Ordinary Council Meeting (26 March 2025)

ATTACHMENTS

Number	Title
7.1(1)	Ordinary Council Meeting held on 26 February 2025
7.1(2)	Ordinary Council Meeting held on 26 February 2025 (tracked changes)
8.1(1)	Audit and Risk Management Committee Meeting held on 18 March 2025
8.2(1)	Local Emergency Management Committee Meeting held on 4 February 2025
8.3(1)	Bunbury Geographe Group of Councils Meeting held on 7 February 2025
8.4(1)	South West Country Zone Meeting held on 21 February 2025
8.5(1)	WALGA State Council Meeting held on 5 March 2025
9.1.1(1)	Council Policy COMD/CP-6 – Events
9.1.1(2)	Council Policy COMD/CP-6 – Events – Advertised version and tracked changes
9.2.1(1)	Schedule of Accounts Paid Under Delegation
9.2.2(1)	CSRFF 2005-2026 February Small Grants Application Form
9.2.3(1)	2024-25 Budget Review Statement as at January 2025
9.2.4(1)	Statement of Financial Activity February 2025

Shire of
Donnybrook Balingup

Minutes of Ordinary Council Meeting

Held on 26 February 2025 and commenced at 5:00pm
Held at the Council Chambers in Donnybrook
(1 Bentley Street, Donnybrook)

Authorised:

Nicholas O'Connor, Chief Executive Officer

Prepared: 10 March 2025

MEASURES OF CONSEQUENCE

LEVEL	RATING	HEALTH & SAFETY	FINANCIAL	SERVICE INTERRUPTION	COMPLIANCE	REPUTATION	PROPERTY	ENVIRONMENT
1	**Insignificant**	Negligible injuries	Less than $5,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, localised low impact on community trust, low profile or no media item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
2	**Minor**	First aid injuries	$5,000 - $20,000 Or < 5% variance in cost of project	Temporary interruption to an activity – backlog cleared with existing resources	Some temporary non compliances	Substantiated, localised impact on community trust or low media item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
3	**Moderate**	Medical type injuries	$20,001 - $100,000 Or > 5% variance in cost of project	Interruption to Service Unit/(s) deliverables – backlog cleared by additional resources	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact on community trust or moderate media profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
4	**Major**	Lost time injury	$100,001 - $1M	Prolonged interruption of Service Unit core service deliverables – additional resources; performance affected	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, widespread high impact on community trust, high media profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
5	**Catastrophic**	Fatality, permanent disability	More than $1M	Indeterminate prolonged interruption of Service Unit core service deliverables	Non-compliance results in criminal charges or significant damages or penalties	Substantiated, public embarrassment, widespread loss of community trust, high widespread multiple media profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

MEASURES OF LIKELIHOOD

LEVEL	RATING	DESCRIPTION	FREQUENCY
5	Almost Certain	The event is expected to occur in most circumstances	More than once per year
4	Likely	The event will probably occur in most circumstances	At least once per year
3	Possible	The event should occur at some time	At least once in 3 years
2	Unlikely	The event could occur at some time	At least once in 10 years
1	Rare	The event may only occur in exceptional circumstances	Less than once in 15 years

RISK MATRIX

Consequence / Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	MODERATE (5)	HIGH (10)	HIGH (15)	EXTREME (20)	EXTREME (25)
Likely	4	LOW (4)	MODERATE (8)	HIGH (12)	HIGH (16)	EXTREME (20)
Possible	3	LOW (3)	MODERATE (6)	MODERATE (9)	HIGH (12)	HIGH (15)
Unlikely	2	LOW (2)	LOW (4)	MODERATE (6)	MODERATE (8)	HIGH (10)
Rare	1	LOW (1)	LOW (2)	LOW (3)	LOW (4)	MODERATE (5)

RISK ACCEPTANCE CRITERIA

RISK RANK	DESCRIPTION	CRITERIA FOR RISK ACCEPTANCE	RESPONSIBILITY
LOW	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
MODERATE	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
HIGH	Urgent Attention Required	Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Director / CEO
EXTREME	Unacceptable	Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council

Contents

1. Declaration of Opening / Announcement of Visitors 6
2. Attendance 6
2.1. Apologies 7
2.2. Approved Leave of Absence 7
2.3. Application for Leave of Absence 7
3. Announcements from the Presiding Member 8
4. Declarations of Interest 8
5. Public Question Time 9
5.1. Responses to previous public questions that were taken on notice 9
5.2. Public Question Time 10
6. Presentations 10
6.1. Petitions 10
6.2. Presentations 10
6.3. Deputations 10
6.4. Delegates' Reports 10
Adoption by Exception 11
7. Confirmation of Minutes 12
7.1. Ordinary Council Meeting held on 18 December 2024 12
7.2. Special Council Meeting held on 7 January 2025 13
7.3. Special Council Meeting held on 29 January 2025 14
7.4. Annual General Meeting of Electors held on 3 February 2025 15
8. Reports of Committees 16
8.1. South West Regional Road Group Meeting held on 25 November 2024 16
8.2. Warren Blackwood Alliance of Councils Meeting held on 10 December 2024 17
9. Reports of Officers 18
9.1. Director Operations 18
9.1.1 Development Application P24056 – Extractive Industry (Sand) Lot 751 Donnybrook-Boyup Brook Road, Beelerup 18
9.1.2. Development Application P24066 – Extractive Industry (Gravel) Lot 100 Goodwood Road, Upper Capel 60
9.1.3. Development Application P24076/77 – Asphalt Art – Collins Street and Reserve Street, Donnybrook 98

9.1.4 Development Application P24070 – Balingup Fruit Winery Cellar Door – Lot 62 (Unit 1) 33 Bridgetown Road, Balingup 105

9.1.5 Request for Consent to Mine (Exploration Activities) - Reserve 2052 and Reserve 22860 114

9.1.6. Proposed Speed Zoning Changes for the Locality of Irishtown and Reserve and Collins Street, Donnybrook 128

9.1.7. Council Endorsement – Shire of Donnybrook Balingup Bushfire Risk Management plan 2024-2026 (BRMP) 135

9.2. Director Finance and Corporate 139

9.2.1. Schedule of Accounts Paid as at 31 January 2025 139

9.2.2. Statement of Financial Activity report as at 31st January 2025 142

9.2.3. Council Plan - Biannual Progress Report July - December 2024 145

9.3. Chief Executive Officer 149

9.3.1. WALGA Sustainable Energy Project 149

10. Elected Member Motions of which previous notice has been given 153

11. New Business of an urgent nature introduced by Decision of the Meeting 153

12. Meetings Closed to the Public 153

12.1. Matters for which the Meeting may be closed 153

12.1.1 RFQ 336 - Supply of Loader 153

12.2. Public reading of Resolutions that may be made public 154

13. Closure 155

1. Declaration of Opening / Announcement of Visitors

Acknowledgement of Country:

The Shire President acknowledged the continuing connection of Aboriginal people to Country, culture and community, including traditional custodians of this land, the Wardandi and Kaneang People of the Noongar Nation, paying respects to Elders, past and present.

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

The Shire President advised that the meeting is being live streamed and recorded in accordance with Council Policy EM/CP-2. The President further stated the following:

> *"This meeting is being livestreamed and digitally recorded in accordance with Council Policy. Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed without the permission of the chairperson.*
> *Whilst every endeavour has been made to only record those who are actively participating in the meeting, loud comments or noises from the gallery may be picked up on the recording."*

Suspension of clause 8.2 (members to rise) of *Meeting Procedures Local Law 2017.*

- At the start of each Council Meeting a resolution should be carried suspending clause 8.2 (members to rise) of the Standing Orders as having Councillors stand when debating interferes with the sound quality for livestream.

COUNCIL RESOLUTION:	12/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Alexis Davy

That Council Suspend clause 8.2 (members to rise) of the Standing Orders

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Patrick
Against: Nil.
Carried: 7/0

2. Attendance

Councillors Present:

Cr Vivienne MacCarthy	Cr Lisa Glover	Cr John Bailey
Cr Alexis Davy	Cr Peter Gubler	Cr Anita Lindemann
Cr Anne Mitchell (Joined via Teams at 5:05pm)	Cr Grant Patrick	

Staff Present:

Nick O'Connor, Chief Executive Officer
Loren Clifford, Acting Director Finance and Corporate
Michelle Dennis, Manager Development Services
Stephanie Karafilis, Acting Manager Financial Services
Ross Marshall, Director Operations
Samantha Farquhar, Administration Officer Corporate Services
Cecilia Muller, Principal Planner

Other Members Present:

Public Gallery: 3 members of the public were in attendance.

2.1. Apologies

Cr Deanna Shand

2.2. Approved Leave of Absence

Nil.

2.3. Application for Leave of Absence

Cr Lisa Glover requested a leave of absence for the Month of April 2025.

COUNCIL RESOLUTION:	13/02-25		
MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Cr Peter Gubler

That Council approve Cr Lisa Glover's request for a leave of absence for the April 2025 Agenda Briefing Session and Ordinary Council Meeting.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

3. Announcements from the Presiding Member

Upcoming events are as follows:

- 14th March at Balingup Hall from 7:00pm- The Lighthouse Girl Saga, tickets are available here- https://events.humanitix.com/the-lighthouse-girl-saga-7trfsuev
- 22nd March - The 25th Anniversary of the Donnybrook Library 11:30 am -1:30 pm
- 5th - 20th April the Blackwood River Arts Trail. For the first time they'll also be running a film festival with the assistance of the Balingup Arts and Cultural Hub
- 11th April - "Brook Fest our youth week event runs at the Pump Track from 3:00pm – 7:00pm, created by young people for young people.
- 12th April - Balingup Small Farm Field Day (Back to Basics) at Balingup Oval 9:00am-3.30 pm
- 19th April - Donnybrook Apple Festival, multiple locations throughout Donnybrook- 10:00am – 9:00pm

Irishtown Bridge repair update:
Works are progressing well and Council has been advised by the contractor that there has been a slight delay in the supply of some materials in the supply chain. The revised completion date is 8 April 2025. There is a significant concrete pour tomorrow.

Cr Mitchell joined the meeting at 5:05pm and stated the following:
"Pursuant to Section 14CA(5) of the Local Government (Administration) Regulations 1996, I Cr Anne Mitchell declare that I am situated in a location where I can maintain confidentiality throughout the duration of the meeting."

4. Declarations 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 John Bailey declared a financial interest regarding item 9.1.4.

5. Public Question Time

5.1. Responses to previous public questions that were taken on notice

Questions taken on notice at the Special Council Meeting 29 January 2025:

Question from:	Mr Hardisty

How many hours have been allocated to the State Administrative Tribunal on the case we have been going through and are still going through.

Response:

The Shire of Donnybrook Balingup is committed to fulfilling its compliance obligations, including matters before the State Administrative Tribunal. While we acknowledge the interest in this matter, the allocation of resources, including time spent on specific cases, is an operational consideration. Our focus remains on ensuring that all processes are conducted fairly, efficiently, and in accordance with the relevant legislative requirements.

Questions taken on notice at the Annual General Meeting of Electors on 3 February 2025

Question from:	Shane Sercombe

Regarding land disposal, in the finances there was $325,000 in land disposals for the last financial year. Part of that may have been Bridge Street, but what was the rest of that made up of.

Response:

Lot 142 Bridge Street, Donnybrook. Transferred to Bunbury Housing Association as Council contribution to Bridge Street affordable housing project.

Question from:	Shane Sercombe

In the financials it showed that rates increased between years 2023 and 2024, $564,000. Indicating an 8.6% rate increase and Council passed a 6.5% rate increase for that period. Could I please get some confirmation on the movement between those years.

Response:

The minutes of the 2022/23 Budget adoption (Ordinary Meeting of Council 24 August 2022) records Council adopted a one-off concession for the 2022/23 financial year.
Note 1: Rate increase based upon 8% increase to total base Rate Revenue.
Note 2: Rate Concession applied to all properties - Effective Rate increase 6.43%

The 2022/23 Statutory Annual Budget records the following explanation.
"A one-off concession totaling $94,683 was applied to all ratable properties for the 2022/23 Financial year, the purpose of the concession was to return the balance of the Covid-19 Reserve to ratepayers by way of a rates concession, as the reserve was no longer required."

The concessional amount of $94,683 reduced the rates that would have ordinarily been levied in the 2022/23 financial year. As the concession was a one off for the 2022/23 financial year the $94,683 was only deferred until the 2023/24 financial year and levied as part of the substantive rate in dollar in addition to the adopted rate in dollar increase for 2023/24.

5.2. Public Question Time

Nil.

6. Presentations

6.1. Petitions

Nil.

6.2. Presentations

Nil.

6.3. Deputations

Mr Tom Omond from DBCEC regarding item 9.1.1, Development Application P24056 – Extractive Industry (Sand) Lot 751 Donnybrook-Boyup Brook Road, Beelerup

Cr John Bailey left the Council Chamber at 5:18pm.

