



# SHIRE OF DONNYBROOK-BALINGUP



## PATHWAYS & TRAILS EXPANSION STRATEGY



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## 1. INTRODUCTION

The Shire of Donnybrook-Balingup is a rural municipality with a current population of 5,940. The population of the Shire is projected to increase to 6,700 by 2026. This population growth places an increasing demand on the Shire's current and future pathway network. This strategy aims to provide a strategic direction for the development of new pathways and trails within the townships of Balingup, Donnybrook and Kirup.

Pathways and trails provide, health, social and economic benefits to the community by encouraging walking, cycling and other recreational and leisure activities. Pathways and trails also provide an alternative mode of transport which is safe for all users.

The Shire has identified a lack of trails within the Shire and expects the demand for these types of pathways to increase as the community grows. There is currently very little information available regarding trails but the Shire acknowledges these form part of the pathway network.

## 2. PATHWAYS AND TRAILS EXPANSION STRATEGY

Pathways and trails form an important part of the infrastructure of the Shire of Donnybrook-Balingup and have been identified from community feedback, upgrading of existing infrastructure and new subdivision development.

The following areas are being addressed in this strategy;

- Planning and Development
- Design
- Funding
- Access for all users

### 2.1. Planning and Development

Planning and development of new pathways and trails will be undertaken in a manner that ensures;

- Accessibility – pathways and trails are to be accessible and safe for all users
- Network Connectivity – priority will be given to pathways which create recreation loops
- Connectivity to Community Facilities and Attractions – proximity to schools, recreational buildings, ovals, parks, public transport infrastructure and other community activity nodes
- Compliance – compliant with current Australian Standards, design guidelines and council standards



## 2.2. Design

The Shire will consider the following factors when designing extensions of our pathways and trails:

- Compliant – pathways and trails are designed to comply with the latest standards and guidelines
- Alignment – clearances from infrastructure to ensure the safety of users
- Construction Material – suitable for the intended purpose of the pathway
- Width – consideration is given to the comfort of the user
- Environmental Impact – ensure the impact on the environment is kept to a minimum
- Drainage – easy to maintain
- Accessibility – pathways and trails are to be accessible by all users
- Consistency – consistent with the surrounding landscape

## 2.3. Funding

The Shire will pursue various funding sources to contribute towards the cost of constructing pathways and trails. Funding is available from the following sources:

- Shire's Capital Works Program
- State Government Grants
- Federal Government Grants
- Developer Contribution Scheme

## 2.4. Access for all users

The Shire will endeavor to;

- Develop new pathways and trails that are accessible, safe and practical
- Consider minimizing number of crossings to provide continuity of pathway
- Provide dual use pathways where possible
- Comply with the Shire's Disability Access and Inclusion Plan 2017-2022





### 3. PATHWAYS HIERARCHY

The Shire has developed a pathways hierarchy and definition to categorize pathways & trails.

Hierarchy	Definition	Design Standard
Dual Use Path	A pathway which facilitates pedestrians, cyclists, wheelchair and gopher users	Minimum 2.0m wide constructed from concrete or asphalt
Pedestrian Path	A pathway predominantly used by pedestrians	Minimum 1.5m wide constructed from concrete, asphalt or brick paving
Trail	A pathway which caters for recreational use	Minimum 3m wide constructed from limestone, gravel or other natural materials

### 4. PRIORITY OF WORKS

The cost of new pathways is substantial and priority has been given to locations that provide critical links and recreation loops. Within townsite areas, it would normally be expected that an adjacent sealed and kerbed road would exist before construction of a new pathway is considered. Funding from external agencies also plays a significant part in the prioritization of works.

The following criteria are to be used to prioritize and rank new pathways and trails, prior to projects being included in future works programs. Each criterion is allocated a score, of which the score weighting is applied to reach an overall ranking score out of 100.

Criteria	Definition	Score Weighting
Safety	Does the volume of traffic warrant a dedicated pathway?	15%
Community Facilities and Attractions	Does the pathway provide connectivity to a community facility or attraction?	20%
Network Connectivity	Does the pathway improve/extend the current path network?	25%
Environmental	Does the pathway negatively impact the environment?	15%
Services/Infrastructure	Do any services require relocation?	10%
Community Support	Is there strong community support?	15%



## 5. RECOMMENDATIONS

The following are recommendations to facilitate the implementation of the Pathways & Trails Expansion Strategy.

- The Shire of Donnybrook-Balingup - Pathways & Trails Expansion Strategy be adopted by Council and used for the planning, development and implementation of future pathways to conform with changing community expectations.
- Council allocates a minimum of \$40,000 annually, regardless of external funding, to expand the Shire's Path & Trails network.
- A review of this strategy is conducted annually.

<b>Adopted:</b>	26 July 2017
<b>Last Amended:</b>	26 July 2017
<b>Last Reviewed:</b>	26 July 2017
<b>Next Review Date:</b>	26 July 2018
<b>Responsible Department:</b>	Works & Services





## Engineering Policy

### 4.7 Construction of Crossovers

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#### **Objective**

1. Provide a definition of a crossover.
2. Outline the approval process for constructing crossovers.
3. Outline the minimum design and construction specifications for crossovers.
4. Advise of Council contributions towards the construction of a crossover.
5. Provide any additional information relating to the construction of crossovers.

#### **Policy**

##### ***Definition***

A crossover is the section of a driveway from the property boundary to the edge of the road carriageway.

##### ***Approval Process***

In accordance to Schedule 9.1, Clause 7 of the Local Government (Uniform Local Provisions) Regulations 1996, an application to the Local Government must be made by the landowners to request approval to construct a crossover.

A Crossover Application Form completed by the landowners shall be submitted to the Shire of Donnybrook-Balingup (Shire) for all crossovers. Construction of a crossover shall not commence until the Shire has granted approval outlining any conditions of the approval.

