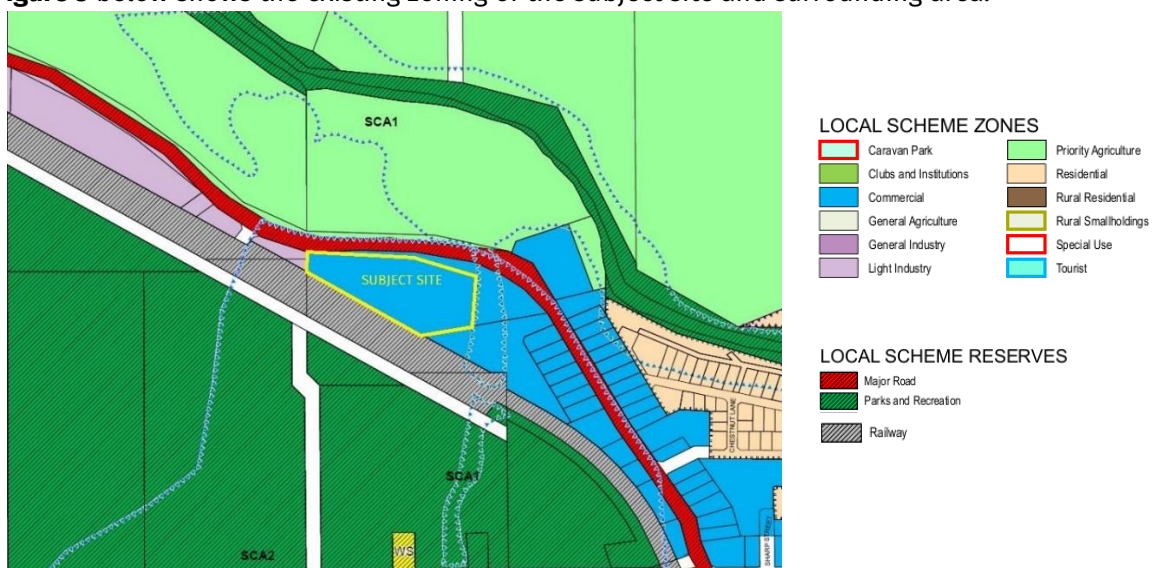


Figure 3: Zoning Map (source: DPLH)



4 PLANNING FRAMEWORK

4.1 Planning Background

The Shire of Donnybrook-Balingup Town Planning Scheme No. 4 (TPS 4) was gazetted on 11 March 1994, and controlled the types of land uses and development allowed in different zones within the Scheme Area.

Scheme Amendment 65 to TPS 4 was gazetted 12 June 2009, rezoning the subject site from *Intensive Farming* to *Special Use No. 16*. Special condition (ii) of Schedule 4 acknowledged:

“The purpose of this Special Use zone is to allow Lot 176 to be developed for light industry/commercial uses, while ensuring that a high level of amenity is achieved.”

Special condition (iii) of Schedule 4 identified various land uses that could be considered and approved by the Council on the subject site, including (but not limited to) *Light Industry* and *Motor Vehicle Repairs*.

Gazettal of LPS 7 (19 September 2014) replaced TPS 4, and resulted in zoning of the subject site changing from *Special Use No. 16* to *Commercial*. This Amendment simply seeks to reintroduce the ability for Council to consider suitable Industry-light land use(s) on the subject site.

4.2 Shire of Donnybrook-Balingup Planning Strategy

The Shire of Donnybrook-Balingup Local Planning Strategy (the ‘Strategy’) sets out the long term planning direction of the Shire, and has regard to all relevant State and Regional Planning policies.

Strategic planning objectives applicable to this Amendment, include:

- Maximising the range of appropriate uses in the town centre;
- Increasing the level of employment self-sufficiency within the Shire by providing appropriately zoned land for a variety of land uses and businesses;
- Encouraging the establishment of businesses in appropriate locations throughout the Shire provided relevant planning issues are addressed for the business (including addressing off-site impacts, appropriate servicing and environmental considerations); and
- Providing for development or redevelopment of land within the Commercial zone for a broad range of uses, which the local government considers appropriate to the town centre serving the residents and visitors.

Amendment 13 is consistent with the above objectives of the Strategy, as demonstrated in the following:

- The Amendment seeks to accommodate a wider range of land uses available in the town centre, by introducing *Industry-light* as an additional land use for Lot 176 South Western Highway.
- Industry-light is a suitable land use for the subject site, as confirmed by previous zoning under TPS 4. This amendment simply seeks to provide the necessary framework to enable Council (again) to consider Industry-light land uses on the subject site.
- Commercial zoning of the subject site will be unaffected, and no reduction to the amount of commercially zoned land available in the Scheme Area will result from this amendment.
- Amendment 13 provides increased flexibility for the local government to approve a wider range of suitable land uses on the subject site, and will assist with facilitating (limited) new employment opportunities within the Shire.



4.3 Shire of Donnybrook – Balingup Local Planning Scheme No. 7

The subject land is zoned *Commercial* under the Shire of Donnybrook – Balingup’s Local Planning Scheme No 7 (LPS 7). LPS 7 acknowledges:

The purpose of the Commercial zone is to provide for retail shopping, office and commercial development together with social, recreational, community, tourist, entertainment and residential activities to service the populations of surrounding areas along with visitors to the area.

No changes to the Commercial zoning will result from this amendment.

This Scheme Amendment seeks to vary Schedule 6 – Additional Uses of LPS 7, to permit an additional use of ‘Industry-light’ on Lot 176 South Western Highway Donnybrook, as follows:

Schedule 6 – ADDITIONAL USES

No.	Description of Land	Additional Use(s) Permitted	Conditions of Use
A6	Lot 176 South Western Highway, Donnybrook	Industry-light	Landscaping along the highway interface to the satisfaction of the local government. Local Area Plan to be prepared to the create a unified theme and consistency with setbacks, building orientation and façade treatments visible from the South West Highway, and internal landscaping treatments, signage control and access points. Notice on title to advise of potential impacts on local amenity resulting from business activity.

LPS 7 defines Industry-light, as an industry:

- (a) *in which the processes carried out on, the machinery used, and the goods and commodities carried to and from the premises do not cause any injury to or adversely affect the amenity of the locality;*
- (b) *The establishment or conduct of which does not, or will not, impose an undue load on any existing or proposed service for the supply or provision of essential services;*

This Amendment will provide increased flexibility to the local government to consider a wider range of suitable land uses and businesses on the subject site, including (but not limited to);

- motor vehicle panel beating
- spray painting and chassis reshaping
- boat building and maintenance
- metal coating
- joinery and woodworking

Although emissions (gas, noise, dust, odour, risk) from most Industry-light activities are generally containable onsite, any proposed industries that require offsite buffers should be assessed on a case by case basis to identify their appropriateness for the site.

Prior to lodgement of Amendment 13, consultation with the Shire’s Planning department identified “Additional Use” zoning as the most appropriate way to proceed due to the fact that the base



Commercial zoning of the subject site would be retained, and no changes to the amount of land zoned for Commercial purposes in the Donnybrook town site will result. At the same time it was noted that Industry-light activities and uses permitted under the Commercial zone were not dissimilar and therefore, while opening the site to additional activities, this proposal would not allow for incompatible uses on the subject land.

4.4 SPP 3.7 – Planning in Bushfire Prone Areas (SPP 3.7)

A portion of the subject site is designated as bushfire prone under the Department of Fire and Emergency's Bushfire Prone Mapping. Planning Bulletin 111/2016 (PB 111) provides guidance to decision makers when assessing strategic planning proposals relating to land use planning within bushfire prone areas.

PB 111 notes that application of State Planning Policy 3.7 (SPP 3.7) by decision makers should occur *practically and reasonably, and there may be no practical reason to require a fire assessment for proposals that do not result in the intensification of development (or land use)*. As this amendment does not propose development or land use intensification (i.e. the proposal simply seeks to allow for a wider range of activities), there is no practical reason for a fire assessment to accompany this amendment.

Importantly, should development be proposed on a portion of the site identified as bushfire prone in the future, a development application will need to be accompanied by a bushfire assessment demonstrating a manageable bushfire risk in accordance with SPP 3.7.

4.5 Planning considerations – Access

Access to the subject lot is via a crossover directly from South Western Highway. No changes to the existing access arrangements are required to support this amendment. At the same time it is noted that an existing Subdivision Guide Plan for the property details possible future land development and highway access options.

4.6 Planning considerations – Drainage

The lot size and soil characteristics are suitable for all drainage to be contained onsite. There will be no direct discharge of stormwater into Noneycup Creek.

No changes to the sites existing drainage arrangements are required to support this amendment.

4.7 Planning considerations – Effluent Disposal

The Water Corporation has advised the subject land is outside the Water Corporation's wastewater operating licence areas and as such a reticulated sewer service is not available to service the land.

As part of Scheme Amendment 65 to TPS 4, a geotechnical assessment was completed by Structerre Consulting Group. This assessment concluded that the site is suitable for on-site effluent disposal, but recommended that septic tanks will need to be at least 4 metres from building foundations.

No changes are required to the existing effluent disposal arrangements to support this amendment.



4.8 Planning considerations – Power and Water

Reticulated power and water service(s) are available to service the subject site. No changes to the existing power and water service arrangements are required to support this amendment.

4.9 Planning considerations – Visual Amenity

The subject site is located at the northern entry to the Donnybrook Townsite. As the site is currently undeveloped vacant land, all future development will need to ensure an appropriate interface with South Western Highway, which may include the use of landscaping to soften and improve the amenity.

No changes to the existing provisions relating to visual amenity are required to support this amendment.



5 REZONING PROPOSAL AND JUSTIFICATION

The purpose of this Amendment is to include Additional Use Site No. 16 into Schedule 6 of LPS 7, enabling the local government to consider approval of *Industry-light* land use(s) on the subject site, including (but not limited to):

- motor vehicle panel beating
- metal coating
- spray painting and chassis reshaping
- joinery and woodworking
- boat building and maintenance

Further support for Amendment No. 13, include(s):

- The amendment seeks to introduce an additional use to the subject site, to enable the local government to consider a wider range of suitable land uses for the locality.
- The amendment will not result in any changes to the availability of land zoned Commercial within the Donnybrook town site, or Scheme Area.
- The majority of General Industry land in the Shire is developed and Light Industry zoned is also limited. The inclusion of *Industry-Light* as an *Additional Use* on the subject site provides increased flexibility for the Shire to consider a broader range of suitable (industry) land uses in this locality.
- Land adjoining the western boundary of the subject site is zoned *Light Industry*, with *Industry-light* land uses permitted on the neighbouring property. This amendment will therefore not result in an increased risk of land use conflict with the surrounding areas.
- The Scheme provides a suitable separation distance is provided between the subject site and the nearest residential zone, providing further support that this amendment will not result in land use conflict.
- A natural buffer is present in the locality, with a creek line located adjacent the eastern boundary. This may assist Council to consider a broader range of Industry-Light uses that potentially require an off-site buffer.
- Similar land uses are able to occur in the Commercial and Light Industry zone(s) under LPS 7. This Amendment will provide Council with increased flexibility to consider additional Industry-Light land use that are suitable for this location.
- Previous support for Industry-Light land uses on the subject site was provided under TPS 4. This amendment simply seeks to provide the local government the flexibility ability to (again) consider suitable Industry-light uses under the current Local Planning Scheme.
- Importantly, Commercial zoning of the property will be retained, and all land uses currently permitted on the subject site will continue to be available for consideration and approval by the local government.

5.1 Scheme Map Modifications

In order to facilitate this Amendment it is necessary to modify the Shire of Donnybrook-Balingup Local Planning Scheme No. 7 Map to identify the subject site as Additional Use 6 (A6).

A copy of the proposed changes to the Scheme Map are included later in this document.



6 CONCLUSION

Amendment No. 13 to the Shire of Donnybrook-Balingup Local Planning Scheme No. 7 seeks to introduce Additional Use Site No. 6 (A 6) into Schedule 6 of the LPS 7 for Lot 176 South Western Highway, Donnybrook, and amend the Scheme Map accordingly.

This Amendment supports the following objectives:

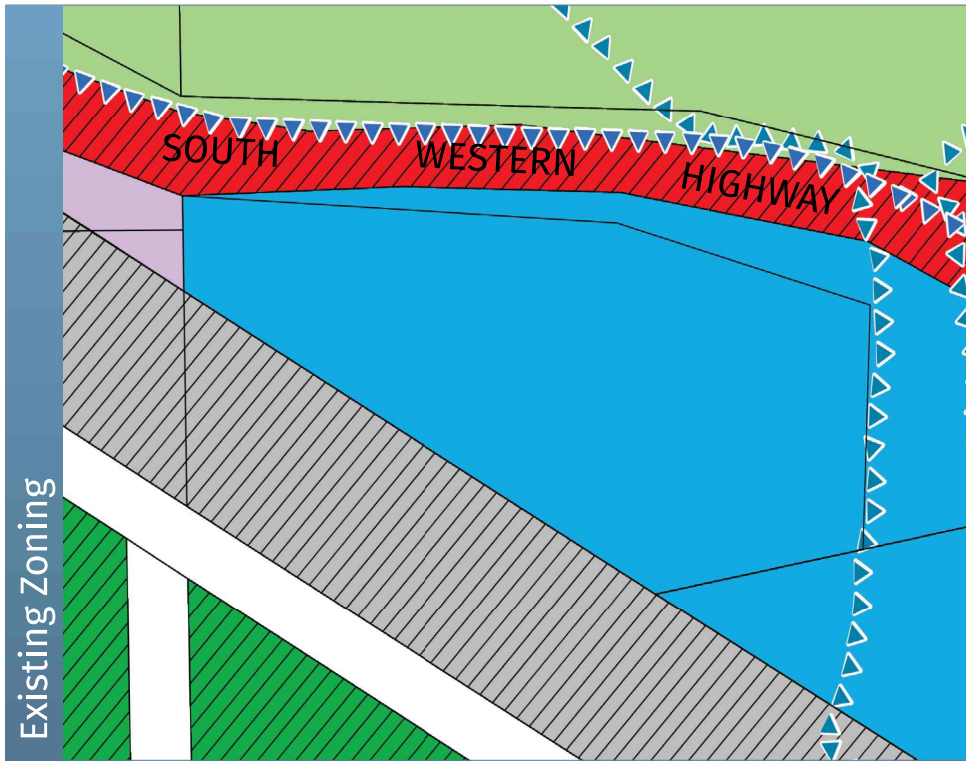
- The amendment will not result in any changes to the availability of land zoned Commercial within the Donnybrook town site, or Scheme Area.
- This amendment will assist in addressing a shortage of fully developed land available for light industry, and responds to market demand for this locality.
- This amendment will not result in an increased risk of land use conflict with the surrounding areas.
- This amendment seeks to reintroduce the ability for Council to consider a broader range of suitable land uses for the subject site that were available previously under TPS 4.
- Provides additional opportunities to generate additional employment and business opportunities within the Donnybrook town centre.
- No changes to the existing infrastructure or services are required to support this amendment.
- Importantly, Commercial zoning of the property will be retained, and all land uses currently permitted on the subject site will continue to be available for consideration and approval by the local government.

It is respectfully requested the Shire of Donnybrook-Balingup support Amendment 13.


SHIRE OF DONNYBROOK-BALINGUP

Local Planning Scheme No. 7



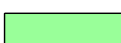
Amendment No. 13







LOCAL SCHEME RESERVES

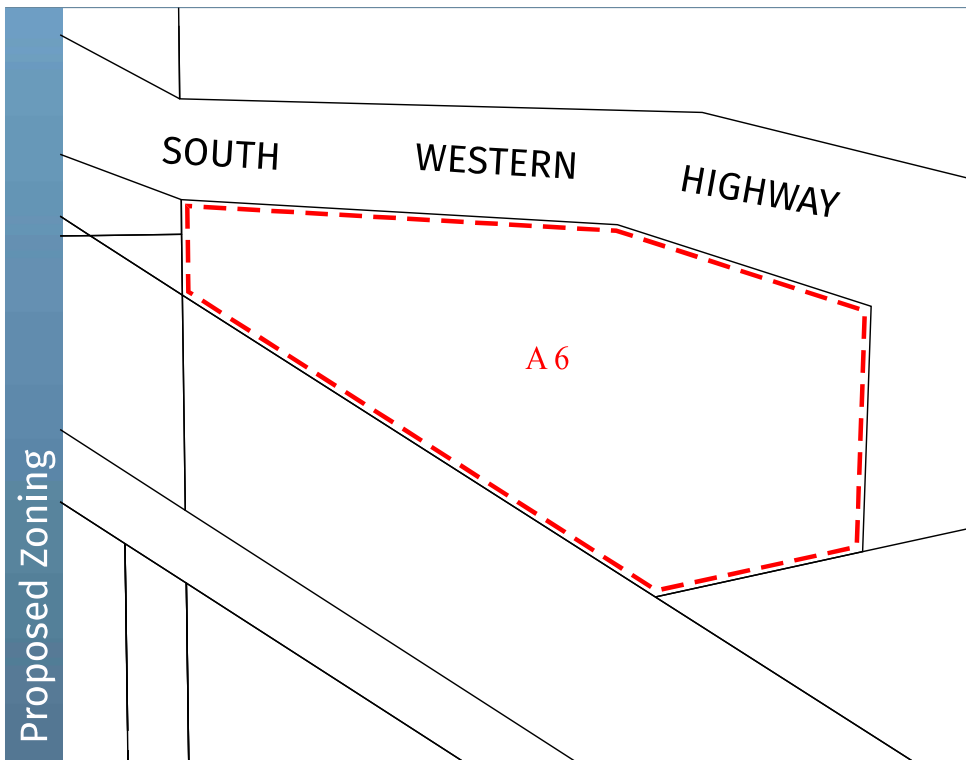
-  Major Road
-  Parks and Recreation
-  Railway

LOCAL SCHEME ZONES

-  Commercial
-  Light Industry
-  Priority Agriculture

OTHER CATEGORIES

-  A6 Additional Uses
-  SCA1 Flood Prone Land
-  SCA2 Public Drinking Water Source Protection
-  No Zone



PLANNING AND DEVELOPMENT ACT 2005
SHIRE OF DONNYBROOK-BALINGUP

LOCAL PLANNING SCHEME NO.7

AMENDMENT No. 13

The Shire of Donnybrook-Balingup under and by virtue of the powers conferred upon it in that behalf by the Planning and Development Act 2005 hereby amends the above local planning scheme by:

1. Amending Schedule 6 – Additional Uses, to include an additional use of ‘Industry-light’ for Lot 176 South Western Highway, as follows:

Schedule 6 – ADDITIONAL USES

No.	Description of Land	Additional Use(s) Permitted	Conditions of Use
A6	Lot 176 South Western Highway, Donnybrook	Industry-light	Landscaping along the highway interface to the satisfaction of the local government. Local Area Plan to be prepared to the create a unified theme and consistency with setbacks, building orientation and façade treatments visible from the South West Highway, and internal landscaping treatments, signage control and access points. Notice on title to advise of potential impacts on local amenity resulting from business activity.

2. Amending the Scheme Map accordingly

PLANNING AND DEVELOPMENT ACT 2005

SHIRE OF DONNYBROOK-BALINGUP

LOCAL PLANNING SCHEME NO.7

AMENDMENT No. 13

ADOPTION:

Adopted by resolution of the Council of the Shire of Donnybrook-Balingup at the meeting of the Council held on the _____ day of _____ 201__:

Mayor

Chief Executive Officer

FINAL APPROVAL:

Adopted for final approval by resolution of the Shire of Donnybrook-Balingup at the meeting of the Council held on the _____ day of _____ 201__ and the Common Seal of the municipality was pursuant to that resolution hereunto affixed in the presence of:

Mayor

Chief Executive Officer

RECOMMENDED / SUBMITTED FOR FINAL APPROVAL:

Delegated under s.16 of the PD Act 2005

Date

FINAL APPROVAL GRANTED:

Minister for Planning

Date

APPENDIX A | CERTIFICATE OF TITLE

WESTERN



AUSTRALIA

REGISTER NUMBER 176/DP29609	
DUPLICATE EDITION 1	DATE DUPLICATE ISSUED 4/1/2006

RECORD OF CERTIFICATE OF TITLE
UNDER THE TRANSFER OF LAND ACT 1893

VOLUME **2542** FOLIO **882**

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 176 ON DEPOSITED PLAN 29609

REGISTERED PROPRIETOR:
(FIRST SCHEDULE)

INNEKA THIEL OF POST OFFICE BOX 682, DONNYBROOK

(T J553756) REGISTERED 16/12/2005

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS:
(SECOND SCHEDULE)

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
* Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
Lot as described in the land description may be a lot or location.

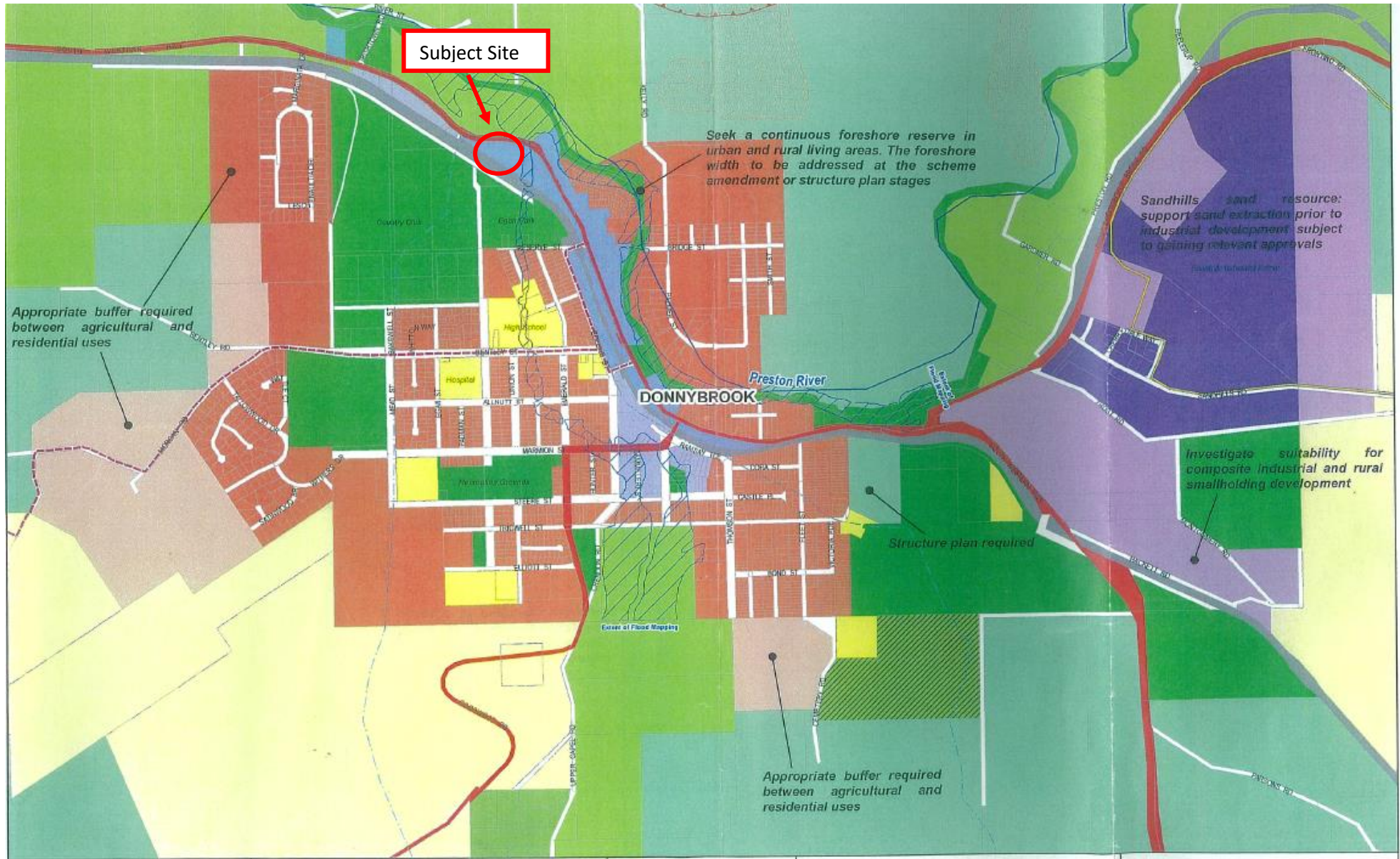
-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

SKETCH OF LAND: DP29609
 PREVIOUS TITLE: 1254-990
 PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.
 LOCAL GOVERNMENT AUTHORITY: SHIRE OF DONNYBROOK-BALINGUP

NOTE 1: I512259 THIS LOT/TITLE CREATED AFTER PORTION OF THE LAND TAKEN FROM THE FORMER LOT WITHOUT PRODUCTION OF THE DUPLICATE TITLE BY TAKING ORDER I512259. CURRENT DUPLICATE FOR THE WITHIN LAND IS STILL VOL 1254 FOL 990



Subject Site

Seek a continuous foreshore reserve in urban and rural living areas. The foreshore width to be addressed at the scheme amendment or structure plan stages

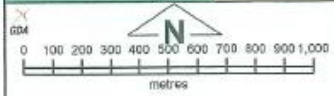
Sandhills sand resource: support sand extraction prior to industrial development subject to gaining relevant approvals

Appropriate buffer required between agricultural and residential uses

Investigate suitability for composite industrial and rural smallholding development

Structure plan required

Appropriate buffer required between agricultural and residential uses



Produced by Geospatial Planning Unit, South West Planning, Department of Planning - Project(Donnybrook_LPS) File_LPS_Donnybrook.mxd 20 May 2014

Land Uses

	General agriculture
	Priority agriculture
	Rural residential
	Rural residential investigation
	Residential
	Residential investigation
	General industry

	Light industry
	Industry investigation
	Commercial
	Community
	Tourism
	Conservation / Recreation

Special Control Areas

	Floodplain land
	Public drinking water source area
	Established Donnybrook stone (SCA No. 4)

Note: This map sheet is strictly within the tree plantation evolution special control area

Other

	Walking / Cycling track
	Major river
	Crown reserve / DP&W managed land

	Major road
	Railway
	Sandhills sand resource
	Possible Donnybrook stone

Strategy Plan Donnybrook Townsite and Surrounds

Home Display Settings

File Systems Search Save Query Cancel Lookup First Previous Next Last Codes Related Information Searches Tools Spooler Window Help

1: 500 Full Extent Zoom In Zoom Out Pan Identify Locate Measure Select Length Map Legend

- Systems
- Favourites
- Mapping
- Town Planning
- Central Records
- Favourites
- Financial Management
- Rates And Property
- Technical
- In House Developments

Records Registration - IAM70971 AM Property Map Enquiry - A1330 41 STEERE ST DONNYBROOK 6239

Search PickList Property Financial Summary Ownership Parcel Memos

Legal flag Non-current

Assess No. A1330 Old No.

Owner SHIRE OF DONNYBROOK-BALIN

Property Address 41 STEERE ST DONNYBROOK 6239

House 41 Lot 107

Street STEERE

Type ST

Suburb DONNYBROOK 6239

Ward 01 DONNYBROOK/BALING

Area

Locality 01 DONNYBROOK

Zoning R1 RESIDENTIAL

Land use DONNYBROOK TOWN

VEN Number 715744

Pens No

Valuation Details

Gross Rental Value	Unimproved Value
0.00	0.00



2019

MINISTER FOR EDUCATION

AND

SHIRE OF DONNYBROOK-BALINGUP

**AGREEMENT - DONNYBROOK COMMUNITY LIBRARY
DONNYBROOK DISTRICT HIGH SCHOOL**

**STATE SOLICITOR'S OFFICE
COMMERCIAL AND CONVEYANCING
PERTH**

TELEPHONE : (08) 9264 1176

SSO :4510-97 MC1

THIS AGREEMENT is made the _____ day of _____ 201

B E T W E E N :

MINISTER FOR EDUCATION, a body corporate pursuant to the provisions of the *School Education Act 1999* of 151 Royal Street East Perth Western Australia (**Minister**).

and

SHIRE OF DONNYBROOK-BALINGUP a local government and body corporate under the *Local Government Act 1995* of Bentley Street Donnybrook Western Australia (**Shire**).

RECITALS

- A. Care, control and management of the Land has been placed with the Minister.
- B. The Minister and the Shire agreed under a joint funding arrangement to construct the Facilities on part of the Land.
- C. A Committee will be established as set out in clause 4.
- D. The Parties have agreed to make provision for operational funding and use of the Facilities on the terms and conditions contained in this Agreement.
- E. The Parties hereby acknowledge a total commitment to full and open co-operation, at all levels, in the usage and management of the Facilities and equipment therein, for the mutual benefit of the community of the Shire and the School.

OPERATIVE PROVISIONS

1. Interpretation

1.1 In this Agreement unless the context indicates otherwise:

Authorisation means any approval, agreement, certificate, authorisation, notification, code of conduct, government policy, consent, exemption, filing, licence, notarisation, permit, registration, waiver, compliance report or environmental consent by any Government Agency required under any Laws, and includes any renewal of, or variation to, any of them but does not include any act or omission by the Minister under this Agreement.

Business Day means any day other than a Saturday, Sunday or public holiday in Western Australia.

Commonwealth means Commonwealth of Australia;

CEO means the Chief Executive Officer of the Shire of Donnybrook-Balingup;

Committee means the committee established pursuant to clause 4 the rules of which shall be as set out in Schedule B to this Agreement;

Cost Sharing Arrangement means the arrangement reached between the Parties set out in Schedule A to this Agreement by which each Party has agreed to contribute to costs in accordance with the table set out in Schedule A;

Department means the Department of Education;

Facilities means the School community resource building situated on that part of the Land shown delineated and bordered in blue on the plan marked annexed hereto;

Government Agency means any government or any governmental, semi governmental, administrative, fiscal, judicial or quasi-judicial body, department, commission, authority, tribunal, Minister of the Crown, agency, entity or Parliament and includes any part of, or entity comprising, the State;

GST has the meaning given in section 195-1 of the GST Act.;

GST Act means *A New Tax System (Goods and Services Tax) Act 1999*;

Input Tax Credit has the meaning given in section 195-1 of the GST Act.

Land means the land comprised in Reserve 24032 being Lot 500 on Deposited Plan 415009 and being the whole of the land in Certificate of Crown Land Title Volume LR3170 Folio 36.

Law means all applicable present and future laws including:

- (a) all acts, ordinances, regulations, by-laws, orders, awards and proclamations of the State of Western Australia or the Commonwealth of Australia;
- (b) Authorisations;
- (c) principles of the common law or equity;
- (d) standards, codes, policies and guidelines;
- (e) the Australian Securities Exchange listing rules; and

- (f) fees, rates, taxes, levies and charges payable in respect of those things referred to in paragraphs (a), (b), (c) and (d) of this definition,

whether or not existing at the date of execution of this Agreement;

Library means the school library and community library operated in the Facilities;

Librarian means the school community librarian referred to in clause 6.1;

Licence means the licences referred to in clause 2;

Loss means loss, damage, liability, lawsuit, action, writ, proceedings, cost or expense;

Operating Costs means all amounts from time to time properly and reasonably incurred or expended in the running and maintenance of the Facilities and without limiting the generality of the foregoing shall include:

- (a) all costs reasonably incurred in the repair and maintenance of the Facilities including (but not limited to) the reasonable cost of materials and the reasonable cost of all wages and overheads of staff employed in carrying out such repairs and maintenance;
- (b) all costs reasonably incurred in the provision and maintenance of security throughout the Facilities including (but not limited to) the wages and overheads paid to security staff, charges rendered by contract security companies, and all lease, hire, repair, maintenance and running costs of monitoring and/or surveillance equipment;
- (c) the reasonable costs of keeping the Facilities in clean and good sanitary condition and of removing from the Facilities all rubbish and waste which cost shall include (but not be limited to) the wages and overheads paid to cleaning and maintenance staff and the costs of all cleaning materials, toilet requisites, and all charges associated with the hiring of cleaning equipment;
- (d) all costs reasonably incurred in the control and eradication of all pests in the Facilities;
- (e) all water, excess water, electricity and telephone charges and rentals which fall due during the term of this Agreement; and
- (f) the things set out or referred to in the Cost Sharing Arrangement;

Party depending on the context means the Shire or the Minister and

Parties means both of them;

Primary Payment means any payment to the Minister by the Shire under this Agreement;

Principal means the principal of the School;

Quarter means a 3 month period;

Rules means the rules of the Committee set out in Schedule B;

Schedule means Schedule A and Schedule B;

School means Donnybrook District High School;

School Term means each of the 4 school terms per year that are published in the Government Gazette from time to time;

School Holidays means the periods between each School Term;

State means the State of Western Australia and includes any department, agency or instrumentality of the State of Western Australia, the Parliament and any Minister (including the State), whether body corporate or otherwise and their respective employees, agents, contractors and consultants;

Taxable Supply has the meaning given in section 195-1 of the GST Act; and

Tax Invoice has the meaning given in section 195-1 of the GST Act and in the *A New Tax System (Goods and Services Tax) Regulations 1999*;

Term means has the meaning set out in clause 25.1.