Ms Sharon Burke from the Balingup Fruit Winery regarding item 9.1.4, Development Application P24070 – Balingup Fruit Winery Cellar Door – Lot 62 (Unit 1) 33 Bridgetown Road, Balingup.

Cr John Bailey re entered the Council Chamber at 5:28pm.

6.4. Delegates' Reports

Nil.

Adoption by Exception

COUNCIL RESOLUTION:	14/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That Council adopt the following items 'En-bloc' and resolves in accordance with each of the Executive Recommendations:

7.1 Ordinary Council Meeting held on 18 December 2024
7.2 Special Council Meeting held on 7 January 2025
7.3 Special Council Meeting held on 29 January 2025
7.4 Annual General Meeting of Electors held on 3 February 2025
8.1 South West Regional Road Group Meeting held on 25 November 2024.
8.2 Warren Blackwood Alliance of Councils Meeting held on 10 December 2024.
9.1.3 Development Application P24076/77 – Asphalt Art – Collins Street and Reserve Street, Donnybrook.
9.1.6 Proposed Speed Zoning Changes for the Locality of Irishtown and Reserve and Collins Street, Donnybrook
9.1.7 Council Endorsement – Shire of Donnybrook Balingup Bushfire Risk Management Plan 2024-2026 (BRMP)
9.2.1 Schedule of Accounts Paid as at 31 January 2025
9.2.3 Council Plan – Biannual Progress Report July – December 2024
9.3.1 WALGA Sustainable Energy Project

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

7. Confirmation of Minutes

7.1. Ordinary Council Meeting held on 18 December 2024

Minutes of the Ordinary Council Meeting held 18 December 2024 are attached as Attachment 7.1(1).

Executive Recommendation:

That the Minutes from the Ordinary Council Meeting held 18 December 2024 be confirmed as a true and accurate record.

COUNCIL RESOLUTION:	15/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That the Minutes from the Ordinary Council Meeting held 18 December 2024 be confirmed as a true and accurate record.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0 by en-bloc resolution 14/02-25

7.2. Special Council Meeting held on 7 January 2025

Minutes of the Special Council Meeting held 7 January 2025 are attached as Attachment 7.2(1).

Executive Recommendation:

That the Minutes from the Special Council Meeting held 7 January 2025 be confirmed as a true and accurate record.

COUNCIL RESOLUTION:	16/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That the Minutes from the Special Council Meeting held 7 January 2025 be confirmed as a true and accurate record.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0 by en-bloc resolution 14/02-25

7.3. Special Council Meeting held on 29 January 2025

Minutes of the Special Council Meeting held 29 January 2025 are attached as Attachment 7.3(1).

Executive Recommendation:

That the Minutes from the Special Council Meeting held 29 January 2025 be confirmed as a true and accurate record.

COUNCIL RESOLUTION:	17/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That the Minutes from the Special Council Meeting held 29 January 2025 be confirmed as a true and accurate record.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 0/0 by en-bloc resolution 14/02-25

7.4. Annual General Meeting of Electors held on 3 February 2025

Minutes of the Annual General Meeting of Electors held 3 February 2025 are attached as Attachment 7.4(1).

Executive Recommendation:

That the Minutes from the Annual General Meeting of Electors held 3 February 2025 be confirmed as a true and accurate record.

COUNCIL RESOLUTION:	18/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That the Minutes from the Annual General Meeting of Electors held 3 February 2025 be confirmed as a true and accurate record.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0 by en-bloc resolution 14/02-25

8. Reports of Committees

8.1. South West Regional Road Group Meeting held on 25 November 2024

Minutes of the South West Regional Road Group Meeting held 25 November 2024 are attached at Attachment 8.1(1).

Executive Recommendation:

That the Minutes from the South West Regional Road Group Meeting held on 25 November 2024 be received.

COUNCIL RESOLUTION:	19/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That the Minutes from the South West Regional Road Group Meeting held on 25 November 2024 be received.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0 by en-bloc resolution 14/02-25

8.2. Warren Blackwood Alliance of Councils Meeting held on 10 December 2024

Minutes of the Warren Blackwood Alliance of Councils Meeting held 10 December 2024 are attached at Attachment 8.2(1).

Executive Recommendation:

That the Minutes from the Warren Blackwood Alliance of Councils Meeting held on 10 December 2024 be received.

COUNCIL RESOLUTION:	20/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That the Minutes from the Warren Blackwood Alliance of Councils Meeting held on 10 December 2024 be received.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0 by en-bloc resolution 14/02-25

9. Reports of Officers

9.1. Director Operations

9.1.1 Development Application P24056 – Extractive Industry (Sand) Lot 751 Donnybrook-Boyup Brook Road, Beelerup

Report Details:

Prepared by: Principal Planner and Planning Officer

Manager: Manager Development Services

Applicant: Shane Smith on behalf of Smith Sands Pty Ltd

Location: Lot 751 Donnybrook-Boyup Brook Road, Beelerup

File Reference: A4943 (P24056) **Voting Requirement:** Simple Majority

Attachment(s):

9.1.1(1) Location Plan.
9.1.1(2) Urbanise WA Engineering Solutions - Extractive Industry Application
9.1.1(3) Civil Plans
9.1.1(4) Urbanise WA Engineering Solutions - Environmental Feasibility Report
9.1.1(5) Structerre Consulting Engineers – Geotechnical Investigation
9.1.1(6) Public Submissions
9.1.1(7) Government Agency submissions
9.1.1(8) Assessment under Clause 67

Executive Recommendation

That Council:

A. Pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24056 Industry-Extractive (Sand) on Lot 751 Donnybrook-Boyup Brook Road, Beelerup, subject to the following conditions and advice:

VALIDITY

1. **This approval is valid for a period of ten (10) years after the date of issue or within any extended period as determined, in writing, by the Shire.**

2. **This approval allows the excavation and transportation of 80,000m³ - 100,000m³ (144,000 - 180,000 tonnes) of sand annually.**

APPROVED PLANS

3. **The layout of the site and location of crusher, stockpiles, access route and works permitted must always accord with 'Urbanise WA Engineering Solutions Extractive Industry Licence Application (August 2024) and Attachments** (Attachment 9.1.1(2) –

Attachment 9.1.1(5)) **and the conditions of approval and must not be altered or modified without the further written consent of the Shire.**

DUST MANAGEMENT

4. **Prior to the commencement of works, a Dust Management Plan must be submitted to and approved by the Shire and thereafter implemented. The Dust Management Plan must be prepared in accordance with the *Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017* to the satisfaction of the Shire. Once approved, the plan will form part of this approval and must be complied with at all times for the life of this approval.**

5. **Prior to the commencement of works, a suitable supply of water for the purposes of all site management operations is to be provided to the satisfaction of the Shire.**

WEED AND DIEBACK MANAGEMENT

6. **Prior to the commencement of works, a Weed Management Plan must be prepared to the satisfaction of the Shire. Any declared weeds found to be within the site need to be appropriately treated and removed prior to any excavation works. Once approved, the Weed Management Plan will form part of this approval and must be complied with at all times for the life of this approval.**

7. **Dieback measures to reduce the spread of dieback into adjoining properties are to be undertaken to the satisfaction of the Shire.**

8. **A minimum 10m setback is to be provided between the extraction area and adjacent existing native vegetation, with the 10m setback located on the outside of the tree crown drip line. This setback is to be clearly demarcated on the lot to ensure vehicles, extraction works, detention pond, and stockpile areas are located outside this works exclusion area to the satisfaction of the Shire.**

STORMWATER MANAGEMENT

9. **Prior to the commencement of works, a Stormwater Management Plan is to be submitted to and approved by the Shire demonstrating compliance with the Shire's stormwater management standards and the *Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017*. Stormwater is to be managed thereafter by the applicant in accordance with the approved Stormwater Management Plan the satisfaction of the Shire.**

10. **Any erosion and/or sedimentation issues that occur due to insufficient drainage and/or stormwater management from the proposed development, including any driveway or accessway, is to be rectified, so as not to impact any surrounding waterways and/or properties, including any infrastructure, to the satisfaction of the Shire.**

11. **Prior to the commencement of works, the maximum pit floor depth shall be established in accordance with a pit floor contour plan to be approved by the Shire in consultation with the Department of Water and Environmental Regulation. No groundwater is to be exposed on the surface of the pit floor. Should groundwater be exposed during excavation works, all works are to cease, and the Shire is to be notified. Any remedial works, as required by the Shire, in consultation with the Department of Water and Environmental Regulation, are the responsibility of the operator to rectify. No dewatering is permitted.**

12. **Any refuelling and/or activities that carry a risk of fuel or chemical spills are not to be undertaken in close proximity to the detention basin or stormwater flow paths.**

NOISE MANAGEMENT

13. **Prior to the commencement of works, the applicant is to submit an Acoustic Assessment of the potential noise emissions of the extractive industry operations prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society.**
    The Acoustic Assessment shall include (but not limited to):
    a. **the expected level of noise emissions from the extractive industry proposed development.**
    b. **determine whether the emissions are expected to be free from tonality, impulsiveness, and modulation characteristics.**
    c. **an assessment of the expected level of noise emissions for compliance with the Environmental Protection (Noise) Regulations 1997 at nearby sensitive receptors.**
    d. **provide detail as to the methodology used, calculations made, and any actual data obtained in relation to the assessment and expected noise emissions.**

14. **Following receipt of the Acoustic Assessment, the applicant is to submit a Noise Management Plan prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society.**
    The Noise Management Plan is to include (but is not limited to):
    a. **details of expected levels of noise emissions in accordance with Acoustic Assessment associated with the extractive industry operations.**
    b. **details of noise reduction measures to be implemented to control noise emissions.**

ONGOING COMPLIANCE AND MONITORING

15. **A complaints register is to be established including:**
    a. **details of the subject of the complaint;**
    b. **actions undertaken by the applicant to rectify the complaint; and**
    c. **the on-site publication of appropriate contact details where complaints are to be directed (in the first instance).**

16. **A suitable report is to be prepared and submitted to the Shire every 3 months including information relating to:**
    a. **a copy of the complaints register as per Condition 15; and**
    b. **any other information as deemed necessary by the Shire.**

REHABILITATION AND PIT CLOSURE MANAGEMENT

17. **Prior to the commencement of works, a Rehabilitation and Pit Closure Management Plan shall be submitted to and approved by the Shire. The plan must demonstrate (but not limited to) the following:**
    a. **stages of rehabilitation.**
    b. **details of the establishment of pasture post-extraction with plant species, density of planting and maintenance measures.**
    b. **weed identification and management measures to occur every six months (Autumn and Spring).**
    c. **dieback identification and management measures.**
    d. **demonstrate that it is consistent with the Department of Water and Environmental Regulation's WQPN 15 and the Guidelines for Preparing Mine Closure Plans and WQPN 84 Rehabilitation of disturbed land in public drinking water source areas.**
    e. **the applicant is to adhere to the agreed intended staging and ensure successful rehabilitation to the final landform and land use.**
    f. **management and compliance reporting shall be included to ensure successful implementation.**
    g. **demonstrate compliance with the conditions for sites under the *Shire of Donnybrook Balingup Extractive Industry Local Law 2016*.**
    h. **the revegetation of areas used for stockpiles.**
    i. **extraction of subsequent stages may only commence if rehabilitation of the previous extraction site has substantially commenced.**

    Once the Shire approves the Rehabilitation and Pit Closure Management Plan, the applicant is responsible to ensure that the development is conducted at all times and in all respects in accordance with the plan.