Shire approval is valid for two years from the date of the approval letter. After such time, landowners will have to reapply for the approval and the new approval may or may not have the same conditions as previous approvals.

Landowners are responsible for arranging a suitably qualified person to complete the works in accordance with the Shire's approval, this policy, Minimum Design & Construction Specifications and the Shire's Standard Drawings.

**Design & Construction Specifications**

Minimum Design and Construction Specifications shall be detailed in the Shire's Crossover Application Package. The Crossover Application Package includes, this policy, a Crossover Application Form, Minimum Design & Construction Specifications and the Shire's Standard Drawings.

**Council Contributions**

The Shire may contribute towards the construction of a crossover provided the crossover is:

- the property's first crossover;
- approved by the Shire;
- constructed in accordance with the Shire's approval, this policy and the Shire's Crossover Application Package;
- a copy of the invoice for construction is provided to the Shire.

The Shire's contributions are outlined in the annual adopted budget under Fees & Charges.

All costs above this shall be borne by the landowners and any additional crossovers shall be at the full cost of the landowners.

Once the crossover is completed, the landowners or contractor is to notify the Shire for a final inspection. If a Council contribution is requested, a copy of the invoice for construction is to be provided to the Shire.

**Additional Information**

All crossovers which abut a sealed road with an existing kerb shall be constructed from brick/block pavers, concrete, bitumen or asphalt.

Property owners are responsible for the ongoing maintenance of the crossover and drainage infrastructure. The culvert and headwalls shall be cleaned by the property owner as required.

<b>Adopted:</b>	1 January 1993
<b>Last Amended:</b>	26 July 2017
<b>Last Reviewed:</b>	26 July 2017
<b>Next Review Date:</b>	26 July 2018
<b>Responsible Department:</b>	Works & Services

## Policy 4.23



## Engineering Policy

**4.23 Road Use Approval for Restricted Access Vehicles (RAVs) on Council's Road Network**

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**Objective**

To provide guidelines for the requirements of road users using Restricted Access Vehicles (RAVs) on Council's road network.

**Overview**

Under the Traffic (Vehicles) Act 2012 the Commissioner of Main Roads WA is responsible for granting road access to Restricted Access Vehicles (RAVs). On 1st December 2012, Main Roads WA (MRWA) consolidated the Prime Mover Trailer and Truck Trailer combination Period Permits into a single **Notice** for approved vehicle combinations.

An approved vehicle combination is any vehicle combination stipulated in the 'Prime Mover, Trailer Combination Operating Conditions' or the 'Truck, Trailer Combination Operating Conditions'.

RAVs must only operate on roads that are on the RAV Network and in accordance with any conditions permitting the use of the road. When approval is required from the Shire of Donnybrook-Balingup (as the road owner), a 'Restricted Access Vehicle (RAV) Approval Application Form' (Application Form) must be submitted to the Shire of Donnybrook-Balingup (Shire). This Application Form includes additional terms and conditions applied by the Shire.

Applications for RAV **Permits** (Oversize Permits, Oversize Road Train Permits, Concessional Loading Permits, Tri Drive Road Train Permits and Exceptional Circumstances Permits) are processed and approved by MRWA. Applicants should apply directly to MRWA.

MRWA is responsible for administering the RAV Network and any requests to add or amend a road on the RAV Network shall be submitted directly to MRWA by the applicant.

## Guidelines

When Shire approval is required for Restricted Access Vehicles (RAVs) to operate on Council's road network, the following guidelines shall apply;

1. Complete a 'Restricted Access Vehicle (RAV) Approval Application Form' (Application Form) and submit to the Shire.
2. If the application is approved, a Letter of Approval (Approval) will be sent to the applicant. The Approval expires on the 30<sup>th</sup> June each year and it is the responsibility of the applicant to reapply. The Shire will not send reminder notices. The Approval is subject to the Shire's conditions and any other conditions deemed necessary.
3. The Shire reserves the right to request MRWA to remove any roads under the responsibility of the Shire, from the RAV Network.
4. The Shire reserves the right to cancel or suspend any Approval if operators are not adhering to the Shire's terms and conditions listed on the Application Form.
5. Reporting of potential breaches by RAVs operators, sighting the registration number of the vehicle, should be made to Main Roads WA on 138 486.