1.2 In this Agreement unless the context indicates otherwise:

- (a) (person): references to a person include an individual, a body politic, the estate of an individual, a firm, a corporation, an authority, an association or joint venture (whether incorporated or unincorporated), or a partnership;
- (b) (includes): the words "including", "includes" and "include" will be read as if followed by the words "without limitation";
- (c) (or): the meaning of "or" will be that of the inclusive "or", that is meaning one, some or all of a number of possibilities;
- (d) (party): a reference to a "party" is to a party to this Agreement;

- (e) (other persons): a reference to any party or person includes their and each of their legal representatives, executors, administrators, successors, and permitted substitutes and assigns, including any person taking part by way of novation;
- (f) (authority): a reference to any authority, institute, association or body is:
 - (i) if that authority, institute, association or body is reconstituted, renamed or replaced or if the powers or functions of that authority, institute, association or body are transferred to another organisation, deemed to refer to the reconstituted, renamed or replaced organisation or the organisation to which the powers or functions are transferred, as applicable; and
 - (ii) if that authority, institute, association or body ceases to exist, deemed to refer to the organisation which serves substantially the same purposes or objects as that authority, institute, association or body;
- (g) (this Agreement): a reference to this Agreement or to any other deed, agreement, document or instrument is deemed to include a reference to this Agreement or such other deed, agreement, document or instrument as amended, novated, supplemented, varied or replaced from time to time;
- (h) (legislation): a reference to any legislation or to any section or provision of it includes any statutory modification or re-enactment of, or any statutory provision substituted for, that legislation, section or provision;
- (i) (rights): a reference to a right includes any benefit, remedy, discretion, authority or power;
- (j) (obligations): a reference to an obligation includes a warranty and a reference to a failure to observe or perform an obligation includes a breach of warranty;
- (k) (singular): words in the singular include the plural (and vice versa) and words denoting any gender include all genders;
- (l) (headings): headings are for convenience only and do not affect the interpretation of this Agreement;
- (m) (clauses): a reference to:
 - (i) a clause, schedule or attachment is a reference to a clause, schedule or attachment of this Agreement; and
 - (ii) a paragraph or a sub-paragraph is a reference to a paragraph or sub-paragraph in the clause in which the reference appears;

- (n) (inclusive): a reference to this Agreement includes all schedules and attachments to this Agreement, including the Schedule;
- (o) (defined meaning): where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (p) (\$): a reference to "\$" is to Australian currency and any amounts in this Licence are exclusive of GST, unless otherwise specified;
- (q) (time): a reference to time is a reference to Western Australian Standard Time;
- (r) (language): all information and documentation prepared or delivered by the parties under this Agreement will be in English;
- (s) (form): writing includes any mode of representing or reproducing words in tangible and permanently visible form and includes facsimile transmissions and communication by email;
- (t) (construction): no rule of construction applies to the disadvantage of a party on the basis that the party put forward or drafted this Agreement or any part;
- (u) (information): any reference to "information" will be read as including information, representations, statements, data, samples, calculations, assumptions, deductions, determinations, drawings, designs, specifications, models, plans and other documents in all forms including the electronic form in which it was generated;
- (v) (policies): any reference to a State of Western Australia policy or scheme is deemed to include a reference to such policy or scheme as amended, varied or replaced by the State from time to time;
- (w) (thing): a reference to any thing is a reference to the whole or any part of it and a reference to a group of things or persons is a reference to any one or more of them but this is not to be taken as implying that performance of part of an obligation is the performance of the whole;
- (x) (consortium): if a party consists of a consortium of two or more persons whether by way of partnership or joint venture or otherwise, then:

- (i) an obligation imposed on a party under this Agreement binds each person who comprises that party jointly and severally;
 - (ii) each person who comprises a party agrees to do all things necessary to enable the obligations imposed on that party under this Agreement to be undertaken; and
 - (iii) the act of one person who comprises a party binds the other person or persons who comprise that party;
- (y) (jointly and severally): an agreement, representation or warranty on the part of or in favour of two or more persons binds, or is for the benefit of, them jointly and severally;
- (z) (electronic address): a reference to a document published at an electronic address is to the document as published at that electronic address on the date of execution of this Agreement;
- (aa) (liability) a reference to a liability includes all obligations to pay money and all other losses, costs and expenses of any kind;
- (bb) (contractor) means contractor or subcontractor at any tier;
- (cc) (year) a reference to a year is to a calendar year
- (dd) (reference to parties) reference to the Shire using the Facilities means and includes the use of the Facilities by the Shire or any of its employees agents contractors licensees or invitees (including members of the public).

2. LICENCE

The Minister hereby grants to the Shire a licence to use the Facilities for community library purposes for the Term or until such time as the Minister divests itself or is divested of its rights over or in the School (whichever occurs sooner). The rights contained in this Agreement rest in contract only and nothing expressed or implied in this Agreement shall confer a right of exclusive possession of the Facilities to the Shire and the Minister may at any time and at all times and from time to time exercise all of its rights in respect of the Facilities except where such rights shall:

- (a) prevent the operation of the Licence granted in respect of the Facilities and rights with respect to the Facilities granted pursuant to this Agreement; or
- (b) be inconsistent with the express provisions of this Agreement.

3. **OPERATIONAL FUNDING**

- 3.1 The Shire and the Minister shall contribute to the Operating Costs in accordance with the Cost Sharing Arrangement.
- 3.2 The Shire shall reimburse the Minister for its share of the Operating Costs within 30 days after having received an invoice from the Minister. Invoices shall be provided by the Minister at Quarterly intervals.
- 3.3 The Cost Sharing Arrangement shall be subject to a review by the Shire and the Minister upon the expiry of a period of 2 years from the commencement of the term of this Agreement and thereafter every two years. During such review the Parties agree to meet together and negotiate in good faith.
- 3.4 If, within 2 months after a review between the Shire and the Minister pursuant to clause 3.4, no agreement has been reached as to their respective future contributions to the Operating Costs, future contributions shall remain as per Schedule A.

4. **MANAGEMENT**

- 4.1 The care, management and control of the Facilities shall be jointly vested in the Minister and the Shire who shall appoint a management Committee. Membership of the Committee shall consist of 6 members (or other such even number as the Shire and the Minister shall from time to time agree) who, subject to this Agreement and any mutual direction on the part of the Shire and the Minister, shall exercise the functions set out in the Rules. Members shall comprise:
 - (a) 3 members to be appointed by the Shire one of whom shall be the Shire chief executive officer;
 - (b) 3 members to be appointed by the Minister one of whom shall be the Principal;
- 4.2 A member may resign from the Committee by written notice to that effect delivered to the Principal or the CEO.
- 4.3 Each Party may each in regard to its respective appointees at any time and from time to time -
 - (a) revoke an appointment and appoint another person in place of the member whose appointment is revoked;
 - (b) appoint a person to act temporarily as a member during the absence of any member and a person while so acting shall be deemed to be a member; and

- (c) appoint another person to act as a member in place of a member who resigns under clause 4.2.

5. USE OF FACILITIES

- 5.1 At all times during opening hours of the Library (including without limitation usual school hours), the Library shall be accessible to the general public.
- 5.2 At all times during opening hours of the Library (including without limitation outside usual school hours), the Library shall be accessible to the students, teachers and parents of students of the School.
- 5.3 Borrowing rights shall apply equally to members of the general public, and to the staff and students of the School. Resources from all sources of supply (as contemplated in clauses 7.2 and 7.3) should be available to all borrowers, with the exception of those resources which are identified by the School as being available for use only by staff and students of the School, reference books which do not normally leave the Library and adult books which are not to be made available to juveniles.
- 5.4 If a student of the School has been suspended from the School, then that student shall not be entitled to enter or use the Facilities, during the hours that the School is operating as a school, for the period of suspension, in either his or her capacity as a student of the School or as a member of the general public.

6. APPOINTMENT OF STAFF

- 6.1 The Minister and the Shire shall appoint the Librarian who shall -
 - (a) have appropriate qualifications for the position;
 - (b) have a status and classification determined by the Minister and the Shire;
 - (c) be in charge of the Library at all times, subject to the direction, supervision, and control of the Minister and the Shire.
- 6.2 The initial appointment and subsequent vacancies for the position of Librarian shall be advertised widely in such manner as the Minister and the Shire shall agree and shall provide full particulars of the unique nature of the appointment which shall be on the basis of either-
 - (a) a contract with the Department; or
 - (b) (if the successful applicant is an employee of the Department) a secondment within that Department.

- 6.3 The Minister and the Shire may appoint such further staff as are necessary to enable the Library to be used for educational and community library purposes upon such terms and conditions as are agreed upon between the Minister and the Shire and in making such appointments the Parties shall have regard to the number of community users.
- 6.4 The salaries of other library staff shall be appropriate to their status and classification as determined by the Minister and the Shire.
- 6.5 Each Party shall pay the salary of the staff employed by it to work in the Library.
- 6.6 The Librarian is hereby deemed to be equivalent of one full time employee.

7. **RESOURCES FOR LIBRARY**

- 7.1 The Minister and the Shire shall:
- (a) install three telephone lines for use in the Facilities, two of which will be for voice transmission and one for facsimile transmission and pay all rents and metered calls in the agreed proportions as per the Cost Sharing Arrangement; and
 - (b) use all reasonable endeavours to make provision for suitable technology to be utilised as necessary, using resources recommended by the Committee from time to time.
- 7.2 The Minister shall at all times use its reasonable endeavours to ensure that the Library is adequately stocked with:
- (a) books and other resources (which are reasonably contemporary, suitable and relevant); and
 - (b) other library facilities (which are reasonably contemporary, suitable and relevant),
- at levels commensurate with those normally maintained for a school and community the size of the School.
- 7.3 The Shire shall at all times use its reasonable endeavours to ensure that the Library is adequately stocked with:
- (a) books and other texts (which are reasonably contemporary, suitable and relevant); and
 - (b) other library facilities (which are reasonably contemporary, suitable and relevant),

at levels commensurate with those normally maintained for a community the size of the community intended to be served by such library.

8. OPERATIONAL CHARTER

- 8.1 The Shire and the Minister acknowledge that pursuant to the *Library Board of Western Australia Act 1951* the Shire is a participating body (as defined in that Act) in respect of a scheme (as defined in that Act) entered into with the Library Board of Western Australia for the promotion, organisation, supervision and assistance of registered public libraries and registered public library services within the municipal district of the Shire and (subject to clause 8.2) nothing herein or in the Rules shall be deemed to enable or permit the Shire the Minister or the Committee to take any action in respect of the public library purposes of the Facilities which would contravene that scheme.
- 8.2 If, on account of anything expressed or implied in clause 8.1, the Shire is unable to comply with any obligation imposed upon it under this Agreement (which obligation is, in the reasonable opinion of the Minister, one which is not unimportant having regard to what is sought to be achieved by this Agreement and/or the interests and/or reasonable expectations of the Minister), and the Shire and the Minister are not able to successfully renegotiate this Agreement within 2 months of the Shire's inability to comply as aforesaid, then the Minister may terminate the Licence granted to the Shire in respect use of the Library with the giving of 1 months' written notice to the Shire.

9. MAINTENANCE AND SECURITY

- 9.1 The Minister shall keep and maintain the Facilities in good order repair and condition and provide thereto all electrical, water supply and garbage collection services. Subject to clauses 9.2 and 9.3 and 9.4, the Shire shall pay the percentage of any costs and expenses incurred in that regard in accordance with clauses 3.1, 3.2 and 3.3.
- 9.2 Notwithstanding anything expressed or implied to the contrary in this Agreement, if the Shire or any agent, employee, contractor, invitee or licensee of the Shire, through its, his or her negligence or other default, damages or destroys or contributes to the damage or destruction of the Facilities or any part thereof, then, to the extent that such damage or destruction was caused or contributed to by the negligence or other default of any of the aforesaid persons, the Shire shall itself be responsible for all or part (as the case may be) of the cost of the repair or replacement of the said damaged or destroyed Facilities.
- 9.3 Notwithstanding anything expressed or implied to the contrary in this Agreement, if the Minister, the School or any of their respective

agents, employees, contractors, students, invitees or licensees, through its, his or her negligence or other default, damages or destroys or contributes to the damage or destruction of the Facilities or any part thereof, then, to the extent that such damage or destruction was caused or contributed to by the negligence or other default of any of the aforesaid persons, the Minister shall itself be responsible for all or part (as the case may be) of the cost of the repair or replacement of the said damaged or destroyed Facilities.

9.4 Notwithstanding anything expressed or implied to the contrary in this Agreement (except Schedule A to which this clause 9.4 is and shall be subject to), if the Facilities are destroyed or damaged, then to the extent that such destruction or damage has not been caused or contributed to by:

- (i) a breach of this Agreement by; or
- (ii) any negligent or other wrongful act or omission of,

a Party or any agent employee contractor student invitee or licensee of a Party, the Shire and the Minister shall contribute to the cost of the necessary repair and/or replacement (as the case may be) in the following proportions:

Minister -	50%
Shire -	50%.

9.5 The Shire shall promptly report any theft of, damage to, deficiency in, destruction of, or other fault in relation to the Facilities to the Minister upon the happening of the same and do all things and take all steps that are reasonable so as to minimise and mitigate any loss caused or occasioned thereby.

10. INDEMNITY

10.1 Notwithstanding anything to the contrary expressed or implied in this Agreement, each Party shall release indemnify and keep indemnified the State, the Minister for Lands and the other Party and all agents, employees, contractors, students, invitees or licensees of the other Party from and against all liability and all actions, proceedings, suits, claims, demands, losses, damage, costs and expenses which may at any time be brought or maintained against or suffered or incurred by any of the State, the Minister for Lands, the other Party or any of their respective agents, employees, contractors, students, invitees or licensees arising from or in connection with this Agreement and/or the Facilities and:

- (a) the death or illness of or injury to any person; and/or
- (b) the destruction or loss of or damage to any property,

to the extent that the same has been caused or contributed to by:

- (c) any breach of this Agreement by or on the part of; or
- (d) any negligent or other wrongful act or omission of,

the first mentioned Party or any agent employee contractor student invitee or licensee of the first mentioned Party.

10.2 For the purposes of clause 10.1, neither the Shire nor any of the Shire's agents, employees, contractors, invitees or licensees, is, or shall be considered or deemed to be, a licensee or invitee of the Minister.

10.3 The indemnity contained in this clause 10 is a continuing obligation and remains in force and effect notwithstanding the expiry of the Term or the early termination of this Agreement irrespective of how it is terminated or which Party terminated it.

11. **INSURANCE**

11.1 Each Party shall effect and maintain its own insurance cover for its own contents within the Facilities.

11.2 The Shire shall effect and maintain a public liability insurance policy with indemnity cover of not less than \$20,000,000.00 in respect of any one occurrence (and unlimited in the aggregate) or such greater amount as the Minister at any time and from time to time after notice to the Shire may reasonably require in an insurance office approved by the Minister and (as and when requested to do so by the Minister from time to time) produce or cause to be produced to the Minister the relevant policy or policies of insurance and premium receipts therefor.

11.3 If, pursuant to this Agreement, there is in existence an insurance policy covering loss of and/or destruction and/or damage to property of any kind whatsoever and a claim is made against that policy on account of such property being lost destroyed and/or damaged, then the Party with the insurable interest in the property, and in whose name the policy exists, shall ensure that all the monies payable and paid under that policy are applied to the replacement or repair (as the case may be) of the lost destroyed or damaged property.

11.4 Each Party must do all things reasonable to ensure that:

- (a) any policy or policies of insurance referred to above do not become void or voidable; and
- (b) the premiums therefor are not significantly increased on account of anything done or not done by that Party or person for whom that Party is responsible.

12. **COSTS**

The Shire shall pay to the Minister on demand 100% of all costs charges and expenses for which the Minister shall become liable in consequence of or in connection with any default by the Shire in performing or observing any covenants conditions or stipulations herein contained or implied and on the part of the Shire to be performed or observed.

13. **GST**

13.1 The amount of all Primary Payments specified in this Agreement are exclusive of GST except where stated otherwise.

13.2 If GST is payable by the Minister in respect of a Primary Payment or any part in connection with a Taxable Supply provided under this Agreement:

- (a) the Primary Payment is increased by an amount equal to the applicable GST; and
- (b) the Shire must pay the amount of the increase in the same manner and on the same date as the Minister is required to pay the Primary Payment.

13.3 If the Primary Payment consists (wholly or partly) of the recovery by the Minister of all or a portion of the Minister's costs, the Primary Payment is to be reduced by the amount (or corresponding proportion) of the Input Tax Credits available to the Minister in respect of these costs and then increased by any applicable GST payable under clause 13.2.

13.4 If a Primary Payment is to be increased to account for GST under clause 13.2 the Minister must, before the date on which the increased Primary Payment is to be paid, issue a Tax Invoice to the Shire.

14. **DEFAULT**

14.1 If either Party (**Defaulting Party**) defaults in the performance of or compliance with a provision of this Agreement and fails to remedy that default within a reasonable time after the date of having received a written notice from the other Party (**the Innocent Party**) specifying that default, the Innocent Party may terminate this Agreement with the Defaulting Party by giving 30 days written notice to the Defaulting Party. Such termination shall not prejudice or otherwise affect:

- (a) the liability of either Party in respect of any antecedent breach of any of the provisions of this Agreement; or
- (b) the rights of either Party to claim damages (for breach of this Agreement or otherwise whatsoever).

14.2 A Party may also terminate this Agreement if the other Party persistently breaches this Agreement.

14.3 Each Party's rights to terminate this Agreement under the common law are hereby preserved.

15. **ALCOHOL**

Except as provided under the provisions of the *School Education Act 1999* and the *School Education Regulations 2000* and in accordance with the provisions of the *Liquor Control Act 1988* and the *Liquor Control Regulations 1989*, the Shire shall not permit the consumption of alcoholic beverages on the Facilities unless it has written authorisation from the Principal or an authorised officer of the Department.

16. **REASONABLENESS**

16.1 Any agreement, consent, approval, permission, authority, decision, requirement, condition, direction or thing to be done pursuant to this Agreement shall not be capriciously or unreasonably reached, withheld, given or carried out, and the obligations and the performance of each Party shall be carried out and performed in a reasonable manner.

16.2 Each Party must execute and do all acts and things reasonably necessary to implement and give full effect to the provisions and purpose of this Agreement.

17. **NO IMPROVEMENTS**

The Shire shall not without written approval of the Minister erect or build or permit or cause to be erected or built in or on the Facilities any buildings erections or other improvements or make any additions or alterations to any buildings erections or other improvements now or hereafter in on or comprising the Facilities and then only in strict accordance with plans and specifications to be first approved in writing by the Minister and any Government Agency having jurisdiction over the Land.

18. **COMPLY WITH LAW**

The Shire and its employees agents contractors licensees and invitees shall at all times duly and punctually comply with observe and carry out and conform with the provisions of any Law now or hereafter in force and all requirements and orders of any Government Agency which effect the Facilities or the use thereof or which impose any duty or obligation upon the owner or occupier thereof.

19. **NO NUISANCE**

Whilst using the Facilities, the Shire must not and must not allow any one under its control to do anything which is illegal, offensive or a nuisance and if any such thing is done, must promptly stop the doing of that thing.

20. **NO SIGNS**

The Shire must not affix or cause or permit to be affixed or exhibited anywhere in or on the Facilities any poster signboard neon sign or advertisement except as shall be first approved in writing by the Minister.

21. **NOT TO ASSIGN ETC**

The Shire shall not without the prior written consent of the Minister (which consent may be arbitrarily withheld) assign transfer mortgage encumber sublicense dispose of or part with possession of this Agreement or the Facilities or any part thereof or the rights liberties or authorities hereby granted or procure allow or suffer the same or any part thereof to be assigned transferred mortgaged charged encumbered sublicensed disposed of or the possession thereof parted with for all or any part of the term of this Agreement.

22. **SCHOOL PART OF MINISTER**

The Shire acknowledges and agrees that the School is a part of, and an agent for, the Minister for the purposes of this Agreement.

23. **SCHOOL EDUCATION ACT 1999 REMAINS UNAFFECTED**

Nothing in this Agreement shall affect or be deemed to affect any right power authority or duty conferred or imposed upon the Minister under any law including the *School Education Act 1999*.

24. **THIS AGREEMENT PARAMOUNT**

If there is an inconsistency between the provisions of this Agreement (excluding the Rules) and the Rules, then the provisions of this Agreement (excluding the Rules) shall prevail to the extent of that inconsistency.

25. **TERM OF AGREEMENT**

25.1 Subject to clause 27 the term of this Agreement (**Term**) is 7 years commencing on 1 December 2019.

25.2 Subject to clause 27, if:

- (a) prior to the expiration of the Term, this Agreement has not been terminated; and

- (b) both Parties desire to extend this Agreement for a further term of 7 years commencing from the expiration of the Term (**Further Term**); and
- (c) the Shire gives to the Minister written notice of its desire such notice being received by the Minister not more than 6 or less than 3 months prior to the expiration of the Term; and
- (d) during the Term there had been no breach of any term of this Agreement by the Shire which was not rectified within a reasonable period of time after notice of breach being given by the Minister,

then this Agreement will be so extended by 7 years subject to the terms and conditions set out in this Agreement with the exception of this clause 25.2.

26. NOTICES

26.1 Notices that may or must be sent under or in connection with this Agreement shall be in writing, signed by the Party or representative of the Party giving notice, and may be delivered by pre-paid post or by hand to the other Party at the relevant address out in clause 26.2.

26.2 Notices to each of the Parties shall be sent to the below:

- (a) Minister: Asset Planning and Services branch,
Department of Education
151 Royal Street
EAST PERTH WA 6004
- (b) Shire Shire of Donnybrook-Balingup
P O Box 94
DONNYBROOK WA 6239

26.3 Notices shall be deemed to be received:

- (a) (in the case of delivery by pre-paid post) six Business Days after deposit in the mail; or
- (b) immediately upon delivery by hand.

27. EARLY TERMINATION

Notwithstanding anything expressed or implied in this Agreement to the contrary (except clause 9.2 which this clause 27 is subject to), the Minister or the Shire may, by giving 12 months notice in writing to the other, terminate this Agreement (for any or no reason whatsoever) and upon the expiration of that 12 month period, this Agreement shall terminate but any rights of action or claims which accrued or arose to either the Shire or the Minister prior to such termination are hereby preserved.

28. **WAIVER**

- 28.1 Failure to exercise or enforce, or a delay in exercising or enforcing, or the partial exercise or enforcement of, a right, power, or remedy under any Law or under this Agreement by a Party does not preclude, or operate as a waiver of, the exercise or enforcement, or further exercise or enforcement, of that or any other right, power or remedy provided under any Law or under this Agreement.
- 28.2 A waiver given by a Party under this Agreement is only effective and binding on that Party if it is given or confirmed in writing by that Party.
- 28.3 No course of dealings between the Parties removes the requirement under clause 28.2 that a waiver must be in writing to be effective and binding upon the Parties.
- 28.4 No waiver of a breach of a term of this Agreement operates as a waiver of any other breach of that term or of a breach of any other term of this Agreement.

29. **MISCELLANEOUS**

- 29.1 Whenever the consent of the Minister is required under this Agreement:
- (a) that consent may be given or withheld by the Minister in the Minister's absolute discretion and may be given subject to such conditions as the Minister may determine;
 - (b) the Minister is not required to provide a reason or reasons for giving or refusing its consent; and
 - (c) the Shire agrees that any failure by it to comply with or perform a condition imposed under clause 29.1(a) will constitute a breach of this Agreement by the Shire .
- 29.2 Each Party must do all things and execute all further documents necessary to give full effect to this Agreement.
- 29.3 Nothing in this Agreement may be construed to make the Shire a partner, agent, employee or joint venturer of the Minister.
- 29.4 The Shire must not represent that the Shire or any of its employees, agents, contractors, licensees or representatives are the employees, agents, partners or joint venturers of the Minister.
- 29.5 The rights, powers and remedies in this Agreement are in addition to, and not exclusive of, the rights, powers and remedies existing at law or in equity.

- 29.6 This Agreement states all the express terms of the agreement between the Parties in respect of its subject matter. It supersedes all prior discussions, negotiations, understandings and agreements in respect of its subject matter.
- 29.7 The Parties agree that Part IF of the *Civil Liability Act 2002* (WA) is excluded and does not apply to the Parties' liabilities under this Agreement.
- 29.8 (a) This Agreement is governed by the Law in force in Western Australia.
- (b) Each Party irrevocably submits to the exclusive jurisdiction of courts exercising jurisdiction in Western Australia and courts of appeal from them in respect of any proceedings arising in connection with this Agreement. Each Party irrevocably waives any objection to the venue of any legal process in these courts on the basis that the process has been brought in an inconvenient forum.
- 29.9 Each party represents and warrants to the other that it has full power to enter into and perform its obligations under this Agreement and that when executed this Agreement will constitute legal, valid, and binding obligations under its terms.
- 29.10 The Shire must immediately notify the Minister in writing if it forms the opinion that it will be unable to, or be unlikely to be able to, satisfy any of its obligations in relation to this Agreement from the financial resources available, or likely to be available, to it, at the time the obligation is due.
- 29.11 The provisions of the Schedules are terms of this Agreement and therefore are enforceable in accordance with their terms.

SCHEDULE B

COMMITTEE - RULES

1. Name

The name of the Committee is THE DONNYBROOK SCHOOL COMMUNITY RESOURCE LIBRARY MANAGEMENT COMMITTEE (**Committee**).

2. Functions

Subject to mutual directions from the Shire and the Minister and subject to the Agreement to which these Rules are annexed (**Agreement**), the Committee's functions are:

- 2.1 To facilitate the management and control of the Library by the Shire and the Minister according to the terms of the Agreement.
- 2.2 To undertake the overall planning and management of the Library in accordance with the requirements and policies of the Shire and the Minister.
- 2.3 To develop community awareness of the potential and the limitations of the Library and to facilitate communication between users of the Library the Shire and the Minister.
- 2.4 To make recommendations to the Shire and the Minister on the standards of facilities and services provided by the Library.
- 2.5 To assist in the preparation of an annual operating budget to satisfy the requirements of the Shire and the Minister having regard to the prime objectives of providing a coordinated and comprehensive library resource and community resource service.
- 2.6 To provide specific policies and guidelines for the Library staff to follow and together with the Librarian to design and implement a method of acquisition storage control and issue of all materials held in the Library.
- 2.7 To make the maximum use of all the resources of the Library (including staff) in order to provide the best possible service to all users of the Library .
- 2.8 To assist in the natural assimilation of the Library into the School and the community of the Shire.

3. Powers of the Committee

The Committee may:

- (a) advise the Minister and the Shire on the selection and appointment of the Librarian;
- (b) make recommendations to the Minister and the Shire relating to other library staff of the Library;
- (c) where applicable endorse the duty statement of any member of the staff of the Library;
- (d) liaise and accept additional materials offered to the Library by way of community donation; provided that such donations conform to the Libraries Selection Guidelines; and
- (e) with the prior written approval of the Minister and the Shire establish advisory committees to include community users of the Library and prescribe the functions of those committees.

4. Method of Operation

- 4.1 The Committee shall elect a Chairperson and a Deputy Chairperson who shall hold office for 1 year and preside at all meetings of the Committee. In the absence of the Chairperson, the Deputy Chairperson shall act as Chairperson at that meeting.
- 4.2 The quorum necessary for the transaction of the business of the Committee shall be 4 members which must include 2 representatives of the Minister and 2 representatives of the Shire.
- 4.3 Each member has one (1) vote and the Chairperson shall not have a casting vote.
- 4.4 If any member is unable to attend a particular meeting that member may appoint a proxy to attend that meeting on that member's behalf by giving written notice of the appointment to the Chairperson or the Librarian at least 7 days before the relevant meeting. The member must nominate in the notice whether the proxy will have voting rights.
- 4.5 In the case of a voting deadlock the matter shall be referred to the Minister and the Shire for consideration and direction.
- 4.6 The Committee shall meet at intervals of no greater than 6 months and shall prepare and furnish to the Minister and the Shire as soon as practicable after the last day of each calendar year a report in writing of the operations of the Facilities during that calendar year.
- 4.7 The Committee may prescribe its own procedure for the day to day running of its affairs but such procedure shall not contravene these Rules,

any legislation or other law, or the policies bylaws or regulations of the Minister or any right power authority or duty conferred or imposed on the Minister or the Shire or any person acting under the authority of either including (without limiting the generality of the foregoing) the Principal and the CEO.

- 4.8 The Librarian shall be the Committee's executive officer and shall attend meetings and facilitate the keeping of accurate minutes of all business transacted at the meetings, but shall not be entitled to vote. Minutes of each meeting shall be forwarded to the Principal and the CEO and each member of the Committee not later than 2 weeks after each meeting.
- 4.9 The Librarian will be responsible to:
- (a) the Principal for the provision of those resource Library services to the School as have been authorised by the Committee; and
 - (b) the Shire or the Shire's nominee for the provision of those resource Library services to the general community as have been authorised by the Committee.
- 4.10 The Committee shall not -
- (a) handle any money; or
 - (b) undertake any obligation involving the expenditure of money without the prior written approval of the Minister and the Shire or (in a case involving expenditure of money by only one of those Parties) the prior written approval of the Minister or the Shire as the case may require.

5. Definitions

Unless the context otherwise requires, in these Rules all words and phrases shall have the same meanings as those ascribed to them in the Agreement.

EXECUTED by the Parties.

SIGNED for and on behalf of the)
MINISTER FOR EDUCATION by)
JAY TIMOTHY PECKITT)
A/Deputy Director General of the)
Department of Education,)
the officer delegated this authority)
pursuant to section 230 of the)
School Education Act 1999 (WA))
in the presence of)

____/____/____

Witness signature

Witness Full Name (Please print)

Witness address (Please print)

Witness occupation (Please print)

THE COMMON SEAL of the)
SHIRE OF DONNYBROOK-BALINGUP)
was hereunto affixed in the presence of:)

Chief Executive Officer

Shire President

DONNYBROOK COMMUNITY LIBRARY - ANNEXURE 'A'

31/07/2019

M = Minister for Education (Donnybrook DHS) S = Shire Donnybrook & Balingup

	CAPITAL		OPERATION		REPAIR		REPLACEMENT	
	M	S	M	S	M	S	M	S
Floor Area:	%	%	%	%	%	%	%	%
General	50	50	50	50	50	50	50	50
Seminar - Senior's Room	50	50	50	50	50	50	50	50
Reading Room	50	50		100	50	50	50	50
Meeting Room	50	50	50	50	50	50	50	50
Toilets				100		100		100
External Areas:								
Parking area & front of building		100		100		100		100
Gardens/grounds around & behind	100		100		100		100	
Communications:								
Outside phone line(s) 97310432	50	50	50	50	50	50	50	50
Security line 97310429	50	50	10	90	10	90	10	90
Balingup Library dial in line 97310428	50	50	50	50	50	50	50	50
Public Internet Service ISDN		100		100		100		100
(Services Balingup & Junior Campus)		100		100		100		100
<i>Note: DoE bill the Shire directly</i>								
Utilities:								
Electricity			45	55				
Gas			45	55				
Rubbish Collection - rates			45	55				
Water - Rates & consumption			95	5				
Water Fire Service (hose reel)				100				
Furniture:								
Fixed	50	50			50	50	50	50
Moveable	50	50			50	50	50	50
Equipment:								
File Servers x 1 (School)	100		100		100		100	
File Servers x 1 (Shire)		100		100		100		100
Computers School x 5	100		100		100		100	
Computers Shire x 7		100		100		100		100
Computers Seniors x 3		100		100		100		100
Office Equipment (scanner, laminator)	50	50	35	65	50	50	50	50
A/Conditioners 2 x IT Lab	100		100		100		100	
A/Conditioner 1 x Workroom	50	50	35	65	50	50	50	50
A/Conditioner - Main Library		100		100		100		100
A/Conditioner x3 - Seniors Room			35	65				
A/Conditioner x 2 - Meeting Room	100		35	65				

	CAPITAL		OPERATION		REPAIR		REPLACEMENT	
	M	S	M	S	M	S	M	S
Miscellaneous:								
Library Automation Sirsi Dynix	50	50	50	50	50	50	50	50
Insurance - Building	100		100				50	50
Insurance - Contents -School owned	100		100		100		100	
Insurance - Contents -Shire owned		100		100		100		100
Building Maintenance-Internal & External			50	50	50	50	50	50
Photocopiers/Reprographics:								
Canon IR C3530i 2018 - School owned	100		100		100		100	
Fuji Xerox Apeos Port IVC2275 - Shire owned		100		100		100		100
HP Laserjet 400 printer - Shire owned		100		100		100		100
Cleaning:								
40 weeks			65	35				
12 weeks				100				
Staff Salaries:								
S/Community Librarian - DoE			100					
School Officer Library 0.4 - DoE			100					
Library Officer(s) 1.0 + Sat am plus casual staff				100				

ADDITIONAL INFORMATION:

- School use for the year = 40 weeks ~ 35 hours per week = 1400 hours per year.
- Community use for the year = 50 weeks ~ 40 hours per week = 2000 hours per year plus 4 hours per weekend = 208 hours a total of 2208 hours per year.
- Building maintenance is managed by the School via BMW (Building Maintenance and Works).
- Cleaning staff are managed by the School and salaries / entitlements are paid via DoE (Department of Education) who employ the staff for 44 weeks of the year. Each vacation break includes 1 week of accumulated Rostered Days Off (RDO) and 1 week for the 'term clean up'. Cleaning staff take their accrued annual leave during the summer vacation break (December | January). Future cleaning allocation of time may need to be monitored due to budget constraints, particularly where the School cleaners are spending a large part of their time cleaning the Senior's Room which is predominantly used by them and not the School.
- Cleaning for the remaining time is to be paid for and managed by the Shire of Donnybrook - Balingup.
- Cleaning for the weekends and after hours is to be paid for and managed by the Shire of Donnybrook - Balingup.
- Cleaning of stove and fridge in kitchen area is the responsibility of those who use it.
- Donnybrook District High School pays all the accounts up front, except for the Telstra account, and then recoups the appropriate percentage from the Shire as per the Annexure Agreement.
- Cost apportionment for the photocopiers is the Shire pays the maintenance contract costs for the Shire copier and the School does the same for the School copier. Paper is provided by the School to off-set any photocopying done on the Shire copier.
- The Shire is responsible for 1 x full-time Library Officer plus an Officer for additional hours on Saturday mornings, Tuesday evenings/story time and additional hours during school holiday periods.
- The Teacher Librarian is not required to work on Saturday mornings or during School holidays.
- The Teacher Librarian is the daily operational manager who reports to the School Principal on School related issues and to the Shire's Manager of Community Development on Shire related issues.
- The School will on charge the net amount plus GST to Shire accounts where applicable.