18. **Pit closure works, and rehabilitation of the entire site is to be completed within two (2) years of the end of extraction works or the expiration of this approval (whichever is sooner) unless otherwise extended, in writing, by the Shire.**

19. **Prior to the commencement of works, a $20,000 bond (cash or unconditional bank guarantee in favour of the Shire of Donnybrook Balingup) is required for the works identified by the Rehabilitation and Pit Closure Management Plan in Condition 17.**

OPERATING HOURS

20. **Operating hours of the extractive works are restricted to between 7:00am to 6:00pm Monday to Friday and 7:00am to 1:00pm on Saturdays. No operations are permitted on Sundays or Public Holidays unless otherwise agreed, in writing, by the Shire.**

21. **Trucks are not to operate between 7:30am to 8:40am and 3:20pm to 4:20pm on any given school day on a school bus route.**

VEHICULAR MANAGEMENT

22. **The southern part of Lot 751 is landlocked with no legal access. In approving this development application, the Shire agrees that temporary access may be obtained to the southern part of Lot 751 via parts of the Shire owned Lot 3122 as depicted on Figure 3. Access is only to be obtained over Lot 3122 for the life of this development approval. Prior to any application for the extension of the time frame of this development approval the applicant would need to demonstrate that legal access is available to Lot 751. The temporary accesses depicted in Figure 3 are to be maintained to the satisfaction of the Shire for the life of this approval; and at the end of the pit life these are to be in a condition to the satisfaction of the Shire prior to the return of any Shire bonds held.**

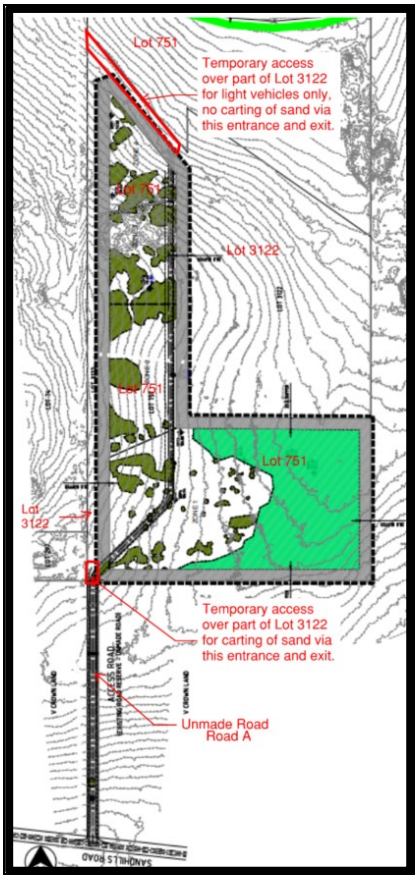


Figure 3 – Temporary access

23. **No movement of sand from the lot is to occur from the northern access over Lot 3122 via Frontino Road, this access is limited to light vehicles only.**

24. **Prior to the commencement of works, the applicant must submit to and have approved by the Shire detail plans for the construction of the unmade road (Road A). Thereafter all works are to be undertaken in accordance with the approved plans to the satisfaction of the Shire.**

25. **Once construction of Road A is completed, this road including 50m of Sandhills Road either side of Road A are to be maintained to the satisfaction of the Shire for the life of this approval; and at the end of the pit life Road A is to be in a condition to the satisfaction of the Shire prior to the return of any Shire bonds held.**

26. **The cost to relocate and/or remove any services/infrastructure that may be required for the purposes of meeting the vehicle management, are the responsibility of the applicant.**

27. **Prior to the commencement of works, the applicant is to install advance warning truck entering signs at the intersection of Road A and Sandhills Road. Signage at the entrance to Road A is also to be installed outlining that the road is not to be used for public access. All signs are to be installed to the satisfaction of the Shire.**

OTHER

28. **Prior to the commencement of works, a copy of a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for a sum of not less than $20,000,000 in respect of any one claim relating to any of the excavation operations.**

ADVICE NOTES

a. **This development approval is not an Extractive Industry Licence. No works are to be undertaken until such time as all conditions of the Development Approval have been satisfied and an Extractive Industry Licence has been granted under the *Shire of Donnybrook-Balingup Extractive Industry Local Law 2016.***

b. **The Department of Water and Environmental Regulation advise that a Clearing Permit is required for the pit works and road construction and upgrading. The applicant will need to seek advice directly from the Department of Water and Environmental Regulation in relation to clearing permit requirements.**

c. The proposed turkey nest dam to be constructed shall comply with the Shire of Donnybrook-Balingup 'Planning Information: Dams & Dam Construction, Shire of Donnybrook-Balingup, August 2024'.

d. The proposed operations are likely categorised as a Prescribed Premises, as per Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations). The applicant is advised to refer to the information and Industry Regulation Guide to Licensing available at http://www.der.wa.gov.au/our work/licences-and-works-approvals. Please contact the Department of Water and Environmental Regulation at info@dwer.wa.gov.au or (08) 6364 7000 regarding requirements.

e. With regards to Condition 9, Stormwater Management shall:

i. be implemented to ensure the surface flows during, and post-extraction will not detrimentally impact downstream properties. The management measures imposed must mitigate the risk of stormwater runoff and include details such as detention pond sizing, batters etc.

ii. cover the proposed extraction area and be prepared in accordance with the Department of Water and Environmental Regulation's WQPN 15 'Basic raw materials extraction' (July 2019) where applicable, to ensure environmental risks are appropriately mitigated.

f. With regards to Condition 11, groundwater levels Department of Water and Environmental Regulation advises that:

i. the applicant is to clarify the discrepancy in groundwater levels between the Urbanise WA Drawing SK002 (Rev A) Civil Plans (dated 05/07/24) and the Structerre Consulting Engineers Geotechnical Report, to the satisfaction of the Shire, in consultation with DWER. This requires additional information, such as, but not limited to updated groundwater levels using survey bore heights in metres AHD.

ii. the pit floor contour plan is to include a cross section across Zone 1, and both Cross Sections A (as identified across Zones 4 and 5 in Urbanise WA Drawing SK002 (Rev A) Civil Plans) are to be updated to reflect the correct sections, topography, proposed pit floor levels and groundwater levels in metres AHD – to the satisfaction of the Shire, in consultation with DWER.

iii. groundwater levels at the western portion of Zone 2 are to be determined to establish/confirm the cross section across Zone 2.

g. With regards to Condition 13 and 14, the Acoustic Assessment and Noise Management Plan must be prepared by a registered Acoustic Consultant with suitable qualifications, expertise, and local experience in the assessment of transport and environmental noise. They or their organisation must hold membership the membership grade of 'Member', being eligible to be a 'Member' or is working under

the supervision of a 'Member' of the Australian Acoustical Society; or work for a firm that is a member of the Association of Australasian Acoustical Consultants.

h. With regards to Condition 19, return of the bond will be measured against the works identified within the Rehabilitation and Pit Closure Management Plan as determined by the Shire.

i. With regards to Condition 22, it is the landowner's responsibility to ensure Lot 751 is provided with legal, constructed access in perpetuity. This may require an easement over the Shire owned Lot 3122. The approval of this development application is not to be construed as an agreement from Council to dispose of a part of the Shire owned Lot 3122. Consideration of this matter is separated from the development approval and subject to the provisions of the *Local Government Act 1995.*

j. Management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with the Department of Water and Environmental Regulation's WQPN 56 'Toxic and Hazardous Substance Storage and Use' (Dec 2018) and Use' (Dec 2018) and Contingencies for spills should be in accordance with WQPN 10 – 'Contaminant spills — emergency response plan' (May 2020).

k. If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

l. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.

m. If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005. An application must be made within 28 days of the determination.

n. With regards to Condition 7, dieback management measures are to be implemented consistent with the *Best Practice Guidelines for Management of Phytophthora Dieback in the Basic Raw Materials Industri*es.

o. The applicant is responsible to ensure obligations are met under the *Aboriginal Heritage Act 1972* with regards to undertaking a due diligence assessment and obtaining all relevant approvals.

B. Authorises the Chief Executive Officer to issue an Extractive Industry License for the extraction of gravel at Lot 751 Donnybrook-Boyup Brook Road, Beelerup upon complying

with the conditions of the above development approval and subject to the following conditions:

1. **The extractive operation shall comply with the Shire of Donnybrook-Balingup *Extractive Industry Local Law 2016* at all times.**

2. **Compliance with all approved plans and any conditions/advice contained in Development Approval P24056 at all times during the life of the extractive industry to the satisfaction of the Shire.**
3. **A licensee shall pay to the local government the annual licence fee in accordance with the Schedule of Fees and Charges adopted each year in the Shire annual budget prior to the commencement of extraction.**

4. **The operator is required to submit to the Shire an annual 'Progress Report' by the 30 December, detailing progress of the pit over the previous 12-month period. The Report should provide details on the following:**
   a. **extent of extraction undertaken (volume and area);**
   b. **completion of stages;**
   c. **rehabilitation of completed stages; and**
   d. **site survey plan prepared by a licensed surveyor.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome:	6 - The built environment is responsibly planned and well maintained.
Objective:	6.1 - Ensure sufficient land is available for residential, industrial and commercial uses.
Item:	Nil.

Executive Summary

The purpose of this report is for Council to consider an application for development approval for an extractive industry for sand at Lot 751 Donnybrook-Boyup Brook Road, Beelerup as outlined in the (Attachment 9.1.1(2)) application report. The southern section of Lot 751 on which the extractive industry is to be operated does not have access to a constructed road and this matter will also need to be consider by Council as part of the determination of this application.

Officers do not have delegation to determine applications for development approval where objections are received, or they are considered contentious as are historically extractive industry developments in the General and Priority Agriculture zones. There have been no objections received from referral and advertising of the proposal from any adjoining/nearby landowners (within 2km of the pit). Four (4) submissions from nearby landowners (18799 SW Highway, Brookhampton 1.8km, 38 Montgomery Road, Brookhampton 1.6km, 31 Sandhills Road, Beelerup 1.3km and 492 Donnybrook-Boyup Brook Road, Charley Creek 1.3km) from the pit supported the application.

Officers consider that the proposal may proceed and recommend it be granted approval subject to conditions/advice. The conditions/advice on the approval address the matters raised in the government agency submissions and are consistent with similar application approvals.

Background

Proposal

The Shire received a development application for an extractive industry at Lot 751 from Shane Smith on behalf of Smith Sands Pty Ltd to extract sand over a 10-year period with an annual excavation in the order of 80,000m³ - 100,000m³ (144,000 - 180,000 tonnes) and then rehabilitation of the pit area back to pasture. The development application details and plans are contained in (Attachment 9.1.1 (2)) and summarised below:

Application Details	
Lot	Lot 751
Lot Area	37.3560 hectares
LPS7 Zoning	General Agriculture
Permissibility in the Zone	'A' advertised discretionary use
Hours of Operation	All operations will be during daylight hours, in spring/summer time of the year. No work on Sundays and Public holidays.
Total Extraction Area	Maximum of 14.5 hectares in 4 zones as follows: Zone 1 – 5.89 hectares Zone 2 – 3.14 hectares Zone 3 – 2.21 hectares Zone 4 – 1.69 hectares from DBCEC Earthmoving Contractors Pit Overview/Survey Certificate.
Extraction Depth	Between 1m – 4.5m from Geotechnical Investigation report.
Extraction Length (Years)	10 years.
Rehabilitation	At the completion of sand excavation and stockpile operations, the pit area will be rehabilitated as follows: • Pit walls will be battered to a slope no more than 1 in 4 by pushing material from the pit floor. • The pit floor will be shaped with a minimum of 1 in 500 fall to avoid water ponding with any drainage directed downslope towards natural flow path of the site. • Any rocky material encountered within the pit floor will be ripped during summer at minimum 1m spacings across the contour a depth of at least 800mm. • The pit will be shaped to conform and blend into the adjacent landform as far as practical. • Topsoil and any over burden will be evenly spread over the pit area leaving a rough surface. • Any exposed rock shall be crushed or removed.

Application Details	
Extraction Volume	80,000m³ - 100,000m³ (144,000 - 180,000 tonnes) annually.
Truck Haulage Volume	Estimated that 12-14 vehicles movements per day will be entering and exiting the site (2-3 per hour).
Haulage Route	The southern section of Lot 751 on which the extractive industry is to be operated does not have access to a constructed road. The proposed access to the pit is from Sandhills Road (to the south of the property) through the existing unnamed road reserve and across Lot 3122 (under the care/control of the Shire). Sandhills Road is an approved MRWA Rav 4 access route. This unnamed road is currently a sand access track, and it is proposed to upgrade this road to provide safe access for LV's and HV vehicles. Further consideration of the access arrangements forms part of this Council Report.

Location Plan

Lot 751 is bounded by Donnybrook-Boyup Brook Road to the north and unnamed road to the west and located within a General Agriculture zone area that supports a range of rural activities (some with dwellings) including farming, horticulture, previous extractive industries on the surrounding properties. The lot is split in two parts with 23.9932ha south of Lot 3122 and 13.3628ha north of Lot 3122.