**Adopted:**

**Last Amended:**

**Last Reviewed:**

**Next Review Date:**

**Responsible Department:** Works & Services

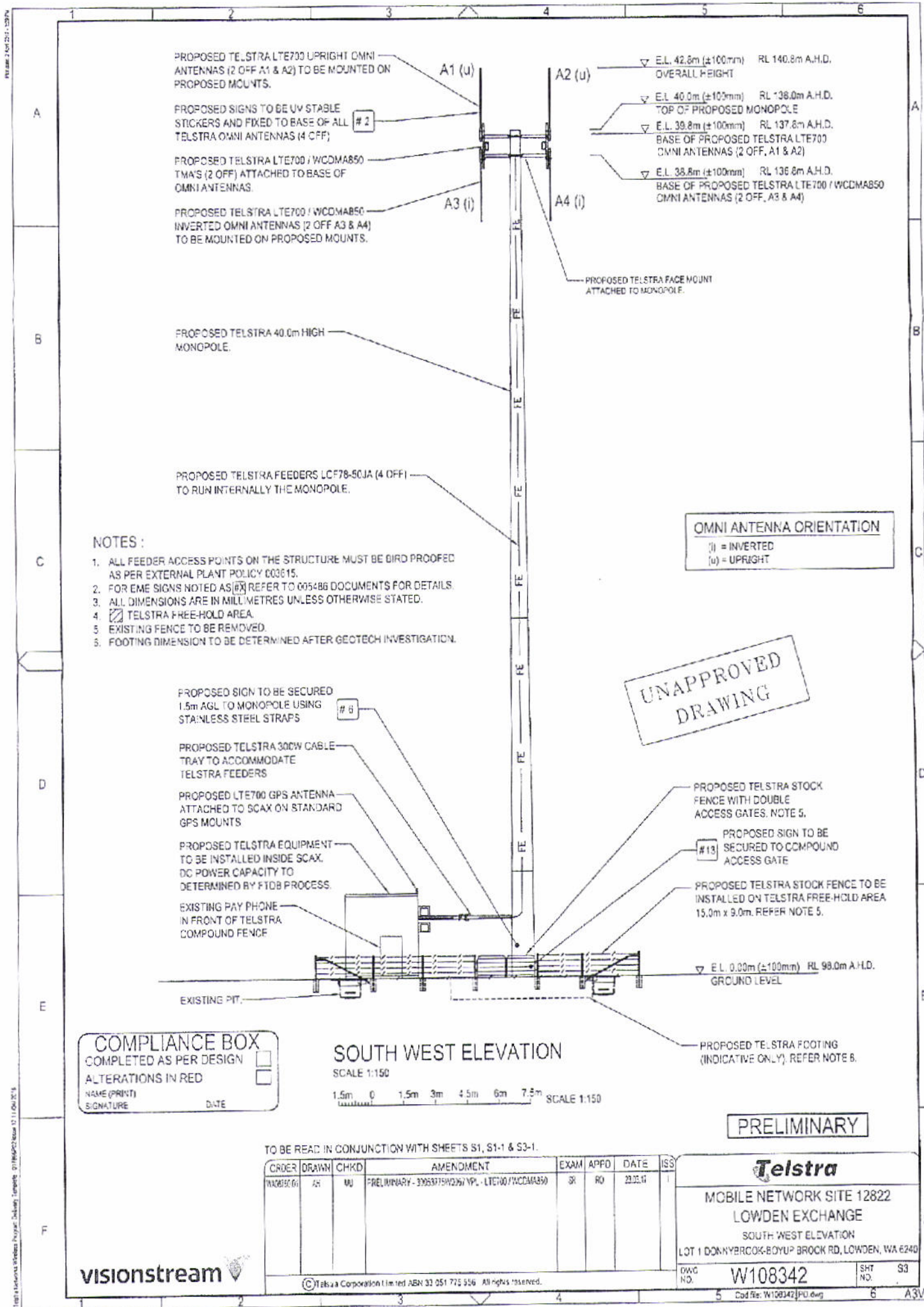


## Guidelines

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4. The Shire reserves the right to cancel or suspend any Approval if operators are not adhering to the Shire's terms and conditions listed on the Application Form.
5. Reporting of potential breaches by RAVs operators, sighting the registration number of the vehicle, should be made to Main Roads WA on 138 486.

<b>Adopted:</b>	
<b>Last Amended:</b>	
<b>Last Reviewed:</b>	
<b>Next Review Date:</b>	
<b>Responsible Department:</b>	Works & Services



**NOTES :**

1. ALL FEEDER ACCESS POINTS ON THE STRUCTURE MUST BE BIRD PROOFED AS PER EXTERNAL PLANT POLICY 003615.
2. FOR EME SIGNS NOTED AS [X] REFER TO 005486 DOCUMENTS FOR DETAILS.
3. ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE STATED.
4. [Hatched Area] TELSTRA FREE-HOLD AREA.
5. EXISTING FENCE TO BE REMOVED.
6. FOOTING DIMENSION TO BE DETERMINED AFTER GEOTECH INVESTIGATION.

**OMNI ANTENNA ORIENTATION**  
 (i) = INVERTED  
 (u) = UPRIGHT

**UNAPPROVED DRAWING**

**COMPLIANCE BOX**  
 COMPLETED AS PER DESIGN   
 ALTERATIONS IN RED   
 NAME (PRINT) \_\_\_\_\_ DATE \_\_\_\_\_  
 SIGNATURE \_\_\_\_\_

**SOUTH WEST ELEVATION**  
 SCALE 1:150  
 1.5m 0 1.5m 3m 4.5m 6m 7.5m SCALE 1:150

**PRELIMINARY**

TO BE READ IN CONJUNCTION WITH SHEETS S1, S1-1 & S3-1.