2019

MINISTER FOR EDUCATION

AND

SHIRE OF DONNYBROOK-BALINGUP

**AGREEMENT - DONNYBROOK COMMUNITY LIBRARY
DONNYBROOK DISTRICT HIGH SCHOOL**

**STATE SOLICITOR'S OFFICE
COMMERCIAL AND CONVEYANCING
PERTH**

TELEPHONE : (08) 9264 1176

SSO :4510-97 MC1

THIS AGREEMENT is made the _____ day of _____ 201

B E T W E E N :

MINISTER FOR EDUCATION, a body corporate pursuant to the provisions of the *School Education Act 1999* of 151 Royal Street East Perth Western Australia (**Minister**).

and

SHIRE OF DONNYBROOK-BALINGUP a local government and body corporate under the *Local Government Act 1995* of Bentley Street Donnybrook Western Australia (**Shire**).

RECITALS

- A. Care, control and management of the Land has been placed with the Minister.
- B. The Minister and the Shire agreed under a joint funding arrangement to construct the Facilities on part of the Land.
- C. A Committee will be established as set out in clause 4.
- D. The Parties have agreed to make provision for operational funding and use of the Facilities on the terms and conditions contained in this Agreement.
- E. The Parties hereby acknowledge a total commitment to full and open co-operation, at all levels, in the usage and management of the Facilities and equipment therein, for the mutual benefit of the community of the Shire and the School.

OPERATIVE PROVISIONS

1. Interpretation

1.1 In this Agreement unless the context indicates otherwise:

Authorisation means any approval, agreement, certificate, authorisation, notification, code of conduct, government policy, consent, exemption, filing, licence, notarisation, permit, registration, waiver, compliance report or environmental consent by any Government Agency required under any Laws, and includes any renewal of, or variation to, any of them but does not include any act or omission by the Minister under this Agreement.

Business Day means any day other than a Saturday, Sunday or public holiday in Western Australia.

Commonwealth means Commonwealth of Australia;

CEO means the Chief Executive Officer of the Shire of Donnybrook-Balingup;

Committee means the committee established pursuant to clause 4 the rules of which shall be as set out in Schedule B to this Agreement;

Cost Sharing Arrangement means the arrangement reached between the Parties set out in Schedule A to this Agreement by which each Party has agreed to contribute to costs in accordance with the table set out in Schedule A;

Department means the Department of Education;

Facilities means the School community resource building situated on that part of the Land shown delineated and bordered in blue on the plan marked annexed hereto;

Government Agency means any government or any governmental, semi governmental, administrative, fiscal, judicial or quasi-judicial body, department, commission, authority, tribunal, Minister of the Crown, agency, entity or Parliament and includes any part of, or entity comprising, the State;

GST has the meaning given in section 195-1 of the GST Act.;

GST Act means *A New Tax System (Goods and Services Tax) Act 1999*;

Input Tax Credit has the meaning given in section 195-1 of the GST Act.

Land means the land comprised in Reserve 24032 being Lot 500 on Deposited Plan 415009 and being the whole of the land in Certificate of Crown Land Title Volume LR3170 Folio 36.

Law means all applicable present and future laws including:

- (a) all acts, ordinances, regulations, by-laws, orders, awards and proclamations of the State of Western Australia or the Commonwealth of Australia;
- (b) Authorisations;
- (c) principles of the common law or equity;
- (d) standards, codes, policies and guidelines;
- (e) the Australian Securities Exchange listing rules; and

- (f) fees, rates, taxes, levies and charges payable in respect of those things referred to in paragraphs (a), (b), (c) and (d) of this definition,

whether or not existing at the date of execution of this Agreement;

Library means the school library and community library operated in the Facilities;

Librarian means the school community librarian referred to in clause 6.1;

Licence means the licences referred to in clause 2;

Loss means loss, damage, liability, lawsuit, action, writ, proceedings, cost or expense;

Operating Costs means all amounts from time to time properly and reasonably incurred or expended in the running and maintenance of the Facilities and without limiting the generality of the foregoing shall include:

- (a) all costs reasonably incurred in the repair and maintenance of the Facilities including (but not limited to) the reasonable cost of materials and the reasonable cost of all wages and overheads of staff employed in carrying out such repairs and maintenance;
- (b) all costs reasonably incurred in the provision and maintenance of security throughout the Facilities including (but not limited to) the wages and overheads paid to security staff, charges rendered by contract security companies, and all lease, hire, repair, maintenance and running costs of monitoring and/or surveillance equipment;
- (c) the reasonable costs of keeping the Facilities in clean and good sanitary condition and of removing from the Facilities all rubbish and waste which cost shall include (but not be limited to) the wages and overheads paid to cleaning and maintenance staff and the costs of all cleaning materials, toilet requisites, and all charges associated with the hiring of cleaning equipment;
- (d) all costs reasonably incurred in the control and eradication of all pests in the Facilities;
- (e) all water, excess water, electricity and telephone charges and rentals which fall due during the term of this Agreement; and
- (f) the things set out or referred to in the Cost Sharing Arrangement;

Party depending on the context means the Shire or the Minister and

Parties means both of them;

Primary Payment means any payment to the Minister by the Shire under this Agreement;

Principal means the principal of the School;

Quarter means a 3 month period;

Rules means the rules of the Committee set out in Schedule B;

Schedule means Schedule A and Schedule B;

School means Donnybrook District High School;

School Term means each of the 4 school terms per year that are published in the Government Gazette from time to time;

School Holidays means the periods between each School Term;

State means the State of Western Australia and includes any department, agency or instrumentality of the State of Western Australia, the Parliament and any Minister (including the State), whether body corporate or otherwise and their respective employees, agents, contractors and consultants;

Taxable Supply has the meaning given in section 195-1 of the GST Act; and

Tax Invoice has the meaning given in section 195-1 of the GST Act and in the *A New Tax System (Goods and Services Tax) Regulations 1999*;

Term means has the meaning set out in clause 25.1.

1.2 In this Agreement unless the context indicates otherwise:

- (a) (person): references to a person include an individual, a body politic, the estate of an individual, a firm, a corporation, an authority, an association or joint venture (whether incorporated or unincorporated), or a partnership;
- (b) (includes): the words "including", "includes" and "include" will be read as if followed by the words "without limitation";
- (c) (or): the meaning of "or" will be that of the inclusive "or", that is meaning one, some or all of a number of possibilities;
- (d) (party): a reference to a "party" is to a party to this Agreement;

- (e) (other persons): a reference to any party or person includes their and each of their legal representatives, executors, administrators, successors, and permitted substitutes and assigns, including any person taking part by way of novation;
- (f) (authority): a reference to any authority, institute, association or body is:
 - (i) if that authority, institute, association or body is reconstituted, renamed or replaced or if the powers or functions of that authority, institute, association or body are transferred to another organisation, deemed to refer to the reconstituted, renamed or replaced organisation or the organisation to which the powers or functions are transferred, as applicable; and
 - (ii) if that authority, institute, association or body ceases to exist, deemed to refer to the organisation which serves substantially the same purposes or objects as that authority, institute, association or body;
- (g) (this Agreement): a reference to this Agreement or to any other deed, agreement, document or instrument is deemed to include a reference to this Agreement or such other deed, agreement, document or instrument as amended, novated, supplemented, varied or replaced from time to time;
- (h) (legislation): a reference to any legislation or to any section or provision of it includes any statutory modification or re-enactment of, or any statutory provision substituted for, that legislation, section or provision;
- (i) (rights): a reference to a right includes any benefit, remedy, discretion, authority or power;
- (j) (obligations): a reference to an obligation includes a warranty and a reference to a failure to observe or perform an obligation includes a breach of warranty;
- (k) (singular): words in the singular include the plural (and vice versa) and words denoting any gender include all genders;
- (l) (headings): headings are for convenience only and do not affect the interpretation of this Agreement;
- (m) (clauses): a reference to:
 - (i) a clause, schedule or attachment is a reference to a clause, schedule or attachment of this Agreement; and
 - (ii) a paragraph or a sub-paragraph is a reference to a paragraph or sub-paragraph in the clause in which the reference appears;

- (n) (inclusive): a reference to this Agreement includes all schedules and attachments to this Agreement, including the Schedule;
- (o) (defined meaning): where any word or phrase is given a defined meaning, any other part of speech or other grammatical form of that word or phrase has a corresponding meaning;
- (p) (\$): a reference to "\$" is to Australian currency and any amounts in this Licence are exclusive of GST, unless otherwise specified;
- (q) (time): a reference to time is a reference to Western Australian Standard Time;
- (r) (language): all information and documentation prepared or delivered by the parties under this Agreement will be in English;
- (s) (form): writing includes any mode of representing or reproducing words in tangible and permanently visible form and includes facsimile transmissions and communication by email;
- (t) (construction): no rule of construction applies to the disadvantage of a party on the basis that the party put forward or drafted this Agreement or any part;
- (u) (information): any reference to "information" will be read as including information, representations, statements, data, samples, calculations, assumptions, deductions, determinations, drawings, designs, specifications, models, plans and other documents in all forms including the electronic form in which it was generated;
- (v) (policies): any reference to a State of Western Australia policy or scheme is deemed to include a reference to such policy or scheme as amended, varied or replaced by the State from time to time;
- (w) (thing): a reference to any thing is a reference to the whole or any part of it and a reference to a group of things or persons is a reference to any one or more of them but this is not to be taken as implying that performance of part of an obligation is the performance of the whole;
- (x) (consortium): if a party consists of a consortium of two or more persons whether by way of partnership or joint venture or otherwise, then:

- (i) an obligation imposed on a party under this Agreement binds each person who comprises that party jointly and severally;
 - (ii) each person who comprises a party agrees to do all things necessary to enable the obligations imposed on that party under this Agreement to be undertaken; and
 - (iii) the act of one person who comprises a party binds the other person or persons who comprise that party;
- (y) (jointly and severally): an agreement, representation or warranty on the part of or in favour of two or more persons binds, or is for the benefit of, them jointly and severally;
- (z) (electronic address): a reference to a document published at an electronic address is to the document as published at that electronic address on the date of execution of this Agreement;
- (aa) (liability) a reference to a liability includes all obligations to pay money and all other losses, costs and expenses of any kind;
- (bb) (contractor) means contractor or subcontractor at any tier;
- (cc) (year) a reference to a year is to a calendar year
- (dd) (reference to parties) reference to the Shire using the Facilities means and includes the use of the Facilities by the Shire or any of its employees agents contractors licensees or invitees (including members of the public).

2. LICENCE

The Minister hereby grants to the Shire a licence to use the Facilities for community library purposes for the Term or until such time as the Minister divests itself or is divested of its rights over or in the School (whichever occurs sooner). The rights contained in this Agreement rest in contract only and nothing expressed or implied in this Agreement shall confer a right of exclusive possession of the Facilities to the Shire and the Minister may at any time and at all times and from time to time exercise all of its rights in respect of the Facilities except where such rights shall:

- (a) prevent the operation of the Licence granted in respect of the Facilities and rights with respect to the Facilities granted pursuant to this Agreement; or
- (b) be inconsistent with the express provisions of this Agreement.

3. **OPERATIONAL FUNDING**

- 3.1 The Shire and the Minister shall contribute to the Operating Costs in accordance with the Cost Sharing Arrangement.
- 3.2 The Shire shall reimburse the Minister for its share of the Operating Costs within 30 days after having received an invoice from the Minister. Invoices shall be provided by the Minister at Quarterly intervals.
- 3.3 The Cost Sharing Arrangement shall be subject to a review by the Shire and the Minister upon the expiry of a period of 2 years from the commencement of the term of this Agreement and thereafter every two years. During such review the Parties agree to meet together and negotiate in good faith.
- 3.4 If, within 2 months after a review between the Shire and the Minister pursuant to clause 3.4, no agreement has been reached as to their respective future contributions to the Operating Costs, future contributions shall remain as per Schedule A.

4. **MANAGEMENT**

- 4.1 The care, management and control of the Facilities shall be jointly vested in the Minister and the Shire who shall appoint a management Committee. Membership of the Committee shall consist of 6 members (or other such even number as the Shire and the Minister shall from time to time agree) who, subject to this Agreement and any mutual direction on the part of the Shire and the Minister, shall exercise the functions set out in the Rules. Members shall comprise:
 - (a) 3 members to be appointed by the Shire one of whom shall be the Shire chief executive officer;
 - (b) 3 members to be appointed by the Minister one of whom shall be the Principal;
- 4.2 A member may resign from the Committee by written notice to that effect delivered to the Principal or the CEO.
- 4.3 Each Party may each in regard to its respective appointees at any time and from time to time -
 - (a) revoke an appointment and appoint another person in place of the member whose appointment is revoked;
 - (b) appoint a person to act temporarily as a member during the absence of any member and a person while so acting shall be deemed to be a member; and

- (c) appoint another person to act as a member in place of a member who resigns under clause 4.2.

5. USE OF FACILITIES

- 5.1 At all times during opening hours of the Library (including without limitation usual school hours), the Library shall be accessible to the general public.
- 5.2 At all times during opening hours of the Library (including without limitation outside usual school hours), the Library shall be accessible to the students, teachers and parents of students of the School.
- 5.3 Borrowing rights shall apply equally to members of the general public, and to the staff and students of the School. Resources from all sources of supply (as contemplated in clauses 7.2 and 7.3) should be available to all borrowers, with the exception of those resources which are identified by the School as being available for use only by staff and students of the School, reference books which do not normally leave the Library and adult books which are not to be made available to juveniles.
- 5.4 If a student of the School has been suspended from the School, then that student shall not be entitled to enter or use the Facilities, during the hours that the School is operating as a school, for the period of suspension, in either his or her capacity as a student of the School or as a member of the general public.

6. APPOINTMENT OF STAFF

- 6.1 The Minister and the Shire shall appoint the Librarian who shall -
 - (a) have appropriate qualifications for the position;
 - (b) have a status and classification determined by the Minister and the Shire;
 - (c) be in charge of the Library at all times, subject to the direction, supervision, and control of the Minister and the Shire.
- 6.2 The initial appointment and subsequent vacancies for the position of Librarian shall be advertised widely in such manner as the Minister and the Shire shall agree and shall provide full particulars of the unique nature of the appointment which shall be on the basis of either-
 - (a) a contract with the Department; or
 - (b) (if the successful applicant is an employee of the Department) a secondment within that Department.

- 6.3 The Minister and the Shire may appoint such further staff as are necessary to enable the Library to be used for educational and community library purposes upon such terms and conditions as are agreed upon between the Minister and the Shire and in making such appointments the Parties shall have regard to the number of community users.
- 6.4 The salaries of other library staff shall be appropriate to their status and classification as determined by the Minister and the Shire.
- 6.5 Each Party shall pay the salary of the staff employed by it to work in the Library.
- 6.6 The Librarian is hereby deemed to be equivalent of one full time employee.

7. **RESOURCES FOR LIBRARY**

- 7.1 The Minister and the Shire shall:
- (a) install three telephone lines for use in the Facilities, two of which will be for voice transmission and one for facsimile transmission and pay all rents and metered calls in the agreed proportions as per the Cost Sharing Arrangement; and
 - (b) use all reasonable endeavours to make provision for suitable technology to be utilised as necessary, using resources recommended by the Committee from time to time.
- 7.2 The Minister shall at all times use its reasonable endeavours to ensure that the Library is adequately stocked with:
- (a) books and other resources (which are reasonably contemporary, suitable and relevant); and
 - (b) other library facilities (which are reasonably contemporary, suitable and relevant),
- at levels commensurate with those normally maintained for a school and community the size of the School.
- 7.3 The Shire shall at all times use its reasonable endeavours to ensure that the Library is adequately stocked with:
- (a) books and other texts (which are reasonably contemporary, suitable and relevant); and
 - (b) other library facilities (which are reasonably contemporary, suitable and relevant),

at levels commensurate with those normally maintained for a community the size of the community intended to be served by such library.

8. OPERATIONAL CHARTER

8.1 The Shire and the Minister acknowledge that pursuant to the *Library Board of Western Australia Act 1951* the Shire is a participating body (as defined in that Act) in respect of a scheme (as defined in that Act) entered into with the Library Board of Western Australia for the promotion, organisation, supervision and assistance of registered public libraries and registered public library services within the municipal district of the Shire and (subject to clause 8.2) nothing herein or in the Rules shall be deemed to enable or permit the Shire the Minister or the Committee to take any action in respect of the public library purposes of the Facilities which would contravene that scheme.

8.2 If, on account of anything expressed or implied in clause 8.1, the Shire is unable to comply with any obligation imposed upon it under this Agreement (which obligation is, in the reasonable opinion of the Minister, one which is not unimportant having regard to what is sought to be achieved by this Agreement and/or the interests and/or reasonable expectations of the Minister), and the Shire and the Minister are not able to successfully renegotiate this Agreement within 2 months of the Shire's inability to comply as aforesaid, then the Minister may terminate the Licence granted to the Shire in respect use of the Library with the giving of 1 months' written notice to the Shire.

9. MAINTENANCE AND SECURITY

9.1 The Minister shall keep and maintain the Facilities in good order repair and condition and provide thereto all electrical, water supply and garbage collection services. Subject to clauses 9.2 and 9.3 and 9.4, the Shire shall pay the percentage of any costs and expenses incurred in that regard in accordance with clauses 3.1, 3.2 and 3.3.

9.2 Notwithstanding anything expressed or implied to the contrary in this Agreement, if the Shire or any agent, employee, contractor, invitee or licensee of the Shire, through its, his or her negligence or other default, damages or destroys or contributes to the damage or destruction of the Facilities or any part thereof, then, to the extent that such damage or destruction was caused or contributed to by the negligence or other default of any of the aforesaid persons, the Shire shall itself be responsible for all or part (as the case may be) of the cost of the repair or replacement of the said damaged or destroyed Facilities.

9.3 Notwithstanding anything expressed or implied to the contrary in this Agreement, if the Minister, the School or any of their respective

agents, employees, contractors, students, invitees or licensees, through its, his or her negligence or other default, damages or destroys or contributes to the damage or destruction of the Facilities or any part thereof, then, to the extent that such damage or destruction was caused or contributed to by the negligence or other default of any of the aforesaid persons, the Minister shall itself be responsible for all or part (as the case may be) of the cost of the repair or replacement of the said damaged or destroyed Facilities.

9.4 Notwithstanding anything expressed or implied to the contrary in this Agreement (except Schedule A to which this clause 9.4 is and shall be subject to), if the Facilities are destroyed or damaged, then to the extent that such destruction or damage has not been caused or contributed to by:

- (i) a breach of this Agreement by; or
- (ii) any negligent or other wrongful act or omission of,

a Party or any agent employee contractor student invitee or licensee of a Party, the Shire and the Minister shall contribute to the cost of the necessary repair and/or replacement (as the case may be) in the following proportions:

Minister -	50%
Shire -	50%.

9.5 The Shire shall promptly report any theft of, damage to, deficiency in, destruction of, or other fault in relation to the Facilities to the Minister upon the happening of the same and do all things and take all steps that are reasonable so as to minimise and mitigate any loss caused or occasioned thereby.

10. INDEMNITY

10.1 Notwithstanding anything to the contrary expressed or implied in this Agreement, each Party shall release indemnify and keep indemnified the State, the Minister for Lands and the other Party and all agents, employees, contractors, students, invitees or licensees of the other Party from and against all liability and all actions, proceedings, suits, claims, demands, losses, damage, costs and expenses which may at any time be brought or maintained against or suffered or incurred by any of the State, the Minister for Lands, the other Party or any of their respective agents, employees, contractors, students, invitees or licensees arising from or in connection with this Agreement and/or the Facilities and:

- (a) the death or illness of or injury to any person; and/or
- (b) the destruction or loss of or damage to any property,

to the extent that the same has been caused or contributed to by:

- (c) any breach of this Agreement by or on the part of; or
- (d) any negligent or other wrongful act or omission of,

the first mentioned Party or any agent employee contractor student invitee or licensee of the first mentioned Party.

10.2 For the purposes of clause 10.1, neither the Shire nor any of the Shire's agents, employees, contractors, invitees or licensees, is, or shall be considered or deemed to be, a licensee or invitee of the Minister.

10.3 The indemnity contained in this clause 10 is a continuing obligation and remains in force and effect notwithstanding the expiry of the Term or the early termination of this Agreement irrespective of how it is terminated or which Party terminated it.

11. **INSURANCE**

11.1 Each Party shall effect and maintain its own insurance cover for its own contents within the Facilities.

11.2 The Shire shall effect and maintain a public liability insurance policy with indemnity cover of not less than \$20,000,000.00 in respect of any one occurrence (and unlimited in the aggregate) or such greater amount as the Minister at any time and from time to time after notice to the Shire may reasonably require in an insurance office approved by the Minister and (as and when requested to do so by the Minister from time to time) produce or cause to be produced to the Minister the relevant policy or policies of insurance and premium receipts therefor.

11.3 If, pursuant to this Agreement, there is in existence an insurance policy covering loss of and/or destruction and/or damage to property of any kind whatsoever and a claim is made against that policy on account of such property being lost destroyed and/or damaged, then the Party with the insurable interest in the property, and in whose name the policy exists, shall ensure that all the monies payable and paid under that policy are applied to the replacement or repair (as the case may be) of the lost destroyed or damaged property.

11.4 Each Party must do all things reasonable to ensure that:

- (a) any policy or policies of insurance referred to above do not become void or voidable; and
- (b) the premiums therefor are not significantly increased on account of anything done or not done by that Party or person for whom that Party is responsible.

12. **COSTS**

The Shire shall pay to the Minister on demand 100% of all costs charges and expenses for which the Minister shall become liable in consequence of or in connection with any default by the Shire in performing or observing any covenants conditions or stipulations herein contained or implied and on the part of the Shire to be performed or observed.

13. **GST**

13.1 The amount of all Primary Payments specified in this Agreement are exclusive of GST except where stated otherwise.

13.2 If GST is payable by the Minister in respect of a Primary Payment or any part in connection with a Taxable Supply provided under this Agreement:

- (a) the Primary Payment is increased by an amount equal to the applicable GST; and
- (b) the Shire must pay the amount of the increase in the same manner and on the same date as the Minister is required to pay the Primary Payment.

13.3 If the Primary Payment consists (wholly or partly) of the recovery by the Minister of all or a portion of the Minister's costs, the Primary Payment is to be reduced by the amount (or corresponding proportion) of the Input Tax Credits available to the Minister in respect of these costs and then increased by any applicable GST payable under clause 13.2.

13.4 If a Primary Payment is to be increased to account for GST under clause 13.2 the Minister must, before the date on which the increased Primary Payment is to be paid, issue a Tax Invoice to the Shire.

14. **DEFAULT**

14.1 If either Party (**Defaulting Party**) defaults in the performance of or compliance with a provision of this Agreement and fails to remedy that default within a reasonable time after the date of having received a written notice from the other Party (**the Innocent Party**) specifying that default, the Innocent Party may terminate this Agreement with the Defaulting Party by giving 30 days written notice to the Defaulting Party. Such termination shall not prejudice or otherwise affect:

- (a) the liability of either Party in respect of any antecedent breach of any of the provisions of this Agreement; or
- (b) the rights of either Party to claim damages (for breach of this Agreement or otherwise whatsoever).

14.2 A Party may also terminate this Agreement if the other Party persistently breaches this Agreement.

14.3 Each Party's rights to terminate this Agreement under the common law are hereby preserved.

15. **ALCOHOL**

Except as provided under the provisions of the *School Education Act 1999* and the *School Education Regulations 2000* and in accordance with the provisions of the *Liquor Control Act 1988* and the *Liquor Control Regulations 1989*, the Shire shall not permit the consumption of alcoholic beverages on the Facilities unless it has written authorisation from the Principal or an authorised officer of the Department.

16. **REASONABLENESS**

16.1 Any agreement, consent, approval, permission, authority, decision, requirement, condition, direction or thing to be done pursuant to this Agreement shall not be capriciously or unreasonably reached, withheld, given or carried out, and the obligations and the performance of each Party shall be carried out and performed in a reasonable manner.

16.2 Each Party must execute and do all acts and things reasonably necessary to implement and give full effect to the provisions and purpose of this Agreement.

17. **NO IMPROVEMENTS**

The Shire shall not without written approval of the Minister erect or build or permit or cause to be erected or built in or on the Facilities any buildings erections or other improvements or make any additions or alterations to any buildings erections or other improvements now or hereafter in on or comprising the Facilities and then only in strict accordance with plans and specifications to be first approved in writing by the Minister and any Government Agency having jurisdiction over the Land.

18. **COMPLY WITH LAW**

The Shire and its employees agents contractors licensees and invitees shall at all times duly and punctually comply with observe and carry out and conform with the provisions of any Law now or hereafter in force and all requirements and orders of any Government Agency which effect the Facilities or the use thereof or which impose any duty or obligation upon the owner or occupier thereof.

19. **NO NUISANCE**

Whilst using the Facilities, the Shire must not and must not allow any one under its control to do anything which is illegal, offensive or a nuisance and if any such thing is done, must promptly stop the doing of that thing.

20. **NO SIGNS**

The Shire must not affix or cause or permit to be affixed or exhibited anywhere in or on the Facilities any poster signboard neon sign or advertisement except as shall be first approved in writing by the Minister.

21. **NOT TO ASSIGN ETC**

The Shire shall not without the prior written consent of the Minister (which consent may be arbitrarily withheld) assign transfer mortgage encumber sublicense dispose of or part with possession of this Agreement or the Facilities or any part thereof or the rights liberties or authorities hereby granted or procure allow or suffer the same or any part thereof to be assigned transferred mortgaged charged encumbered sublicensed disposed of or the possession thereof parted with for all or any part of the term of this Agreement.

22. **SCHOOL PART OF MINISTER**

The Shire acknowledges and agrees that the School is a part of, and an agent for, the Minister for the purposes of this Agreement.

23. **SCHOOL EDUCATION ACT 1999 REMAINS UNAFFECTED**

Nothing in this Agreement shall affect or be deemed to affect any right power authority or duty conferred or imposed upon the Minister under any law including the *School Education Act 1999*.

24. **THIS AGREEMENT PARAMOUNT**

If there is an inconsistency between the provisions of this Agreement (excluding the Rules) and the Rules, then the provisions of this Agreement (excluding the Rules) shall prevail to the extent of that inconsistency.

25. **TERM OF AGREEMENT**

25.1 Subject to clause 27 the term of this Agreement (**Term**) is 7 years commencing on 1 December 2019.

25.2 If:

- (a) prior to the expiration of the Term, this Agreement has not been terminated; and

- (b) the Shire desires to extend this Agreement for a further term of 7 years commencing from the expiration of the Term (**Further Term**); and
- (c) the Shire gives to the Minister written notice of its desire such notice being received by the Minister not more than 6 or less than 3 months prior to the expiration of the Term; and
- (d) during the Term there had been no breach of any term of this Agreement by the Shire which was not rectified within a reasonable period of time after notice of breach being given by the Minister,

then this Agreement will be so extended by 7 years subject to the terms and conditions set out in this Agreement with the exception of this clause 25.2.

26. NOTICES

26.1 Notices that may or must be sent under or in connection with this Agreement shall be in writing, signed by the Party or representative of the Party giving notice, and may be delivered by pre-paid post or by hand to the other Party at the relevant address out in clause 26.2.

26.2 Notices to each of the Parties shall be sent to the below:

- (a) Minister: Asset Planning and Services branch,
Department of Education
151 Royal Street
EAST PERTH WA 6004
- (b) Shire Shire of Donnybrook-Balingup
P O Box 94
DONNYBROOK WA 6239

26.3 Notices shall be deemed to be received:

- (a) (in the case of delivery by pre-paid post) six Business Days after deposit in the mail; or
- (b) immediately upon delivery by hand.

27. EARLY TERMINATION

Notwithstanding anything expressed or implied in this Agreement to the contrary (except clause 9.2 which this clause 27 is subject to), the Minister or the Shire may, by giving 12 months notice in writing to the other, terminate this Agreement (for any or no reason whatsoever) and upon the expiration of that 12 month period, this Agreement shall terminate but any rights of action or claims which accrued or arose to either the Shire or the Minister prior to such termination are hereby preserved.

28. **WAIVER**

- 28.1 Failure to exercise or enforce, or a delay in exercising or enforcing, or the partial exercise or enforcement of, a right, power, or remedy under any Law or under this Agreement by a Party does not preclude, or operate as a waiver of, the exercise or enforcement, or further exercise or enforcement, of that or any other right, power or remedy provided under any Law or under this Agreement.
- 28.2 A waiver given by a Party under this Agreement is only effective and binding on that Party if it is given or confirmed in writing by that Party.
- 28.3 No course of dealings between the Parties removes the requirement under clause 28.2 that a waiver must be in writing to be effective and binding upon the Parties.
- 28.4 No waiver of a breach of a term of this Agreement operates as a waiver of any other breach of that term or of a breach of any other term of this Agreement.

29. **MISCELLANEOUS**

- 29.1 Whenever the consent of the Minister is required under this Agreement:
- (a) that consent may be given or withheld by the Minister in the Minister's absolute discretion and may be given subject to such conditions as the Minister may determine;
 - (b) the Minister is not required to provide a reason or reasons for giving or refusing its consent; and
 - (c) the Shire agrees that any failure by it to comply with or perform a condition imposed under clause 29.1(a) will constitute a breach of this Agreement by the Shire .
- 29.2 Each Party must do all things and execute all further documents necessary to give full effect to this Agreement.
- 29.3 Nothing in this Agreement may be construed to make the Shire a partner, agent, employee or joint venturer of the Minister.
- 29.4 The Shire must not represent that the Shire or any of its employees, agents, contractors, licensees or representatives are the employees, agents, partners or joint venturers of the Minister.
- 29.5 The rights, powers and remedies in this Agreement are in addition to, and not exclusive of, the rights, powers and remedies existing at law or in equity.

- 29.6 This Agreement states all the express terms of the agreement between the Parties in respect of its subject matter. It supersedes all prior discussions, negotiations, understandings and agreements in respect of its subject matter.
- 29.7 The Parties agree that Part IF of the *Civil Liability Act 2002* (WA) is excluded and does not apply to the Parties' liabilities under this Agreement.
- 29.8 (a) This Agreement is governed by the Law in force in Western Australia.
- (b) Each Party irrevocably submits to the exclusive jurisdiction of courts exercising jurisdiction in Western Australia and courts of appeal from them in respect of any proceedings arising in connection with this Agreement. Each Party irrevocably waives any objection to the venue of any legal process in these courts on the basis that the process has been brought in an inconvenient forum.
- 29.9 Each party represents and warrants to the other that it has full power to enter into and perform its obligations under this Agreement and that when executed this Agreement will constitute legal, valid, and binding obligations under its terms.
- 29.10 The Shire must immediately notify the Minister in writing if it forms the opinion that it will be unable to, or be unlikely to be able to, satisfy any of its obligations in relation to this Agreement from the financial resources available, or likely to be available, to it, at the time the obligation is due.
- 29.11 The provisions of the Schedules are terms of this Agreement and therefore are enforceable in accordance with their terms.

SCHEDULE B

COMMITTEE - RULES

1. Name

The name of the Committee is THE DONNYBROOK SCHOOL COMMUNITY RESOURCE LIBRARY MANAGEMENT COMMITTEE (**Committee**).

2. Functions

Subject to mutual directions from the Shire and the Minister and subject to the Agreement to which these Rules are annexed (**Agreement**), the Committee's functions are:

- 2.1 To facilitate the management and control of the Library by the Shire and the Minister according to the terms of the Agreement.
- 2.2 To undertake the overall planning and management of the Library in accordance with the requirements and policies of the Shire and the Minister.
- 2.3 To develop community awareness of the potential and the limitations of the Library and to facilitate communication between users of the Library the Shire and the Minister.
- 2.4 To make recommendations to the Shire and the Minister on the standards of facilities and services provided by the Library.
- 2.5 To assist in the preparation of an annual operating budget to satisfy the requirements of the Shire and the Minister having regard to the prime objectives of providing a coordinated and comprehensive library resource and community resource service.
- 2.6 To provide specific policies and guidelines for the Library staff to follow and together with the Librarian to design and implement a method of acquisition storage control and issue of all materials held in the Library.
- 2.7 To make the maximum use of all the resources of the Library (including staff) in order to provide the best possible service to all users of the Library .
- 2.8 To assist in the natural assimilation of the Library into the School and the community of the Shire.

3. Powers of the Committee

The Committee may:

- (a) advise the Minister and the Shire on the selection and appointment of the Librarian;
- (b) make recommendations to the Minister and the Shire relating to other library staff of the Library;
- (c) where applicable endorse the duty statement of any member of the staff of the Library;
- (d) liaise and accept additional materials offered to the Library by way of community donation; provided that such donations conform to the Libraries Selection Guidelines; and
- (e) with the prior written approval of the Minister and the Shire establish advisory committees to include community users of the Library and prescribe the functions of those committees.

4. Method of Operation

- 4.1 The Committee shall elect a Chairperson and a Deputy Chairperson who shall hold office for 1 year and preside at all meetings of the Committee. In the absence of the Chairperson, the Deputy Chairperson shall act as Chairperson at that meeting.
- 4.2 The quorum necessary for the transaction of the business of the Committee shall be 4 members which must include 2 representatives of the Minister and 2 representatives of the Shire.
- 4.3 Each member has one (1) vote and the Chairperson shall not have a casting vote.
- 4.4 If any member is unable to attend a particular meeting that member may appoint a proxy to attend that meeting on that member's behalf by giving written notice of the appointment to the Chairperson or the Librarian at least 7 days before the relevant meeting. The member must nominate in the notice whether the proxy will have voting rights.
- 4.5 In the case of a voting deadlock the matter shall be referred to the Minister and the Shire for consideration and direction.
- 4.6 The Committee shall meet at intervals of no greater than 6 months and shall prepare and furnish to the Minister and the Shire as soon as practicable after the last day of each calendar year a report in writing of the operations of the Facilities during that calendar year.
- 4.7 The Committee may prescribe its own procedure for the day to day running of its affairs but such procedure shall not contravene these Rules,

any legislation or other law, or the policies bylaws or regulations of the Minister or any right power authority or duty conferred or imposed on the Minister or the Shire or any person acting under the authority of either including (without limiting the generality of the foregoing) the Principal and the CEO.