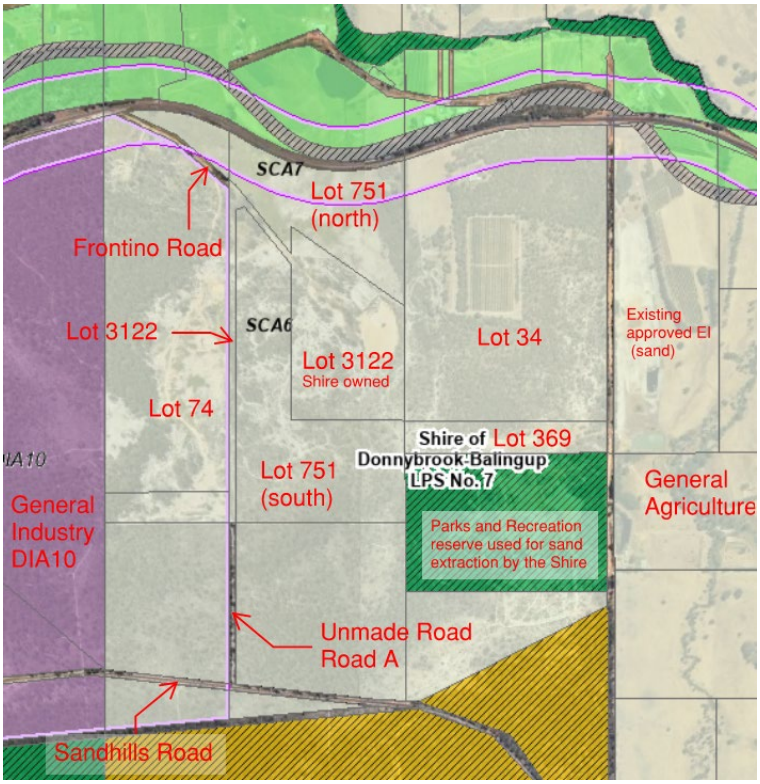


Figure 1 - Subject property Lot 751 and surrounds

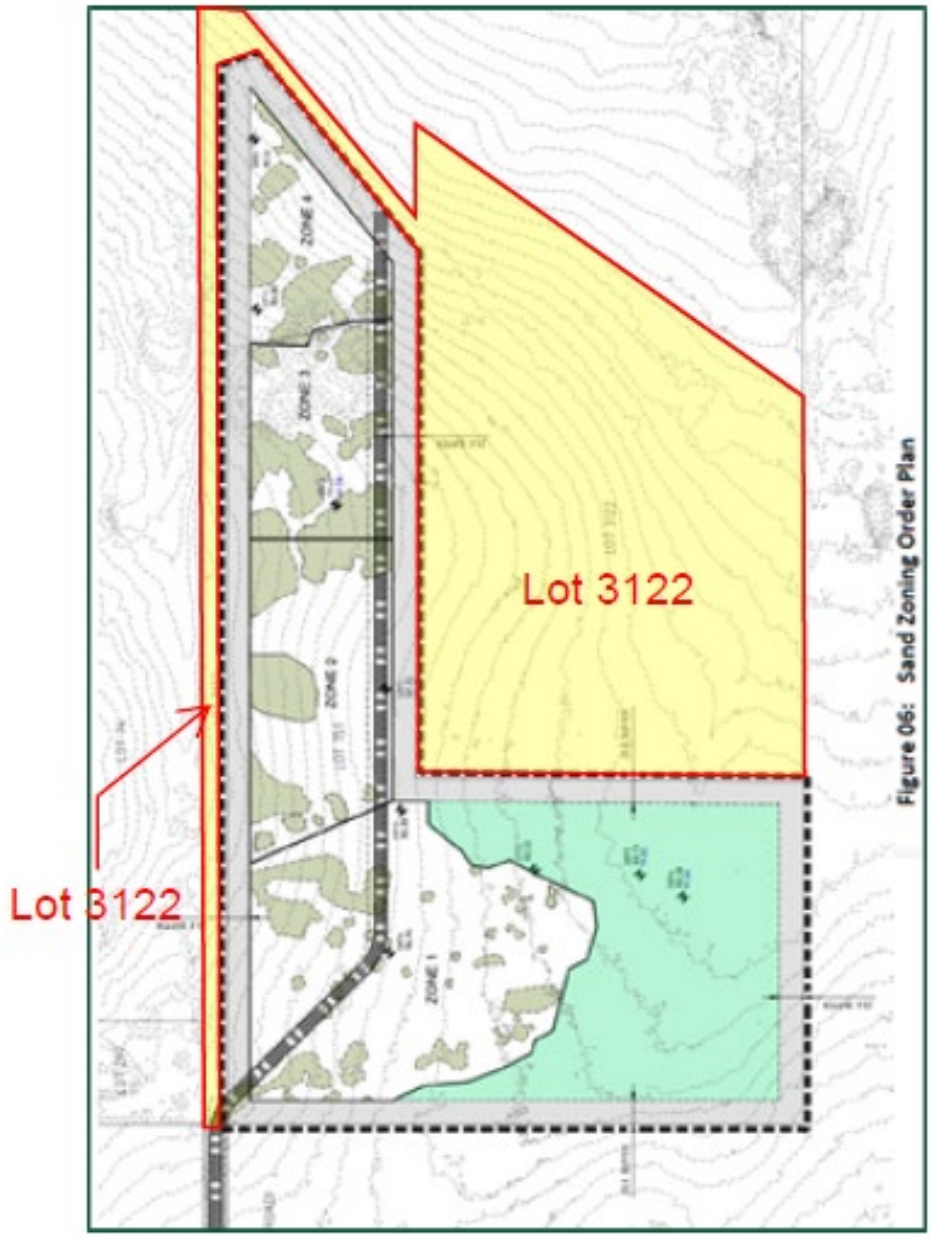


Figure 2 - Proposed Sand pit area showing relationship to Lot 3122.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Possible	Moderate	Moderate (5)
Risk Description:	Operation of the pit may have off site impacts relating to traffic, noise, and dust.		
Mitigation:	Officers recommend that if approval is granted conditions are to be imposed to mitigate land use impacts and managing potential off-site effects to acceptable levels.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Insignificant	Low (3)
Risk Description:	Impact on local community due to operations.		
Mitigation:	Conditional development approval and compliance.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Health	Unlikely	Minor	Low (4)
Risk Description:	Non-compliance with legislation.		
Mitigation:	Conditional development approval and ongoing compliance inspections and licensing.		

Financial Implications

The applicant has paid all relevant application fees. If Council refuses the application the applicant may exercise the right to have the decision reviewed by the State Administrative Tribunal. If that is the case, then it may be likely that there will be additional resourcing required (staff time and/or the cost of appointing a consultant to represent the Shire).

A bond of $20,000 is required to be paid to the Shire prior to the issue of the licence in accordance with the *Shire of Donnybrook Balingup Extractive Industries Local Law 1998*. This bond is refundable on completion of rehabilitation of the site in accordance with an approved rehabilitation management plan. Once the extractive industry licence has been granted a licensee shall pay to the local government the annual licence fee determined by the local government from time to time.

Policy Compliance

Local Planning Policy 9.7 Interpretation (Extractive Industry)

The application is for a commercial extractive industry and not covered by the Policy.

Statutory Compliance

The application has been assessed against the relevant and applicable statutory Shire of Donnybrook Balingup Local Planning Scheme No.7 (LPS7) provisions, and the proposal has also been assessed in accordance with Schedule 2, Part 9, Clause 67 (2) of the deemed provisions of the *Planning and*

Development (Local Planning Schemes) Regulations 2015. A full assessment is contained in (Attachment 9.1.1(8)).

The proposed extractive industry is considered compatible with the purpose and majority of the objectives for the General Agriculture zone as it would enable the sand resource to be extracted with the land then being returned to pasture.

Consultation

Public Submissions

The application was advertised in the local newspaper; the Preston Press, on the Shire's website and referred to landowners within a 2km radius of the subject lot boundaries. In total, four (4) public submissions were received at the conclusion of the public advertising period, all supporting the proposal. The Public Submissions are contained in (Attachment 9.1.1(6)).

Consultation with Government/Service Agencies

The proposal was referred to the Department of Energy, Mines, Industry Regulation and Safety, Department of Primary Industries and Regional Development, Department of Biodiversity, Conservation and Attractions, Department of Health, Main Roads WA and Department of Water and Environmental Regulation for comment. Submissions received are contained in (Attachment 9.1.1(7)) and discussed below.

Department of Primary Industries and Regional Development (DPIRD)	
Issues Raised in Submission	Response
The Department does not object to the proposed extractive industry (sand) and provide the following comments: • There is only a brief description related to weed management in the application and a declared weed has been identified on the property. The applicant to prepare a Weed Management Plan to ensure weeds are managed within the property. • The applicant will require a clearing permit from the Department of Water and Environmental Regulation. • The Decommissioning Program does not include any details of plantings to facilitate the rehabilitation of the site.	The Department's comments are noted and the requirements for a Weed Management Plan, clearing permit and rehabilitation plantings will be added as conditions/advice notes to the approval, if granted.

Department of Health (DoH)	
Issues Raised in Submission	Response
Water Supply and Wastewater Disposal DoH has no objection to the proposal subject to ensuring the treatment and disposal of the wastewater that is generated on site complies with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* and the Government Sewerage Policy 2019 requirements.	The Department's comments are noted. There are no buildings proposed requiring installation of a wastewater disposal system. The requirements for a Dust Management Plan and additional details for rehabilitation (as also recommended in the DPIRD submission above) will be added as conditions/advice notes to the approval, if granted.
Sand Extraction/Sand Mining/Sand Quarry DoH notes historically, and in general, sand quarries have posed significant dust complaints from nearby land users. DoH recommends a Dust Management Plan is prepared to the satisfaction of the Shire which includes specific measures to monitor visible dust and to conduct dust monitoring, particularly along the downwind perimeters to demonstrate compliance with National Environment Protection Measures' (NEPMs) 24-hour Particulate Matter 10 goal of 50ug/m^3 criteria. The proposal does not provide sufficient details of the final restoration/remediation of the quarry excavation. DoH recommends that the applicant ensure that sufficient time and resources are set aside to ensure that the site is rehabilitated to condition suitable for use, and that the site is NOT reported or classified under the *Contaminated Sites Act 2003*.	

Department of Biodiversity, Conservation and Attractions (DBCA)	
Issues Raised in Submission	Response
Biodiversity values The MBS *Environmental Feasibility Assessment* (December 2013) (EFA) Section 5 refers to three locations of the Priority flora species *Acacia semitrullata* (P4) being recorded within Lot 751. The Priority flora species *Tetratheca parvifolia* (P3) has also been identified approximately 545 metres to the west of Lot 751. EFA Section 5 refers to a Level 1 vegetation and flora survey being undertaken on 11 November 2013. *T. parvifolia* usually flowers during October, and the flora survey timing may have been too late to identify this flora species.	The Department's comments are noted and will be added as conditions/advice notes to the approval, if granted.

Department of Biodiversity, Conservation and Attractions (DBCA)	
Issues Raised in Submission	Response
EFA Section 10 refers to a Greg Harewood fauna assessment that identified threatened black cockatoo foraging and breeding habitat within Lot 751. Black cockatoos are listed as threatened species under the BC Act and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The applicant should be aware of their obligations and approval requirements under section 40 of the BC Act, which requires Ministerial authorisation to take or disturb threatened species. DBCA recommends that if any vegetation clearing is required, the applicant should seek advice from DBCA's Species and Communities branch at speciesandcommunities@dbca.wa.gov.au prior to clearing works, in relation of section 40 authorisation requirements.	
Clearing Permit EFA Sections 10,13 and 14 refer to vegetation clearing and clearing permit requirements. In addition, the Urbanise WA *Extractive Industry License* application (Rev A, 25 August 2024) (EIL) Section 2.4 refers to the unnamed road reserve off Sandhills Road as the proposed access way, that is to be upgraded to meet haulage route standards. Clearing of native vegetation will also be required for the road upgrades. Native vegetation clearing for the proposed extraction site and access way will be required. The applicant will need to seek advice from the Department of Water and Environmental Regulation (DWER) in relation to clearing permit requirements. If a clearing permit is required, DBCA expects that the environmental values that are likely to be impacted by the proposed development will be adequately considered through the assessment of the clearing permit, through which DBCA may provide advice to DWER. DBCA notes the applicant's reference in EFA Section 14 to referral requirements for EPBC Act approvals. EPBC Act referral requirements will be	

Department of Biodiversity, Conservation and Attractions (DBCA)	
Issues Raised in Submission	Response
assessed as part of the DWER clearing permit process.	
Retained vegetation and landscaping. EIL Section 2.9 refers to a 20 metre vegetated buffer to be retained. EIL Section 2.11 refers to debris stacks and stockpiles being located no closer than 10 metres from retained vegetation. DBCA recommends that the 10 metre buffer be demarcated and located outside the tree crown drip zone, with the buffer being measured from the crown drip zone rather than the tree trunk to protect the retained trees and tree roots from accidental vehicle damage, soil compaction and tree root exposure during extraction, rehabilitation and development works. The Urbanise WA *Overall Site and Buffer Plan* (25 July 2024) depicts the proposed extraction area. The MBS Environmental *Level 1 Flora Survey* (December 2013) attached to the EFA, includes Figure 1 which depicts the Lot 751 vegetation condition. Areas identified as containing Very Good to Excellent condition vegetation are proposed to be cleared for the proposed extraction works. DBCA's preference would be that the best condition vegetation be retained where possible.	
Sensitive sites The adjacent Lots 34 and 369 are subject to a Department of Primary Industries and Resource Development (DPIRD) (Agriculture and Food) *Soil and Land Conservation Act 1945* Agreement to Reserve (ATR) to protect the native vegetation within the lots. DBCA recommends that advice is sought from DPIRD regarding impacts to the ATR from the proposed extraction works.	DPIRD was requested for further information relating to the ATR and indicated that the extraction area will not be closer than 20m from the lot boundary based on the proposed setbacks. This will ensure that the sand extraction does not have a negative impact on the ATR. The screenshot below of the ATR clearly shows the separation of the ATR area from the sand extraction area.