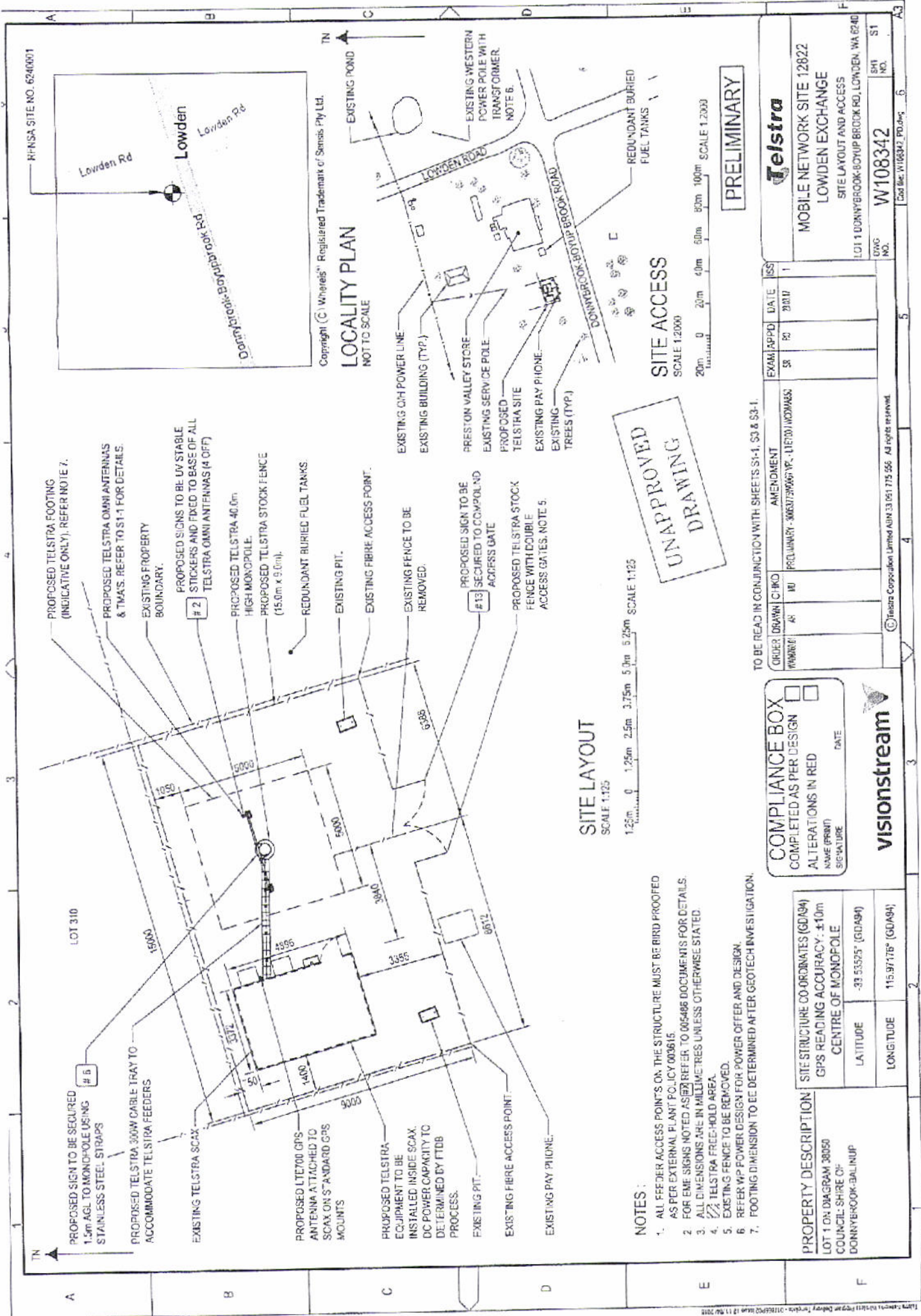
ORDER	DRAWN	CHKD	AMENDMENT	EXAM	APPD	DATE	ISS
W108342	AM	MU	PRELIMINARY - 33053715W235 VPL - LTE700/WCDMA850	SR	RO	23.05.11	1

**Telstra**  
 MOBILE NETWORK SITE 12822  
 LOWDEN EXCHANGE  
 SOUTH WEST ELEVATION  
 LOT 1 DONNYBROOK-BOYUP BROOK RD, LOWDEN, WA 6240  
 DWG NO. **W108342** SHT NO. **S3**



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**PRELIMINARY**

**UNAPPROVED DRAWING**

<b>Telstra</b>	
MOBILE NETWORK SITE 12822	
LOWDEN EXCHANGE	
SITE LAYOUT AND ACCESS	
LOT 1 DONNYBROOK-BOYUP BROOK RD, LOWDEN, WA 6240	SH1 NO. ST
UWG NO. W108342	Code file: W108342_PD.dwg

EXAM/APPD	DATE	ISS
SR	2017	1
AMENDMENT		
ORDER NUMBER	DRAMA/CHRD	
AMENDMENT NUMBER	AM	
PRELIMINARY - 3062/3566/VP - 116701/NDWAS5		

<b>COMPLIANCE BOX</b>	
COMPLETED AS PER DESIGN	<input type="checkbox"/>
ALTERATIONS IN RED	<input type="checkbox"/>
NAME (PRINT)	DATE
SIGNATURE	



<b>PROPERTY DESCRIPTION</b>	SITE STRUCTURE CO-ORDINATES (GD494)
LOT 1 ON DIAGRAM 30050	GPS READING ACCURACY: ±10m
COUNCIL-SHIRE OF DONNYBROOK-BALUNUP	CENTRE OF MONOPOLE
	LATITUDE -33 53525' (GD494)
	LONGITUDE 115.97178' (GD494)

- NOTES:**
- ALL FEEDER ACCESS POINTS ON THE STRUCTURE MUST BE BIRD PROOFED AS PER EXTERNAL PLANT POLICY 003615.
  - FOR EME SIGNS NOTED AS (E) REFER TO 065468 DOCUMENTS FOR DETAILS.
  - ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE STATED.
  - TELSTRA FREE-HOLD AREA.
  - EXISTING FENCE TO BE REMOVED.
  - REFER WP POWER DESIGN FOR POWER OFFER AND DESIGN.
  - FOOTING DIMENSION TO BE DETERMINED AFTER GEOTECH INVESTIGATION.

TO BE READ IN CONJUNCTION WITH SHEETS S4-1, S3 & S3-1.

# Photomontage Locations



Subject Site: Lot 1 on Diagram: 38050, Donnybrook-Boyup Brook Road, Lowden WA 6240  
Coordinates: 33.5325° 115.97176°

- Location A: Lowden Road  
Coordinates: 33.53281° 115.97155°
- Location B: Donnybrook-Boyup Brook Road (East)  
Coordinates: 33.53447° 115.97578°
- Location C: Donnybrook-Boyup Brook Road (West)  
Coordinates: 33.53609° 115.96918°
- Location D: Lowden Grimwade Road  
Coordinates: 33.53555° 115.97261°

Disclaimer: The attached photomontages are artist impressions only. Scale and look are approximate.