- 4.8 The Librarian shall be the Committee's executive officer and shall attend meetings and facilitate the keeping of accurate minutes of all business transacted at the meetings, but shall not be entitled to vote. Minutes of each meeting shall be forwarded to the Principal and the CEO and each member of the Committee not later than 2 weeks after each meeting.
- 4.9 The Librarian will be responsible to:
- (a) the Principal for the provision of those resource Library services to the School as have been authorised by the Committee; and
 - (b) the Shire or the Shire's nominee for the provision of those resource Library services to the general community as have been authorised by the Committee.
- 4.10 The Committee shall not -
- (a) handle any money; or
 - (b) undertake any obligation involving the expenditure of money without the prior written approval of the Minister and the Shire or (in a case involving expenditure of money by only one of those Parties) the prior written approval of the Minister or the Shire as the case may require.

5. Definitions

Unless the context otherwise requires, in these Rules all words and phrases shall have the same meanings as those ascribed to them in the Agreement.

EXECUTED by the Parties.

SIGNED for and on behalf of the)
MINISTER FOR EDUCATION by)
JAY TIMOTHY PECKITT)
A/Deputy Director General of the)
Department of Education,)
the officer delegated this authority)
pursuant to section 230 of the)
School Education Act 1999 (WA))
in the presence of)

____/____/____

Witness signature

Witness Full Name (Please print)

Witness address (Please print)

Witness occupation (Please print)

THE COMMON SEAL of the)
SHIRE OF DONNYBROOK-BALINGUP)
was hereunto affixed in the presence of:)

Chief Executive Officer

Shire President



Department of
Primary Industries and
Regional Development



REGIONAL ECONOMIC DEVELOPMENT (RED) GRANTS

Guidelines

Supported by the State Government's Royalties for Regions Program

CONTENTS

1.	OVERVIEW	3
2.	INTRODUCTION.....	3
3.	OBJECTIVES AND SCOPE	4
4.	ELIGIBILITY CRITERIA.....	4
5.	ASSESSMENT AND DECISION MAKING PROCESS	6
6.	HOW TO APPLY.....	6
7.	PERSONAL INFORMATION AND DISCLOSURE OF INFORMATION IN APPLICATION.....	6
8.	CONDITIONS AND OBLIGATIONS THAT APPLY TO SUCCESSFUL APPLICANTS.....	7
9.	TAX INFORMATION.....	7
10.	CONFLICTS OF INTEREST	7

1. OVERVIEW

The RED Grants program is a State Government initiative that invests in community driven projects that contribute to economic growth and development in regional Western Australia.

The State Government's Royalties for Regions program has invested over \$28.8 million towards the RED Grants program.

Eligible applicants can apply for RED Grants funding of up to \$250,000 for individual projects.

2. INTRODUCTION

These Guidelines contain important information for applicants about the Regional Economic Development (RED) Grants Program.

The nine Regional Development Commissions (RDCs) will deliver and implement funding rounds for the RED Grants Program within their region. The Department of Primary Industries and Regional Development (DPIRD) will oversee delivery of the overall Program.

Round Two

Applications open: 11 July 2019
Applications close: 13 September 2019

After reading the Guidelines, you should contact the relevant RDC to discuss your project prior to submitting an application for funding. Contact information:

RDC	Telephone	Email	Web Address
Gascoyne	9941 7000	info@gdc.wa.gov.au	www.gdc.wa.gov.au
Goldfields-Esperance	9080 5000	grants@gedc.wa.gov.au	www.gedc.wa.gov.au
Great Southern	9842 4888	gsdc@gsdc.wa.gov.au	www.gsdc.wa.gov.au
Mid West	9956 8593	mwdcgrants@dpiird.wa.gov.au	www.mwdc.wa.gov.au
Kimberley	9194 3000	gpo@kdc.wa.gov.au	www.kdc.wa.gov.au
Peel	9535 4140	grants@peel.wa.gov.au	www.peel.wa.gov.au
Pilbara	1800 843 745	grants@pdc.wa.gov.au	www.pdc.wa.gov.au
South West	9792 2000	info@swdc.wa.gov.au	www.swdc.wa.gov.au
Wheatbelt	9622 7222	royaltiesforregions@wheatbelt.wa.gov.au	www.wheatbelt.wa.gov.au

Note: Where funding is sought for projects across multiple regions, applicants will be required to submit separate applications to each RDC, as they will be assessed independently. Details of each regional component and the amount of funding sought for the entire project will need to be included in their applications. Applicants should seek advice on their project proposal with each RDC where funding will be sought, prior to the submission of an application.

3. OBJECTIVES AND SCOPE

The RED Grants Program provides funding to support locally driven projects that will contribute to economic growth in regional communities.

The objectives of the RED Grants Program include:

- Sustainable jobs growth;
- Increasing productivity;
- Expanding or diversifying industry;
- Developing skills or capabilities;
- Attracting new investment in the region.

For clarity on addressing these objectives please refer to the application form.

4. ELIGIBILITY CRITERIA

Who is Eligible?

To be eligible for RED Grants funding the applicant must have an Australian Business Number (ABN), and be one of the following entities:

- A local government.
- A not for profit organisation that is a legal entity.
- Australian registered business.
- Industry association, cooperative or business group
- Incorporated body, or have equivalent status (i.e. represented by an incorporated auspicing body).
- Universities or training institutions (under collaborative arrangements with third parties).

Who is not Eligible?

You are not eligible to apply if you are:

- A State or Federal Government Agency.
- Government Trading Enterprise (GTE)
- School or hospital.
- A Trust.

What is not Eligible?

Items that are **not** eligible for funding include:

- Ongoing costs incurred after the project is completed (e.g. operating and maintenance costs)
- Retrospective payments or expenditure incurred prior to execution of a RED Grants agreement.
- Existing staff salaries.
- Operational overheads (such as rent, insurance, telephone etc.).

5. ASSESSMENT CRITERIA

Applicants should demonstrate:

- How their project meets at least one of the economic growth and development objectives:
 - Sustainable jobs growth.
 - Increasing productivity.
 - Expanding or diversifying industry.
 - Developing skills or capabilities.
 - Attracting new investment in the region.
- Local partnerships and collaboration including co-investment/supported by key regional stakeholders.
- Delivery of local content outcomes.
- Alignment with regional priorities.
- A wider economic development benefit.
- A minimum 50% matching cash contribution to the project (not-for-profit organisations will be assessed on a case by case basis).
- The capacity to undertake and complete the project (past grant experience, project management and governance structure, experience of key personnel, project risk identification and mitigation);
- The capacity to meet ongoing operating and maintenance costs following the conclusion of the grant funding (if applicable).
- For businesses applying for funding, demonstration of financial capacity and sustainability including two years of audited financial statements.

Local content

Applications must address what the project means for the local community/region in relation to jobs and economic activity.

Preference will be given to projects that demonstrate:

- Building the capability of local suppliers, and the opportunity for regional businesses to supply items/services for the project;
- Increased regional employment and regional business participation through subcontractors, suppliers, apprenticeships and traineeships;
- Support for emerging or new industries in the region, promotion and awareness of local industry/businesses; and
- Benefit to the regional economy through any other identifiable means.

Local Content Advisors (LCA) are in place at the RDCs to provide guidance to applicants in addressing local content in their applications.

You can contact your nearest Local Content Adviser at the following Regional Development Commissions:

Gascoyne

Email: local.content@gdc.wa.gov.au

Ph: (08) 9941 7000

Peel

Email: local.content@peel.wa.gov.au

Ph: (08) 9535 4140

Goldfields/ Esperance

Email: localcontent@gedc.wa.gov.au

Ph: (08) 9080 5000

Pilbara

Email: local.content@pdc.wa.gov.au

Ph: 1800 843 745

Great SouthernEmail: local.content@gsdc.wa.gov.au

Ph: (08) 9842 4888

South WestEmail: local.content@swdc.wa.gov.au

Ph: (08) 9792 2000

KimberleyEmail: localcontent@kdc.wa.gov.au

Ph: (08) 9194 3004

WheatbeltEmail: local.content@wheatbelt.wa.gov.au

Ph: (08) 9622 7222

Mid WestEmail: local.content@mwdc.wa.gov.au

Ph: (08) 9921 0725

6. ASSESSMENT AND DECISION MAKING PROCESS

The assessment process for RED Grants involves the following:

- RDCs will undertake an assessment of all applications on a competitive, merit based process
- Pending eligibility, each application will be assessed against the criteria outlined in section 5 by the RED Grants assessment team in each region.
- Recommendations will be submitted to the Minister for Regional Development for final approval.
- All Applicants will be advised of the outcome of the assessment process.
- Grant Agreements will be developed and executed with successful applicants.

Applicants should note that the assessment process could take up to six (6) months which should be considered during project planning. Each RDC reserves the right to request more information to clarify aspects of the application.

7. HOW TO APPLY

All information and application details for the RED Grants program is located on each of the RDC websites. Links to websites and contact details for RDCs are provided in Section 1 of these Guidelines.

Please contact staff at the relevant RDC to discuss your application and project prior to submission.

8. PERSONAL INFORMATION AND DISCLOSURE OF INFORMATION IN APPLICATION

Applicants are informed that DPIRD and RDCs are subject to the *Freedom of Information Act 1992 (WA)*, which provides a general right of access to records held by State Government agencies and local governments.

Applicants are advised that information pertaining to the receipt of State Government financial assistance will be tabled in the Western Australian Parliament. This information could include the name of the recipient, the amount of the assistance, the name of the project and a brief description thereof. This could result in requests for more details to be released publicly.

Successful applicants should be aware that their organisation's name, project name and amount of funding approved will appear on the relevant RDC's website.

Each RDC reserves the right to discuss an application with a third party if it is deemed necessary

to assist in assessing the application.

9. CONDITIONS AND OBLIGATIONS THAT APPLY TO SUCCESSFUL APPLICANTS

All projects must be approved and grant agreements executed prior to project commencement. No retrospective payments will be made. Progressive payments may be made where applicable and subject to the applicant providing the relevant RDC with:

- Sufficient information (including a written report) on the agreed milestones to indicate that the project is progressing satisfactorily.
- A statement of income and expenditure for the project to the date of the progressive payment claim, signed by the applicant's Chief Executive Officer or equivalent position. The statement should include details of eligible project expenditure compared to budget.

Before receiving funds, successful applicants are required to enter into a Grant Agreement which will outline the conditions of the grant. The grant agreement must be signed and returned to the relevant RDC within sixty (60) days of the date of issue.

As a condition of funding, all grant recipients are required to provide a detailed final acquittal report to the relevant RDC within twelve (12) weeks of the completion of the project. For projects receiving funding of more than \$50,000, the final report is to be audited by an independent auditor, unless advised otherwise.

Acquittal requirements for grant recipients will be specified in the grant agreement.

10. TAX INFORMATION

Funding provided to recipients under the RED Grants is regarded as payment for a supply. GST-registered grant recipients will therefore be liable for GST in connection with the grant. The grant will be increased by the amount of GST payable. Recipients must provide a tax invoice for the GST inclusive value of the grant.

If you are not registered for GST please discuss with the RDC.

11. CONFLICTS OF INTEREST

Each RDC reserves the right to not support an application if it is not satisfied that adequate arrangements are in place to appropriately address and manage a perceived or actual conflict of interest.

WARREN BLACKWOOD

Sub-regional growth plan 2019



TABLE OF CONTENTS

Foreword 2

Vision 2

Context

- Megatrends – Global trends with local implications 3
- Assets and Opportunities 6
- Social capital 7
- Growth Drivers and Enablers 8
- Comparative Advantage and Business Competitiveness 9

Strategy

- Overview of Regional Framework and Priorities 10
- Priority initiatives 13

FOREWORD

The Warren-Blackwood sub-region is situated in heart of Western Australia's South West. This Growth Plan is the demonstration of collaboration between the Shires of Bridgetown-Greenbushes, Boyup Brook, Donnybrook-Balingup, Manjimup and Nannup to develop a framework which provides a strategic overview of sub-regional economic and social priorities.

Driven by a shared vision to ensure the Warren-Blackwood maintains and develops its status as a safe and desirable area to live, work and play – this document shows the global changes impacting at a sub-regional level and highlights the resources, skills and opportunities within the area. It is linked to localised planning and development documents and aligned to the SW Regional Blueprint and State development priorities. By identifying sub-regional issues and highlighting core requirements to underpin growth and sustainability, it will assist facilitate and leverage current and emerging development and funding opportunities.



To collectively advocate for, and support, the sustainable economic and social development of the Warren Blackwood to ensure provision of quality services, facilities and amenity whilst retaining the iconic and appealing characteristics of each district.

MEGATRENDS – GLOBAL TRENDS WITH LOCAL IMPLICATIONS

Urbanisation: The shift away from rural areas to cities globally is increasing, with the majority of Australia’s population already living in urban areas. Factors such as economic security and the appeal of the facilities and services in new and growing settlements drive this movement. Whereas Australian settlements have traditionally been lower density, with dispersed urban and suburban areas reliant on car travel, there is an increase in the popularity of more densely populated towns and cities, particularly in inner city areas, with more efficient public transport systems. Changes to the density of population are also impacting housing styles and sizes, with reductions in urban lot sizes and an increased focus on eco housing and ‘green’ building practices.

Demand for adaptable and healthy built environments, with a focus on safe and accessible dwellings, public facilities, community spaces and travel networks is expected to increase. Urban and land use planning will need to be flexible and integrate changing technologies.

Health and Ageing: The entire developed world is experiencing the same trend where the aged demographic is a greater proportion of the overall population. Australians are living and remaining active for longer. Whilst our ageing population provides a wealth of knowledge, skills and experience, this megatrend will impact lifestyles, demand for services, the structure and function of the labour market and domestic growth areas. Nevertheless, it is expected that simultaneous evolution of improved technology and a qualified, experienced population will provide opportunities for older generations to continue to actively contribute to the economy and communities. Australia’s investment in prevention and public health has been shrinking, with significant implications to rural and regional areas.

The capacity to age-in-place and growing demand from older Australians for convenient access to a range of health and other services is anticipated to continue. The ability for people to remain in their own homes as they age for as long as they are able will influence the nature and provision of personal care, transport systems and house design. Security and proximity to facilities will be primary considerations, as well as the availability of high-care facilities when staying at home is no longer an option and the quality of care these institutions provide. Connectivity to enable retention of established relationships and the development of new ones will also be a priority.

Resource availability: The Earth’s supply of natural resources, including minerals, energy, water and food is not infinite. Careful planning and management of resource supply, use and distribution will be necessary to optimise the use of resources in light of increasing competition and demand. It is expected that a greater focus on renewable and recycled resources will fall-out of this dependency.

Mineral deposits and the mining industry are key economic drivers in Australia however as these deposits are exhausted alternate metal supplies will need to be sourced. Energy consumption, sources, distribution and protection are key considerations for future development and sustainability, with a forecast 35% increase in demand for energy expected in Australia by 2030. Water consumption is also expected to rise 42% by 2026. As water security, allocation and accessibility influences habitation and food production, long term changes to rainfall patterns across Australia could impact existing and developing settlements. With a national average annual rainfall of only 465mms, water management will become critical in supporting sustainable communities and productivity.

Demand for energy continues to increase. Shifting focus to renewable energy sources and developing more sustainable waste management systems and self-sufficient 'off-grid' power and power storage options for buildings, precincts and public infrastructure in regional and remote areas reduces reliance on traditional energy sources and encourages sustainable growth. Green building design which reflects local environmental conditions has the capacity to integrate passive solutions and actively mitigate the restrictions of traditional service-reliant development.

Habitats and Biodiversity: Many of the world's natural habitats, plant and animal species are in decline or under threat of extinction. Australia is recognised as one of 12 megadiverse countries worldwide which together contain approximately 75% of the Earth's total biodiversity. Changes to rainfall patterns, rates of land clearing and the degree to which flora and fauna can be protected all impact biodiversity and ecosystems. As the majority of Australia's population is concentrated in the more fertile and temperate areas of the country, population growth will increase pressure on natural habitats and will need to be managed carefully. Ways to mitigate or reverse the effects of human activity on the natural environment such as careful land management, protection of valuable ecosystems, carbon sequestration, eco-tourism and an increased focus on green spaces will need to be investigated and implemented.

Whether climate change is influenced by human activity and/or variability resulting from the Earth's natural processes, there is global acknowledgement that it poses a risk for human activity and natural systems. Encompassing changes to weather patterns, average climate and the frequency and intensity of severe weather events, the implications are significant. Improvements in planning, building and infrastructure design to address the anticipated impacts of climate change are continuously evolving. The vast proportion of Australia's population lives within 50kms of the coast, with many cities, towns and critical infrastructure located along the coastline. Coastal settlements and urban fringe settlements near bushfire hazard areas are particularly vulnerable to the effects of sea-level rise and wildfire. The flow-on effects from coastal inundation of settlements have the capacity to impact productive land availability and ecosystems. Drought poses an additional threat nationwide. Hotter, drier conditions increase the regularity of high fire-risk days and the length of fire seasons.

Disaster resilience will rely on strategic planning to assess disaster vulnerability, identify ways to mitigate the risk of natural and unnatural disaster and/or lessen the impact of disasters when they occur.

Global Trade and Ecommerce: The global sharing of information is changing the face of the business world – disrupting traditional models and impacting consumption patterns. Encompassing not only trade in goods and services across the internet but also new ways of doing business and communicating with customers, suppliers and partners, E-commerce has been touted as an economic lifeline for rural and regional Australia. It offers businesses a cost effective way to expand into global markets, reduce transaction costs by dealing directly with suppliers and customers and streamline business processes. Skilful use of the Internet also creates opportunities for businesses and communities to present a regional image to the world and is a vital tool to not only sell but also engage – actively facilitating global business interest and encouraging the development of new products and services. Mobile devices are playing an increasing role in the mix of E-commerce.

The powerhouses of the new world economy are in Asia, specifically China and India. The expected transition from poverty of populations in South America and Africa will also have implications for world trade. This economic shift will create opportunities for new export markets, trade relations, business models and cultural ties for Australia.

Infrastructure: The demand for quality physical structures and facilities across cities and regions, including transport systems, energy, water and telecommunications networks continues to increase. Infrastructure affects productivity and quality of life, with both economic and social infrastructure (eg: schools, hospitals and emergency services) required to support prosperity and liveability. Review and optimised utilisation of existing infrastructure, combined with a focus on evolving technologies and comprehensive strategic planning will be critical.

Connectivity: Continually evolving technology is driving change across industry and society. Propelling communication and information transfer, connectivity continues to be a priority need and expectation for learning, entertainment and socialising. Demand for wireless access to support business management, emergency services, government service-provision and health care, as well as Wi-Fi in public spaces remains high. The integration of smart technology infrastructure into future development and retrofit of existing developments is already underway. Accessibility, affordability, speed and technology convergence will remain key drivers.

Service Provision: Expectations for high-quality service provision (consumer, societal, demographic and cultural) and advancements in digital technology have resulted in increased pressure for retail sector and human service delivery. The service industry makes up over 70% of Australia's GDP and dominates the economy, representing over 79% of the labour force. Providing connectivity is available and adequate, it is possible to access a range of services remotely that would be otherwise unavailable in some regional areas. This provides new opportunities and challenges as with improved access to a wider range of services comes greater competition from distant providers offering the same, if not more, services than those available locally. The degree to which virtual service provision is able to address regional needs is entirely reliant on the ICT capability of the local area and wider region.



**Rapid
Urbanisation**



**Climate Change
and
Resource Scarcity**



**Demographic
and
Social Change**



**Technological
Breakthroughs**



**Shift in Global
Economic
Power**

ASSETS & OPPORTUNITIES

“The Warren-Blackwood Region is a rich and diverse area; in many ways it is a regional icon of the State. It is renowned for its high karri forests, diversity of vegetation, the remote south coast, and its topography and landscape variety. The area is highly productive in terms of agriculture, forestry and mining and has been a main contributor to the development of the State’s economy. These natural assets and its close proximity to the Perth metropolitan area have also made it a popular tourism and recreation destination, with it being increasingly recognised as a desirable place to live.” (*Alannah MacTiernan -Warren Blackwood Rural Strategy*)

Safe Communities – with smaller, more connected populations and a strong sense of community pride, the towns and settlements in the Warren Blackwood are proud of their cultural diversity, inclusiveness, low crime rates and commitment to the health and wellbeing of the people who live in them.

Affordable housing – the housing market in the region is positive, with median prices remaining stable with a general upward trend in the larger towns. Property prices fall well under the metro median and offer a wide selection of block size and housing-style options.

Agribusiness – agricultural production remains a cornerstone of industry within this region. There is a wealth of opportunity to further develop productivity and sustainability through responsible land practices, integrated technology and careful management of natural resources. Recognised as a ‘food bowl’ of the State and home to some of Australia’s premium and niche-market produce, the region continues to develop its profile for high quality products and genuine provenance.

Emerging economic opportunities – a booming demand for lithium is driving expansion of mining operations within the region, offering direct and indirect opportunities. Technological advancements in resource management and optimising yield continue to support the development of new and more sustainable industry. The rapid evolution of information and communications technology has seen a greater focus on e-business and a growing demand for e-change (rural lifestyle, global connectivity).

Lifestyle and natural beauty – whether situated beside rivers, nestled in valleys, aloft hills affording breathtaking views, surrounded by forests or hugging the coast, the diversity of options to live and work surrounded by nature appeals on so many levels. With lifestyles to match the rich tapestry of towns, offering everything from quaint charm to modern amenity, there is something for everyone.

Tourism – given the region’s ample assets and proximity to internationally-recognised State tourism destinations, there are many opportunities to further develop across the spectrum of tourism, including agri- and aqua-tourism, eco-tourism, cultural and cuisine tourism. Recognised for the seasonality of the landscape and quality food and wine offerings, the base is already well-established.

Educational opportunities – although it is not realistic to expect investment in tertiary education centres in small communities, the region is well-provided for with regard to primary and secondary education. There is also a strong focus on pre-school service provision. Technology is driving change in educational delivery and access, reducing the limitations of living and learning in regional areas.

SOCIAL CAPITAL

Social capital represents both economic and cultural capital. The knowledge and skills, education, awareness and shared values of its population all contribute to the Warren Blackwood's significant assets in this area. Identified by many as a 'sense of community' or a feeling of 'belonging', it is demonstrated tangibly through the participation, support, acceptance and connectedness which typify the region. With a population of over 40,000, the Warren Blackwood features welcoming, safe environments and low crime levels with a skilled and educated workforce.

Prior to European settlement, the Warren Blackwood was inhabited by the Noongar people who retain their cultural heritage and community links throughout the region. Subsequent settlement has added to the rich tapestry of cultural diversity and recognition. Lower population densities and smaller settlements, a shared understanding of the complexities of rural living and active community support networks provide a high-degree of social capital within the Warren Blackwood.

It is understood that the demands of day-to-day life affect involvement with community groups, voluntary organisations and the time to mix with family, friends and neighbours. The rapid evolution of 'social' media, which supports virtual connectedness and has the capacity to address some issues of distance and isolation, is not a replacement for physical and social interaction. With learning, leisure and communication becoming more individual activities, ensuring the provision of high-quality and flexible educational, wellbeing and recreational facilities and services remains a key focus in the region.

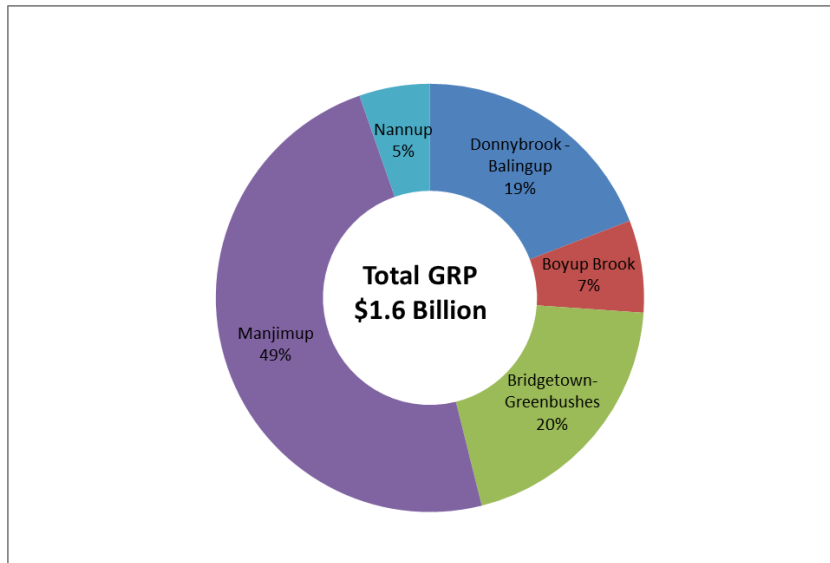
Projects and initiatives that support inclusion, engagement and access are given high priority. It is important to the residents of this region that health and education standards are maintained to encourage and retain population. Whilst it is understood, and often encouraged, that school leavers move away – they are encouraged to return, bringing the benefits of experience and knowledge gained elsewhere. The capacity to age in place, retaining established relationships and remaining close to family and friends, is key and demonstrated in the demographics and demands of the region.

The region regularly delivers a wide range of large and small events, celebrating all aspects of community. Many of these are organised and managed by dedicated community groups, not-for-profit associations and volunteers. Volunteerism is fundamental to the ongoing viability of many regional community and emergency services and participation is highly regarded.



GROWTH DRIVERS & ENABLERS

With average annual population growth and a strong, diversified economy, the South West region's contribution to Western Australia's Gross State Product has remained steady at around 5% over the last seven years. The region remains a preferred place to live with the most recent 'Living in the Regions' survey indicating that of all the regions in WA, the South West was highest in a number of categories which included happiness, lifestyle and safety.

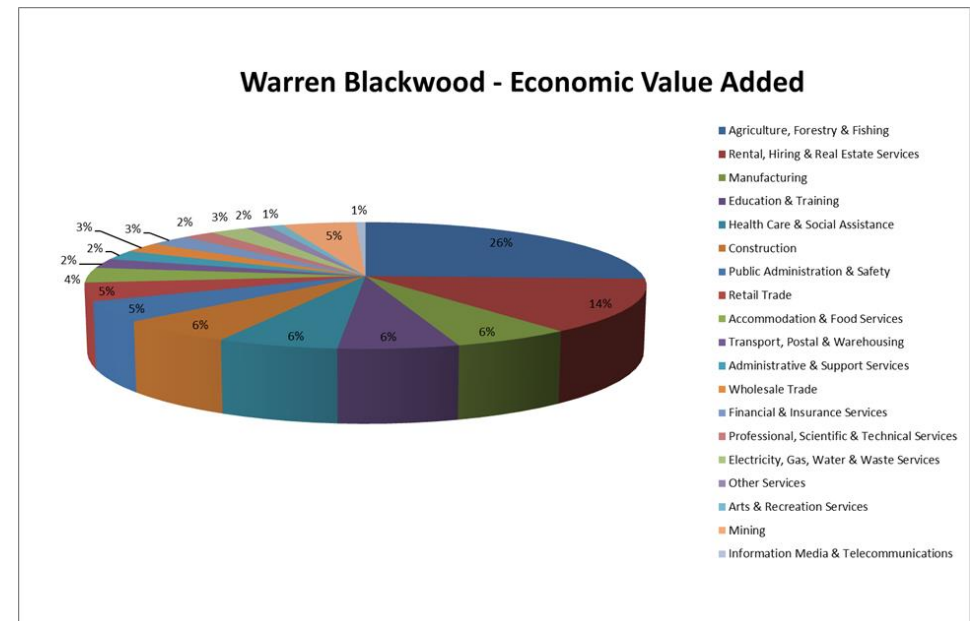


Mining and mineral processing remains the largest industry contributor to SW gross regional product and industry employment. Growing sectors of industry employment include services provision, transport and construction. Accessibility to export facilities, including the Bunbury Port, is a key factor influencing growth.

The Warren Blackwood comprises predominantly agriculture-based industries, although mining is significant and timber and tourism add extra value. In 2017 the Warren Blackwood's Gross Regional Product (GRP) was valued at \$1.6 billion. Of this amount, the Shire of Manjimup accounted for 49% of the total GRP followed by the Shires of Bridgetown-Greenbushes (20%), Donnybrook-Balingup (19%), Boyup Brook (7%) and Nannup (5%). Manjimup generates significant agricultural production, marking it as the second largest food production locality in Western Australia. Areas of opportunity for future growth remain in the inland areas of the Warren Blackwood which has comparative advantages in horticulture and beef production.

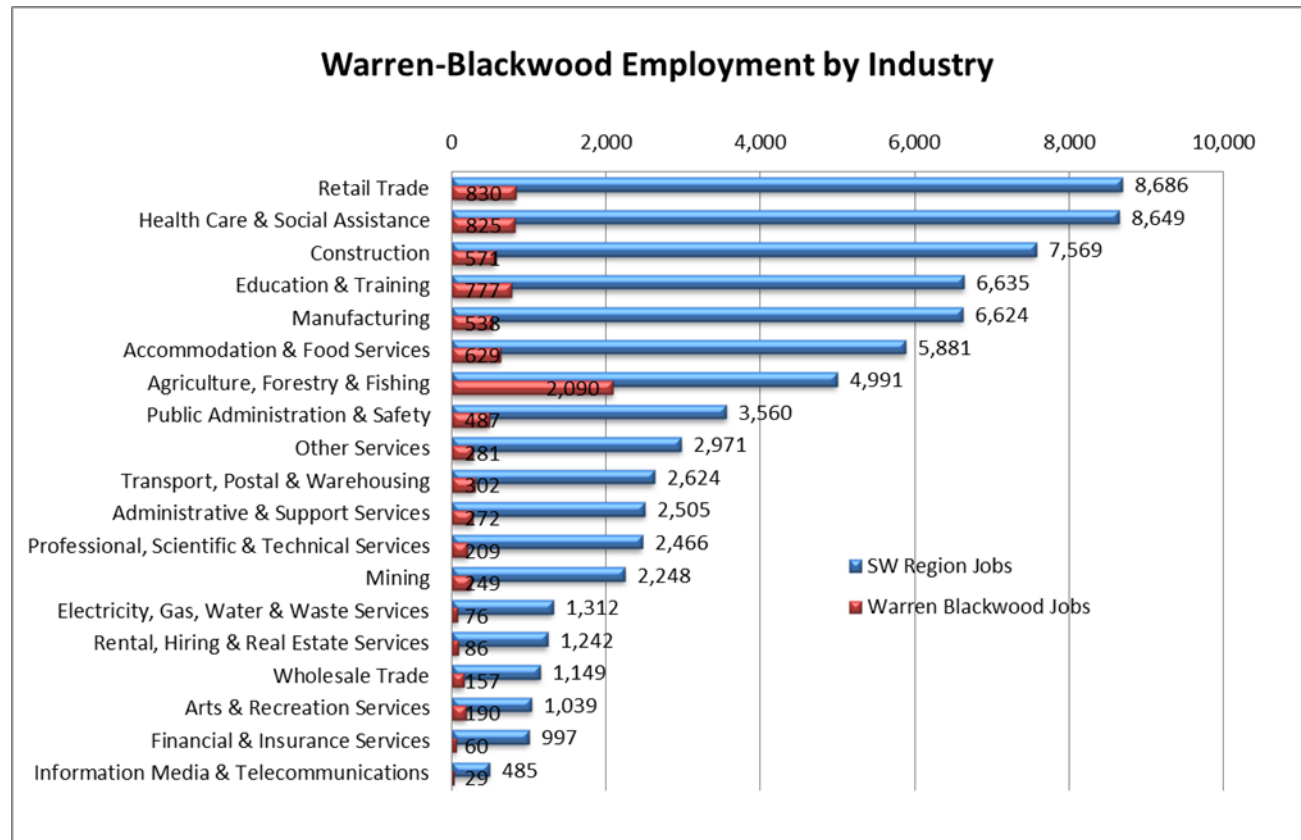
Whilst the timber industry no longer represents the economic value it previously did in this region, timber from regrowth hardwood forests and softwood plantations remains significant for the sawmill and woodchip industries. Renewable energy from biomass and higher yield activities such as veneering has the capacity to increase economic value going forward.

Increased world demand for lithium and tantalum has benefited mining operations at Greenbushes and is expected to have a flow-on economic benefit to surrounding towns and the wider region.



COMPARATIVE ADVANTAGE AND BUSINESS COMPETITIVENESS

Already dubbed the Foodbowl of the SW, with industry specialisations of state significance, there is widespread recognition of the role that agriculture currently plays, and has the capacity to play, in the Warren-Blackwood. From primary production through to an increasing focus on niche markets, value-add products and the streamlining of processing and transport options, the region is determined to develop its comparative advantage. The global demand for increased food production and the rapid development of the Asian region are also expected to drive growth in this area. Quality assurance and provenance are key consumer concerns and the Warren-Blackwood is well positioned to leverage off its reputation for ‘clean and green’ produce.



Whilst industry employment data shows that the agricultural, forestry and fishing industries are major employers in the Warren-Blackwood sub region, the global megatrend of high employment in service industries is also reflected. Throughout the area construction, manufacturing and trades are also well-represented.