Department of Biodiversity, Conservation and Attractions (DBCA)	
Issues Raised in Submission	Response

Main Roads WA	
Issues Raised in Submission	Response
Advise that Main Roads has no objection to the proposed extractive industry.	The Department's advice is noted.

Department of Water and Environmental Regulation	
Issues Raised in Submission	Response
• Issue 1: The proposed operations may be categorised as Prescribed Premises under the *Environmental Protection Regulations 1987.* Advice 1: The following is advised: a) In the event screening is to occur, it is likely to exceed the threshold for a prescribed premises (Category 12: >50,000 tonnes/year or Category 70: >5 000 but < 50 000 tonnes/year), the proposal is likely to require a works approval/license for a Prescribed Premises under the EP Act 1986. b) As such, the applicant is to strongly advised to contact DWER's Industry Regulation branch regarding a works approval/license at info@dwer.wa.gov.au or 6364 7000. c) The Applicant is to refer to the information and Industry Regulation Guide to Licensing available at http://www.der.wa.gov.au/our-work/licences-and-works-approvals. • Issue 2: Groundwater levels Advice 2: The following is advised: a) Recommended condition: The maximum pit floor depth shall be established in accordance with an agreed pit floor contour plan to minimise the risk of groundwater being intercepted. No dewatering	The Department's advice is noted and will be added as conditions/advice notes to the approval, if granted.

Department of Water and Environmental Regulation	
Issues Raised in Submission	Response
works are to be undertaken without DWER consultation. The Local Government is to be notified within 24 hours if the water table is intercepted and remedial works undertaken. b) Advice: The applicant is to clarify the discrepancy in groundwater levels between the *Urbanise WA* Drawing SK002 (Rev A) Civil Plans (dated 05/07/24) and the *Structerre Consulting Engineers* Geotechnical Report, to the satisfaction of the Shire, in consultation with DWER. This requires additional information, such as, but not limited to updated groundwater levels using survey bore heights in metres AHD. c) Advice: The pit floor contour plan is to include a cross section across Zone 1, and both Cross Sections A (as identified across Zones 4 and 5 in *Urbanise WA* Drawing SK002 (Rev A) Civil Plans) are to be updated to reflect the correct sections, topography, proposed pit floor levels and groundwater levels in metres AHD – to the satisfaction of the Shire, in consultation with DWER. d) Advice: Groundwater levels at the western portion of Zone 2 are to be determined to establish/confirm the cross section across Zone 2. • Issue 3: Stormwater management Advice 3: A Stormwater Management Plan is to be prepared and approved to the satisfaction of the Shire, consistent with WQPN 15. • Issue 4: Water supply Advice 4: Recommended Condition: The applicant is to quantify their water requirements for all aspects of the proposed extraction and provide evidence of a secure water source, to the satisfaction of the Shire. • Issue 5: Environmental risks Advice 5: The proposed extraction is to be implemented in accordance with DWER's Water quality protection note (WQPN) no. 15 '*Basic raw materials extraction*' (July 2019) where appropriate to the site situation to ensure environmental risks are appropriately mitigated. • Issue 6: Dieback management plan Advice 6: The Dieback Management measures provided in the Extractive Industry Application is to be reviewed, approved, and implemented to the satisfaction of the Shire, in consultation with DBCA, consistent with the *Best Practice Guidelines for Management of Phytophthora Dieback in the Basic Raw Materials Industri*es.	

Department of Water and Environmental Regulation	
Issues Raised in Submission	Response
• Issue 7: Staging Plan Advice 7: Recommended Condition: Extraction must be undertaken in accordance with the agreed staging plan, as approved by the local government. Commencement of the subsequent extraction stage shall be subject to the previous extraction site having substantially commenced rehabilitation. • Issue 8: Rehabilitation plan and final landform Advice 8: The following is advised: a) Recommended Condition: The Rehabilitation Plan (RMP) is to be approved and implemented to the satisfaction of the Shire consistent with WQPN 15 and the Guidelines for Preparing Mine Closure Plans. The applicant is to adhere to the agreed intended staging and ensure successful rehabilitation to the final landform and land use. Management and compliance reporting shall be included to ensure successful implementation. b) Upon clarification of the groundwater survey levels (in metres AHD), a contour map of the final landform be provided to assist in the assessment of stormwater flows post-development. c) Due to the 'General Agriculture' zoning of the subject land, the Shire is advised to consult with DPIRD regarding the potential impacts the removal of material would have on the agricultural land use post-rehabilitation. • Issue 9: Fuel and chemical management Advice 9: Management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with DWER's WQPN 56 – '*Toxic and Hazardous Substance Storage and Use*' (Dec 2018). Contingencies for spills should be in accordance with WQPN 10 – '*Contaminant spills — emergency response plan*' (May 2020). • Issue 10: Clearing of native vegetation is subject to the *Environmental Protection Act 1986* (EP Act) Advice 10: The following is advised: a) The applicant is to apply for a clearing permit at https://www.der.wa.gov.au/our-work/clearing-permits/46-clearing-permit-application-forms. b) A pre-application meeting is highly recommended with DWER to discuss the clearing of native vegetation for this proposal, to which our	

Department of Water and Environmental Regulation	
Issues Raised in Submission	Response
Native Vegetation Regulation section be contacted by email (admin.nvp@dwer.wa.gov.au) or by telephone (6364 7098). DWER notes that the Shire of Donnybrook-Balingup advice on noise and dust is not required. We also note that no technical reports on dust/noise have been submitted and understand that these matters are considerations for the Shire's Environmental Health Officers.	

Officer Comment

The proposal has been assessed in accordance with the planning framework and a full assessment is contained in (Attachment 9.1.1(8)).

Key considerations identified are:

1. Zoning and Land Use Class Permissibility: The land is zoned General Agriculture under the Local Planning Scheme (LPS7), and the proposed Industry-Extractive use is an 'A' use, meaning it is discretionary and subject to local government approval after consultation. The proposal has gone through the required advertising process, and public submissions indicate general support.
2. Traffic and Access:
   The development application proposes temporary access to the southern part of Lot 751, which is currently landlocked, via Shire-owned Lot 3122. This temporary access would be granted for the life of the development approval, with the applicant required to demonstrate legal access to Lot 751 before seeking an extension. Traffic impact is minimal, with only 12-14 vehicle movements per day. The temporary access arrangement includes restrictions: the northern access is limited to light vehicle use, while the southern access is designated for carting sand.

   Additionally, the applicant must construct and maintain "Road A" to the satisfaction of the Shire, including 50m of Sandhills Road on either side of the new road. It is important to note that the development approval does not guarantee permanent legal access for Lot 751, and it remains the responsibility of the landowner to secure such access, potentially through an easement over Lot 3122. This matter is separate from the development approval and is not guaranteed by the Shire.

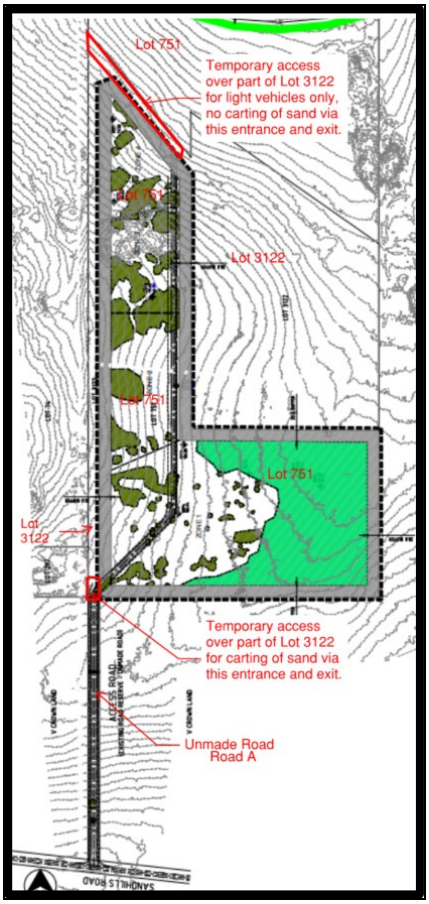


Figure 3 – Temporary access

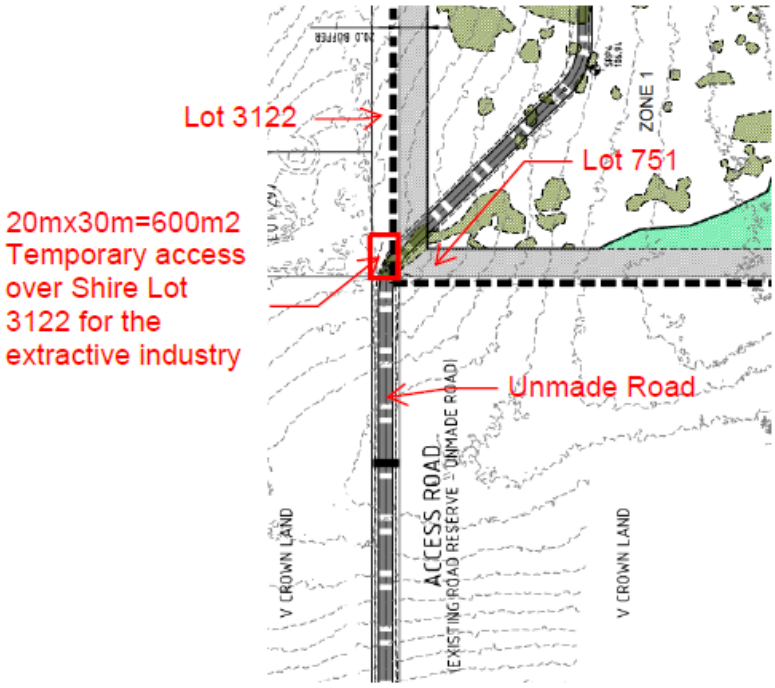


Figure 4 – Temporary access over Lot 3122 (southern access for carting of sand)

3. Environmental Impact: The potential environmental impacts (such as dust, noise, and stormwater runoff) will be managed through conditions, and detailed management plans are recommended to ensure that any adverse effects on nearby properties are minimized. The proposal also includes a rehabilitation plan for the land post-extraction. The rehabilitation plan does not provide sufficient detail, and this would require further consideration, and a condition is recommended for a and Pit Closure Plan to be submitted for approval by the Shire.
4. Agricultural Land Use: There are no significant concerns from the Department of Primary Industries and Regional Development (DPIRD) about the potential impact of the sand extraction on the agricultural viability of the land or the potential impacts of activities on the ATR identified lots (Lots 34 and 369). Once the activity ceases, the land will be rehabilitated to pasture, which helps to maintain long-term land use potential.
5. Approval with Conditions: Given the details provided, it is considered that the proposal meet the requirements of the LPS7 and relevant planning regulations. Conditions, especially those related to infrastructure upgrades and environmental management, will be key to ensuring the proposal is successful without causing long-term negative impacts.

Development considerations

When considering a development application, clause 68 (2) of the Deemed Provisions outlines the following options for determination:

> *The local government may determine an application for development approval by -*
> *(a) Granting development approval without conditions; or*
> *(b) Granting development approval with conditions; or*
> *(c) Refusing to grant development approval.*

Staff have assessed the application, including the advice from relevant Government Agencies and other Shire service divisions. Staff consider the proposal capable of being approved and managed through reasonable and achievable conditions of approval.

Conclusion

The proposal for sand extraction and processing activities has been thoroughly assessed in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and the Shire of Donnybrook Balingup Local Planning Scheme No. 7. The proposal is deemed compatible with the objectives of the General Agriculture zone and is consistent with the surrounding area's developments and character. The consultation process has been successfully conducted, with all submissions received supporting the proposal, and any concerns raised have been addressed through proposed conditions.

The application complies with the requirements for orderly and proper planning, and potential impacts have been identified and can be effectively managed through conditions of approval. These conditions will ensure that the operation is conducted in a manner that mitigates environmental and community concerns, particularly regarding traffic, noise, dust, and stormwater runoff.

As a result, conditional approval for the proposal is recommended. With the implementation of these conditions, the proposal is expected to integrate successfully into the local area without creating significant negative impacts, and the land will ultimately be rehabilitated for future agricultural use once the extraction activity concludes.

MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That Council:

A. Pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24056 Industry-Extractive (Sand) on Lot 751 Donnybrook-Boyup Brook Road, Beelerup, subject to the following conditions and advice:

VALIDITY

1. This approval is valid for a period of ten (10) years after the date of issue or within any extended period as determined, in writing, by the Shire.

2. This approval allows the excavation and transportation of 80,000m³ - 100,000m³ (144,000 - 180,000 tonnes) of sand annually.