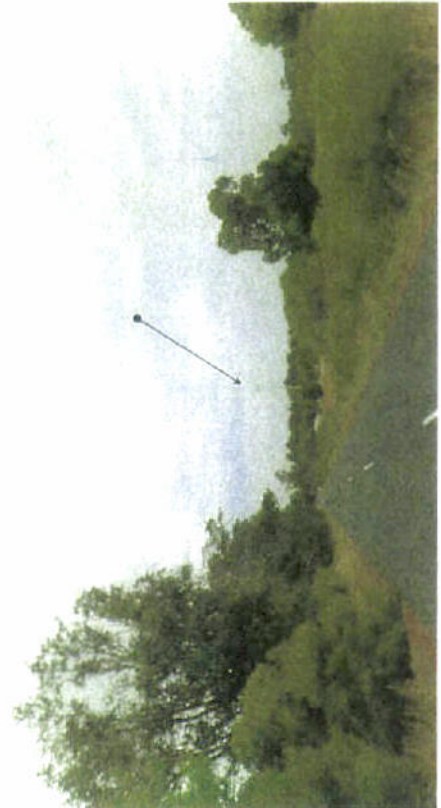


**Photomontage**  
WA08760.01 Lowden  
Telstra National Black Spot Program



## Photo Location A

Lowden Road  
Coordinates: 33.53281° 115.97155°



With proposed

## Photo Location B

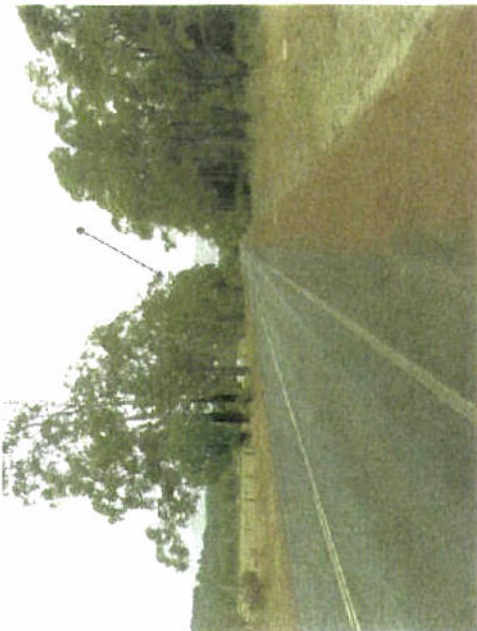
Donnybrook-Boyup Brook Road (East)  
Coordinates: 33.53447° 115.97578°



With proposed

### Photo Location C

Lowden Road  
Coordinates: -33.53609°, 115.96938°



With proposed



### Photo Location D

Lowden-Grimwade Road  
Coordinates: -33.53555°, 115.97261°



With proposed



### Photo Location B

Donnybrook-Boyip Brook Road (East)  
Coordinates: -33.53447°, 115.97578°



With proposed



## Schedule of Submissions – Telecommunications Tower at Lot 1 Donnybrook-Boyup Brook, Lowden

No.	Name & Address	Description of affected property	Summary of Submission	Comments	Council's recommendation
1	Neroli Forster	Local Resident	<p>Objects to the 40m tower on the basis that:</p> <ol style="list-style-type: none"> <li>1) The tower is approximately 13 storeys high</li> <li>2) The tower is only metres away from the main road</li> <li>3) The tower is facing a tourist road</li> <li>4) The 13 storey tower will be an eye sore</li> <li>5) The tower will be very close to the Preston Valley store, where tourist and locals eat and have coffee</li> <li>6) The tower will be next to a residence</li> <li>7) There must other sites</li> <li>8) Devaluation of my property</li> </ol>	<p>Agree. The tower is 40m high.</p> <p>Agree. The tower is approximately 8m from the road.</p> <p>Note.</p> <p>Note. This is discussed in more detail in the Council report.</p> <p>Agree. The tower will be approximately 25m from the Preston Valley store.</p> <p>Agree</p> <p>Agree. Alternative sites have been investigated.</p> <p>Note. Property values are not a matter that Council can consider when making planning decisions. Council can consider issues</p>	<p>Agree</p> <p>Agree</p> <p>Note</p> <p>Note</p> <p>Agree</p> <p>Agree</p> <p>Agree</p> <p>Note</p>

No.	Name & Address	Description of affected property	Summary of Submission	Comments	Council's recommendation
2	Louie Scibilia	Local Resident	<p>Requests answers to the following questions:</p> <p>1) What are the electromagnetic radiation levels surrounding this form of tower at; 5m, 10m, 50m, 100m, 500m, intervals at ground level?</p> <p>2) What are the guidelines for putting a tower within 15-20m of an existing dwelling where the inhabitants live</p>	<p>regarding amenity, built form, streetscape appeal. It is noted that property value changes may result of impacts on amenity, built form and streetscape appeal.</p> <p>Note. Information provided by the applicant indicates that phone carriers must strictly adhere to Commonwealth legislation and regulations regarding mobile phone facilities and equipment administered by the Australian Communications and Media Authority (ACMA). Mobile carriers must comply with the Australian Standard on exposure to EME set by the ACMA.</p> <p>The general health standard is not based on distance limitations or the creation of buffer zones. The environmental standards restrict the signal strength to a level low enough to protect everyone at all times. It has a significant safety margin or precautionary approach built into it. For this tower, the Electromagnetic Energy (EME) is 0.017% of the public exposure limit. This is well within the limits set by regulatory authorities.</p> <p>Note. See above.</p>	<p>Note</p> <p>Note</p>