New technologies are enabling alternate practices to improve quantity and quality of yield and improved business competitiveness in the region. Capacity to take advantage of these opportunities relies heavily on ICT connectivity, broad-range access and strong networks of well-connected and maintained transport routes to distribution points and retail markets.

Tourism is a small but growing part of the economy, with the region building its profile as a travel destination, offering high quality experiences, including eco and agri-tourism.

REGIONAL FRAMEWORK AND PRIORITIES

INFRASTRUCTURE

Water

- Water security - Ensure the Warren-Blackwood has long term water security for agriculture, industry and domestic purposes.
- Wastewater management/sewerage - Replace existing onsite wastewater disposal systems in the urban areas of all Warren-Blackwood towns with reticulated sewerage systems.
- Water supply – Remove barriers to industry for the development of light industrial land by ensuring permanent long term water supplies are provided for all towns and settlements in the sub-region.

Roads

- Ensure State and local roads are of a standard that allows efficient transport of resources and produce whilst still providing safe transport routes for the community and visitors.
- Support the construction of road and rail linkages to the Bunbury Port capable of meeting export growth and distributing on a national scale.
- Develop a consolidated approach to gravel acquisition between State and Local Government and industry.

Rail

- Support investigation to establish the viability of reopening of the Picton to Greenbushes (and possibly further to Manjimup) rail line (and potential rail hubs) for the Talison Lithium project, timber products and horticultural produce.

Sea and Ports

- Support the region's freight and passenger connectivity to national domestic and international sea routes including a container loading facility.

Aviation

- Support the region's freight and passenger connectivity to national domestic and international air routes.
- Support upgrades to both Manjimup and Busselton airports.
- Support the Bunbury rescue helicopter service.
- Support the unrestricted access of the Royal Flying Doctor Service to all regional airports.

Energy

- Ensure there is access to sustainable, affordable energy supplies to support a growing region.

Digital capability

- Ensure the region is capable of communicating and transferring data to world standards.

Sustainability

- Act to mitigate, and adapt to, climate change and sustain the environmental qualities which are intrinsic to the character of the region.

INDUSTRY & BUSINESS

Supporting new business and building capability

- Support industry and market diversification and workforce development.
- Support development of the manufacturing, processing and service industries in the region, particularly where this aligns with expanding and emerging industry and/or development.
- Create sufficient land to encourage and generate employment across industry sectors.
- Encourage the development of the creative sector and lobby for supporting infrastructure.
- Connect indigenous culture with regional initiatives and opportunities through engagement with indigenous corporations.
- Support development of, and access to, international markets.

National and international recognition

- Support international tourism and industry (import/export).
- Support regional branding and regional marketing initiatives.

Tourism

- Increase tourism's economic contribution by encouraging increased visitation from intrastate, interstate and overseas markets.
- Build capacity and support the development of tourism infrastructure in core South West experiences of wine and food, art and culture, events, local experiences and landscapes.
- Support regional development of agri-food tourism experiences
- Encouragement of suitable short stay accommodation across the region to facilitate longer stays by larger groups

International Engagement

- Establish long-term international relationships particularly focussing on, but not limited to, the Asia-Pacific region.
- Encourage understanding of international business practices and cultural awareness.
- Support foreign student education.

PEOPLE, PLACE AND COMMUNITY

Affordable and adaptable housing

- Encourage lifestyle choices and stimulate population growth by supporting development of a mix of housing options at a range of settlement scales.
- Encourage strategies to remove barriers arising from the "inland coastal divide" observed for property development in the South West.
- Support the development of fit-for-purpose housing developments to meet needs within the region.

Active ageing

- Support the capacity of the region to enable people to remain in their communities (age in place) and transition to appropriate care as required.
- Encourage active ageing by supporting a range of activities and initiatives focussed on engagement and inclusion.

Urban renewal/Town growth

- Leverage recent investment in regional growth centres to pursue additional government funding and boost private sector interest.
- Identify opportunities for neighbouring towns to leverage from regional growth centre developments.
- Develop town site growth plans to encourage economic and social development of towns and the region.

Education & training

- Advocate for regional capacity to deliver high quality primary, secondary school and tertiary education across a range of sectors.
- Support training based on innovative models of service delivery that can rapidly adapt to changing industry needs.

Emergency Response

- Advocate for local and regional capacity to deal with natural events including storm, fire flood, tidal surge and earthquake.

Health & wellbeing

- Advocate for hospital, General Practitioner, Primary Health Care and Ambulance services which have the capacity to meet regional demand.
- Advocate for access to primary health care programs that address general health, drug and alcohol abuse, mental health and obesity.
- Ensure the region has adequate, well-planned sports facilities and recreational spaces.

Community capacity and capability

- Support the provision of high quality health and human support services based in the community.
- Support volunteerism as a vital ingredient of community life.
- Foster strong, connected and cohesive communities.
- Support the development of community enterprises which encourage social and economic development.

Inclusion and engagement

- Support the development of safe, accessible communities.
- Recognise indigenous heritage and support indigenous engagement.
- Recognise diversity and support cultural awareness.

Leadership and collaboration

- Support the development of leadership capable of transitioning the region and driving regional growth.
- Encourage strategic development through collaboration and co-operation.

PRIORITY INITIATIVES

WATER

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Water Security - Irrigation for food production	Establish efficient systems for the distribution of fit-for-purpose irrigation water.	<ul style="list-style-type: none"> • Southern Forests Irrigation Scheme 	✓	✓	
Wastewater/Stormwater Management	Further develop infill sewerage in LGA's.	<ul style="list-style-type: none"> • Advocate for new reticulated sewerage/wastewater systems to service the town-sites of Boyup Brook and Northcliffe. • Complete reticulated sewerage systems in Bridgetown, Manjimup, Pemberton, Walpole, Nannup and Donnybrook. • Prepare and implement stormwater plans for town sites. 	✓		
Water supply - Light Industrial Area	Where a reticulated water supply is not available in existing or proposed LIA's, alternate water supplies, such as bore supplies, are explored.	<ul style="list-style-type: none"> • Promote water pressure infrastructure that is maintained at a sufficient level to satisfy structural fire-fighting capability. • Provide underground and/or surface water capability to service light industrial areas. 	✓	✓	✓
Water supply - Town and Settlements	Permanent water supply solutions are investigated and implemented in towns and settlements in the sub-region.	<ul style="list-style-type: none"> • Continue to investigate and consider water catchment and re-use options for the sub-region. • Advocate that Northcliffe, Walpole and Quinninup are provided with dedicated water supplies or form part of a permanent interconnected water system. • Advocate for the delivery of a domestic water pipeline from Greenbushes to Kirup. • Develop solutions to ensure the water storage capacity of dams (eg: Glen Mervyn, Dumpling Gully) are sufficient to meet community needs. 	✓		

ROAD

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Safe, efficient, interconnected transport networks – Regional road network	<p>Secure ongoing funding for local roads and bridges to contain accelerated depreciation arising predominantly from resource and produce haulage.</p> <p>Ensure regional road network supports effective tourism routes through the region.</p> <p>Freight routes from Scott River, Warren Blackwood and other agricultural sectors meet requirements for export of food/produce.</p>	<ul style="list-style-type: none"> • Complete the South Western Highway upgrades from Donnybrook to Walpole 	✓	✓	✓
		<ul style="list-style-type: none"> • Support Bunbury/Albany tourist route via Boyup Brook - upgrade Cranbrook Rd from the Kojonup Rd intersection, south to Albany Hwy. 	✓	✓	✓
		<ul style="list-style-type: none"> • Upgrade Graphite Rd, Coronation Rd, Brockman Hwy, Nannup-Balingup Rd and Maranup Ford Rd as strategic tourism roads. 	✓	✓	✓
		<ul style="list-style-type: none"> • Review (lowering) of speed limits on south Western Highway where the road runs through the town centres of Bridgetown, Donnybrook, Balingup and Boyanup due to increasing truck and vehicle movements on SW Highway. 	✓		
		<ul style="list-style-type: none"> • Upgrade Graphite Road and Perup Rd as strategic freight transport routes. 	✓	✓	
		<ul style="list-style-type: none"> • Upgrade the North Greenbushes Mill Rd, Old Vasse Rd, Milyeannup Coast Rd, Maranup Ford Rd and Governor-Broome Rd as high use commodity route roads. 	✓	✓	✓
		<ul style="list-style-type: none"> • Bolster Arthur River Road (trade and tourism) and Jayes Road (for trade). 	✓	✓	
		<ul style="list-style-type: none"> • Change status of Brockman Highway between Nannup and Bridgetown from a local road to a State arterial road. 	✓		
		<ul style="list-style-type: none"> • Change status of Graphite Road between Nannup and Manjimup from a local road to a State arterial road. 	✓		
		<ul style="list-style-type: none"> • Upgrade of Gold Gully Road to support tourism traffic. 	✓		
		<ul style="list-style-type: none"> • Seek clarification on the Regional Roads Strategy. 	✓		
		<ul style="list-style-type: none"> • Identify Main Roads Forward Planning for the arterial route through the Warren Blackwood and develop a Sub-regional Roads Strategy. 	✓		

		<ul style="list-style-type: none"> • Monitor the safety of South Western Highway through Bridgetown, Balingup and Donnybrook town centres and fund improvements required to improve public safety. • Monitor the need for a bypass road in Bridgetown, Balingup and Donnybrook. • For improvement of safety in town centres, develop additional off-road car parking areas. • Advocate for increased expenditure on bridges in the sub-region. 	✓		
Gravel supply	Develop a collaborative strategic plan to source gravel from a variety of State and local sources.	<ul style="list-style-type: none"> • Advocate for access to State Government controlled land for gravel extraction. 	✓		

RAIL

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Safe, efficient, interconnected transport networks - Rail linkages	Advocate for the construction of rail linkages to the Bunbury Port and other State import/export hubs capable of meeting export growth and distributing on a national scale.	<ul style="list-style-type: none"> • Support the re-opening of the Picton to Greenbushes rail line for the Talison Lithium project and other products/services as applicable if deemed viable. • Note potential impacts to existing road infrastructure and traffic management (eg: stacking distances) if rail is deemed viable. • Advocate for alternative options to address congestion and cater for increased volumes of road use if rail corridor option is not deemed viable. • Seek clarification from State Government re strategy for long-term rail use to identify alternate uses of the rail corridor where applicable. 	✓		

SEA

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Safe, efficient, interconnected transport networks	Support expansion of Bunbury Port and transport connections.	<ul style="list-style-type: none"> • Development of container loading facilities within the region. • Support improved transport infrastructure feeding the Bunbury Port. 	✓	✓	✓
			✓	✓	✓

AIR

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Safe, efficient, interconnected transport networks	<p>Support development of Busselton Airport as a key economic development project for the south west region with significant opportunities for exporting of agricultural produce and direct delivery of intra state tourists.</p> <p>Support upgrade to Manjimup airport.</p> <p>Continuation of funding (long term commitment) for rescue helicopter based in Bunbury.</p> <p>Support the unrestricted access of the Royal Flying Doctor Service to all regional airports.</p>	<ul style="list-style-type: none"> • Connect local industry with the economic strategy underpinning the Busselton airport expansion. • Widen existing runway seal at Manjimup Airport to 30 metres to cater for larger aircraft. • Ensure all regional airports have the capacity to receive and supply emergency service aircraft. 	✓		
			✓		
			✓	✓	✓

ENERGY

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Sustainable energy -supply	Support the development of alternate, economically sustainable energy opportunities to improve local resilience and decrease reliance on the South West Interconnected Grid.	<ul style="list-style-type: none"> • Partner in regional or sub-regional studies into innovative energy generation. • Provide support for biomass projects. • Support the implementation of solar collectors on Shire and community infrastructure to reduce ongoing costs. • Support the retrofit of street lighting to LED/solar type to reduce operational costs and improve sustainability. • Advocate for reduced running costs to be reflected in Western Power pricing/charging structure. • Support the development of a fund to support regional energy efficiency. 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ ✓ 	<ul style="list-style-type: none"> ✓ ✓ 	<ul style="list-style-type: none"> ✓

DIGITAL CAPABILITY

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
High capacity digital communications	<p>Support rollout of NBN or equivalent high capacity Broadband for local communities.</p> <p>Advocate for consideration of multiple NBN options before a solution is implemented, including fixed wireless options for areas fringing town sites.</p> <p>Boost availability of free WiFi access to support tourism in town centres.</p>	<ul style="list-style-type: none"> • Advocate for Fibre to the Node (FTTN) NBN services in all town-sites. • Advocate for Wireless NBN for settlements and fringe areas of town-sites. • Provide free Wi-Fi in town precincts. • Identify and address Warren Blackwood blackspots. • Reiterate need for digital capability to support new and evolving businesses. 	<ul style="list-style-type: none"> ✓ ✓ ✓ ✓ ✓ 		

Mobile coverage	<p>Support construction of phone towers as identified with emergency services requirements and major arterial roads identified as a priority.</p> <p>Advocate for consideration of multiple mobile coverage options before a solution is implemented.</p>	<ul style="list-style-type: none"> • Lobby state and Federal Governments to continue the “Blackspot” funding program for poor reception areas with significant potential to be exposed to emergency events. • Advocate for the elimination of black spots along arterial roads. 	✓	✓	
-----------------	---	---	---	---	--

SUSTAINABILITY

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Sustain environmental qualities	<p>Ensure the region maintains its environmental and economic values and meets aspirational growth targets in a drying climate and sea level rise.</p> <p>Collaborate with other South West Local Governments to produce a regional waste strategy that considers sub- regional options.</p> <p>Assist keep the region free of damaging environmental and agricultural pests and diseases.</p>	<ul style="list-style-type: none"> • Create a regional weed and pest strategy with funding support. • Carbon Capture storage – support the development of a carbon capture project to offset regional CO2 emissions. • Develop and implement targeted environmental projects (eg: Geegelup Brook Rehabilitation Plan). • Regional waste - build regional or sub-regional waste facilities capable of recycling and optimising management of waste to a forecast regional population of 500,000. • Advocate for financial and resource support to be provided for community conservation organisations. • Advocate for the upgrade and renewal of visitor experiences in protected areas, especially camping and attractions in National Parks and State forests. • Input into Regional Waste Strategy. • Input into Regional Waste to Energy Strategy. • Support the environmental sustainability of forests and waterways. • Support opportunities to embed zero waste into community infrastructure. 	✓	✓	✓

		<ul style="list-style-type: none"> Promote awareness in residents, tourism industry and visitors of the threat of pests and disease. 	✓	✓	✓
--	--	---	---	---	---

LAND

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Land for industry	<p>Identify and advocate for supply of light industrial lots to support small business in all major towns.</p> <p>Lobby State Government to fund the Regional Development Assistance Program (Landcorp) to assist in the development of new light industrial areas in all townsites.</p>	<ul style="list-style-type: none"> Utilise appropriate and potentially vacant State Government leasehold sites for other industry opportunity. Support progression of regional saleyards. Develop light industrial areas. Work with Talison Lithium to identify light and service industrial opportunities for the private sector for servicing of their operations. 	✓ ✓ ✓ ✓	✓ ✓ ✓	✓
Land for residential purposes	Advocate for sufficient residential land in the region to meet future population growth.	<ul style="list-style-type: none"> Support the strategic implementation of residential land opportunities through Local Planning Schemes. 	✓	✓	
Land for community purposes	Ensure sufficient land and buildings are available for community purposes	<ul style="list-style-type: none"> Advocate for the re-use of State Government land and buildings such as Vacant Crown Land, old school sites and health precincts for fit for purpose community infrastructure and services opportunities. Advocate for partnership with State government to resolve tenure issues across existing and informal settlements (eg: Windy Harbour). 	✓ ✓	✓ ✓	✓

INDUSTRY AND WORKFORCE

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Capability & capacity building	Investigate opportunities for development of manufacturing, service and processing	<ul style="list-style-type: none"> Develop the Warren Blackwood sub-regional Prospectus. 	✓		

	<p>industries to support expanding and/or emerging industry within the region (eg: Talison Lithium, etc.).</p> <p>Recognise that large scale manufacturing opportunities are currently limited by a number of factors, including but not limited to available lot sizes, water pressure being inadequate to support fire hydrants in LIA's and the need for sustainable energy sources.</p> <p>Identify options and support initiatives which build capacity and capability in the manufacturing, processing and service industries.</p> <p>Leverage off the Talison Economic Analysis study.</p>	<ul style="list-style-type: none"> • Advocate for the State to lead the development of a regional economic development/jobs growth strategy. • Revitalize light industrial area infrastructure and appeal. • In partnership with Talison Lithium, investigate the opportunities and constraints associated with accommodating the current and future workforce and feed these results into future land use planning strategies and plans. 	<p>✓</p> <p>✓</p> <p>✓</p>	<p></p> <p>✓</p> <p></p>	<p></p> <p>✓</p> <p></p>
<p>Agriculture, Horticulture & Agricultural food processing</p>	<p>Support strategies focussed on market opportunities and value-adding</p> <p>Support programs which encourage, fund and implement innovation and technology across the agricultural sector.</p> <p>Support programs which encourage agricultural business and education awareness/development.</p> <p>Support development of the Southern Forests Irrigation Scheme proposal to increase amount of available land for food production and downstream processing.</p>	<ul style="list-style-type: none"> • Investigate an investment portfolio for a multi food processing centre. • Support produce-based festivals and the development of food trails. • Support new and emerging agricultural initiatives such as hemp production and avocado exporting. • Support financially viable initiatives that encourage economic sustainability in agriculture (eg: Scott River Strategy). • Support development of food trails connecting producers to consumer. • Promote awareness in agriculture, horticulture and associated industries of the value of the “clean, green” image of the South West, and advocate for constant vigilance and surveillance for exotic pests. 	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>	<p></p> <p>✓</p> <p>✓</p> <p></p> <p>✓</p> <p></p>

	<p>Support development of food processing facilities for goods produced in the region.</p> <p>Support the development of a regional strategy identifying opportunities for intensive agriculture on a range of lot sizes.</p> <p>Support development of intensive agricultural industries where viable in the region.</p> <p>Input into strategy to identify and attract seasonal workers to meet demand.</p> <p>Refer and build upon Manjimup Agricultural Expansion Project and Premium Food Centre findings.</p> <p>Ensure that major food tourism events recognise whole of region suppliers.</p> <p>Assist to identify value-adding opportunities in the region.</p> <p>Advocate for the region's relative freedom of major agricultural pests and diseases.</p>				
Aquaculture	<p>Increase focus on aquaculture across the region.</p> <p>Support tourism and education development in the aquaculture sector.</p> <p>Support aquaculture export opportunities.</p>				

Forestry & timber processing	<p>Support development of the timber industry with focus on innovation, yield improvement, value-add and sustainability.</p> <p>Support opportunities for significant capital investment in technology and innovation in this sector.</p> <p>Support options which increase flexibility and security in this sector (eg: Forest Management Plan timeframe, ISG's).</p> <p>Support the bio-security of forest and plantation habitats in the sub-region.</p>	<ul style="list-style-type: none"> • Explore market opportunities in the native and plantation timber sectors. • Maintain access to timber resources available for processing. • Support the development of the proposed Regional Forest Industries Hub as part of the National Forestry Plan. • Promote innovation and efficiencies in forest management and log yield. • Advocate for State Government agency (FPC, DFES, DBCA & other relevant agencies) review of plantation methodologies. 	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓
Livestock and dairy	<p>Support access to facilities and industry growth.</p> <p>Identify additional processing and export opportunities in the South West to assist local primary producers.</p>	<ul style="list-style-type: none"> • Support development of a South West Regional Saleyards • Identify opportunities for growth in onshore processing of agricultural meats for exports. • Progress export opportunities for fresh milk through the Busselton Airport. • Investigate energy generation initiatives from dairy effluent. • Promote local dairy industry located in the region and leverage off existing facilities (eg: Bannister Downs). 	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓ ✓ ✓
Mining	<p>Support the development of new and existing mining operations throughout the region.</p> <p>Work with industry to establish mutual benefits and address shared economic and social concerns.</p>	<ul style="list-style-type: none"> • Identify opportunities to leverage off local developments (eg: Talison expansion). • Assist promote community awareness of current and emerging mining developments. 	✓ ✓	✓ ✓	✓ ✓
Wine	Advocate for regional recognition and promote the uniqueness of locally produced fruit and wine.	<ul style="list-style-type: none"> • Promote recognition of local and regional wine associations. 	✓	✓	✓

Innovation	Support innovation in the manufacturing and processing sectors to increase economic development in the region.	<ul style="list-style-type: none"> • Support biomass opportunities. • Explore regional or sub-regional waste facilities which include technologies for energy. • Advocate for an innovation hub. 	✓ ✓ ✓	✓ ✓ ✓	✓ ✓ ✓
Business development	Advocate for intra-regional and cross-regional business initiatives.	<ul style="list-style-type: none"> • Promote regional collaboration to optimise demand for local and regional products and services. • Support the growth of local businesses and business networks (eg: Chamber of Commerce). 	✓ ✓	✓ ✓	✓ ✓
Creative industries	<p>Support development of creative industries and promote awareness of the value of the creative sector to the region.</p> <p>Acknowledge the critical role ICT plays in the development of successful and sustainable creative industries and support ongoing focus on, and funding for, eradicating mobile blackspots and enabling high-quality digital connectivity throughout the region.</p>	<ul style="list-style-type: none"> • Support the development of a regional novice film making competition and screening event. 	✓		

NATIONAL AND INTERNATIONAL RECOGNITION

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Export Markets	Support the development of a strategic alliance between the South West and emerging cities in the China/South East Asia region in compatible markets.	<ul style="list-style-type: none"> • Participate in the establishment of South West Opportunities prospectus for distribution through selected overseas trade desks. 	✓		
Regional Branding and Marketing		<ul style="list-style-type: none"> • Leverage off the Genuinely Southern Forests brand awareness. • Promote agri-food tourism throughout the region. • Encourage the implementation of regional produce traceability. • Implement Tourism Strategies as applicable. • Support the development of the Blackwood Valley brand. 	✓ ✓ ✓ ✓	✓ ✓ ✓	✓ ✓ ✓

TOURISM

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Events	<p>Continue to support festivals and events to attract visitors to, and raise the profile of, the region.</p> <p>Recognise the value of those events which are key economic drivers for their towns and the region.</p> <p>Support the development of existing and emerging events.</p>	<ul style="list-style-type: none"> • Offer community event grant funding and/or in kind support. • Identify opportunities to partner with major local events to leverage funding and outcomes. • Promote culinary tourism linked to origin brands (eg: Genuinely Southern Forests, Blackwood Valley). 	✓	✓	✓
Trails	<p>Continue to support the development of recreational trails throughout the region and cross-regional connectivity.</p>	<ul style="list-style-type: none"> • Promote/leverage Warren Blackwood Stock Route (WBSR). • Link WBSR with neighbouring LGA's to extend network and profile. • Support implementation and further development of cycle, walking, horse and canoeing trails within the region. • Utilise and promote local trails websites (ie: Total Trails, Trails WA) • Work with relevant Noongar Regional Corporations (once activated) and the South West Aboriginal Land and Sea Council to develop new trails. • Encourage the establishment of a Food and Wine Trail through the Local Tourism Organisations. 	✓	✓	✓
Tourism Associations	<p>Lead regional collaboration through development of Local Tourism Organisations (LTOs) within the SW.</p> <p>Support marketing and tourism development initiatives in the region.</p>	<ul style="list-style-type: none"> • Provide LTO frameworks for industry carriage/succession. • Invest equitably in the establishment of an LTO to support regional strength in marketing, product delivery and tourism development. • Support communication and networking between regional and local tourism organisations. 	✓	✓	✓

Visitor services	Assist development of a strategy to cater for growing RV, caravan and camping trends throughout the SW region.	<ul style="list-style-type: none"> • Support development of RV, caravan and camping – related infrastructure. • Develop a camping and caravan strategy for the subregion recognising the needs of both commercial and “free” camping users. 	✓	✓	✓
	Recognise the importance of safe and trafficable roads to underpin tourist activities and encourage travel and exploration.	<ul style="list-style-type: none"> • Establish a dump point development incentive scheme. • Support natural resource management projects (eg: Camfield). 	✓	✓	✓
	Lobby for continued focus on safe and trafficable roads.	<ul style="list-style-type: none"> • Advocate for a safety assessment of sub-regional tourist routes. 	✓		
	Support the development of new or enhancement of existing tourism icons.	<ul style="list-style-type: none"> • Work with State government agencies to identify and support permissible recreational activities on inland, open water bodies (eg: Lake Jasper, Glen Mervyn, Dumpling Gully dam, Southern Forests Irrigation Scheme dam). 	✓		
	Partner with stakeholders on short stay accommodation initiatives.	<ul style="list-style-type: none"> • Investigate opportunities to provide better access to rivers and water bodies across the sub-region. 	✓	✓	
	Support and promote environmental education and awareness in the sub-region.	<ul style="list-style-type: none"> • Support the establishment of a regional convention centre. • Advocate for the upgrade and renewal of visitor experiences in protected areas, especially camping and attractions in National Parks and State forests. 	✓		
		<ul style="list-style-type: none"> • Participate in development of a sub -regional “free camping” strategy. 	✓		
		<ul style="list-style-type: none"> • Upgrade sub-regional tourism attractions (eg: Greenbushes Discovery Centre, Apple Fun Park). 	✓	✓	

INTERNATIONAL ENGAGEMENT

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Relationships	Support the establishment and development of sustainable international relationships.	<ul style="list-style-type: none"> • Investigate the development of a ‘sub-regional’ international economic and cultural relationship. 	✓		

		<ul style="list-style-type: none"> • Establish and/or continue to develop economic and cultural relationships with sister towns and cities. • Continue to strengthen friendship and/or historical international relationships (eg: Sandakan Memorial Service – Indonesia). 	✓	✓	✓
Business and culture	<p>Recognise the value of cultural awareness, especially where this directly impacts on business and social development within the region.</p> <p>Support the development of positive cultural awareness and business engagement practices.</p>				
Visitation	Support programs, activities and initiatives which encourage international visitation.	<ul style="list-style-type: none"> • Assist promote wine regions to international target markets particularly those found in Asia. 	✓	✓	✓
Education	Support programs, activities and initiatives which encourage international students.	<ul style="list-style-type: none"> • Promote international education exchanges where possible. 	✓	✓	✓

HOUSING

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Affordable Housing	<p>Support the development of a mix of affordable housing options providing choice in terms of scale and financial accessibility.</p> <p>Build awareness of market gaps in towns within the region.</p> <p>Advocate for a review of the cost of service installation and headworks charges, which result in higher land production costs.</p>	<ul style="list-style-type: none"> • Identify supplies of unallocated Crown land residential lots which could offer affordable options for new residents in expanding towns. • Support affordable housing projects in the Shires. • Support land based planning for a choice of diverse housing and land types. 	✓	✓	
			✓	✓	✓
			✓	✓	✓

Aged and adaptable housing	Support the development of fit for purpose housing which supports inclusion and ageing in place.	<ul style="list-style-type: none"> • Lead, partner and/or support demand-driven development of aged housing/accommodation projects in the Shires (eg: Cherry Glades, Bridge St, Stinton Gardens, Djandangerup Cottages, etc.). 	✓	✓	✓
----------------------------	--	---	---	---	---

ACTIVE AGEING

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
High and residential care	Support the enhancement and/or expansion of both high care accommodation and residential care services to the home.	<ul style="list-style-type: none"> • Assist development of demand-driven high and respite care facilities in the Shires (eg: Tuia lodge, Boyup Brook Citizen’s Lodge, Moonya Lodge). • Develop an attraction strategy for additional high care nursing facilities in the Shires. 	✓	✓	✓
	Support the development of dedicated mental health infrastructure within the South West and a more regionalised approach.		✓	✓	✓
Engagement and amenity	Encourage health and allied health agencies servicing the region to consider innovative staffing solutions (eg: cross-agency staffing packages).	<ul style="list-style-type: none"> • Support the development of aged-sensitive infrastructure. • Support the social development of the community through lifestyle programs. 	✓	✓	✓
	Provide safe and welcoming towns with a focus on accessible infrastructure and walkable town centres.		✓	✓	✓
	Encourage volunteering and volunteering support.				
	Acknowledge the value of seniors in our communities and encourage activities and initiatives which embrace and engage this demographic.				

URBAN RENEWAL/TOWN GROWTH

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Growth centres	Leverage positive outcomes of Regional Growth Centre development to support continued growth and additional growth in the surrounding towns and region.	<ul style="list-style-type: none"> • Prepare and implement Infrastructure Plans for Balingup, Nannup, Bridgetown, Greenbushes, Boyup Brook, Donnybrook, Pemberton, Northcliffe and Walpole aligned to growth centre methodology and outcomes. 	✓		
Revitalisation	Support urban renewal programs which focus on increasing amenity, appeal, sustainability and build/maintain the character of towns within the region.	<ul style="list-style-type: none"> • Identify priority town growth projects within each LGA and pursue funding. • Position town-sites within the catchment area to take advantage of the Talison Lithium expansion through an overarching strategy for urban renewal. • Continue existing and implement newly-funded Revitalisation projects. • Maintain and promote the heritage value of key buildings and spaces throughout the sub-region. 	✓ ✓ ✓ ✓	✓ ✓ ✓ ✓	✓ ✓

EDUCATION AND TRAINING

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Education facilities	<p>Advocate for, and support, the provision of quality educational institutions and allied services within the region.</p> <p>Maintain awareness of local education issues.</p>	<ul style="list-style-type: none"> • Continue to advocate for the retention of schools from K to year 10 in all Shires. • Promote Early Learning Centres in the Shires. • Assist the development of a sub-regional educational pathway strategy. • Support opportunities for advanced education (eg: tertiary, specialist) providers to take up space in regional locations. • Advocate for a Child Care Strategy to ensure adequate child care places are funded and supported so that families are able to take up employment opportunities. 	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓	✓ ✓

		<ul style="list-style-type: none"> • Explore opportunities to increase secondary education in the Warren Blackwood. • Review and expand school bus services across the region in order to increase capacity for “complementary” students. 	✓	✓	✓
Flexible learning	<p>Consider an array of offsite university study options in the region specific to identified learning streams (eg. horticulture).</p> <p>Work with education agencies and recognised training organisations to optimise learning opportunities throughout the region.</p>				

EMERGENCY SERVICES

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Emergency facilities	Support the improvement and/or development of facilities which provide emergency response services to the region.	<ul style="list-style-type: none"> • Upgrade Bushfire Brigade buildings • Provide adequate lighting in all recreation zones. • Identify sub-regional training facilities for emergency management • Support improvements for ambulances to access helicopter pads in order to increase patient safety. • Advocate for/support the construction of helipads at key locations. 	✓	✓	✓
Emergency events	<p>Support the collective activities of various agencies to work collaboratively to provide response and recovery mechanisms to deal with emergency events.</p> <p>Acknowledge that Local Government have an increasing role in bush fire mitigation.</p>	<ul style="list-style-type: none"> • Advocate for continuation of funding for services such as the RAC helicopter and increased support for volunteer bush fire brigades. • Pursue establishment of dedicated fund for emergency access routes to ensure community bushfire safety. • Identify and support improvements to emergency access routes to increase safety in the event of emergency/bushfire response 	✓	✓	✓

		<ul style="list-style-type: none"> • Support the retention and/or expansion of emergency events agencies (eg: DBCA, DFES) sites across the region. • Support initiatives to assist future-proof emergency services volunteer numbers • Support knowledge partnerships to assist Local Government through recovery processes after large emergency events. • Continue to provide support to the Chief Fire Control Officer and Volunteer Bush Fire Brigades. • Continue to partner with DFES on Bushfire mitigation. • Source funding for bushfire mitigation work. • Implement the recommendations of emergency events studies (eg: Geegelup Brook Flood Study). 	✓	✓	✓
			✓	✓	✓
			✓	✓	✓
			✓	✓	✓
			✓	✓	✓
			✓	✓	✓
			✓	✓	✓

HEALTH AND WELLBEING

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Health facilities	Encourage public-private partnerships and initiatives which attract new private sector health services to increase acute capacity. Support attraction of specialised medical services.	• Support an attraction strategy for primary health care professionals.	✓		
		• Lobby for consideration of specialist health requirements across the region (such as dialysis equipment).	✓	✓	✓
		• Support further development of outreach services in the region for mental health, speech therapy and learning difficulties for children and youth.	✓	✓	✓
		• Seek clarification of the strategy identifying future service provision and infrastructure needs at sub-regional hospitals.	✓	✓	✓
		• Monitor and support service provision in the Shires.	✓	✓	✓
		• Continue to support affordable ambulance services for residents.	✓	✓	✓
		• Actively advocate against attrition of current local health facilities and services.	✓	✓	✓

<p>Social determinants</p>	<p>Support community-based delivery of community health services.</p> <p>Support the implementation of a broad-based South West healthy living program to prevent increased obesity and drug and alcohol dependency. Advocate for provision of local mental health funding for community based delivery in the region.</p> <p>Support community based delivery of community health services such as infant health, speech therapy, parent support and breastfeeding support.</p> <p>Support local mental health, drug and alcohol initiatives.</p>	<ul style="list-style-type: none"> • Identify gaps in child care services in communities and advocate for funding. • Identify gaps in community health services in communities. • Identify gaps in mental health, drug and alcohol initiatives services in communities. 	<p>✓</p> <p>✓</p> <p>✓</p>		
<p>Sport and recreation</p>	<p>Support the strategic allocation of, and access to, built and natural recreational spaces which recognise population demographics, activity preferences, local features and facilities. Support review of existing facilities, participation statistics and evolving recreational trends.</p> <p>Support co-location of facilities for long term sustainability. Advocate for funding to support development of sport and recreation infrastructure and activities.</p> <p>Pursue funding to improve sport and recreational facilities and address ageing infrastructure.</p>	<ul style="list-style-type: none"> • Review the Lower South West Sport & Recreation Facilities Plan and support implementation. • Develop Master Plans for key recreational infrastructure/facilities in the sub-region. • Investigate funding sources to implement Master Plans for and asset renewal of key recreational infrastructure/facilities in the sub-region. 	<p>✓</p> <p>✓</p> <p>✓</p>	<p>✓</p>	<p>✓</p>

	Support local sporting events.			
--	--------------------------------	--	--	--

COMMUNITY CAPABILITY AND CAPACITY

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Community services	<p>Ensure the not-for-profit and community sectors are engaged in regional development.</p> <p>Monitor service provision through collaborative reviews to ensure efficiencies and avoid duplication.</p> <p>Support co-Location of NFP services and other community groups where practicable and viable.</p>	<ul style="list-style-type: none"> • Rationalise Shire owned/managed land and buildings to optimise opportunity for Shire and community initiatives. • Support Men’s Shed development. 	<p>✓</p> <p>✓</p>	<p>✓</p> <p>✓</p>	<p>✓</p>
Volunteerism	<p>Ensure volunteerism is recognised, valued and respected within the region.</p>	<ul style="list-style-type: none"> • Support investigation of ways to reduce ‘red tape’ associated with volunteerism. • Support investigations to identify reasons why volunteering is decreasing and determine mitigation strategies. • Implement identified volunteer decline mitigation strategies. • Promote and support best practice volunteerism. • Support Community Gardens. 	<p>✓</p> <p>✓</p> <p>✓</p> <p>✓</p>	<p>✓</p> <p>✓</p> <p>✓</p>	<p>✓</p> <p>✓</p>
Social Enterprise	<p>Support opportunity for growth in community enterprises that provide environmental, social and economic benefits, including employment and training.</p>	<ul style="list-style-type: none"> • Assist identify and support developing and innovative projects/groups. 	<p>✓</p>	<p>✓</p>	<p>✓</p>

	Support the establishment of a funding program that supports social enterprise initiatives at the local and regional level.				
Resilience	Facilitate the development of communities which encourage supportive networks and relationships, a strong sense of identity and shared community values. Advocate for adequate community resources. Foster a shared commitment to recovery.	<ul style="list-style-type: none"> Pursue funding for community resources. 	✓	✓	✓

INCLUSION AND ENGAGEMENT

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Accessibility	Support programs, activities and initiatives which optimise accessibility and inclusion for people with disabilities and any other forms of disadvantage. Encourage participation in community development consultation. Support healthy, active by design principles. Promote walkability within town centres.	<ul style="list-style-type: none"> Encourage “accessible” accreditation of local towns and facilities by relevant agencies/organisations. Promote dementia friendly communities Support infrastructure programs that support accessibility. Assist development of inclusive/ accessible activities and events for the Shires. Identify ways to build/maintain levels of youth engagement throughout communities. 	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓	✓ ✓ ✓ ✓ ✓
Cultural diversity	Recognise the diversity of cultures represented within the region. Promote and support cultural awareness, inclusion and respect. Support resettlement programs and allied community services	<ul style="list-style-type: none"> Support the development of Reconciliation Action Plans. Engage with relevant Aboriginal Regional Corporations (when activated) and the South West Aboriginal Land and Sea Council to assist implement South West Native Title Settlement. Investigate development of a joint Reconciliation Action Plan for the region. 	✓ ✓ ✓	✓	

LEADERSHIP AND COLLABORATION

PRIORITY	ACTIONS	SPECIFIC PROJECTS	TIMELINE		
			1-3	3-5	5-10
Leadership	Support programs, activities and initiatives which build leadership capacity, identify emerging leaders and promote citizenship. Acknowledge emergent heroism.	<ul style="list-style-type: none"> • Encourage the development of a sub-regional leadership and/or youth awards scheme. • Support resilience-oriented leadership. 	✓ ✓	 ✓	 ✓
Collaboration	Support programs, activities and initiatives which encourage strategic alliances, cooperative approaches and shared resources to optimise outcomes.	<ul style="list-style-type: none"> • Maintain a formal strategic alliance of LGAs within the region. • Support project-based collectives. 	✓ ✓	✓ ✓	✓ ✓

MEMORANDUM OF UNDERSTANDING WARREN BLACKWOOD SUB-REGIONAL GROWTH PLAN

BETWEEN:

THE SHIRE OF BOYUP BROOK

THE SHIRE OF BRIDGETOWN-GREENBUSHES

THE SHIRE OF DONNYBROOK-BALINGUP

THE SHIRE OF MANJIMUP

THE SHIRE OF NANNUP (“the Shires”)

AND

SOUTH WEST DEVELOPMENT COMMISSION (“SWDC”)

PURPOSE

The purpose of this MOU is to clearly identify the roles and responsibilities of each party as they relate to the Warren Blackwood Sub-Regional Growth Plan.