APPROVED PLANS

3. The layout of the site and location of crusher, stockpiles, access route and works permitted must always accord with 'Urbanise WA Engineering Solutions Extractive Industry Licence Application (August 2024) and Attachments (Attachment 9.1.1(2) – Attachment 9.1.1(5)) **and the conditions of approval and must not be altered or modified without the further written consent of the Shire.**

DUST MANAGEMENT

4. Prior to the commencement of works, a Dust Management Plan must be submitted to and approved by the Shire and thereafter implemented. The Dust Management Plan must be prepared in accordance with the *Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017* to the satisfaction of the Shire. Once approved, the plan will form part of this approval and must be complied with at all times for the life of this approval.

5. Prior to the commencement of works, a suitable supply of water for the purposes of all site management operations is to be provided to the satisfaction of the Shire.

WEED AND DIEBACK MANAGEMENT

6. Prior to the commencement of works, a Weed Management Plan must be prepared to the satisfaction of the Shire. Any declared weeds found to be within the site need to be appropriately treated and removed prior to any excavation works. Once

approved, the Weed Management Plan will form part of this approval and must be complied with at all times for the life of this approval.

7. **Dieback measures to reduce the spread of dieback into adjoining properties are to be undertaken to the satisfaction of the Shire.**

8. **A minimum 10m setback is to be provided between the extraction area and adjacent existing native vegetation, with the 10m setback located on the outside of the tree crown drip line. This setback is to be clearly demarcated on the lot to ensure vehicles, extraction works, detention pond, and stockpile areas are located outside this works exclusion area to the satisfaction of the Shire.**

STORMWATER MANAGEMENT

9. **Prior to the commencement of works, a Stormwater Management Plan is to be submitted to and approved by the Shire demonstrating compliance with the Shire's stormwater management standards and the *Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017*. Stormwater is to be managed thereafter by the applicant in accordance with the approved Stormwater Management Plan the satisfaction of the Shire.**

10. **Any erosion and/or sedimentation issues that occur due to insufficient drainage and/or stormwater management from the proposed development, including any driveway or accessway, is to be rectified, so as not to impact any surrounding waterways and/or properties, including any infrastructure, to the satisfaction of the Shire.**

11. **Prior to the commencement of works, the maximum pit floor depth shall be established in accordance with a pit floor contour plan to be approved by the Shire in consultation with the Department of Water and Environmental Regulation. No groundwater is to be exposed on the surface of the pit floor. Should groundwater be exposed during excavation works, all works are to cease, and the Shire is to be notified. Any remedial works, as required by the Shire, in consultation with the Department of Water and Environmental Regulation, are the responsibility of the operator to rectify. No dewatering is permitted.**

12. **Any refuelling and/or activities that carry a risk of fuel or chemical spills are not to be undertaken in close proximity to the detention basin or stormwater flow paths.**

NOISE MANAGEMENT

13. **Prior to the commencement of works, the applicant is to submit an Acoustic Assessment of the potential noise emissions of the extractive industry operations prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society.**

The Acoustic Assessment shall include (but not limited to):

a. **the expected level of noise emissions from the extractive industry proposed development.**
b. **determine whether the emissions are expected to be free from tonality, impulsiveness, and modulation characteristics.**
c. **an assessment of the expected level of noise emissions for compliance with the Environmental Protection (Noise) Regulations 1997 at nearby sensitive receptors.**
d. **provide detail as to the methodology used, calculations made, and any actual data obtained in relation to the assessment and expected noise emissions.**

14. **Following receipt of the Acoustic Assessment, the applicant is to submit a Noise Management Plan prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society. The Noise Management Plan is to include (but is not limited to):**
    a. **details of expected levels of noise emissions in accordance with Acoustic Assessment associated with the extractive industry operations.**
    b. **details of noise reduction measures to be implemented to control noise emissions.**

ONGOING COMPLIANCE AND MONITORING

15. **A complaints register is to be established including:**
    a. **details of the subject of the complaint;**
    b. **actions undertaken by the applicant to rectify the complaint; and**
    c. **the on-site publication of appropriate contact details where complaints are to be directed (in the first instance).**

16. **A suitable report is to be prepared and submitted to the Shire every 3 months including information relating to:**
    a. **a copy of the complaints register as per Condition 15; and**
    b. **any other information as deemed necessary by the Shire.**

REHABILITATION AND PIT CLOSURE MANAGEMENT

17. **Prior to the commencement of works, a Rehabilitation and Pit Closure Management Plan shall be submitted to and approved by the Shire. The plan must demonstrate (but not limited to) the following:**
    a. **stages of rehabilitation.**
    b. **details of the establishment of pasture post-extraction with plant species, density of planting and maintenance measures.**
    c. **weed identification and management measures to occur every six months (Autumn and Spring).**
    d. **dieback identification and management measures.**
    e. **demonstrate that it is consistent with the Department of Water and Environmental Regulation's WQPN 15 and the Guidelines for Preparing Mine**

Closure Plans and WQPN 84 Rehabilitation of disturbed land in public drinking water source areas.

f. the applicant is to adhere to the agreed intended staging and ensure successful rehabilitation to the final landform and land use.

g. management and compliance reporting shall be included to ensure successful implementation.

h. demonstrate compliance with the conditions for sites under the *Shire of Donnybrook Balingup Extractive Industry Local Law 2016*.

i. the revegetation of areas used for stockpiles.

j. extraction of subsequent stages may only commence if rehabilitation of the previous extraction site has substantially commenced.

Once the Shire approves the Rehabilitation and Pit Closure Management Plan, the applicant is responsible to ensure that the development is conducted at all times and in all respects in accordance with the plan.

18. Pit closure works, and rehabilitation of the entire site is to be completed within two (2) years of the end of extraction works or the expiration of this approval (whichever is sooner) unless otherwise extended, in writing, by the Shire.

19. Prior to the commencement of works, a $20,000 bond (cash or unconditional bank guarantee in favour of the Shire of Donnybrook Balingup) is required for the works identified by the Rehabilitation and Pit Closure Management Plan in Condition 17.

OPERATING HOURS

20. Operating hours of the extractive works are restricted to between 7:00am to 6:00pm Monday to Friday and 7:00am to 1:00pm on Saturdays. No operations are permitted on Sundays or Public Holidays unless otherwise agreed, in writing, by the Shire.

21. Trucks are not to operate between 7:30am to 8:40am and 3:20pm to 4:20pm on any given school day on a school bus route.

VEHICULAR MANAGEMENT

22. The southern part of Lot 751 is landlocked with no legal access. In approving this development application, the Shire agrees that temporary access may be obtained to the southern part of Lot 751 via parts of the Shire owned Lot 3122 as depicted on Figure 3. Access is only to be obtained over Lot 3122 for the life of this development approval. Prior to any application for the extension of the time frame of this development approval the applicant would need to demonstrate that legal access is available to Lot 751. The temporary accesses depicted in Figure 3 are to be maintained to the satisfaction of the Shire for the life of this approval; and at the end of the pit

life these are to be in a condition to the satisfaction of the Shire prior to the return of any Shire bonds held.

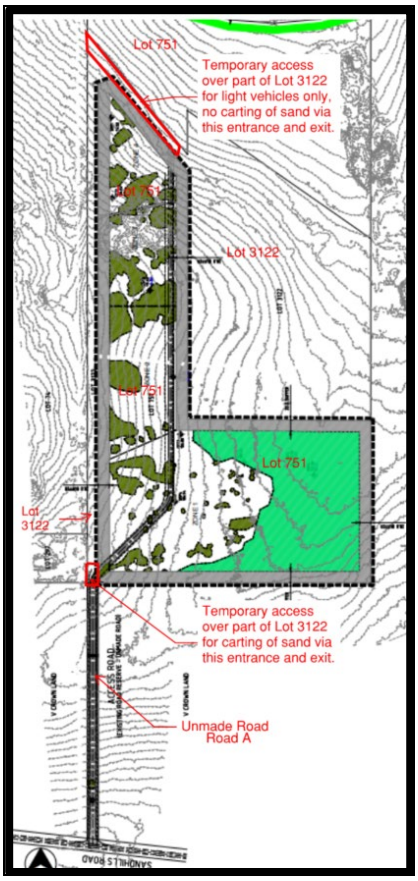


Figure 3 – Temporary access

23. **No movement of sand from the lot is to occur from the northern access over Lot 3122 via Frontino Road, this access is limited to light vehicles only.**

24. **Prior to the commencement of works, the applicant must submit to and have approved by the Shire detail plans for the construction of the unmade road (Road A). Thereafter all works are to be undertaken in accordance with the approved plans to the satisfaction of the Shire.**

25. **Once construction of Road A is completed, this road including 50m of Sandhills Road either side of Road A are to be maintained to the satisfaction of the Shire for the life of this approval; and at the end of the pit life Road A is to be in a condition to the satisfaction of the Shire prior to the return of any Shire bonds held.**

26. **The cost to relocate and/or remove any services/infrastructure that may be required for the purposes of meeting the vehicle management, are the responsibility of the applicant.**

27. **Prior to the commencement of works, the applicant is to install advance warning truck entering signs at the intersection of Road A and Sandhills Road. Signage at the entrance to Road A is also to be installed outlining that the road is not to be used for public access. All signs are to be installed to the satisfaction of the Shire.**

OTHER

28. **Prior to the commencement of works, a copy of a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for a sum of not less than $20,000,000 in respect of any one claim relating to any of the excavation operations.**

ADVICE NOTES

a. **This development approval is not an Extractive Industry Licence. No works are to be undertaken until such time as all conditions of the Development Approval have been satisfied and an Extractive Industry Licence has been granted under the *Shire of Donnybrook-Balingup Extractive Industry Local Law 2016.***

b. **The Department of Water and Environmental Regulation advise that a Clearing Permit is required for the pit works and road construction and upgrading. The applicant will need to seek advice directly from the Department of Water and Environmental Regulation in relation to clearing permit requirements.**

c. **The proposed turkey nest dam to be constructed shall comply with the Shire of Donnybrook-Balingup 'Planning Information: Dams & Dam Construction, Shire of Donnybrook-Balingup, August 2024'.**

d. **The proposed operations are likely categorised as a Prescribed Premises, as per Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations). The applicant is advised to refer to the information and Industry Regulation Guide to Licensing available at http://www.der.wa.gov.au/our work/licences-and-works-approvals. Please contact the Department of Water and Environmental Regulation at info@dwer.wa.gov.au or (08) 6364 7000 regarding requirements.**

e. **With regards to Condition 9, Stormwater Management shall:**
   i. **be implemented to ensure the surface flows during, and post-extraction will not detrimentally impact downstream properties. The management measures imposed must mitigate the risk of stormwater runoff and include details such as detention pond sizing, batters etc.**

   ii. **cover the proposed extraction area and be prepared in accordance with the Department of Water and Environmental Regulation's WQPN 15 'Basic raw**

materials extraction' (July 2019) where applicable, to ensure environmental risks are appropriately mitigated.

f. With regards to Condition 11, groundwater levels Department of Water and Environmental Regulation advises that:

i. the applicant is to clarify the discrepancy in groundwater levels between the Urbanise WA Drawing SK002 (Rev A) Civil Plans (dated 05/07/24) and the Structerre Consulting Engineers Geotechnical Report, to the satisfaction of the Shire, in consultation with DWER. This requires additional information, such as, but not limited to updated groundwater levels using survey bore heights in metres AHD.

ii. the pit floor contour plan is to include a cross section across Zone 1, and both Cross Sections A (as identified across Zones 4 and 5 in Urbanise WA Drawing SK002 (Rev A) Civil Plans) are to be updated to reflect the correct sections, topography, proposed pit floor levels and groundwater levels in metres AHD – to the satisfaction of the Shire, in consultation with DWER.

iii. groundwater levels at the western portion of Zone 2 are to be determined to establish/confirm the cross section across Zone 2.

g. With regards to Condition 13 and 14, the Acoustic Assessment and Noise Management Plan must be prepared by a registered Acoustic Consultant with suitable qualifications, expertise, and local experience in the assessment of transport and environmental noise. They or their organisation must hold membership the membership grade of 'Member', being eligible to be a 'Member' or is working under the supervision of a 'Member' of the Australian Acoustical Society; or work for a firm that is a member of the Association of Australasian Acoustical Consultants.

h. With regards to Condition 19, return of the bond will be measured against the works identified within the Rehabilitation and Pit Closure Management Plan as determined by the Shire.

i. With regards to Condition 22, it is the landowner's responsibility to ensure Lot 751 is provided with legal, constructed access in perpetuity. This may require an easement over the Shire owned Lot 3122. The approval of this development application is not to be construed as an agreement from Council to dispose of a part of the Shire owned Lot 3122. Consideration of this matter is separated from the development approval and subject to the provisions of the *Local Government Act 1995.*

j. Management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with the Department of Water and Environmental Regulation's WQPN 56 'Toxic and Hazardous Substance Storage

and Use' (Dec 2018) and Use' (Dec 2018) and Contingencies for spills should be in accordance with WQPN 10 – 'Contaminant spills — emergency response plan' (May 2020).

k. If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

l. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.

m. If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005. An application must be made within 28 days of the determination.

n. With regards to Condition 7, dieback management measures are to be implemented consistent with the *Best Practice Guidelines for Management of Phytophthora Dieback in the Basic Raw Materials Industrie*s.

o. The applicant is responsible to ensure obligations are met under the *Aboriginal Heritage Act 1972* with regards to undertaking a due diligence assessment and obtaining all relevant approvals.