No.	Name & Address	Description of affected property	Summary of Submission	Comments	Council's recommendation
			<p>and work full time?</p> <p>3) Has this location been chosen merely out of convenience as it is situated on a flat area immediate beside a main highway used by many heavy vehicles?</p> <p>4) In relation to this tower being erected to address a black spot in the vicinity, will height and position be adequate considering it is on a flat area surrounded by many hills and undulations?</p>	<p>Note. The applicant has advised that they have investigated 5 sites. Attachment 4 outlines the constraints identified as part of the selection process.</p> <p>Note. The applicant is a service provider and would unlikely construct a facility that would not be fit for purpose. It has to be assumed that the structure will be fit for purpose. If it proves to not satisfy its purpose, a fresh application may be required for a different structure.</p>	<p>Note</p> <p>Note</p>
3	Louie Scibilia	Local Resident	<p>Objects to the proposal on the grounds that:</p> <ol style="list-style-type: none"> <li>1) Lack of technical information available to make an informed decision</li> <li>2) It is Council's duty of care that the residents' health is not unduly at risk for the sake of a phone call.</li> </ol>	<p>Disagree. The applicant has provided information on EME and a report showing compliance with standards. The tower will operate at 0.017% of the required public exposure limit.</p> <p>Agree. See above.</p>	<p>Disagree</p> <p>Agree</p>





### Candidates considered

Investigations into the installation of a new telecommunications facility within the Lowden area have been ongoing and more recently in conjunction with the Federal Government's Mobile Black Spot Programme to improve mobile coverage to this region

The site which has been selected is deemed to be the most optimal location to achieve the required coverage requirements.

Candidate	Location	Proposal	Zoning	Description
Candidate A	2988 Ferguson Road, Lowden WA 6240 Lat: -33.535250° Long: 115.971667°	Greenfield 40m Monopole	Priority Agriculture Zone	This candidate is zoned for Priority Agricultural Land and a 40m monopole option was assessed at this location. However, Telstra was unable to secure tenure at this location and therefore this candidate was discounted.
Candidate B	Lot 1 Donnybrook-Boyup Brook Rd. Lowden WA 6240 Lat: -33.535250° Long: 115.971764°	Greenfield 40m Monopole	Commercial Zone	A 40m monopole was investigated over the subject site. This is the nominated candidate and has been discussed throughout this report.
Candidate C	2899 Ferguson Rd. Lowden WA 6240 Lat: -33.517667° Long: 115.962667°	Greenfield 40m Monopole	General Agriculture Zone	The site is zoned General Agricultural Zone and a 40m monopole was assessed at this location. This location is within an area of mature, native vegetation and will require significant tree clearing  Due to the required clearing, Candidate B was identified as the preferable option.
Candidate D	Lot 3175 Donnybrook-Boyup Brock Rd, Yabberup WA 6239 Lat: -33.550333° Long: 116.015833°	NBN Co-Location 55m Guyed Mast	Agriculture Zone	An installation on the NBN facility will not require planning consent from the Shire of Donnybrook Balingup as it will be a Low-impact Facility in accordance with the Low-impact Facilities Determination. This facility would require 4km of fibre run to the site which would require vegetation clearing. As such, this candidate was discounted.

<p><b>Candidate E</b></p>	<p>9 Lowden-Grimwade Rd, Lowden WA 6240 Lat: -33.536383° Long: 115.973633°</p>	<p>Greenfield 40m Monopole</p>	<p>This candidate is located within the priority agriculture zone in accordance with the Shire of Donnybrook-Balingup Town Planning Scheme and will require planning consent from the Shire. This location is identified as a former site of the Lowden School which is identified within the Shire's Municipal Heritage Inventory. However, it is not a registered heritage item under the State Heritage Act. Notwithstanding, property tenure at this site will be a lengthy process, and will far exceed the requirements under the Blackspot program. For this reason, this candidate was not selected.</p>
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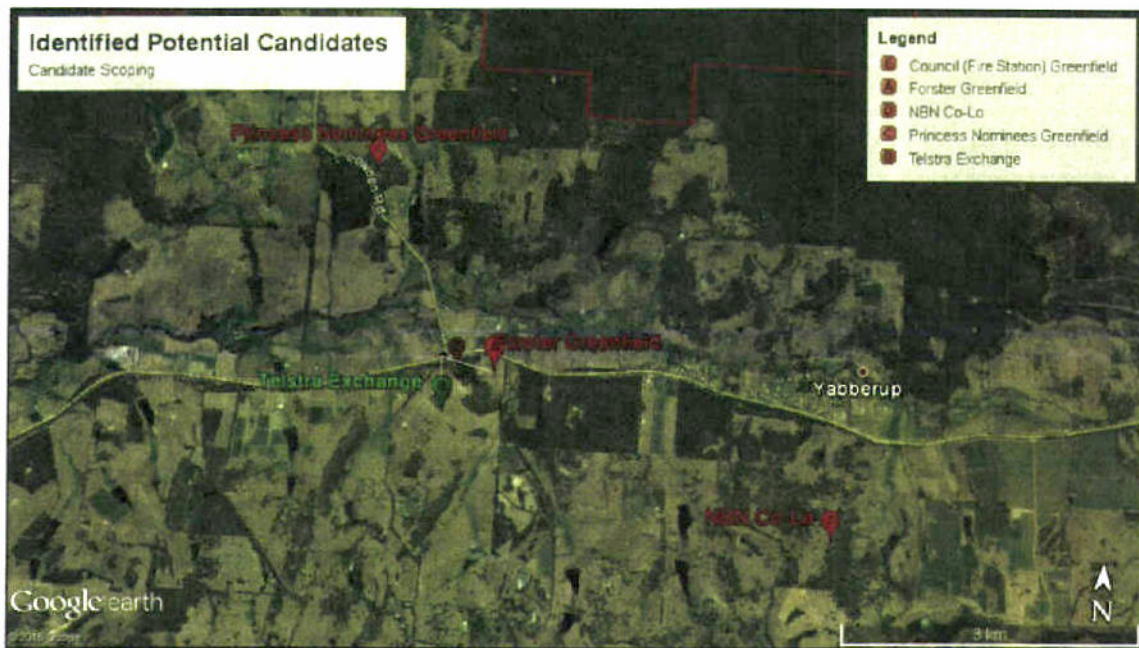


Figure 2: Location of Proposed Candidates



## Council Policy

### 1.28 Related Party Disclosures

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#### Objective

The purpose of this policy is to define the parameters for Related Party Transactions and the level of disclosure and reporting required for Council to achieve compliance with the Australian Accounting Standard AASB124 – Related Party Disclosures.