In particular, this MOU is intended to set forth the terms and conditions under which the Warren Blackwood Sub-Regional Growth Plan partners will provide public access to digital and hard copies of the Warren Blackwood Sub-Regional Growth Plan and review content.

SCOPE

This MOU defines the services and key project parameters to be provided by the Shires and SWDC including:

- Responsibility for maintaining content and public access;
- Responsibility for project expenses;
- Responsible parties in each institution;
- Establishes a mechanism for modifying, extending, or terminating the MOU.

BACKGROUND

The Warren Blackwood Sub-Regional Growth Plan for the five Shires within the Warren-Blackwood - Donnybrook-Balingup, Bridgetown-Greenbushes, Nannup, Boyup Brook and Manjimup - has been developed to provide a strategic overview of sub-regional economic and social priorities, reflecting localised planning and development documents and aligned with regional and State development documents, including the SW Regional Blueprint. It will be utilized to leverage current and future socio-economic opportunities and pursue funding to facilitate growth. SWDC has been an active partner in the development of the document.

SHIRE RESPONSIBILITIES UNDER THIS MOU

The Shires shall undertake the following activities:

- Provide information as applicable to ensure the currency and accuracy of the Warren-Blackwood Sub-Regional Growth Plan;
- Share the current, endorsed version of the Warren Blackwood Sub-Regional Growth Plan for public access on Shire websites, and in hard copy as applicable;
- Support the actions and projects identified in the Warren Blackwood Sub-Regional Growth Plan;
- Review the Warren Blackwood Sub-Regional Growth Plan every 12 months, providing feedback on current projects and activities outlined in the document.

SWDC RESPONSIBILITIES UNDER THIS MOU

SWDC shall undertake the following activities:

- Facilitate workshops to identify and discuss sub-regional priorities and projects;
- Develop the inaugural draft document based on information provided by the Shires and including summary strategic contextual detail;
- Provide a digital copy of the inaugural Warren Blackwood Sub-Regional Growth Plan;
- Store the current, endorsed version of the Warren Blackwood Sub-Regional Growth Plan and apply version changes as identified through the yearly review process;
- Promote the Warren Blackwood Sub-Regional Growth Plan as appropriate.

ENDORSEMENT / IMPLEMENTATION

All Shires understand and accept that adoption and implementation of the initial Growth Plan and any future changes to the Growth Plan, as per the review process, will be determined and progressed based on the majority of parties being in agreement with the changes.

POINTS OF CONTACT

The Shires and SWDC will designate POCs within their respective organizations to implement the MOU. The POCs will direct and coordinate partnership activities to ensure that mutual benefits and interests are served. The respective officers responsible for implementation and maintenance will effectively communicate and manage related processes.

EFFECTIVE DATE / DURATION/AMENDMENTS

This agreement is effective as of the date of signature by all authorized representatives indicated below and shall last for five years thereafter. The MOU may be extended or amended to allow for related efforts by mutual agreement of the parties. Any party may withdraw from this agreement upon ninety (90) days written notice to the other parties.

FUNDING

No funds are to be exchanged between the Shires and SWDC in connection with the provision of services under this agreement.

EFFECTIVE DATE AND SIGNATURE

This MOU shall be effective upon the signature of all Shire and SWDC authorized representatives. It shall be in force from (date)_____ to (date) _____.

All parties indicate agreement with this MOU by their signatures.

Signatures and dates

Shire of Boyup Brook

Signature _____

Date_____

Shire of Bridgetown-Greenbushes

Signature _____

Date_____

Shire of Donnybrook-Balingup

Signature _____

Date_____

Shire of Manjimup

Signature _____

Date_____

Shire of Nannup

Signature _____

Date_____

South West Development Commission

Signature _____

Date_____



DRAFT
Submission
Select Committee into
Local Government

August 2019

Contents

About WALGA	4
Contacts	4
Introduction	5
Trust in Government.....	6
Local Government Collaboration	8
Legislation	9
Local Government Act Review	9
Key Principles	10
Key Policy Positions.....	12
Additional Policy Positions	13
Scope of Activities of Local Government	15
Waste Management and Resource Recovery.....	16
Roads, Bridges, Paths and Drains.....	17
Transport Planning	18
Town Planning.....	19
Building	21
Emergency Management.....	22
Climate Change.....	23
Economic Development.....	25
Airports and Airfields	27
Other Services.....	27
Department of Local Government	28
Other Related Legislation	29
Roles of Elected Members and Chief Executive Officers	32
Councillor vs Council	32
Councils are not Boards	33
Training and Professional Development	34
Role of the Chief Executive Officer	34
Chief Executive Officer Remuneration	35
Funding and Financial Management	37
Rates.....	38
Rate Exemptions.....	40

Rate Equivalency Payments.....	42
State Agreement Acts.....	42
Restrictions on Borrowings.....	43
Fees and Charges.....	44
Grants	45
Other Related Matters.....	46
Transparency and Accountability.....	46
State Local Government Partnership Agreement.....	47
State Industrial Relations Review	48
Conclusion	49
Reference List	50

DRAFT

About WALGA

The WA Local Government Association (WALGA) is working for Local Government in Western Australia. As the peak industry body, WALGA advocates on behalf of 138 Western Australian Local Governments. As the united voice of Local Government in Western Australia, WALGA is an independent, membership-based organization representing and supporting the work and interests of Local Governments in Western Australia. WALGA provides an essential voice for 1,222 Elected Members, approximately 22,000 Local Government employees (16,500 Full Time Equivalent's) as well as over 2.5 million constituents of Local Governments in Western Australia.

Contacts

Nick Sloan
Chief Executive Officer

Phone: (08) 9213 2025

Email: nsloan@walga.asn.au

Tony Brown
Executive Manager Governance and Organisational Services

Phone: (08) 9213 2051

Email: tbrown@walga.asn.au

Tim Lane
Manager Strategy and Association Governance

Phone: (08) 9213 2029

Email: tlane@walga.asn.au

WALGA

LV1, 170 Railway Pde, West Leederville WA 6007

Website: www.walga.asn.au

Introduction

Local Governments play a key role in the Australian Federation. Local Governments in Western Australia provide democratic representation and a range of services to their respective communities which span the length and breadth of the state.

Local Governments, in one form or another, have existed in Western Australia since the arrival of settlers from Britain in the nineteenth century. The first piece of legislation to weave the fabric of today's Local Government sector was the *Towns Improvement Act of 1838*.¹ Today, Local Government is constituted and primarily regulated by the *Local Government Act 1995* but there are many other legislative instruments which impact the way Local Governments operate in their diverse array of activities.

Local Governments are a key democratic institution in Western Australia's local communities. Councils have well-established relationships with the communities they serve and represent, local businesses and organisations as well as other spheres of government.²

Services provided by the 139 Local Governments in Western Australia include the traditional roads and waste collection but also now extend to recreation, medical services and other human services.³ Often, Local Governments taking on new or expanded roles in service delivery or advocacy is as a result of gaps left by other spheres of Government reducing their service delivery, or due to community pressure for Local Governments to step into a particular space.

All Local Governments throughout Western Australia continually strive to provide the highest quality services within the constraints of Local Government revenue streams, Australia's vertical fiscal imbalance and ongoing cost-shifting from other spheres of Government, all of which are well documented by the 2003 Hawker Report⁴ and many reports on Local Government finances before and since.⁵

Local Government in Western Australia, with a presence in every community in the state represents a significant component of the State's economy. Local Government is the steward of public assets of \$48 billion, including responsibility for more than 88 percent of the public road network, employs a workforce of 22,000 people (16,500 FTEs) and spends \$4.1 billion per year.⁶

¹ WALGA (2011)

² Aulich *et al* (2011) Volume 2 p13

³ PricewaterhouseCoopers (2006)

⁴ House of Representatives Standing Committee on Economics, Finance and Public Administration, (2003)

⁵ See also PricewaterhouseCoopers (2006) and Aulich *et al* (2011) Volume 1

⁶ WALGA (2019a)

Trust in Government

The 2019 Edelman Trust Barometer, the pre-eminent study of peoples' trust in institutions around the world found, that:

- Trust in Government remains low in Australia with people generally 'distrusting' of Government, and,
- Only a minority in western democracies believe "the system is working for me".⁷,

This lack of trust in democracy and in institutions has a real impact. A lack of trust in the system leads to increased fear and increased fear erodes trust and negatively affects our collective wellbeing.

This places Local Government in a very important position and creates significant opportunities for Local Government as a legitimate and connected sphere of Government.

As trust in Government and institutions declines to an all-time low, there is a small slice of good news for Local Government. The 2014 Griffith University Constitutional Values Survey found that, of our three spheres of Government, Local Government is the most trusted.⁸

Specifically, in Western Australia, while 69.8 percent of respondents trust Local Government to do a good job in carrying out its responsibilities, 63.2 percent of respondents trust the State to do a good job and only 56.9 percent trust the Federal Government to do a good job with its responsibilities.

With global uncertainty, and the erosion of trust in government, many people are looking for community, connection and stability. The challenge being embraced by Local Governments across Western Australia is to enable and facilitate this community connection.

This Select Committee presents a tremendous opportunity to further build trust in Local Government as a legitimate and democratically mandated sphere of government. This can be achieved by highlighting the achievements of Local Government.

It would be a real shame, and an opportunity lost, if this Parliamentary Inquiry is hijacked by those with an axe to grind using the committee process to air their often unfounded or unsubstantiated grievances. Instead, this Inquiry has a tremendous opportunity to highlight the achievements of Local Government in building cohesive and resilient communities.

To that end, WALGA would like to pay tribute to Western Australia's 1,222 Elected Members who have been willing to step up and take a leadership role in their communities, often in a challenging political role in the public realm. Unfortunately, Local Government has recently

⁷ Edelman (2019)

⁸ Griffith University (2014)

attracted uninformed criticism from a small number of noisy individuals who seem to have an axe to grind.

WALGA would like to remind the Committee that it's not the critics, comfortable in their cheap seats behind anonymous social media pages who matter, it's the men and women who put themselves forward to take a leadership position in their community.

As Theodore Roosevelt famously said:

“It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly... who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly.”⁹

That's not to assert that the Local Government sector in Western Australia is perfect; of course there is room for improvement and Local Governments welcome opportunities to improve their efficiency, effectiveness and their engagement with their communities.

Local Government has embraced a range of recent initiatives to improve their efficiency, effectiveness and engagement with their communities. For instance, the Integrated Planning and Reporting Framework was introduced into Western Australia at the behest of the Local Government sector who saw the opportunity for a more integrated and strategic approach to community, financial and business planning.

Performance audits, undertaken by the Auditor General, have also been welcomed by the Local Government sector. Performance audit participants have welcomed the opportunity to have their systems and processes critically examined by an external agency, and the learnings from the performance audits have been widely shared across the sector.

The increasing prevalence of deliberative democracy techniques, such as participatory budgeting, further demonstrates the desire and willingness of Local Governments to meaningfully engage with their communities.

It is WALGA's and the Local Government sector's expectation that the Committee will take the time to consider the full range of positive examples of Local Governments continual drive to deliver services efficiently, be an effective steward of community infrastructure, and

⁹ Brown (2019)

engage meaningfully with citizens as a key component of Western Australia's vibrant democracy.

Local Government Collaboration

Local Governments, while democratically representing their communities, strive to deliver services effectively and efficiently. One way Local Governments aim to improve their service provision is by collaborating with other Local Governments in partnerships, as members of Regional Local Governments, or as members of voluntary collaborative groups.

Collaboration in Local Government has a number of drivers. A key driver for Local Governments to work together to achieve community outcomes is to strive for better, more strategic, and regionally appropriate outcomes. When Local Governments collaborate to, for example, develop aged housing facilities, or promote regional tourism, they are collaborating because together they can drive better outcomes than they could as one Local Government undertaking a task more suited to a regional scale.

Local Government collaboration is also driven by necessity. In many cases, Local Governments collaborate because the service is more efficiently provided at a regional level. For example, in metropolitan Perth, Local Governments are members of Regional Local Governments to collaboratively provide waste services at an appropriate scale and level of service.

It is important to note that Local Governments also actively seek to work collaboratively with Government agencies, industry, local business and civil society in delivery community outcomes. Across regional WA, Local Governments work closely with Regional Development Commissions and regional offices of the Commonwealth's Regional Development Australia (RDA) network to undertake regional planning, develop regional projects and leverage State and Federal funding.

WALGA recently produced a "Cooperation & Shared Services" document that provides demonstrations of the collaboration currently being undertaken in the sector.

The document can be found here: [Cooperation & Shared Services document](#) and is also attached as Addendum 1.

Legislation

a) Whether the Local Government Act 1995 and related legislation is generally suitable in scope, construction and application

The legislative framework governing Local Government is generally appropriate and the underpinning principle of 'general competence' is strongly supported by the Local Government sector.

However, additions and amendments since the current Local Government Act was introduced over 20 years ago have created a layered, spaghetti-like regulatory regime that needs to be untangled and simplified. Similarly, practice and procedures have changed since the current Act's introduction and, as a result, the legislative framework requires modernisation.

For these reasons, the Local Government sector has strongly supported the State Government's goal to undertake a full Review of the *Local Government Act 1995* and the associated regulations.

Local Government Act Review

WALGA has been a strong supporter of the current Review of the Local Government Act and has supported the Government's intent to streamline and modernise the legislative framework.

WALGA put forward a comprehensive submission to Government that was the culmination of a signification consultation and engagement process, and the collection of policy and advocacy positions developed over many years.

The Local Government sector participated in a comprehensive process leading up to the adoption of the advocacy positions, as detailed below:

WALGA partnered with the Department of Local Government, Sport and Cultural Industries to deliver facilitated workshops across all WALGA Zones, held throughout October and November 2018. Approximately 500 Elected Members and senior administrators attended 19 workshops held in each of the 17 WALGA Zones.

WALGA, LG Professionals and the Department of Local Government, Sport and Cultural Industries partnered to host the Future of Local Government Forum, which was held at Curtin University on Wednesday, 30 January 2019 and was attended by 230 participants.

A total of 73 member Local Governments provided responses to the WALGA consultation process, either through an individual response or a Zone/regional group response. 42

individual Local Governments responded with additional collective responses from three WALGA Zones representing a further 31 member Local Governments.

The WALGA State Council, consisting of 25 representatives from across the State, in adopting advocacy positions in March 2019 endorsed the positions unanimously. This demonstrates the veracity of the consultation process. In addition, the Department of Local Government, Sport and Cultural Industries received over 3,000 submissions from the community, Local Governments and stakeholder bodies.

Key Principles

State Council, in finalising WALGA's submission to the Local Government Act Review process, endorsed the following key principles as fundamental drivers of future Local Government legislation.¹⁰

1. Retain General Competence Powers.

The Local Government Act is founded on the general competence powers principle, which gives Local Governments the legal capacity to do anything that is not prohibited by law. This principle is uniformly supported by the Local Government sector and that it should not be diluted by over-regulating the operations of Local Government.

2. Provide Flexible, Principles-based Legislative Framework.

The Local Government Act works well when Local Governments apply their general competence powers within a legislative framework that provides for good governance, with accountability to the community for decision-making. The Local Government sector seeks a light-touch regulatory approach accompanied by best practice guidance, support and assistance.

There is concern that, without adequate care and sector input, the new Local Government Act will be overly prescriptive and mistakes of the past will be repeated. Prescriptive compliance regimes do not typically drive innovation or organisational performance; instead boxes are ticked and processes to comply are implemented leading to inefficiencies and distractions.

The Local Government Act should focus on principles and objectives, not on process. As an example, Local Governments in 2016 were given the ability to establish Regional Subsidiaries. A key feature of the model is to enable Local Governments to establish a subsidiary that is fit-for-purpose by adapting the governing charter to the subsidiary's purpose and structure. Instead, the regulations are prescriptive and a number of Local Governments have considered the model and opted not to pursue it. Best practice, guidance material and

¹⁰ WALGA (2019b)

smart people working together to solve problems drive innovation; prescriptive regulation drives compliance for the sake of compliance.

To focus on the process and not the principles and objectives risks embedding today's practice into legislation instead of allowing Local Governments the flexibility to innovate and adapt to new methods and new technologies. Not everything a Local Government should do needs to be legislated. Ultimately, Councils are considered to be generally competent and are accountable to the community through democratic elections held every two years.

3. Size and Scale Compliance Regime

There is a marked appetite in the response to the Facilitated Workshops, Detailed Discussion Papers and Future of Local Government Statewide Forum for differentiation between Local Governments based on size and scale.

- 4. Promote enabling legislation that empowers Local Government to carry out activities beneficial to its community taking into consideration the Local Government's role in creating a sustainable and resilient community through:**
- i. Economic development;**
 - ii. Environmental protection; and,**
 - iii. Social advancement.**

The need to provide enabling legislation with a 'menu of opportunities' for the sector. The State Government needs to set legislation that enables Local Governments to carry out activities, even though all Local Governments may not want to carry the activity; those that wish to, should be permitted to. A good example of this is the proposed introduction of beneficial enterprises.

5. Avoid Red Tape and de-clutter the extensive regulatory regime that underpins the Local Government Act.

WALGA has called for the de-cluttering of the extensive regulatory regime that underpins the Local Government Act. The Act Review provides a timely reminder that the legislative burden on Local Government is vast and burdensome; the Local Government Act itself runs to over 500 pages and the 9 associated Regulations combine to approximately 400 additional pages. It would not be unfair or unkind to observe that few within each Local Government's administration, and fewer Elected Members, would grasp the level of detail contained throughout the Act and Regulations, creating of its own accord a compliance burden.

This scale of legislation represents a considerable challenge to the delivery of effective and efficient governance. WALGA echoes the sentiments of Dr David Cox, Chair of the Law Reform Commission of Western Australia, who stated at the Local Government Act Forum in January 2019:

“Consideration in drafting (the new Act) is to think about who you are drafting it for? Consider who has to read it and write it for normal people – not law graduates. People want to know what’s governing them and they need to understand it.”¹¹

6. The State Government must not assign legislative responsibilities to Local Governments unless there is provision for resources required to fulfil the responsibilities.

The State Government should not impose responsibilities to Local Governments without adequate resourcing. This principle is contained within the British Columbia Community Charter¹² and is supported by the Local Government sector.

Key Policy Positions

The following key policy positions are considered very important to the sector;

Rates, Fees and Charges

Rating Exemptions

- Rating Exemptions - Request that a broad review be conducted into the justification and fairness of all rating exemption categories, Sector Revenue foregone 2017/18 - \$45.6m;
- Local Government Act should eliminate exemptions for commercial (non-charitable) business activities of charitable organisations;
- Support for exemptions of genuine Charitable activities that qualify under the Commonwealth Aged Care Act 1997;
- Eliminate exemptions for Government Trading Enterprises;
- Support for the principle that all users of Local Government services should make a contribution to these services.

Rating Restrictions – State Agreement Acts

- Resource projects covered by State Agreement Acts should be liable for Local Government rates.

Imposition of Fees and Charges: Section 6.16

- That a review be undertaken to remove fees and charges from legislation and Councils be empowered to set fees and charges for Local Government services.

¹¹ Cox, D. (2019)

¹² British Columbia (2019)

No Rate Capping

The Local Government sector opposes rate capping or any externally imposed limit on Local Government's capacity to raise revenue as appropriately determined by the Council.

Beneficial Enterprises

The *Local Government Act 1995* should be amended to enable all Local Governments to establish Beneficial Enterprises (formerly known as Council Controlled Organisations).

Beneficial Enterprises are:

- Arm's length entities to deliver projects and services required by the community;
- Vehicle for greater efficiency and improved partnering practices for Local Government;
- Provide services & facilities that are not attractive to private investors;
- Cannot carry out any regulatory function of a Local Government;
- Skills Based Board – Alternate governance model;
- Not about outsourcing essential services.

Building Upgrade Finance

That WALGA advocate for amendments to the Local Government Act that enable a Building Upgrade Finance mechanism in Western Australia.

The Building Upgrade Finance position is advocating for reforms to Western Australian legislation that would enable local governments to guarantee finance for building upgrades for non-residential property owners. In addition to building upgrades to achieve environmental outcomes, advocates have identified an opportunity to use this approach to finance general upgrades to increase the commercial appeal of buildings for potential tenants. In this way, Building Upgrade Finance is viewed as means to encourage economic investment to meet the challenges of a soft commercial lease market in Perth and achieve economic growth.

Community Engagement Policy

That the Local Government Act 1995 include a requirement for Local Governments to adopt a Community Engagement Policy, with each Local Government to determine how to implement community engagement strategies.

Additional Policy Positions

A complete schedule of the Local Government sectors adopted policy positions, grouped according to the Government's three themes of agile, smart and inclusive, relating to specific

elements of the Local Government legislative regime were included in WALGA's submission to the Review of the Local Government Act which can be found [here](#) and is also attached as Addendum 2.

DRAFT

Scope of Activities of Local Government

b) The scope of activities of local governments

Local Government is an important sphere of Government that undertakes functions most appropriately implemented at the local level. As the sphere of Government closest to the people, Local Government affects the daily lives of all people and businesses and is well-positioned to have unique insight into the needs and aspirations of their communities.¹³

Across Western Australia, there is significant diversity in the range of functions and services that are provided by Local Government.

While there is some diversity of function across Local Governments in Western Australia, all Local Governments undertake a number of regulatory functions such as authorisation of planning and building developments, waste management, administration of food safety laws, regulation of companion animals, and provision of local roads. Most Local Governments provide social services as well, including provision of recreation and community facilities, economic development promotion and community festivals and events.

Local Governments in Western Australia manage a vast road network, of approximately 127,500km, and significant other built assets. On behalf of the community, Local Governments are responsible for nearly \$14 billion of built assets (excluding transport assets). These primarily comprise recreation facilities, including ovals and pitches for a wide range of sports, swimming pools, tennis courts, and gymnasiums, libraries, arts and other community centres. Local Governments with coastal or river frontage provide and maintain recreational boat launching facilities and associated infrastructure.

Some of the diversity of functions and services is driven by financial capacity. For instance, small, remote Local Governments do not have the financial resources to provide the community recreation services that a large metropolitan Local Government provides.

Diversity of functions can also be driven by community demand. For instance, Local Governments in country Western Australia deliver services, such as health services, that would otherwise be provided by the market or the State Government in metropolitan Perth. Local Governments in non-metropolitan regions also often provide housing and other incentives to attract and retain health and other professionals.

Evolution of Local Government's role to encompass human, social and community services is in response to the dynamics on the ground, including the withdrawal of services from other spheres of Government or in response to the democratic aspirations of the community.

¹³ Productivity Commission (2017)

The retreat from service provision from the State Government often means that Local Government, at the behest of the community through the democratically elected Council, will step up to fill the gaps. For example, a number of Local Governments provide security services in their suburbs and communities. Often this sort of service eventuates due to the demands of citizens for a safer community. Similarly, a number of Local Governments are actively becoming involved in seeking to address homelessness in their communities. While the State Government's Department of Communities is the lead agency responsible for addressing homelessness, Local Governments often play a role in coordinating agencies and not-for-profit service providers, again filling a gap in service provision from another sphere of Government.

Waste Management and Resource Recovery

The Local Government sector provides contemporary waste management (and often resource recovery) services as an essential service to their communities in order to maintain public health standards and minimise the environmental impact of municipal solid waste, with the *Waste Avoidance and Resource Recovery Act 2007*, the *Health Act 1911* and the *Local Government Act 1995* providing the primary heads of power. Resource recovery operations are subject to international commodity price fluctuations, foreign environmental import standards and contamination rates that impact the quality of the commodities recovered. Importantly, recycling also generates three-to-one employment opportunities compared to traditional landfill.

The 2016-17 Census of Local Government Waste and Recycling Services found that Local Governments in Western Australia spent \$295 million in collecting 1.5 million tonnes of domestic waste in 2016-17.¹⁴ 16 Local Governments reported investing in new waste and recycling infrastructure and/or initiatives in 2016–17.

These investments included:

- New or upgraded transfer stations (completed or commenced construction) in the shires of Dardanup, Harvey, Moora, Cuballing and the City of Busselton;
- A new landfill cell in the Shire of Augusta–Margaret River;
- The installation of a landfill weighbridge in the Shire of Broome;
- A new regional waste facility in the Shire of Ravensthorpe;
- A new green waste kerbside collection service in the City of Subiaco; and,
- The introduction of a fortnightly kerbside recycling service in the City of Karratha and the Shire of Coorow.

36 Local Governments reported recycling their own construction and demolition waste and 73 Local Governments reported recycling green waste from their own operations, and a

¹⁴ Waste Authority (2018a)

number of metropolitan Local Governments are investing in waste to energy solutions for residual waste. 52 Local Governments and regional councils reported spending a total of approximately \$3 million in waste and recycling education programs in 2016–17. About half (52 per cent) was expended by regional councils.

All of this innovation is being achieved with minimal strategic planning or financial support from State or Commonwealth Governments. The new State Waste Strategy is uncosted and unfunded. It is important to note that in 2017, the Waste Avoidance and Resource Recovery Levy generated approximately \$76m in receipts, of which 75 percent went to consolidated revenue, with the Minister for Environment approving the allocation of just \$19 million to the WARR Account.¹⁵ Of the \$19m, approximately half went to underwriting the waste branch of the Department of Water and Environmental Regulation, leaving approximately \$8.5m for strategic waste initiatives.

Local Government contends that there are a number of improvements that would assist in delivering more efficient and effective outcomes – including meeting the targets of the State Waste Strategy – primarily through hypothecating all funds collected from the Waste Avoidance and Resource Recovery Levy into strategic waste management activities (as identified in the State Waste Strategy and Action Plan). Strategic investments could then include 50:50 funding for FOGO (3 bin) infrastructure, state-wide and regional waste infrastructure plans to direct future public and private investments, the State Government mandating sustainable procurement policies across all departments and agencies, and matching funding for Local Government regional landfill upgrades. A State/Local Government Partnership Agreement on Waste Management and Resource Recovery would provide the required governance framework to achieve this.

Roads, Bridges, Paths and Drains

Local Governments are responsible for 127,500km of roads in Western Australia, which represents 88 percent of the public road network.

With just 10.5 percent of the national population, Western Australian Local Governments are responsible for 19.4 percent of the Local Government road length. This equates to 49.4km of road per person, which is nearly double the National average of 26.8km of Local Government road per person. For comparison, NSW Local Governments are responsible for just 18.6km of roads per person. This reflects both the extensive nature of the road network in WA and the responsibility of Local Government in Western Australia for all but the highest order roads (primarily freeways and highways). This has clear ramifications for the capacity to fund road maintenance and renewal. This issue is discussed further in the section relating to Local Government funding.

¹⁵ Waste Authority (2018)

To support active transport (walking, cycling) Local Governments provide and maintain more than 15,800km of sealed walking and cycling paths and an additional 715km of gravel paths.

There are 894 bridges managed by Local Governments across Western Australia.

Effective drainage is critical but typically unseen infrastructure provided and maintained by Local Governments to avoid damage to public and private infrastructure from inundation.

With an estimated replacement value of \$27.18 billion at June 2018, the roads, paths, bridges and drains are one of the most valuable State assets in a financial sense as well as underpinning the connectivity of communities and industries.

Local Governments spent \$982 million on roads, bridges and paths during 2017/18. Nearly half of this expenditure is funded by Councils from rates and other revenues. The balance is funded by the Federal Government (22 percent) and the State Government (28 percent).

Local Governments are also seeking to innovate in the construction of roads and paths with many utilising recycled material.

Transport Planning

Almost every journey involves the road and path network under the control of Local Governments. Consequently, Local Governments are actively involved in transport planning to ensure that community and industry expectations for access and safety are delivered. This activity assists to address key issues of congestion, particularly around activity centres, parking and integration between modes, particularly public transport.

In industrial, rural and regional areas, freight movements are an important consideration as efficient movement of freight underpins the economic growth of these areas.

In the five years to 2017, 50.4 percent of those killed and 59 percent of those seriously injured in road crashes were on roads under the control of Local Governments. Identifying high risk locations, suitable treatments to ameliorate the risks and sourcing funding for these projects is an important Local Government function.

Provision of transport related services and infrastructure accounts for nearly 30 percent of total Local Government expenditure.¹⁶

Local Governments are innovating in their transport planning responsibilities as much as possible. For instance, Local Governments are utilising data from mobile phones and vehicle navigation systems to inform transport planning, using drones and other remote sensing

¹⁶ Western Australian Local Government Grants Commission (2018)

technology to improve efficiency and reduce risks, and building and providing charging infrastructure for electric vehicles.

Town Planning

Local Governments' town planning function aims to maintain and improve the wellbeing of local communities. Local Government has been involved in planning for its local communities since the *Town Planning and Development Act 1928* took effect in 1929. This Act provided for planning and development control to be achieved primarily through 'town planning schemes' prepared by local governments and approved by the Minister. Over the years, the level of detail and content of local planning schemes has evolved, guided by State Government requirements to address numerous state-wide planning issues and concerns at a local level to ensure the consideration of local perspectives and preservation of community values. Each Local Planning Scheme has been endorsed by the State Planning Agency (of the day) and has been granted formal approval by the Planning Minister to guide development in the local area.