B. Authorises the Chief Executive Officer to issue an Extractive Industry License for the extraction of gravel at Lot 751 Donnybrook-Boyup Brook Road, Beelerup upon complying with the conditions of the above development approval and subject to the following conditions:

1. The extractive operation shall comply with the Shire of Donnybrook-Balingup *Extractive Industry Local Law 2016* at all times.

2. Compliance with all approved plans and any conditions/advice contained in Development Approval P24056 at all times during the life of the extractive industry to the satisfaction of the Shire.

3. A licensee shall pay to the local government the annual licence fee in accordance with the Schedule of Fees and Charges adopted each year in the Shire annual budget prior to the commencement of extraction.

4. The operator is required to submit to the Shire an annual 'Progress Report' by the 30 December, detailing progress of the pit over the previous 12-month period. The Report should provide details on the following:

a. extent of extraction undertaken (volume and area);

b. completion of stages;

c. rehabilitation of completed stages; and
d.site survey plan prepared by a licensed surveyor.

Amendment by Cr Davy:

COUNCIL RESOLUTION:	21/02-25		
MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Cr John Bailey

7. Prior to the commencement of any clearing or site disturbance activities, the applicant must confirm the presence or absence of dieback and prepare a Dieback Management Plan to the satisfaction of the Shire. Once approved, the Dieback Management Plan shall become part of this approval and must be adhered to at all times for the duration of the approval.

29. Prior to the commencement of Spring/Summer sand extraction, the applicant shall monitor depth to groundwater during the period from August to October each year. The monitoring shall be carried out to ensure that there is adequate separation between the groundwater level and the pit floor in accordance with the approved pit floor contour plan.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

Amendment by Cr Bailey:

MOVED BY:	Cr John Bailey	**SECONDED BY:**	Cr Lisa Glover

20. Operating hours of the extractive works are restricted to between 7:00am to 6:00pm Monday to Friday. No operations are permitted on Saturday, Sunday or Public Holidays unless otherwise agreed, in writing, by the Shire. Operations on a Saturday, to be limited to carting only between 7:00am to 1:00pm.

For: Nil.
Against: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Lost: 8/0

Amendment by Cr Glover:

MOVED BY:	Cr Lisa Glover	**SECONDED BY:**	Cr John Bailey

20. Operating hours of the extractive works are restricted to between 7:00am to 6:00pm Monday to Friday. Operations on a Saturday, to be limited to carting only between 7:00am to 1:00pm.

For: Cr Patrick, Cr Bailey, Cr Gubler, Cr Glover
Against: Cr MacCarthy, Cr Davy, Cr Lindemann, Cr Mitchell
Lost: 5/4

Casting vote: President voted against

Substantive motion as amended by Cr Davy including the amendment (highlighted in red):

COUNCIL RESOLUTION:	22/02-25		
MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Cr John Bailey

That Council:

A. Pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24056 Industry-Extractive (Sand) on Lot 751 Donnybrook-Boyup Brook Road, Beelerup, subject to the following conditions and advice:

VALIDITY

1. **This approval is valid for a period of ten (10) years after the date of issue or within any extended period as determined, in writing, by the Shire.**

2. **This approval allows the excavation and transportation of 80,000m³ - 100,000m³ (144,000 - 180,000 tonnes) of sand annually.**

APPROVED PLANS

3. **The layout of the site and location of crusher, stockpiles, access route and works permitted must always accord with 'Urbanise WA Engineering Solutions Extractive Industry Licence Application (August 2024) and Attachments** (Attachment 9.1.1(2) – Attachment 9.1.1(5)) **and the conditions of approval and must not be altered or modified without the further written consent of the Shire.**

DUST MANAGEMENT

4. **Prior to the commencement of works, a Dust Management Plan must be submitted to and approved by the Shire and thereafter implemented. The Dust Management Plan must be prepared in accordance with the *Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017* to the satisfaction of the Shire. Once approved, the plan will form part of this approval and must be complied with at all times for the life of this approval.**

5. **Prior to the commencement of works, a suitable supply of water for the purposes of all site management operations is to be provided to the satisfaction of the Shire.**

WEED AND DIEBACK MANAGEMENT

6. **Prior to the commencement of works, a Weed Management Plan must be prepared to the satisfaction of the Shire. Any declared weeds found to be within the site need to be appropriately treated and removed prior to any excavation works. Once**

approved, the Weed Management Plan will form part of this approval and must be complied with at all times for the life of this approval.

7. **Prior to the commencement of any clearing or site disturbance activities, the applicant must confirm the presence or absence of dieback and prepare a Dieback Management Plan to the satisfaction of the Shire. Once approved, the Dieback Management Plan shall become part of this approval and must be adhered to at all times for the duration of the approval.**

8. **A minimum 10m setback is to be provided between the extraction area and adjacent existing native vegetation, with the 10m setback located on the outside of the tree crown drip line. This setback is to be clearly demarcated on the lot to ensure vehicles, extraction works, detention pond, and stockpile areas are located outside this works exclusion area to the satisfaction of the Shire.**

STORMWATER MANAGEMENT

9. **Prior to the commencement of works, a Stormwater Management Plan is to be submitted to and approved by the Shire demonstrating compliance with the Shire's stormwater management standards and the *Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017*. Stormwater is to be managed thereafter by the applicant in accordance with the approved Stormwater Management Plan the satisfaction of the Shire.**

10. **Any erosion and/or sedimentation issues that occur due to insufficient drainage and/or stormwater management from the proposed development, including any driveway or accessway, is to be rectified, so as not to impact any surrounding waterways and/or properties, including any infrastructure, to the satisfaction of the Shire.**

11. **Prior to the commencement of works, the maximum pit floor depth shall be established in accordance with a pit floor contour plan to be approved by the Shire in consultation with the Department of Water and Environmental Regulation. No groundwater is to be exposed on the surface of the pit floor. Should groundwater be exposed during excavation works, all works are to cease, and the Shire is to be notified. Any remedial works, as required by the Shire, in consultation with the Department of Water and Environmental Regulation, are the responsibility of the operator to rectify. No dewatering is permitted.**

12. **Any refuelling and/or activities that carry a risk of fuel or chemical spills are not to be undertaken in close proximity to the detention basin or stormwater flow paths.**

NOISE MANAGEMENT

13. **Prior to the commencement of works, the applicant is to submit an Acoustic Assessment of the potential noise emissions of the extractive industry operations prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society.**
The Acoustic Assessment shall include (but not limited to):

a. **the expected level of noise emissions from the extractive industry proposed development.**
b. **determine whether the emissions are expected to be free from tonality, impulsiveness, and modulation characteristics.**
c. **an assessment of the expected level of noise emissions for compliance with the Environmental Protection (Noise) Regulations 1997 at nearby sensitive receptors.**
d. **provide detail as to the methodology used, calculations made, and any actual data obtained in relation to the assessment and expected noise emissions.**

14. **Following receipt of the Acoustic Assessment, the applicant is to submit a Noise Management Plan prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society.**
The Noise Management Plan is to include (but is not limited to):
    a. **details of expected levels of noise emissions in accordance with Acoustic Assessment associated with the extractive industry operations.**
    b. **details of noise reduction measures to be implemented to control noise emissions.**

ONGOING COMPLIANCE AND MONITORING

15. **A complaints register is to be established including:**
    a. **details of the subject of the complaint;**
    b. **actions undertaken by the applicant to rectify the complaint; and**
    c. **the on-site publication of appropriate contact details where complaints are to be directed (in the first instance).**

16. **A suitable report is to be prepared and submitted to the Shire every 3 months including information relating to:**
    a. **a copy of the complaints register as per Condition 15; and**
    b. **any other information as deemed necessary by the Shire.**

REHABILITATION AND PIT CLOSURE MANAGEMENT

17. **Prior to the commencement of works, a Rehabilitation and Pit Closure Management Plan shall be submitted to and approved by the Shire. The plan must demonstrate (but not limited to) the following:**
    a. **stages of rehabilitation.**
    b. **details of the establishment of pasture post-extraction with plant species, density of planting and maintenance measures.**

c. weed identification and management measures to occur every six months (Autumn and Spring).
d. dieback identification and management measures.
e. demonstrate that it is consistent with the Department of Water and Environmental Regulation's WQPN 15 and the Guidelines for Preparing Mine Closure Plans and WQPN 84 Rehabilitation of disturbed land in public drinking water source areas.
f. the applicant is to adhere to the agreed intended staging and ensure successful rehabilitation to the final landform and land use.
g. management and compliance reporting shall be included to ensure successful implementation.
h. demonstrate compliance with the conditions for sites under the *Shire of Donnybrook Balingup Extractive Industry Local Law 2016*.
i. the revegetation of areas used for stockpiles.
j. extraction of subsequent stages may only commence if rehabilitation of the previous extraction site has substantially commenced.

Once the Shire approves the Rehabilitation and Pit Closure Management Plan, the applicant is responsible to ensure that the development is conducted at all times and in all respects in accordance with the plan.

18. Pit closure works, and rehabilitation of the entire site is to be completed within two (2) years of the end of extraction works or the expiration of this approval (whichever is sooner) unless otherwise extended, in writing, by the Shire.

19. Prior to the commencement of works, a $20,000 bond (cash or unconditional bank guarantee in favour of the Shire of Donnybrook Balingup) is required for the works identified by the Rehabilitation and Pit Closure Management Plan in Condition 17.

OPERATING HOURS

20. Operating hours of the extractive works are restricted to between 7:00am to 6:00pm Monday to Friday and 7:00am to 1:00pm on Saturdays. No operations are permitted on Sundays or Public Holidays unless otherwise agreed, in writing, by the Shire.

21. Trucks are not to operate between 7:30am to 8:40am and 3:20pm to 4:20pm on any given school day on a school bus route.

VEHICULAR MANAGEMENT

22. The southern part of Lot 751 is landlocked with no legal access. In approving this development application, the Shire agrees that temporary access may be obtained to the southern part of Lot 751 via parts of the Shire owned Lot 3122 as depicted on Figure 3. Access is only to be obtained over Lot 3122 for the life of this development

approval. Prior to any application for the extension of the time frame of this development approval the applicant would need to demonstrate that legal access is available to Lot 751. The temporary accesses depicted in Figure 3 are to be maintained to the satisfaction of the Shire for the life of this approval; and at the end of the pit life these are to be in a condition to the satisfaction of the Shire prior to the return of any Shire bonds held.

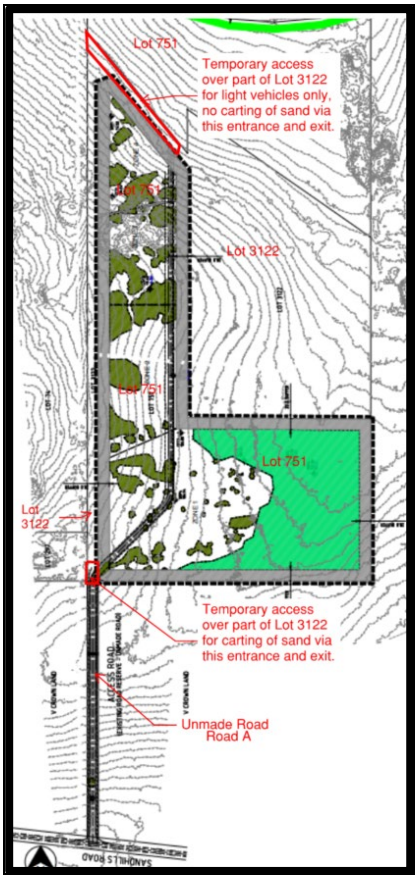


Figure 3 – Temporary access

23. **No movement of sand from the lot is to occur from the northern access over Lot 3122 via Frontino Road, this access is limited to light vehicles only.**

24. **Prior to the commencement of works, the applicant must submit to and have approved by the Shire detail plans for the construction of the unmade road (Road A). Thereafter all works are to be undertaken in accordance with the approved plans to the satisfaction of the Shire.**

25. **Once construction of Road A is completed, this road including 50m of Sandhills Road either side of Road A are to be maintained to the satisfaction of the Shire for the life of this approval; and at the end of the pit life Road A is to be in a condition to the satisfaction of the Shire prior to the return of any Shire bonds held.**

26. **The cost to relocate and/or remove any services/infrastructure that may be required for the purposes of meeting the vehicle management, are the responsibility of the applicant.**