#### Background

Under the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*, all local governments in Western Australia must produce annual financial statements that comply with Australian Accounting Standards.

The Australian Accounting Standards Board has determined that from 1 July 2016, AASB 124 (Related Party Disclosures) will apply to government entities, including local governments. Council is now required disclose Related Party Relationships and Key Management Personnel compensation in its Annual Financial Statements.

This policy defines the parameters for Related Party Relationships and the level of disclosure and reporting required for Council to achieve compliance with the Australian Accounting Standard AASB 124 – Related Party Disclosures.

This policy addresses the four (4) different types of related party relationships that must be considered by Council:

1. Entities related to Council;
2. Key Management Personnel;
3. Close family members of Key Management Personnel; and
4. Entities that are controlled or jointly controlled by either 2 or 3 above.

#### Definitions:

**AASB 124** - Australian Accounting Standards Board, Related Party Disclosures Standard 124

**Close family members of Key Management Personnel (KMP)** - Those family members who may be expected to influence, or be influenced by, that KMP in their dealings with the Shire of Donnybrook-Balingup and include:

- the KMP's children, and spouse or domestic partner;
- children of that KMP's spouse or domestic partner; and
- dependants of the KMP or the KMP's spouse or domestic partner.

**Entity** - Can include a body corporate, a partnership or a trust, incorporated, or unincorporated group or body.

**Entity Related to a KMP** - Related Entities to Key Management Personnel are entities that are:

- \*controlled or jointly controlled by a KMP;
- where a KMP has significant influence over, or is a member of the key management personnel of the entity or parent of the entity (apart from Council itself); or
- controlled or jointly controlled by a close family member of a KMP of Council.

\*A person or entity is deemed to have *control* if they have:

- power over the entity;
- exposure, or rights, to variable returns from involvement with the entity; or
- the ability to use power over the entity to affect the amount of returns.

To jointly control, a person or entity must have contractual rights or agreed sharing of control of the entity, which exists only when decisions about the relevant activities require the unanimous consent of the parties sharing control.

**Entity Related to Council** - This includes any entity that is either controlled, controlled jointly or is an entity over which Council has a significant influence. A person or entity is a Related Party of Council if any of the following apply:

- they are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others);
- they are an associate or belong to a joint venture of which Council is part of.
- they and Council are joint venturers of the same third party;
- they are part of a joint venture of a third party and Council is an associate of the third party;
- they are on a post-employment benefit plan for the benefit of employees of either Council or an entity related to Council;
- they are controlled or jointly controlled by close family members of the family of a KMP;
- they are identified as a close or possibly close member of the family of a person with significant influence over Council or a close or possibly close member of the family of a person who is a KMP of Council; or
- they, or any member of a group of which they are a part, provide KMP services to Council.

**Key Management Personnel (KMP)** - AASB 124 defines KMP as "*those persons having authority and responsibility for planning, directing and controlling the activities of the entity, directly or indirectly, including any director (whether executive or otherwise) of that entity*".

**Key Management Personnel for the Shire of Donnybrook-Balingup are:**

- elected Council Members (including the President); and
- persons employed under s5.36 of the *Local Government Act 1995* in the capacity of Chief Executive Officer or Executive Manager.

**Material (materiality)** - Means the assessment of whether by omitting it or misstating a transaction (either individually or in aggregate with other transactions), it could influence decisions that users make on the basis of an entity's financial statements. For the purpose of this Policy, it is not considered appropriate to set either a dollar value or a percentage value to determine materiality.

**Ordinary Citizen Transaction** - A transaction that an ordinary member of the community would undertake in the ordinary course of business with the Shire of Donnybrook-Balingup.

**Related Party** - A person or entity that is related to the entity preparing its financial statements.

**Related Party Transaction** - A transfer of resources, services or obligations between the Shire of Donnybrook-Balingup and a related party, regardless of whether a price is charged.

**Significant (significance)** - Likely to influence the decisions that users of the Council's financial statements make having regard to both the extent (value and frequency) of the transactions, and that the transactions have occurred between the Council and related party outside a public service provider/ taxpayer relationship.

## Policy Statement

### 1. Key Management Personnel (KMP)

All Key Management Personnel (KMP) are responsible for assessing and disclosing their own, their close family members' and their related entities' relationship with Council. All related parties must be included in the self-assessment. A disclosure form is provided as an Attachment to this Policy.

### 2. Related Party Transactions

#### 2.1 Ordinary Citizen Transaction

For the purpose of this Policy, an Ordinary Citizen Transaction is one that occurs between Council and KMP and/or related parties which satisfy the following criteria. The transaction must:

- occur during the normal course of Council delivering its public service goals;
- be under the same terms that would be available to a member of the community; and
- belong to a class of transaction that an ordinary member of the community would normally transact with Council.

This includes for example facility hire, and the payment of rates and dog registrations.

There is no obligation to disclose Ordinary Citizen Transactions. However, if the terms and conditions of what would normally be considered an Ordinary Citizen Transaction differ from normal practice, it must be disclosed.

#### 2.2 Non-ordinary Citizen Transactions

All related party transactions that do not satisfy the definition of an Ordinary Citizen Transaction (as per 2.1) must be disclosed in accordance with AASB 124.