Western Australian Local Governments are providing effective planning frameworks for the consideration of planning matters within their jurisdictions. Confirmation of this effectiveness was affirmed in a recent review of the planning and development performance of 19 Local Governments. These Local Governments encompass 90 percent of the total population of the Greater Perth region and 84.5 percent of the region's population growth between 2016 and 2017. The project provided an excellent representation of how the sector is achieving its strategic and statutory planning functions and meeting statutory timeframes of the planning and building approvals processes.

Key findings from this detailed review include:

- 99 percent of all building applications were approved by Local Governments within statutory timeframes.
- 98 percent of all planning applications were approved or responded to within the statutory timeframes. Planning applications include all development applications, subdivision referrals and clearances, building strata clearances (Form 26s) and building permits.
- 97 percent of applications were approved under delegated authority, allowing Council officers to assess and approve the application rather than being considered at a full Council meeting.
- Of the total time taken to process a scheme amendment, on average 40 percent is spent with the WA Planning Commission, Minister for Planning or the Environmental Protection Authority.
- On average each Local Government has seven strategic planning documents which support land use planning functions, including: Strategic Community Planning, Community infrastructure, Commercial, Housing, Environment, Economic, Transport,

Activity Centres, Heritage and an Public Open Space. This demonstrates that Local Governments consider a complex array of planning matters when assessing planning applications, yet still meet statutory timeframe requirements.

There are a number of improvements that would assist the Local Government sector in fulfilling its planning responsibilities, including:

- Release of the Government's response to the Independent Planning Reforms 'Green Paper', which aims to streamline the WA planning framework and clarify roles and responsibilities;
- Resourcing the Department of Planning Lands and Heritage to assist in the implementation of the proposed Planning Reform measures that will be outlined in the response to the 'Green Paper';
- Review of the State Government Planning framework, given the large number of policies, guidelines, manuals and position statements to which Local Government must refer;
- Review of the Local Planning Strategy process given the massive amount of information expected to be included in the document, as outlined in the Local Planning Manual. The review should also include the connection to the State's Integrated Planning Framework and provide scalability of the content for smaller local governments;
- Providing legislated timelines for all referral agencies to provide advice on both strategic and statutory proposals;
- Timeframes for State Planning Policy review processes, as some 'reviews' have been underway for numerous years which affect a Local Government's ability to incorporate this proposed information into their local planning framework; and
- A review of the Planning Fees and Charges, which have been frozen since 2013.

Other issues being faced by the sector which inhibit its capacity to fulfil its planning responsibilities include:

- The dichotomy between the current focus on the standardisation of all Local Governments' local planning controls and the clear role of a Local Planning Scheme in upholding the specific local character and objectives of an area;
- A lack of a full cost benefit analysis of Development Assessment Panels (DAPs), to determine the effectiveness of the system, and what is an appropriate level of DAP involvement within the WA Planning system;
- Planning for waste in the peri-urban areas in a strategic manner, rather than each Local Government having to consider applications in an ad hoc manner;
- Lack of clarity and assistance in resolving financial and liability concerns in coastal planning implementation after completing a coastal hazard risk management plan;
- Different requirements and expectations of the various State Agencies in the implementation of Bush Fire Planning mechanisms; and

- Lack of coordinated state-wide planning for the provision of Regional Open Space. Local Governments are collaborating to try and achieve this outcome.¹⁷ Also compounded by the spending of the funds within Metropolitan Region Improvement Fund in order to progress regional open space and other regional infrastructure items, to ensure that the regions continue to grow.

Building

Local Government has been involved in building control for its local communities since the 1960s, providing for the health and safety of its residents through the assessment and issuing of building licences and monitoring of the licence conditions. A major change in the Building functions occurred in 2012, with the private sector able to be more involved in the process, in regards to the private certification of Building Permit Applications.

Local Governments are Permit Authorities under the *Building Act 2011*. Building Permits are issued by Local Government for any building work for which a building permit application is required pursuant to the *Building Act 2011* (Part 5) and the *Building Regulations 2012* and are assessed using the National Construction Codes, *Building Act 2011* and *Building Regulations 2012*, relevant Australian Standards, Local Laws and other relevant legislation.

A recent Office of Auditor General report found that the Local Government entities reviewed in the audit were properly assessing permit applications against requirements in the *Building Act 2011* and issuing most building permits within the legislated timeframes. Combined with the statistics from the recent Performance Monitoring project – specifically that 99 percent of all Building Applications were approved within the statutory timeframes – the sector is effectively performing its building permit function.

There are a number of improvements that could assist the Local Government sector in fulfilling its Building responsibilities including:

- A review of the operation of the *Building Act 2011* and associated regulations, and the improvements that the Local Government sector requires, in order to effectively administer the Act; specifically on the following topics:
 - clarity of information required to be submitted to Local Government;
 - mandatory inspections, including when and how they are undertaken;
 - time frames and fees;
 - amended plans process;
 - difficulties in building in bush fire prone areas;
 - appropriate infringements;
 - ongoing training and training of swimming pool inspectors;

¹⁷ See www.gapp.org.au/

- registration of technical specialists;
 - role of the Department of Fire and Emergency Services; and
 - Clarity on the other prescribed approvals that are required.
- A review of the fees and charges to ensure cost recovery is able to be achieved for the entire building process, not just the Building Permit assessment process.

Other issues being faced by the sector which inhibit its capacity to fulfil its building responsibilities include:

- The constant Industry pressure to introduce a full private certification model as occurs in the Eastern States, without the acknowledgement that a full regime of inspections would also need to be included to protect the consumer;
- Resources within a Local Government to provide a service, as the fees currently only pay for a portion of the Building Permit issuing function;
- Lack of workforce planning, encouraging more people to enter into a Building Surveying function in Local Government. The funds from the Construction Training Levy Fund does not include Local Government building surveyor trainees; and
- Lack of clarity and advice from the Building Commission on the operation of the Building Act. Some Local Governments spend significant time and resources obtaining advice from other Local Governments or from legal experts, in order to effectively implement the Act.

Emergency Management

Emergency Management is a relatively new Local Government responsibility. The roles assigned to Local Governments under the *Bushfires Act 1954* could be considered a traditional role of Local Government, as have been in place since 1954 and currently affect approximately 120 Local Governments. The Bushfires Act is primarily related to the management of bushfire brigades, enforcement of bushfire preparation and enforcement measures for non-compliance.

The *Emergency Management Act 2005* prescribed further responsibilities to Local Governments including requirements to:

- Undertake Emergency Risk Management assessments;
- Establish and chair a Local Emergency Management Committee;
- Develop and maintain local emergency management arrangements;
- Manage Recovery following an emergency; and,
- Appoint a Local Recovery Coordinator.

Furthermore in 2015, Bushfire Risk Management Planning was enshrined in State Emergency Management Policy (SEMP 2.9, Management of Emergency Risks). This policy

identifies AS/NZS ISO 3100:2009 Risk Management – Principles and Guidelines as the standard for emergency risk management in Western Australia. Schedule 3 of this policy identifies Local Governments with high or extreme level of bushfire risk require a specific plan. Local Governments named in the schedule are required to develop an integrated plan with participation from other agencies and landowners, and are named as the custodians of the plan for ongoing review. As this program matures, Local Governments are now facing the implications of undertaking works to mitigate the identified risks. The State is yet to embed mitigation policy and funding mechanisms into the State framework.

Since 2017, the Local Government sector has been adapting to the responsibilities outlined in Australia's strategy for protecting crowded places from terrorism. The Strategy has introduced the concept of 'shared responsibility' to counter terrorism which has not featured as strongly within the existing counter terrorism arrangements in Western Australia.

This has posed many challenges to Local Governments as outlined most recently in the Community Development and Justice Standing Committee Inquiry into crowded places. In brief, the sector is currently grappling with the implementation of the Strategy including:

- The strategy is not linked to any legislation or policy framework within WA and is therefore not mandatory;
- With no identified standards for compliance, there is a lack of clarity on the role of Local Governments as an owner operator and / or as the approver of events,
- The strategy lacks coordination across government with many State Government agencies acting independently on their own interpretation of their responsibilities,
- A risk management based approach to event approvals and consideration of mitigation measures is the preferred approach by Local Governments,
- There has been no funding provided to assist and support Local Governments to undertaken these responsibilities or in implementing mitigation measures,
- Local Governments are concerned with the implications of these measures on events that are being hosted by community groups. Many Local Governments are challenged by asking these groups to be considering counter terrorism when it is the intention of these groups to be building community connections and wellbeing;
- The costs associated with implementing mitigation measures is cost prohibitive for community groups and Local Governments.

Climate Change

Any objective analysis of how each of the three spheres of government is tackling the issue of climate change would indicate that it is Local Government that is determined not to allow short term politics to impede good long term public policy, and action. No level of government wants to scare its community, but there is a clear duty of care to ensure that decisions made benefit the community in the long term. Whether we like it or not, we are now in a climate emergency.

Across a range of priority areas, from understanding local risks of climate change, to reducing operational energy costs and carbon intensity, to planning for the impacts of coastal erosion and bush fire risk, to driving innovations in water use efficiency, Local Governments are engaging with, listening to, and responding to their communities on climate change. A number of Local Governments have long committed to energy reduction targets for their own operations, to drive innovation and cost savings for their communities.

Local Government has identified a number areas where the State Government can assist:

1. Accelerated action and fast tracked reform to remove regulatory barriers and facilitate the transition to a low carbon, energy efficient economy.

Local Governments are already active in renewable energy and energy efficiency projects, but State level regulations continue to hamper Local Governments from undertaking or supporting a range of high impact cost-effective energy efficiency and renewable energy projects. For example, LED street lighting retrofits and large scale renewable energy projects, including power purchase agreements and community energy projects. Local Governments are also seeking amendments to Regulation 54 of the *Local Government (Financial Management) Regulations 1996* to include 'renewable energy infrastructure' as a prescribed charge. This would allow Local Governments to fund the installation of solar panels on the roof of residents that opt in, and then the resident is able to repay the cost of the panels over 10 years by adding a small amount onto the resident's rates bill. It would provide an economic stimulus to SME's in the solar industry, and address a major barrier to low social-economic households transitioning to a low carbon economy, realising savings on their energy bills, and countering rising electricity prices.

2. A State level emissions reduction target and/or renewable energy target.

Western Australia is the only State or Territory without an emissions reduction target or a renewable energy target. The State Government has previously indicated it considers it the responsibility of the Federal Government to enact any targets, however following the recent Federal election, there is a now a stronger argument to be put for setting a state level target. The Premier recently "warned that States such as WA could go it alone on climate policy unless the Morrison Government comes up with a workable national approach to reducing greenhouse gases and supply certainty to investors".¹⁸

¹⁸ The West Australian (31 May 2019)

3. Planning for climate proof communities (incl. funding for innovative climate change projects).

This priority speaks to the need for State Government and Local Government to work in partnership to build healthy, resilient communities by ensuring that climate change considerations (both mitigation and adaptation) are embedded in Government policies and regulations. A key aspect of this is a State Planning regime that adequately incorporates climate change in planning policies, along with related environmental issues such as urban forestry, biodiversity, water security and emergency management.

4. Comprehensive, effective adaptation planning.

It is recognised that there is planning around coastal adaptation currently occurring, but effective planning needs to take in comprehensive identification of, and response to, the effects of climate change. It also needs to expand out to other effects of climate change such as heat waves and other extreme weather events, bush fire planning and water management.

By way of an existing example, an increasing number of the 44 coastal Local Governments are undertaking Coastal Hazard Risk Management and Adaptation Plans to identify and understand the level of risk on the assets in coastal areas. Through this process, with assistance from the WAPC, Local Governments are able to investigate management and adaptation measures that are appropriate to minimise the identified risks to a more acceptable level. What is not clear, without a State Climate Change Policy, and coastal specific legislation, is how such risks can be addressed in an efficient, effective and equitable manner.

A State/Local Government Partnership Agreement on Climate Change and Sustainability would provide the required governance framework to achieve these outcomes for Local Government on behalf of the people and communities of Western Australia.

Economic Development

The Local Government sector has recognised that Local Government plays a key role in creating sustainable and inclusive economic growth as a way to support local communities and contribute to the Western Australian economy. Attention is now turning to ways to diversify the economy and position WA as a vibrant and innovative place to live, invest and do business. While economic development is typically seen to be the responsibility of State and Federal Governments, the role that Local Governments can and do play in creating economic conditions is often overlooked.

Far from the traditional responsibilities of 'roads rates and rubbish' which necessarily reflected the function of Local Government in its emerging role at the turn of the 19th century,

Local Government is now a legitimate partner with State and Federal Governments in developing local, regional, State and National economies.

The Local Government sector's responsibilities are broad and include a wide range of functions, all of which have an impact on the economic and business environment. The sector is also responsible for overseeing hundreds of local laws which influence the behaviour of businesses and consumers. Local Governments also derive powers from other State legislation and are tasked with implementing a broad range of regulations on behalf of the state, such as the *Planning and Development Act 2005*, the *Building Act 2012* and the *Public Health Act 2016*.

The sector's economic footprint is significant and clearly positions it as a major contributor to the State's economy. In 2016/17 WA Local Governments spent \$4.1billion on important services for the community, and managed assets worth more than \$48 billion. Local Government raised \$2.2 billion in rates revenue in order to fund community services and collected \$976 million in fees and charges. In terms of its contribution to the State's employment targets, the sector employs 22,000 people (approximately 16,500 FTEs).

Local Governments clearly have an important role in supporting economic activity at a local and regional level through:

- Local leadership in setting a framework that fosters economic development
- Planning for the future
- Providing economic infrastructure such as roads, bridges, public spaces and facilities
- Minimising regulatory and compliance burdens on businesses, in particular the planning system
- Providing for appropriate land for business, industry and residential development
- Undertaking local procurement
- Creating liveable communities
- Marketing and promoting the local area
- Tourism
- Supporting the private sectors' wealth creation
- Building commercial relationships
- Coordinating and collaborating with stakeholders including other levels of government and the business sector
- Advocating to other levels of government
- Seed funding ventures where private sector funding is not available

In response to Local Government's increasing focus on its role in economic development, in 2019 after a sector-wide consultative process, WALGA launched its *'Economic Development*

*Framework for Local Government*¹⁹ and through the review of the Local Government Act, the sector has agreed to imbed economic development as a key role of the Local Government sector.

Airports and Airfields

There are approximately 150 airports and airstrips owned, maintained and operated by Local Governments across regional Western Australia. Of these, 23 Local Government airports serve regular passenger transport (RPT) services. These facilities provide access to essential services, including medical services as well as facilitate industry and tourism across the State. They range in scale from gravel airstrips without services, to Karratha Airport which served 448,000 passengers in the year ending May 2019. The Shire of East Pilbara managed Newman airport served 318,000 passengers in the year to May 2019²⁰ and the City of Kalgoorlie-Boulder managed airport grew passenger numbers by 13.1 percent to 295,000 in the year to May 2019.

Other Services

As can be seen, Local Governments have evolved to be far more than roads, rates and rubbish. This is not empire building. Local Governments are responding to their community's aspirations and expectations.

Other Services include:

- Aged Care
- Child Care
- Parks and Recreation facilities and programs
- Libraries
- Museums
- Community Events
- Lifeguard and Beach control services

¹⁹ Available from: <https://walga.asn.au/Policy-Advice-and-Advocacy/Economic-Development/Economic-Development-Framework>

²⁰ Bureau of Infrastructure, Transport and Regional Economics (2019)

Department of Local Government

c) The role of the department of state administering the Local Government Act 1995 and related legislation

WALGA and the Local Government sector have a strong working relationship with the Department of Local Government, Sport and Cultural Industries, which is comprised of committed and dedicated officers and executives.

Notwithstanding, it is WALGA's observation that, over several years, the Department of Local Government has been diminished in its resources and, consequently, its ability to quickly respond to issues in the sector has been compromised. This decline in the Department's capacity over a number of years manifests itself in a number of ways.

Firstly, there is significant benefit in many cases in early interventions in relationship breakdowns, which, if not addressed, can deteriorate into substantial governance issues. An early intervention when there are signs of declining relationships or issues beginning to arise can arrest a downward spiral that may lead to the suspension of the Council, appointment of one or more commissioners and a formal inquiry into a particular Local Government, all of which impart significant cost to public funds, reduce trust in Government generally, and deprive a community of democratic representation while the inquiry is underway.

Secondly, the decline in service from the Department of Local Government to the Local Government sector represents a cost shift from the State to Local Government. WALGA has, over the past ten years, enhanced its governance and advice service offering to Local Governments, in part to fill the gap left by the State.

While WALGA is well placed to provide advice, support and capacity building initiatives for and on behalf of the Local Government sector, as a membership-based organisation without legislative mandate WALGA is not in a position to intervene in the affairs of a Local Government in the same way that the Department of Local Government can intervene with its legislative backing.

As part of WALGA State Council's deliberations relating to the current Review of the *Local Government Act 1995*, State Council adopted the following position relating to the Department of Local Government's role:

- a) *“Support the continuance of the Department of Local Government, Sport and Cultural Industries as a direct service provider of compliance and recommend the Department fund its capacity building role through the utilisation of third party service providers; and,*
- b) *Call on the State Government to ensure there is proper resourcing of the Department of Local Government, Sport and Cultural Industries to conduct timely inquiries and*

interventions when instigated under the provisions of the Local Government Act 1995.”²¹

The rationale for the position adopted above was listed as follows:

“The addition of item (b) is in recognition of the sector’s response that intervention strategies proposed in the Local Government Act Review (Phases 1 and 2) are only one part of the challenge to providing an adequate response when a breakdown in good governance occurs. The sector seeks both a just and timely resolution when intervention is needed. For the Department to provide a timely response it must be properly resourced to avoid unnecessary delay in the intervention process. Undue delay in determining an outcome and corrective action is also an undue delay in returning good governance to the community of an affected Local Government.”²²

WALGA does not seek to criticise or impugn the commitment and dedication of officers or executives of the Department of Local Government; the issues are systemic and relate to the broader State Government’s commitment to appropriately funding the Department to fulfil its capacity building, regulatory, compliance and early intervention mandate.

Other Related Legislation

In addition to the requirement to administer the Local Government Act, Local Governments are directly affected by other state legislation such as the following:

- Aboriginal Heritage Act
- Agriculture and Related Resources Protection Act
- Animal Welfare Act
- Aquatic Resources Management Act
- Auditor General Act
- Biosecurity & Agricultural Management Act
- Biodiversity Conservation Act
- Building Act
- Building and Construction Industry Training Fund and Levy Collection Act
- Building Service (Complaint Resolution and Administration) Act
- Bush Fires Act
- Caravan Parks & Camping Grounds Act
- Cat Act
- Cemetery Act
- Child Care Services Act

²¹ WALGA (2019b) p25

²² WALGA (2019b) p25-26

- City of Perth Act
- Commercial Tenancy (Retail Shops) Agreements Act
- Conservation and Land Management Act
- Contaminated Sites Act
- Control of Vehicles (Off-road Areas) Act
- Corruption, Crime and Misconduct Act
- Country Housing Act
- Criminal Code Act Compilation Act 1913
- Defamation Act
- Disability Services Act
- Dividing Fences Act
- Dog Act
- Electoral Act
- Emergency Management Act
- Environmental Protection Act
- Equal Opportunity Act
- Fire Brigades Act
- Fire and Emergency Services Act
- Food Act
- Freedom of Information Act
- Health (Miscellaneous Provisions) Act
- Heritage Act
- Land Administration Act
- Legal Deposit Act
- Library Board of Western Australia Act
- Liquor Control Act
- Local Government Grants Act
- Local Government (Miscellaneous Provisions) Act
- Main Roads Act
- Marine and Harbours Act
- Mental Health Act
- Metropolitan Redevelopment Authority Act
- Mining Act
- National Redress Scheme for Institutional Child Sexual Abuse Act
- Occupational Safety and Health Act
- Planning & Development Act
- Port Authorities Act
- Public Health Act
- Public Interest Disclosure Act
- Public Transport Authority Act
- Public Works Act
- Rates and Charges (Rebates and Deferments) Act

- Regional Development Commissions Act
- Residential Tenancies Act
- Residential Parks (Long-stay Tenants) Act
- Retail Trading Hours Act
- Retirement Villages Act 1992
- Rights in Water and Irrigation Act
- Road Traffic Act
- Road Traffic (Administration) Act
- Royalties for Regions Act
- Salaries and Allowances Act
- Soil and Land Conservation Act
- State Administrative Tribunal Act
- State Records Act
- Statistics Act
- Strata Titles Act
- Swan and Canning Rivers Management Act
- Transfer of Land Act
- Trustees Act
- Waste Avoidance and Resource Recovery Act
- Water Services Act
- Waterways Conservation Act
- Workers Compensation and Injury Management Act

The above list relates to State legislation. There is a myriad of Commonwealth legislation that also applies to Local Government.

Roles of Elected Members and Chief Executive Officers

d) The role of elected members and chief executive officers / employees and whether these are clearly defined, understood and accepted

The *Local Government Act 1995* clearly defines the role of a Councillor:

A councillor —

- (a) represents the interests of electors, ratepayers and residents of the district; and*
- (b) provides leadership and guidance to the community in the district; and*
- (c) facilitates communication between the community and the council; and*
- (d) participates in the local government's decision-making processes at council and committee meetings; and*
- (e) performs such other functions as are given to a councillor by this Act or any other written law.*

The role of the Council is generally considered to be strategic in nature, with the Council employing a Chief Executive Officer to manage the day-to-day operations of the Local Government in accordance with the Council's strategic direction.

The role of a Councillor is challenging. Councillors are responsible for overseeing a complex business – that provides a broad range of functions, manages significant public assets, and employs in some cases hundreds of staff – all in a political and publicly accountable environment.

Councillor vs Council

It is also important to acknowledge, contrary to some community understanding, individual Councillors, including the Mayor or President, have little power as individuals. The power and authority of a Councillor only exists as a member of a Council making formal decisions at a legally constituted Council meeting.

The then Department of Local Government and Communities, in guidance for prospective candidates in advance of the 2017 Local Government elections are absolutely clear on this point. The Fact Sheet states:

“Generally, local government council members, who include the mayor, president and councillors, do not have any authority to act or make decisions as individuals. They

*are members of an elected body that makes decisions on behalf of a local government through a formal meeting process.*²³

This may be contrary to community expectations, particularly in relation to the Mayor or President, elected on a mandate to make certain changes or to fulfil certain commitments, which may not be achievable due to the wishes of the Council as a collective.

In Victoria, the review of their Local Government Act addressed this very issue:

*“The role of mayors is not properly understood by the community. Many councillors argue that mayors are ‘first among equals’ and that the role is merely ceremonial—such as representing council at public functions like citizenship ceremonies—as well as chairing council meetings. Out in the community, people often have a completely different view: that the mayor has an important leadership role in council; that they are responsible for holding councillors to account for their actions and have the power to do so; and that they also have broader responsibilities for how the council, including its administration, fulfils its role.”*²⁴

It may be the case that some of the public disquiet about Local Government relates to the misalignment between the public understanding of the role of individual Councillors including the Mayor or President, and the actual role defined by the *Local Government Act 1995*.

Councils are not Boards

There has been some commentary in recent times that Councils are equivalent to a Board of Directors. This misunderstands and misrepresents the fundamental role of Council to make *political* decisions in a *public* setting.

Councillors are very much encouraged to adopt ‘board-like behaviour’ in their deliberations and decision making in Council meetings and their dealings with constituents.

Councillors are community representatives – not professional directors that would be found in the private sector – tasked with a number of complex and often competing roles, such as providing good democratic government, supporting the community, managing places, delivering and maintaining infrastructure, and delivering services efficiently while ensuring rates are kept low.²⁵ Again, these roles are performed in a publicly and contested political environment.

²³ Department of Local Government and Communities (2017)

²⁴ The State of Victoria Department of Environment, Land, Water and Planning (2016), p38

²⁵ Skatsoo (2019)

Training and Professional Development

The complexity of the role, coupled with its public and political nature, demonstrates that training, professional development, capacity building and ongoing advice and support for Elected Members is essential. For this reason, WALGA, as the Local Government sector peak body, has invested significant resources in ensuring training and advice are available to Elected Members at all levels.

WALGA is a Registered Training Organisation (RTO) that offers a range of Nationally-Accredited Elected Member professional development courses that have been designed to provide the essential knowledge and skills to support Councillors to perform their role as defined in the *Local Government Act 1995*.²⁶

With a range of flexible courses to choose from, including a qualification specifically developed to meet the needs of Elected Members in Western Australia, there are a variety of ways for Elected Members to maintain and develop their professional capabilities.

Completion of training and assessment activities from all three Stages of WALGA's Learning and Development Pathway, will result in the achievement of the Diploma of Local Government (Elected Member) qualification. Since 2011, 35 Elected Members have completed the Diploma qualification and there are a further 36 currently enrolled.

Role of the Chief Executive Officer

The *Local Government Act 1995* clearly defines the role of a Local Government Chief Executive Officer:

The CEO's functions are to —

- (a) advise the council in relation to the functions of a local government under this Act and other written laws; and*
- (b) ensure that advice and information is available to the council so that informed decisions can be made; and*
- (c) cause council decisions to be implemented; and*
- (d) manage the day to day operations of the local government; and*
- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and*
- (f) speak on behalf of the local government if the mayor or president agrees; and*
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and*

²⁶ WALGA (2019)

- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

The Chief Executive Officer is the principal adviser to the Council and assists Elected Members to perform their role by providing advice and information so they can make informed decisions that are legally within the Council's powers while taking account of financial and resource constraints.²⁷

The CEO implements Council's decisions and is answerable to the Council for the performance of the Local Government in delivering services and facilities to the community.²⁸ Employment, management and supervision of all other staff is the responsibility of the CEO, who is responsible for managing operations on a day-to-day basis.

Given the Council has only one employee – the Chief Executive Officer – it is crucial that the Council makes a good decision when employing a CEO, and also that Council is able to effectively manage the performance of the CEO. As Councillors are often community representatives, who may not be experienced or qualified in contemporary human resource management practices, employment, management and performance appraisal of the CEO may be one of the Council's most significant challenges.

The *Local Government Act 1995* requires that performance criteria for the purpose of reviewing the CEO's performance are established. Similarly, development of these performance criteria are crucial for the Council to get right.

For these reasons, WALGA offers an Elected Member training course on CEO Performance Appraisals, and provides Elected Members with significant advice and assistance through the CEO recruitment and performance appraisal cycle.

It is also acknowledged that the recent amendments to the Local Government Act in June 2019 provide for guidelines to be produced for the CEO recruitment and performance review process.

Chief Executive Officer Remuneration

At times, there has been uninformed commentary in the public realm about the pay of Chief Executive Officers in the Local Government sector. The remuneration of Chief Executive Officers is subject to a determination every year by the Salaries and Allowances Tribunal,

²⁷ WALGA (2019a)

²⁸ WALGA (2019a)

the same body that determines the pay and conditions for Members of Parliament, senior executives of Government Trading Entities such as Synergy and the Water Corporation, and Judges and Magistrates.

The Salaries and Allowances Tribunal's process for determining CEO remuneration is transparent and well-established.

To criticise Local Government CEOs for 'earning more than the Premier', which seems to be a common trope among the uninformed, is misguided. The Premier occupies a political office; a Local Government CEO occupies an executive management administrative office and is often responsible for management of significant sums of public money.

In the case of large metropolitan Local Governments, the Chief Executive Officer may be responsible for an organisation with \$170 million in annual revenue and 1,000 employees. To suggest that someone with such responsibility would not command a significant remuneration package is naïve and misguided.

DRAFT

Funding and Financial Management

e) *The funding and financial management of local governments*

The removal of constraints to Local Government revenue capacity is a critical success factor for an improved system of Local Government in Western Australia.

The place of Local Government in Australia's Federation and in the context of the vertical fiscal imbalance has been well documented and well researched. The revenue constraints impacting on Local Government in virtue of its role in the Federation is perhaps best summarised by the Systemic Sustainability Study Panel:

"The positioning of Australian Local Government in jurisdictional roles, determined by State legislation and with revenue sourced from State and Commonwealth sources along with own-source rates and charges, provides significant scope for role and funding tensions between the three levels of government."²⁹

This tension sometimes manifests in commentary about Local Government rate setting, which occasionally degenerates to a discussion about the merits or otherwise of specific rate increases. A debate of this nature can be destructive; rate rises above the consumer price index may be essential for a number of reasons, and may be a manifestation of a democratic mandate for the Local Government to provide specific services to a certain level of service.

Rates are Local Governments' only taxation mechanism available to fund the myriad of services expected by the community. This is because other sources of income are subject to varying degrees of control by other spheres of government: fees and charges may be set or capped by regulation and not increased over time and grants and transfers are not subject to Local Government control. Secondly, due to a large infrastructure backlog, there is a need for Local Governments to raise sufficient revenue to fund future obligations for infrastructure replacement and renewal. Failure to do this represents an inequitable transfer of liabilities to future generations of ratepayers.

A significant infrastructure backlog is a tangible manifestation of Local Governments' revenue constraints. In 2017-18 there was a \$136 million shortfall between the \$717 million estimated to be required to maintain the road network in its current condition and the \$584 million that was spent by Local Governments on road preservation. This gap has grown by around \$48 million per year over the past five years. The gap between actual and required expenditure on roads is largest in the Wheatbelt region and has been for many years. The cumulative effect of this is clear in road condition data across the network, where between 20 and 25 percent of the sealed roads are in a poor or very poor condition. This challenge is not able to be resolved by Local Governments alone. In the Wheatbelt South Region it has been calculated that, in aggregate, Local Governments would have to spend 100 percent of their

²⁹ WALGA (2006) p19

revenue raising capacity (a theoretical maximum calculated by the WA Local Government Grants Commission) in addition to the grants received in order to meet their road preservation needs. The increased service levels required by high productivity vehicles (over-mass, road trains) add to the challenges faced by Local Governments in these regions.

Remote regions are heavily dependent on Federal and State Governments to fund road maintenance and renewal. In the Gascoyne Region, around 90 percent of road funding is from Federal and State Governments, and in the Kimberley around 80 percent of funding is from Federal and State Governments.

Beyond acknowledging Local Government's place in Australia's Federal system of Government, characterised by a significant vertical fiscal imbalance, there are some practical reforms that would enhance the revenue capacity of Local Governments and improve equity in the community.

Rates

Rates, which represent Local Governments' only tax instrument and primary form of own-source of revenue, are a tax on wealth, not tied to any specific services, but rather used to fund a broad range of community facilities and services.³⁰

Local Government is a legitimate and essential sphere of Government with the democratically enshrined mandate to raise revenue through rates to fund infrastructure and services for the benefit of their community.

Councils' deliberative rate setting processes reference their Integrated Planning Framework – a thorough strategic, financial and asset management planning process – and draw upon the community's willingness and capacity to pay.

The Henry Tax Review puts forward five key principles that the tax system should seek to address:³¹

1. Equity
2. Efficiency
3. Simplicity
4. Sustainability
5. Policy Consistency

It can be seen in the following table that rates perform well when assessed against the principles of taxation.

³⁰ Deloitte Access Economics (2013)

³¹ Commonwealth of Australia (2010)

Principle	Definition ³²	How rates perform
Equity	The tax and transfer system should treat individuals with similar economic capacity in the same way, while those with greater capacity should bear a greater net burden. Further, the tax system should be progressive.	As rates are directly related to property value, those with higher valued properties will pay more in rates than those with lower valued properties in the same jurisdiction.
Efficiency	The tax and transfer system should raise and redistribute revenue at the least possible cost to economic efficiency and with minimal administration and compliance costs.	Rates are a relatively efficient tax as they are unlikely to substantially affect economic decision-making. In fact, the Henry Tax Review contends that “the estimated welfare losses of municipal rates and land tax are lower than, or similar to, those of the GST, and a lot lower than for personal tax on labour income and company income tax.” ³³
Simplicity	The tax and transfer system should be easy to understand and simple to comply with.	Rates are simple, easy to understand, easy to comply with, and difficult to avoid.
Sustainability	A principal objective of the tax system is to raise revenue to fund government programs... [and] should have the capacity to meet the changing revenue needs of government on an ongoing basis.	Rates are sustainable. As a tax on land, which is immobile, revenue from rates is relatively fixed when compared to other forms of taxation.
Policy Consistency	Tax and transfer policy should be internally consistent.	Rates are not inconsistent with other forms of taxation and there is a direct link between rates and services provided to the property and the broader community.

³² Commonwealth of Australia (2010)

³³ Commonwealth of Australia (2010),

http://www.taxreview.treasury.gov.au/content/FinalReport.aspx?doc=html/publications/papers/Final_Report_Part_1/chapter_1.htm#Chart_1_5

Rate Exemptions

Rating exemptions undermine the efficacy of rates in relation to the criteria outlined in the table above.

Exemptions from rates represent significant revenue leakage for Local Governments and this transfers the rate burden to remaining ratepayers. The Local Government sector supports a broad review into the justification and fairness of all rating exemption categories currently prescribed under section 6.26 of the *Local Government Act 1995*. Rate exemptions can be particularly perverse where commercial operations are clearly evident.

To understand the impact of ratings exemptions on the sector, WALGA conducted a survey of its members during July 2018. The survey sought to quantify the impact of ratings exemptions during the 2017-18 financial year.

Some 100 Local Governments responded to the survey, representing Local Governments of all sizes and from across both metropolitan and regional WA. 30 respondents were from the metropolitan area, 63 were from regional WA, and the remainder did not state their location.

The total value of revenue foregone in 2017-18 as a result of ratings exemptions was \$45,633,541. This represents approximately two percent of total rates revenue (based on 2016-17 figures). The impost of rates exemptions was relatively evenly spread across the sector, with the largest share of revenue forgone attributed to the City of Stirling (11 percent) and City of Greater Geraldton (9 percent).

In dollar terms, the largest overall financial impost to the sector from rating exemptions related to land used exclusively for charitable purposes (\$16,564,788), followed by crown land (\$7,522,264), and land used as a non-government school (\$7,247,816). It is noted that some Local Governments had difficulties accessing gross rental values for crown land and so the revenue forgone is potentially much higher.