The following are examples of transactions that must be disclosed if they are with a related party and are not an Ordinary Citizen Transaction:

- purchases of sales or goods (finished or unfinished);
- purchases or sales of property or other assets;
- rendering or receiving services;
- leases;
- transfers of research and development;
- transfers under licence agreements;
- transfers under finance arrangements (including loans and equity contributions in cash or kind);
- provisions of guarantees or collateral;
- commitments to do something if a particular event occurs or does not occur in the future, including execution of contracts (recognised or unrecognised); and
- settlement of liabilities on behalf of Council or by Council on behalf of the related party.

### 3. Disclosure of Information

#### 3.1 Council disclosure

AASB 124 provides that Council must disclose the following financial information in its financial statements for each financial year period:

- the nature of any related party relationships;
- the amount of the transactions;
- the amount of outstanding balances, including commitments, including:
  - (i) their terms and conditions, whether they are secured, and the nature of the consideration to be provided in settlement; and
  - (ii) details of any guarantees given or received;
- provisions for doubtful debts related to the amount of outstanding balances; and
- the expense recognised during the period in respect of bad or doubtful debts due from related parties.

The following matters must be considered in determining the materiality and significance of any related party transactions:

- significance of transaction in terms of size;
- whether the transaction was carried out on non-market terms;
- whether the transaction is outside normal day-to-day business operations, such as the purchase and sale of assets;
- whether the transaction is disclosed to regulatory or supervisory authorities;
- whether the transaction has been reported to senior management; and
- whether the transaction was subject to Council approval.

Regard must also be given for transactions that are collectively, but not individually significant.

All transactions involving related parties will be captured and reviewed to determine materiality or otherwise of such transactions, if the transactions are Ordinary Citizen Transactions (OCTs), and to determine the significance of each of the transactions.

#### 3.2 Key Management Personnel disclosure

In accordance with this Policy, KMP must provide a Related Party Disclosure in the form set out in the Attachment twice yearly, no later than 30 June each year.

### 4. Review of Related Parties

A review of KMP's and their related parties will be completed every 12 months. Particular events, such as a change of Councillors, Chief Executive Officer or Executive Managers or a corporate restructure will also trigger a review of Council's related parties immediately following such an event.

The Chief Executive Officer shall implement a suitable system to identify related parties. The primary identification method of close family members and associated entities of Key Management Personnel shall be by (but not limited to) KMP self-assessment. KMP have a responsibility to identify and report any changes to their related parties as they occur.

The Chief Executive Officer shall identify suitable methodology and procedures for identifying and reporting on related party transactions such that accurate data will be collated from 01 July 2017. Identification and reporting methods shall consider:

- transactions occurring via Council's accounting and electronic records management systems;

- other transactions not passing through Council's electronic accounting / management systems;
- the identification of the associated terms and conditions of the related party transactions;
- declarations in the Financial Interests Register; and
- information provided in Primary and Annual Returns.

If any elected member or employee believes a transaction may constitute a related party transaction they must notify the Chief Executive Officer who will, in consultation with the Executive Manager Corporate Services, make a determination on the matter.

## 5. Privacy & Confidentiality

### 5.1 Access to information

The following persons are permitted to access, use and disclose the information provided in a related party disclosure or contained in a register of related party transactions for the purposes of 5.2.

- the Chief Executive Officer;
- Manager Finance and Administration;
- Accountant;
- an Auditor of Council (including an Auditor from the WA Auditor General's Office); and
- other officers as determined by the Chief Executive Officer.

### 5.2 Permitted purposes

Persons specified in 5.1 may access, use and disclose information in a related party disclosure or contained in a register of related party transactions for the following purposes:

- assess and verify the disclosed related party transaction;
- reconcile identified related party transactions against those disclosed in the related party disclosure or contained in a register of related party transactions;
- comply with the disclosure requirements of AASB 124; or
- verify compliance with the disclosure requirements of AASB 124.

### 5.3 Confidentiality

The following information is classified as confidential and is not available for inspection by or disclosure to the public;

- information (including personal information) provided by a KMP in a related party disclosure; and
- personal information contained in a register of related party transactions.

## Policy Application

This policy applies to Key Management Personnel and Related Parties of the Shire of Donnybrook-Balingup.

References: *Local Government Act 1995*, Australian Accounting Standards:

- AASB 124 Related Party Disclosures
- AASB 10 Consolidated Financial Statement
- AASB 11 Joint Arrangements
- AASB 128 Investments in Associates and Joint Ventures

<p><b>Adopted:</b>  <b>Last Amended:</b>  <b>Last Reviewed:</b>  <b>Next Review Date:</b>  <b>Responsible Department:</b>      Finance &amp; Administration</p>
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**RELATED PARTY DISCLOSURE – KEY MANAGEMENT PERSONNEL**

This form is to be completed by Key Management Personnel pursuant to Policy 1.28, *Related Party Disclosures*. The information collected in this declaration will be used to identify related party transactions for the purpose of disclosure in the annual financial statement of the Shire of Donnybrook-Balingup in accordance with AASB 124. The information disclosed in this document is considered confidential, however is subject to audit.

<b>Your Details</b>	
Full Name	
Position	
Date	

<b>Close Family Members</b>	
<b>Full Name</b>	<b>Relationship to you</b>

<b>Entities controlled or jointly controlled by you and/or Close Family Members</b>		
<b>Name of Entity</b>	<b>ABN / ACN</b>	<b>Relevant time period</b>



<b>Details of Transactions</b>		
<b>Transaction</b>	<b>Relationship</b>	<b>\$ value of transaction</b>

<b>Declaration</b>			
<p>I declare that to the best of my knowledge, the information above is a complete and accurate record of my close family members and the entities controlled, or jointly controlled by myself or my close family members. I make this declaration after reading Policy 2.49 Related Party Disclosures which details the purpose for which this information will be used.</p>			
<b>Signature</b>		<b>Date</b>	