The most common type of property that was exempt from rating during the 2017-18 financial year was land which is property of the crown (13,905 properties). This was followed by land used exclusively for charitable purposes (2,919 properties) and land owned by a regional local government (2,811 properties).

Charitable Purposes Rating Exemption

Of particular concern to the Local Government sector is the rate exemption relating to charitable purposes. In 2005, the Local Government Advisory Board inquired into the

operation of section 6.26(2)(g) of the *Local Government Act 1995*.³⁴ This section provides that “land used exclusively for charitable purposes” is exempt from Local Government rates.

In principle, this section of the Act is supported by the Local Government sector. Clearly, Local Government, like any sphere of government, ought to continue to play a role in supporting and encouraging charitable organisations in their work for the benefit of the community. Accordingly, advocacy by the Local Government sector for legislative amendments relating to this section of the Act should not be misinterpreted as disregard for the positive work of charities in the community.

The Local Government sector contends that exemptions under this section of the Act have extended beyond the original intention and now provide rating exemptions for non-charitable purposes, which increase the rate burden to other ratepayers.

The most prominent example of this is the exemption provided under this section of the Act to Independent Living Units (ILU), which is well documented in the Local Government Advisory Board’s Report.³⁵ It was estimated by the Local Government Advisory Board that approximately \$3 million of revenue was foregone by Local Governments in 2005 as a result of this section of the Act.³⁶ This figure has significantly increased since the Advisory Board’s report published over a decade ago, with WALGA’s 2018 survey of Local Governments suggesting that \$16.5 million of rate revenue is forgone due to the charitable purposes rate exemption.

If this issue is not addressed, the rate burden on other ratepayers will continue to increase as the demand for Independent Living Units increases as the population ages.

The Local Government Advisory Board recommended in 2005 that Independent Living Units should not be exempt from rates.³⁷ The Legislation Reform Working Group recommended in 2010 that Independent Living Units should not be exempt from rates.³⁸ WALGA’s policy position on this issue is that the *Local Government Act 1995* should be amended to remove the rate exemption for Independent Living Units. There may be an argument for exemptions to be granted by State or Federal legislation. Examples include exemptions granted by the Commonwealth *Aged Care Act 1997* and group housing for the physically and intellectually disabled which is supported under a government scheme such as a Commonwealth-State Housing Agreement or Commonwealth-State Disability Agreement.

The sphere of government that determines that exemptions should be granted should fund the exemption. This will ensure that funding the revenue shortfall will be equitably and

³⁴ Local Government Advisory Board (2005)

³⁵ Local Government Advisory Board (2005) p14-22

³⁶ Local Government Advisory Board (2005) p3

³⁷ Local Government Advisory Board (2005) p22

³⁸ Legislation Reform Working Group (2010) p2

appropriately distributed amongst taxpayers. For example, the State Government have a compensatory fund of this nature relating to pensioner discounts for the payment of rates.

The *Local Government Act 1995* needs to be amended to provide clarification on rating of land used for charitable purposes.

Rate Equivalency Payments

A similar issue relates to rate exemptions for State Government trading entities.

A particular example is the exemption granted to LandCorp by the *Land Authority Act 1992*. In 1998, the Act was amended to include provisions for LandCorp to pay the Treasurer an amount equal to that which would have otherwise been payable in Local Government rates, based on the principle of 'competitive neutrality'.

This matter is of serious concern to Local Governments with significant LandCorp holdings in their district. The shortfall in rates are effectively paid by other ratepayers, which means ratepayers have to pay increased rates because LandCorp has a presence in the district.

The current situation involving the Perth Airport demonstrates that such a system is appropriate and can work in practice. In this case, the Commonwealth Government requires the lessee to make a rate equivalency payment to the relevant Local Government and not the Commonwealth. There is no reason why a similar system cannot be adopted for State Government Trading Entities.

State Agreement Acts

Before the 1980s, State Government conditions of consent for major resources projects in WA included the requirement for purpose-built towns in close proximity to project sites. These conditions were detailed in State Agreement Acts, which are essentially contracts between the State Government and proponents of major resources projects that are ratified by the State Parliament.

The requirement to provide community services and infrastructure meant State Agreement Acts typically included a Local Government rating restriction clause. Many of these towns have since been 'normalised' due to Local Governments, the State Government and utility providers assuming responsibility for services and infrastructure.

In 2011, the State Government introduced a new policy on 'the application of Gross Rental Valuation to mining, petroleum and resource interests' (the GRV mining policy). The policy would apply for a 3 year trial period from 1 July, 2012. The trial period was recently extended until 30 September, pending the outcomes of a review of the policy. The primary objectives

of the policy were to clarify the circumstances where Local Governments could apply GRV rating to mining land and enable the use of GRV rating on new (i.e., initiated after June 2012) mining, petroleum and resource interests. This included the application of GRV rating to new State Agreement Acts.

However, existing State Agreement Acts continue to restrict Local Government rating. Local Governments can only rate projects covered by existing Agreements in the unlikely event of 'both parties agree[ing] to adopt the policy'. Alternatively, the State Government has also stated that 'projects that operate under existing State Agreements and currently exempt from rates may apply the policy as part of their respective Agreement Variation processes with the Department of State Development during the trial period'. Again, this statement suggests it is unlikely that the rating exemptions will be removed for existing State Agreements since variations are infrequent and there is no real requirement to remove the exemptions.

Rating exemptions on State Agreement Acts mean that Local Governments are denied an efficient source of revenue. There are also equity issues associated with the existing exemptions since they only apply to a select group of mining companies whose projects are subject to older State Agreement Acts. Removing the rates exemption clauses from the pre-July 2012 State Agreement Acts would provide a fairer outcome for all other ratepayers, including the proponents of new resources projects.

Restrictions on Borrowings

Another Local Government finance issue is a disincentive for Local Government investment in community infrastructure due to borrowing restrictions in the *Local Government Act 1995*. Section 6.21(2) states that a Local Government can only use its 'general funds' as security for borrowings to upgrade community infrastructure, and is restricted from using its assets to secure its borrowings.

This provision severely restricts the borrowing capacity of Local Governments and reduces the scale of borrowing that can be undertaken to the detriment of the community.

This is particularly relevant since the Global Financial Crisis. Treasury now requires member Local Governments to show as contingent liabilities in their balance sheet their proportion of contingent liabilities of the Regional Local Government of which they are a member. Given that the cost of provision of an Alternative Waste Disposal System is anything up to \$100 million, the share of contingent liabilities for any Local Government is significant. Even under a 'Build-Own-Operate' financing method, the unpaid (future) payments to a contractor must be recognised in the balance sheet of the Regional Local Government as a contingent liability.

This alone is likely to prevent some Local Governments from borrowing funds to finance its own work as the value of contingent liabilities are taken into account by Treasury for borrowing purposes.

Fees and Charges

Fees and charges are, on average, the second largest source of Local Government discretionary revenue.³⁹ Local Governments are able to charge users for specific, often incidental, services. Examples include dog registration fees, fees for building approvals and swimming pool entrance fees.

In some cases, Local Governments will recoup the entire cost of providing a service or even make a profit. In other cases, user charges may be set below cost recovery to encourage a particular activity with identified community benefit, such as sporting ground user fees or swimming pool entry fees.⁴⁰

Currently, fees and charges are determined according to three methods:

- By legislation
- With an upper limit set by legislation⁴¹
- By the Local Government.

Fees determined by State Government legislation are of particular concern to Local Governments and represent significant revenue leakage. Examples of fees and charges of this nature include dog registrations fees, town planning fees and building permits. Since Local Governments do not have direct control over the determination of fees set by legislation, this revenue leakage is recovered from rate revenue.

Under the principle of 'general competence' there is no reason why Local Governments should not be empowered to make decisions regarding the setting of fees and charges for specific services.

There may be an argument that certain fees and charges should be consistent across the State or the metropolitan area; however it is not clear why dog registration fees, as an example, should be the same in every Local Government area. Local Governments in most other states are able to set animal registration fees.

Car registration fees are not the same in every State and few would argue they ought to be; setting fees, charges and tax rates is a core function of government and Local Governments, as a legitimate sphere of government, should be able to make policy decisions regarding their services and revenue streams.

Councils should be empowered to make policy decisions regarding user-paid services provided by the Local Government.

³⁹ WALGA (2008) p80

⁴⁰ WALGA (2008b) p81

⁴¹ See Section 6.17(3) of the *Local Government Act 1995*

Grants

Grants and transfers from other spheres of Government are the other main revenue source for Local Government. Financial Assistance Grants, provided by the Commonwealth and distributed by the State Government's Local Government Grants Commission are a key funding source for many Local Governments.

The Department of Local Government, Sport and Cultural Industries website explains Financial Assistance Grants:

“Local Government Financial Assistance Grants funded by the Commonwealth Government are distributed among 137 local governments in Western Australia each year. The grants are the State's entitlement for financial assistance from the Commonwealth Government, paid in equal quarterly instalments for a financial year, under the Australian law, Local Government (Financial Assistance) Act 1995. The distribution of Financial Assistance Grants is for local government purposes, to achieve equitable levels of services by reasonable effort.

Western Australia's share of Commonwealth funding for 2018-19 is \$293,275,889, which equals 11.93 per cent of the national allocation of \$2.457 billion. The allocation has increased from \$287.355m. The funding is untied; there are no conditions on how the funds should be spent. The amount is divided into two parts, a general purpose component and a local roads component.”⁴²

Particularly for smaller, more remote Local Governments, financial assistance grants can comprise of a significant portion of revenue. As the Australian Local Government Association (ALGA) notes, Financial Assistance Grants are particularly important in areas with a low rate base, and/or high growth rate, and rapidly expanding service and infrastructure needs.⁴³

Local Governments in Western Australia strongly support ALGA's advocacy campaign to restore Financial Assistance Grants to one percent of Commonwealth taxation revenue, which was the level of funding provided in 1996.⁴⁴ Since then, despite the Australia's Gross Domestic Product growing strongly, Financial Assistance Grants funding has eroded to now represent approximately 0.55 percent of Commonwealth taxation revenue.⁴⁵

This decline in revenue support from the Commonwealth coincides with the responsibilities and demands of Local Government increasing as the State Government reduces services to address budget issues and Local Government seeks to address the infrastructure backlog, which improves the economic capacity of Western Australia's communities.

⁴² Department of Local Government, Sport and Cultural Industries (2019)

⁴³ ALGA (2019)

⁴⁴ ALGA (2019a)

⁴⁵ ALGA (2019a)

Other Related Matters

- f) Any other related matters the select committee identifies as worthy of examination and report*

Transparency and Accountability

Local Government is a unique combination of a complex organisation, operating in the public realm with significant transparency and accountability requirements.

Appropriately, given Local Government's role as steward of public assets and public funds, there is a high level of public scrutiny related to Local Government operations and decision-making. In particular, Council meetings, with limited exceptions, are open to the public, and community members can avail themselves of public question time at Council meetings. Further, Local Governments are required to hold a public meeting of electors annually, and members of the community are able to petition for special electors meetings to be held to address specific issues.

In addition, the role of an Elected Member includes a role in facilitating communication between the community and the Council. Elected Members are generally approachable and make themselves available to be contacted about community issues in person at events or via telephone, email or social media. Information, including agendas and minutes, is available on each Local Government's website, meaning that Council decisions are generally accessible.

Local Governments embrace accountability, openness and transparency. Accusations to the contrary are fundamentally misguided, given the existing legislative transparency requirements coupled with Local Government practice that enhances transparency even further.

A prime example of Local Government's culture of openness is highlighted by the commencement of performance audits by the Office of the Auditor General. Despite the resource requirement in facilitating an audit of this nature, Local Governments have embraced the opportunity for an independent agency to access their organisation and provide recommendations on how performance can be improved to reduce risk or enhance efficiency or effectiveness.

The performance audits conducted by the Office of the Auditor General are not only relevant to the subset of Local Governments chosen for audit, but also provide learnings for other Local Governments. It is a credit to the Local Government sector that the performance audits have been welcomed by Local Governments, and not resisted.

State Local Government Partnership Agreement

In August 2017, the following State and Local Government sector leaders signed the Western Australian State Local Government Agreement:⁴⁶

- Premier – Hon Mark McGowan MLA;
- Minister for Local Government – Hon David Templeman MLA;
- President, WALGA – Cr Lynne Craigie; and,
- President, Local Government Professionals Australia WA – Mr Jonathan Throssell.

The objectives of the partnership agreement are to facilitate the State Government and the Local Government sector working together to enhance communication and consultation between the two spheres of Government, and to provide good governance for the people of Western Australia.

Importantly, the Agreement sets out a communication and consultation framework that commits the State Government to thoroughly consulting with the Local Government for 12 weeks for proposals that “will have a significant impact on Local Government responsibilities or operations.”⁴⁷

Further, the Agreement establishes the State and Local Government Partnership Group comprising the following State and Local Government leaders:

- Premier;
- Treasurer;
- Minister for Local Government;
- Minister for Planning / Transport;
- WALGA President;
- LG Professionals President; and,
- Such other Ministers and Local Government representatives as appropriate to the subject matter on the agenda.

The Partnership Agreement provides opportunities for both the State Government and the Local Government sector.

For the Local Government sector, the commitment to consultation timeframes and regular, formal access to key Government leaders, such as the Premier and Treasurer, are important.

For the State Government, there are opportunities to leverage Local Government’s reach in every community in Western Australia in the pursuit of State Government objectives.

⁴⁶ Government of Western Australia, Local Government Professionals Australia WA, and WALGA (2017)

⁴⁷ Government of Western Australia, Local Government Professionals Australia WA, and WALGA (2017)

For example, WALGA commissioned a piece of work to review the WA Plan for Jobs and provide information to Local Government about opportunities for leveraging the State's work in this space.⁴⁸ This provided Local Governments with options and opportunities at the regional and local level, allowing Local Governments to develop their local and regional economies in line with State objectives.

Similarly, as part of the Review of the Local Government Act, WALGA partnered with the Department of Local Government, Sport and Cultural Industries to host workshops around Western Australia leveraging WALGA's Zones to provide consolidated input into the State's review process.

State Industrial Relations Review

WALGA would like to draw the Committee's attention to the ongoing State Industrial Relations Review.

Although there is a State Local Government Partnership Agreement, there are times when there are differing views on particular issues. The recent Ministerial review of the WA Industrial Relations system is a case in point.

This particular example is where the State Government are proposing an agenda that disadvantages the Local Government sector.

The WA State Government undertook a review of the WA Industrial Relations System in which the following recommendations have been made:

- *Local Government employers and employees be regulated by the State industrial relations system.*
- *To facilitate this recommendation, the State Government introduce legislation into the State Parliament that declares, by way of a separate declaration, that each of the bodies established for a Local Government purpose under the Local Government Act 1995 (WA) is not to be a national system employer for the purposes of the 2018 IR Act.*
- *If the declaration is passed by the State Parliament, the State expeditiously attempt to obtain an endorsement under s 14(2)(c) and s 14(4) of the FW Act by the Commonwealth Minister for Small and Family Business, the Workplace and Deregulation, to make the declaration effective (the endorsement).*

⁴⁸ WALGA (2018)

Clearly a political decision, the State Government has advised they will **not** be modernising the State IR system, including updating the *Minimum Conditions of Employment Act 1993*, *Industrial Relations Act 1979* or state awards.

If this recommendation is enacted 88 percent of Local Governments or 93 percent of employees currently operating in the federal system will be forced to operate in a jurisdiction which is antiquated and does not provide minimum conditions reflective of the modern workplace.

Further, no consideration appears to have been given by the State Government to the fact that Local Governments have operated in the federal jurisdiction for well over a decade i.e. before the *Fair Work Act 2009* came into effect. The foundations in which Local Governments have established core functions and services for their communities has been enabled through a federal and modernised system.

While purporting to provide jurisdictional certainty, this politically driven decision will force Local Governments to review of the viability of services and operations with ultimately members of the community paying the price.

WALGA and the sector are of the view that Local Government employers and employees in WA should not be exclusively regulated by the State IR system.

Conclusion

WALGA would like to take the opportunity to thank the Committee for considering this submission.

As this submission demonstrates, Local Governments, across the breadth and width of Western Australia, deal with a wide range of issues and strive to provide efficient services and effective democratic representation on behalf of their constituents and communities.

This Committee Inquiry presents a tremendous opportunity for best practice and innovation to be highlighted. While no Local Government is perfect, WALGA contends that the Local Government sector contains countless examples of dedicated Elected Members, executives and staff striving to achieve positive outcomes on behalf of the community.

WALGA President, Cr Lynne Craigie OAM, and Chief Executive Officer, Nick Sloan, would welcome the opportunity to present to the Committee on the matters contained in this submission or any other matters relevant to the Inquiry.

Reference List

- ALGA (2019) *Financial Sustainability*.
<https://alga.asn.au/policy-centre/financial-sustainability/>
- ALGA (2019a) *Local Communities Matter: Submission to the 2019-20 Federal Budget*.
<https://cdn.alga.asn.au/wp-content/uploads/ALGA-Budget-Submission-2019-20.pdf>
- Aulich, C., Gibbs, M., Gooding, A., McKinlay, P., Pillora, S. & Sansom, G., (2011)
Consolidation in Local Government: A Fresh Look, Volume 1: Report and Volume 2: Background Papers, Australian Centre of Excellence for Local Government: Sydney
- British Columbia (2019) *Community Charter [SBC 2003] Chapter 26*,
http://www.bclaws.ca/civix/document/id/complete/statreg/03026_00
- Brown, B. (2019) *Dare to Lead Read-Along Workbook*.
<https://daretolead.brenebrown.com/wp-content/uploads/2019/02/DTL-Read-Along-Workbook-v2.pdf>
- Bureau of Infrastructure, Transport and Regional Economics (2019) *May 2019 Domestic Aviation Activity*.
https://www.bitre.gov.au/publications/ongoing/files/Domestic_aviation_May_2019.pdf
- Cox, D. (2019) *Legislation in the modern world: what is the best way legislation should be written for today's society?* Presentation to the Future of Local Government Statewide Forum, 30 January 2019, Technology Park Function Centre, Bentley. <https://walga.asn.au/getattachment/News,-Events-and-Publications/Events/Future-of-Local-Government-State-wide-Forum/190130-Dr-David-Cox-Presentation.pdf?lang=en-AU>
- Deloitte Access Economics (2013) *Review of Local Government Rating Exemption Provisions: Local Government NSW, May 2013*:
<https://www.lgnsw.org.au/files/imce-uploads/127/deloitte-access-economics-review-of-local-government-rating-exemption-provisions-2013.pdf>
- Commonwealth of Australia (2010) *Australia's Future Tax System: Final Report, Part 1 – Overview*.
http://www.taxreview.treasury.gov.au/content/FinalReport.aspx?doc=html/publications/papers/Final_Report_Part_1/chapter_2.htm
- Department of Local Government and Communities (2017), Fact Sheet No. 2 – *The role of a council member*.

https://www.dlgsc.wa.gov.au/resources/publications/Publications/Local%20Government%20Elections%20Fact%20Sheets/Local_Government_Elections_2017_Fact_sheet_02-The_role_of_a_council_member.DOCX

Department of Local Government, Sport and Cultural Industries (2019) *Financial Assistance Grants*.

<https://www.dlgsc.wa.gov.au/localgovernment/forcouncils/Pages/Financial-Assistance-Grants.aspx>

Edelman (2019), *2019 Edelman Trust Barometer*.

https://www.edelman.com/sites/g/files/aatuss191/files/2019-02/2019_Edelman_Trust_Barometer_Global_Report.pdf

Government of Western Australia, Local Government Professionals Australia WA, and WALGA (2017) *Western Australian State Local Government Agreement*.

https://www.dlgsc.wa.gov.au/resources/publications/Publications/State%20Local%20Government%20Agreement%20Signed%20Partnership/State_Local_Government_Signed_Partnership_Agreement.pdf

Griffith University (2014) *Constitutional Values Survey*:

<https://www.scribd.com/document/242462223/Griffith-University-Constitutional-Values-Survey-Oct-2014-Results-1-1>

House of Representatives Standing Committee on Economics, Finance and Public Administration, (2003), *Rates and Taxes: A Fair Share for Responsible Local Government*, Parliament of the Commonwealth of Australia: Canberra

Legislation Reform Working Group (2010) *Report to the Local Government Reform Steering Committee*, Legislation Reform Working Group, administered by the Department of Local Government: Perth

Local Government Advisory Board (2005) *Inquiry into the Operation of Section 6.26(2)(g) of the Local Government Act 1995: An inquiry by the Local Government Advisory Board into the operation of the provisions of the Local Government Act relating to rating of land used for charitable purposes*, Local Government Advisory Board: Perth

PricewaterhouseCoopers (2006) *National Financial Sustainability Study of Local Government*, PricewaterhouseCoopers: Sydney

Productivity Commission (2017) *Productivity Commission, Local Government, Shifting the Dial: 5 year Productivity Review, Supporting Paper No. 16*.

<https://www.pc.gov.au/inquiries/completed/productivity-review/report/productivity-review-supporting16.pdf>

- Skatssoon, J. (2019) *Need to ditch 'damaging obsessions' about local government*, Government News, 23 May 2019: <https://www.governmentnews.com.au/need-to-ditch-damaging-obsessions-about-local-government/>
- The State of Victoria Department of Environment, Land, Water and Planning, (2016) *Act for the Future: Directions for a new Local Government Act*. [https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/7aa05ea50976225e7ee45681e4520f5cdfa2e355/documents/attachments/000/037/297/original/Act for the Future - Directions for a new Local Government Act.pdf?1465442287](https://s3-ap-southeast-2.amazonaws.com/ehq-production-australia/7aa05ea50976225e7ee45681e4520f5cdfa2e355/documents/attachments/000/037/297/original/Act_for_the_Future_-_Directions_for_a_new_Local_Government_Act.pdf?1465442287)
- WALGA (2019) *Elected Member Courses*.
<https://walga.asn.au/Training/Our-Courses/Elected-Member-Courses.aspx>
- WALGA (2019a) *Course Notes: Serving on Council – Elected Member Training*, WALGA, West Leederville.
- WALGA (2019b) *State Council Full Minutes, 27 March 2019*.
<https://walga.asn.au/getattachment/947ca410-d15d-4457-ab1c-3628efa001b3/State-Council-Full-Minutes-27-March-2019.pdf>
- WALGA (2018) *Review of the WA Plan for Jobs and the Economic Development Opportunity for Local Government in Western Australia*.
<https://walga.asn.au/getattachment/Policy-Advice-and-Advocacy/Economic-Development/Review-of-the-WA-Plan-for-Jobs.pdf.aspx?lang=en-AU>
- WALGA (2011) *The Western Australian Local Government Directory*, WALGA: Perth
- WALGA (2008) *The Journey: Sustainability into the Future*, Draft SSS Report, WALGA: Perth
- WALGA (2006) *In Your Hands: Shaping the Future of Local Government in Western Australia*, Final Report, WALGA: Perth
- Waste Authority (2018) *Waste Authority Annual Report 2017-18*.
http://www.wasteauthority.wa.gov.au/media/files/documents/WasteAuthority_Annual_Report_2017-18.pdf
- Waste Authority (2018a) *The 2016-17 census of Western Australian local government waste and recycling services*.
http://www.wasteauthority.wa.gov.au/media/files/documents/Local_Government_Waste_and_Recycling_Census_2016-17.pdf
- Western Australian Local Government Grants Commission (2018) *2017-2018 Returns*.

Select Committee into WA Local Government Submission by Local Government Professionals Australia WA

Thank you for the opportunity to provide a submission to the Select Committee in response to the inquiry into how well the system of local government is functioning in Western Australia.

Local Government Professionals Australia WA (LGPAWA) is the peak representative body for local government professionals in Western Australia. Established in 1936, Local Government Professionals Australia is a National Federation with Member Associations in each State, representing over 5000 members across Australia and over 800 members in WA including over 120 being Chief Executive Officers of WA local governments.

LGPAWA provides a range of services and support for its members and local government professionals. We are committed to continuous improvement in local government leadership, governance, management and service delivery for local communities, and ensuring that our members are at the forefront of change and innovation.

Responses to areas of focus of the Inquiry

(a) Whether the *Local Government Act 1995* and related legislation is generally suitable in scope, construction and application.

Notwithstanding that much has changed and evolved since the current *Local Government Act 1995* (the Act) was implemented in 1995, LGPAWA's position is that the Act is still broadly suitable in scope. It does however require updates and amendments to reflect changes in our environment, including technological advancements and community expectations. Hence we have been very supportive of the current review of the Act and provided our submissions for both Phase 1 and Phase 2 of the review (please see enclosed documents).

LGPAWA has also been a strong advocate on reducing the complexity of the Act. Over the years, various amendments have been introduced in response to circumstances that had occurred. This has caused much confusion for the Sector and resulted in inconsistent interpretations of the Act.

Whilst the Act requires updating overall, LGPAWA views the following five areas to be critical in enhancing WA Local Government:

1. Differentiating local governments based on size and scale
It is unreasonable to expect all 139 local governments in WA to operate in exactly the same manner, when one takes into account the diversity between metropolitan, regional and remote local governments, the different challenges they encounter, and the vastly different rate base between all of them. Differentiating local governments based on size and scale and having a "fit for purpose" approach will, in our view, reduce the unnecessary compliance burden on smaller local governments with limited capacity, which will, in turn, allow those local governments to focus on delivering essential services to their communities.
2. Ability to form beneficial enterprises
Learning from the successes of New Zealand, it has been demonstrated that enabling local government to form beneficial enterprises enhances the efficiency and effectiveness of key place making activities. For smaller local governments in regional and remote areas, this will also mean that the local government can set up commercial activities to fill the void of key services where they are not being provided by the private sector.
3. Local Government Commissioner to be established to guide the Sector
Unlike the State Government, where Directors General are employed and appointed by the Public Sector

Commissioner (and not the relevant Ministers), CEOs in Local Government are appointed by Council directly. This poses a challenge, as CEOs are also obliged to report an Elected Member for misconduct and/or inappropriate behaviours.

When a CEO reports an Elected Member or Members, those reported are highly likely to form an adverse opinion about the CEO, which leads to biased future decision making in regards to the performance of the CEO. To eliminate this bias, an independent authority should become the final decision maker in terms of the CEO's performance and contract renewal, in situations where a formal complaint about an Elected Member has been made.

An introduction of a Local Government Commissioner will function as a guidance and support role to independently assist local governments with matters such as CEO recruitment and performance reviews, with Council retaining the primary responsibility.

4. Overcoming discrepancies in rateable lands

The discrepancies in rateable lands have significantly impacted on the amount of rates payable to local governments, therefore hindering local governments' ability to provide effective and efficient service to communities.

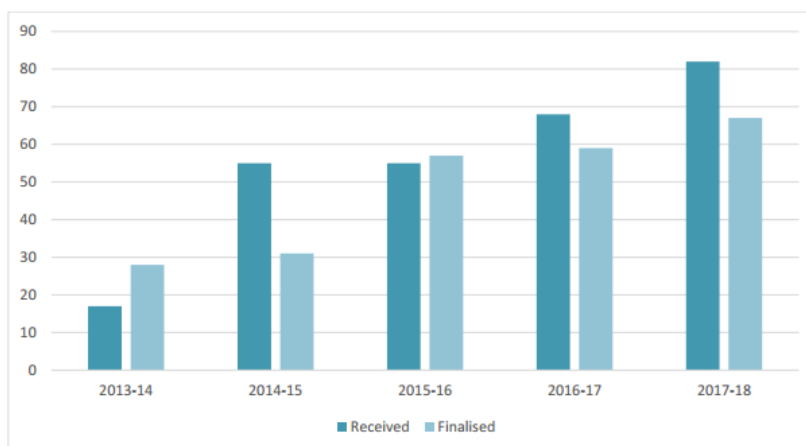
For example:

- It is inappropriate for State Government trading enterprises to pay rate equivalents to the State Government when it is a local government which has constructed the local roads used by those enterprises and which collects the rubbish generated.
- Resource projects, which are covered by State Agreement Acts, should pay rates.
- The meaning of "charitable purposes" has been taken advantage of over the years, whereby there are many current examples of independent living units for seniors, which are generally provided at commercial rates, claiming exemption from paying rates.

5. Improving the operations of Local Government Standards Panel

The original intent of the Standards Panel, when it was first established, was to provide early intervention and to minimise inappropriate behaviour which could occur at the Council level. This has unfortunately not been the case, as demonstrated by the Chart 1 below which has been extracted from the 2017-18 Standards Panel Annual Report.

Chart 1: Standards Panel complaints



It is our understanding that each Standards Panel meeting consists of an agenda that has in excess of 700 page of "evidence", where the majority of the complaints are trivial and often involve 'personality difference' induced conflict.

It is clear that the current Standards Panel model is not achieving its objectives of early interventions and/or reducing inappropriate behaviour. The operation of the Standards Panel is in need of a significant review to reassess its purpose and approach.

(b) The scope of activities of local governments.

It is worth noting that there has been little to no consideration of local government activities over the past decade. The focus of the Barnett Government's metropolitan local government reform was more on the "form" of local government, rather than considering the broader "function" of the Sector.

Of the three levels of government in Australia, Local Government is the level that is closest to the community and therefore is best positioned to provide front-line, essential services to the community.

There is no doubt that WA local governments no longer merely provide "roads, rates and rubbish", contrary to what some commentators still consider the role of local government should be. Over the years, the scope of local government activities has expanded due to:

1. Responding to community needs, eg:
 - Securing medical services in regional and remote areas
 - Management of volunteer bushfire brigades
 - Provision of frontline community development services
 - Economic developmentJust to name a few.
2. Cost shifting by other levels of Government, eg:
 - Reduction in funding for public libraries
 - Encouragement for local governments to establish and monitor CCTV systems

In reviewing the scope of activities of Local Government it would be important for the Select Committee to consider who and what level of Government (if any) is better placed than Local Government to provide direct and essential services to the community.

(c) The role of the Department of State administering the *Local Government Act 1995 and related legislation.*

LGPAWA strongly advocates for the role of the Department of Local Government, Sport and Cultural Industries to be both **Advisory** and **Regulatory**. With careful management, these two roles are not mutually exclusive.

It has been noted by the Sector that the advisory role of the Department has diminished significantly in recent years, due to loss of key personnel and Machinery of Government restructures. This diminution is to a point where the Department does not commit to providing advice in writing, leaving the Sector unsupported and without guidance.

In lieu of the Department's former advisory support, the Sector looks to LGPAWA, WALGA and other relevant consultancies for advice in relation to legislation and regulations. It is reasonable to expect that the Department responsible for administering the Act should be the very agency with whom Local Government can rely on to provide accurate advice regarding interpretation of the Act. This would also enhance compliance from within the Sector and, therefore, less requirement and burden on the regulatory side of the Department.

That being said, the Department has also repeatedly indicated that it also lack resources for the regulatory side of its function, which is why all the recent authorised inquiries have taken in excess of 12 months to complete. If the authorised inquiries are meant to improve the function of local government, the unreasonably long time frame is not allowing the Department to fulfil this purpose.

With only 40 employees at the Department with a focus on local government, it is unsurprising that neither of the Advisory nor the Regulatory functions are being well delivered currently. The Sector requires a well-resourced Department of Local Government to provide support and guidance in order to serve their communities effectively and efficiently.

(c) The role of elected members and chief executive officers / employees and whether these are clearly defined, delineated, understood and accepted.

The role of elected members and chief executive officers are outlined in the Act under sections:

- 2.10: Role of Elected Members;
- 2.8: Role of Mayor/President; and
- 5.41: Functions of CEO

These sections clearly outline and delineate the different roles of Elected Members, Mayors/Presidents and Chief Executive Officers.

It is noted that the current Act review does not have a focus on reviewing these roles and responsibilities. LGPAWA believes that these delineations are still broadly suitable.

Issues occur not because the roles are not clearly defined but when the delineation roles are not understood and accepted at times by elected members, administration and also members of the community.

Whilst there are consequences for CEOs when they “step out of line” as they can be managed by Council as an employee, there are currently no direct consequences for elected members when they do not adhere to their roles (noting the issues with the Standard Panel in dealing quickly and efficiently with breaches of the Rules of Conduct).

We have also observed that the lack of understanding of the delineated roles by members of the community encourages some elected members to continue to act out of their defined scope. This at times include unreasonably attacking the Council which they serve and administration who execute Council’s decisions. In recent years, LGPAWA have observed our members being bullied and have their psychological safety being put at risk as the current *Occupational Safety and Health Act 1984* does not recognise Council as the CEO’s employer and therefore not being responsible for the physical and psychological safety of CEOs.

LGPAWA is positive that the newly introduced candidate induction and universal training for elected members will address the issues of delineation of roles to a certain extent. However, more actions must be taken to educate members of the community of the roles of elected members and administration.

(d) The funding and financial management of local governments.

LGPAWA is of the view that local governments are generally well managed financially. This has also particularly been enhanced since the introduction of the Integrated Planning and Reporting Framework in 2012 which requires Local Government to have a long term financial plan that aligns with its corporate business plan which ultimately allows the local government to deliver on its Strategic Community Plan.

The funding and financial management of local governments can be further improved by:

- Addressing the discrepancies with rateable lands as outlined under Section (a)
- Allowing local government to invest in accordance with the Trustees Act
- Providing greater flexibility with rate billing where instalments are allowed
- Allowing fees and charges to be reviewed far more regularly, instead of just at the beginning of the financial year.

Conclusion

LGPAWA would like to thank the Select Committee again for the invitation to provide our submission. We are positive that this inquiry will only assist to enhance the essential role that Local Government has in servicing WA Communities. We look forward to the findings over the course of this process.

LGPAWA agree for our submission to be made public on request and to be published on the Internet by the Committee.

DRAFT