27. **Prior to the commencement of works, the applicant is to install advance warning truck entering signs at the intersection of Road A and Sandhills Road. Signage at the entrance to Road A is also to be installed outlining that the road is not to be used for public access. All signs are to be installed to the satisfaction of the Shire.**

OTHER

28. **Prior to the commencement of works, a copy of a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for a sum of not less than $20,000,000 in respect of any one claim relating to any of the excavation operations.**

29 **Prior to the commencement of Spring/Summer sand extraction, the applicant shall monitor depth to groundwater during the period from August to October each year. The monitoring shall be carried out to ensure that there is adequate separation between the groundwater level and the pit floor in accordance with the approved pit floor contour plan.**

ADVICE NOTES

a. **This development approval is not an Extractive Industry Licence. No works are to be undertaken until such time as all conditions of the Development Approval have been satisfied and an Extractive Industry Licence has been granted under the *Shire of Donnybrook-Balingup Extractive Industry Local Law 2016.***

b. **The Department of Water and Environmental Regulation advise that a Clearing Permit is required for the pit works and road construction and upgrading. The applicant will need to seek advice directly from the Department of Water and Environmental Regulation in relation to clearing permit requirements.**

c. **The proposed turkey nest dam to be constructed shall comply with the Shire of Donnybrook-Balingup 'Planning Information: Dams & Dam Construction, Shire of Donnybrook-Balingup, August 2024'.**

d. **The proposed operations are likely categorised as a Prescribed Premises, as per Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations). The applicant is advised to refer to the information and Industry Regulation Guide to Licensing available at http://www.der.wa.gov.au/our work/licences-and-works-approvals. Please contact the Department of Water and Environmental Regulation at info@dwer.wa.gov.au or (08) 6364 7000 regarding requirements.**

e. With regards to Condition 9, Stormwater Management shall:

i. be implemented to ensure the surface flows during, and post-extraction will not detrimentally impact downstream properties. The management measures imposed must mitigate the risk of stormwater runoff and include details such as detention pond sizing, batters etc.

ii. cover the proposed extraction area and be prepared in accordance with the Department of Water and Environmental Regulation's WQPN 15 'Basic raw materials extraction' (July 2019) where applicable, to ensure environmental risks are appropriately mitigated.

f. With regards to Condition 11, groundwater levels Department of Water and Environmental Regulation advises that:

i. the applicant is to clarify the discrepancy in groundwater levels between the Urbanise WA Drawing SK002 (Rev A) Civil Plans (dated 05/07/24) and the Structerre Consulting Engineers Geotechnical Report, to the satisfaction of the Shire, in consultation with DWER. This requires additional information, such as, but not limited to updated groundwater levels using survey bore heights in metres AHD.

ii. the pit floor contour plan is to include a cross section across Zone 1, and both Cross Sections A (as identified across Zones 4 and 5 in Urbanise WA Drawing SK002 (Rev A) Civil Plans) are to be updated to reflect the correct sections, topography, proposed pit floor levels and groundwater levels in metres AHD – to the satisfaction of the Shire, in consultation with DWER.

iii. groundwater levels at the western portion of Zone 2 are to be determined to establish/confirm the cross section across Zone 2.

g. With regards to Condition 13 and 14, the Acoustic Assessment and Noise Management Plan must be prepared by a registered Acoustic Consultant with suitable qualifications, expertise, and local experience in the assessment of transport and environmental noise. They or their organisation must hold membership the membership grade of 'Member', being eligible to be a 'Member' or is working under the supervision of a 'Member' of the Australian Acoustical Society; or work for a firm that is a member of the Association of Australasian Acoustical Consultants.

h. With regards to Condition 19, return of the bond will be measured against the works identified within the Rehabilitation and Pit Closure Management Plan as determined by the Shire.

i. With regards to Condition 22, it is the landowner's responsibility to ensure Lot 751 is provided with legal, constructed access in perpetuity. This may require an

easement over the Shire owned Lot 3122. The approval of this development application is not to be construed as an agreement from Council to dispose of a part of the Shire owned Lot 3122. Consideration of this matter is separated from the development approval and subject to the provisions of the *Local Government Act 1995.*

j. Management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with the Department of Water and Environmental Regulation's WQPN 56 'Toxic and Hazardous Substance Storage and Use' (Dec 2018) and Use' (Dec 2018) and Contingencies for spills should be in accordance with WQPN 10 – 'Contaminant spills — emergency response plan' (May 2020).

k. If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

l. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.

m. If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005. An application must be made within 28 days of the determination.

n. With regards to Condition 7, dieback management measures are to be implemented consistent with the *Best Practice Guidelines for Management of Phytophthora Dieback in the Basic Raw Materials Industrie*s.

o. The applicant is responsible to ensure obligations are met under the *Aboriginal Heritage Act 1972* with regards to undertaking a due diligence assessment and obtaining all relevant approvals.

B. Authorises the Chief Executive Officer to issue an Extractive Industry License for the extraction of gravel at Lot 751 Donnybrook-Boyup Brook Road, Beelerup upon complying with the conditions of the above development approval and subject to the following conditions:

1. The extractive operation shall comply with the Shire of Donnybrook-Balingup *Extractive Industry Local Law 2016* at all times.

2. Compliance with all approved plans and any conditions/advice contained in Development Approval P24056 at all times during the life of the extractive industry to the satisfaction of the Shire.

3. **A licensee shall pay to the local government the annual licence fee in accordance with the Schedule of Fees and Charges adopted each year in the Shire annual budget prior to the commencement of extraction.**

4. **The operator is required to submit to the Shire an annual 'Progress Report' by the 30 December, detailing progress of the pit over the previous 12-month period. The Report should provide details on the following:**
   a. **extent of extraction undertaken (volume and area);**
   b. **completion of stages;**
   c. **rehabilitation of completed stages; and**
   d. **site survey plan prepared by a licensed surveyor.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

9.1.2. Development Application P24066 – Extractive Industry (Gravel) Lot 100 Goodwood Road, Upper Capel

Report Details:

Prepared by: Principal Planner and Planning Officer

Manager: Manager Development Services

Applicant: Shane Smith

Location: Lot 100 Goodwood Road, Upper Capel

File Reference: A5475 (P24066) **Voting Requirement:** Simple Majority

Attachment(s):

9.1.2(1) Urbanise WA Engineering Solutions - Extractive Industry Application.
9.1.2(2) Government Agency submissions.
9.1.2(3) Assessment under Clause 67.

Executive Recommendation

That Council:

A. Pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24066 Industry-Extractive (Gravel) on Lot 100 Goodwood Road, Upper Capel subject to the following conditions and advice:

VALIDITY

1. **This approval is valid for a period of ten (10) years after the date of issue or within any extended period as determined, in writing, by the Shire.**
2. **This approval allows the excavation and transportation of 20,000m³ - 30,000m³ (32,000 - 48,000 tonnes) of gravel annually.**

APPROVED PLANS

3. **The layout of the site and location of crusher, stockpiles, access route and works permitted must always accord with 'Urbanise WA Engineering Solutions Extractive Industry Application (September 2024)'** (Attachment 9.1.2(1)) **and the conditions of approval and must not be altered or modified without the further written consent of the Shire.**

DUST MANAGEMENT

4. **Prior to the commencement of works, a Dust Management Plan must be submitted to and approved by the Shire and thereafter implemented. The Dust Management Plan must be prepared in accordance with the Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017 to the satisfaction of the Shire. Once approved, the plan will form part of this approval and must be complied with at all times for the life of this approval.**

5. **A suitable supply of water for the purposes of all site management operations is to be provided to the satisfaction of the Shire.**

WEED AND DIEBACK MANAGEMENT

6. **Weed management is to be undertaken to the satisfaction of the Shire. Any declared weeds found to be within the site need to be appropriately treated and removed prior to any further excavation works.**

7. **Dieback measures to reduce the spread of dieback into adjoining properties are to be undertaken to the satisfaction of the Shire.**

8. **A minimum 10m setback is to be provided between the extraction area and adjacent existing native vegetation, with the 10m setback located on the outside of the tree crown drip line. This setback is to be clearly demarcated on the lot to ensure vehicles, extraction works, detention pond, bunds, and stockpile areas are located outside this works exclusion area to the satisfaction of the Shire.**

STORMWATER MANAGEMENT

9. **Prior to the commencement of works, a Stormwater Management Plan is to be submitted to and approved by the Shire demonstrating compliance with the Shire's stormwater management standards and the Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017. Stormwater is to be managed thereafter by the applicant in accordance with the approved Stormwater Management Plan to the satisfaction of the Shire.**

10. **Any erosion and/or sedimentation issues that occur due to insufficient drainage and/or stormwater management from the proposed development, including any driveway or accessway, is to be rectified, so as not to impact any surrounding waterways and/or properties, including any infrastructure, to the satisfaction of the Shire.**

11. **Prior to the commencement of works, the maximum pit floor depth shall be established in accordance with a pit floor contour plan to be approved by the Shire in consultation with the Department of Water and Environmental Regulation. No groundwater is to be exposed on the surface of the pit floor. Should groundwater be exposed during excavation works, all works are to cease, and the Shire is to be notified. Any remedial works, as required by the Shire, in consultation with the Department of Water and Environmental Regulation, are the responsibility of the operator to rectify. No dewatering is permitted.**

12. **Any refuelling and/or activities that carry a risk of fuel or chemical spills are not to be undertaken in close proximity to the detention basin or stormwater flow paths.**

NOISE MANAGEMENT

13. **Prior to the commencement of works, the applicant is to submit an Acoustic Assessment of the potential noise emissions of the extractive industry operations prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society.**
14. **The Acoustic Assessment shall include (but not limited to):**
    e. **the expected level of noise emissions from the extractive industry proposed development.**
    f. **determine whether the emissions are expected to be free from tonality, impulsiveness, and modulation characteristics.**
    g. **an assessment of the expected level of noise emissions for compliance with the *Environmental Protection (Noise) Regulations 1997* at nearby sensitive receptors.**
    h. **provide detail as to the methodology used, calculations made, and any actual data obtained in relation to the assessment and expected noise emissions.**

15. **Following receipt of the Acoustic Assessment, the applicant is to submit a Noise Management Plan prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society. The Noise Management Plan is to include (but is not limited to):**
    a. **details of expected levels of noise emissions in accordance with Acoustic Assessment associated with the extractive industry operations.**
    b. **details of noise reduction measures to be implemented to control noise emissions.**

ONGOING COMPLIANCE AND MONITORING

16. **A complaints register is to be established including:**
    a. **details of the subject of the complaint;**
    b. **actions undertaken by the applicant to rectify the complaint; and**
    c. **the on-site publication of appropriate contact details where complaints are to be directed (in the first instance).**
17. **A suitable report is to be prepared and submitted to the Shire every 3 months including information relating to:**
    a. **a copy of the complaints register as per Condition 15; and**
    b. **any other information as deemed necessary by the Shire.**

REHABILITATION AND PIT CLOSURE MANAGEMENT

18. **Prior to the commencement of works, a Rehabilitation and Pit Closure Management Plan shall be submitted to and approved by the Shire. The plan must demonstrate (but not limited to) the following:**
    a. **stages of rehabilitation.**
    b. **details of the establishment of pasture post-extraction with plant species, density of planting and maintenance measures.**

c. weed identification and management measures to occur every six months (Autumn and Spring).
d. dieback identification and management measures.
e. demonstrate that it is consistent with the Department of Water and Environmental Regulation's WQPN 15 and the Guidelines for Preparing Mine Closure Plans and WQPN 84 Rehabilitation of disturbed land in public drinking water source areas.
f. the applicant is to adhere to the agreed intended staging and ensure successful rehabilitation to the final landform and land use.
g. upon clarification of the pit floor design, if applicable, an updated contour map be provided to inform the final landform.
h. management and compliance reporting shall be included to ensure successful implementation.
i. demonstrate compliance with the conditions for sites under the Shire of Donnybrook Balingup Extractive Industry Local Law 2016.
j. the revegetation of areas used for stockpiles.
k. extraction of subsequent stages may only commence if rehabilitation of the previous extraction site has commenced.

Once the Shire approves the Rehabilitation and Pit Closure Management Plan, the applicant is responsible to ensure that the development is conducted at all times and in all respects in accordance with the plan.

19. Pit closure works, and rehabilitation of the entire site is to be completed within two (2) years of the end of extraction works or the expiration of this approval (whichever is sooner) unless otherwise extended, in writing, by the Shire.

20. Prior to the commencement of works, a $20,000 bond (cash or unconditional bank guarantee in favour of the Shire of Donnybrook Balingup) is required for the works identified by the Rehabilitation and Pit Closure Management Plan in Condition 17.

OPERATING HOURS

21. Operating hours of the extractive works are restricted to between 7:00am to 6:00pm Monday to Friday and 7:00am to 1:00pm on Saturdays. No operations are permitted on Sundays or Public Holidays unless otherwise agreed, in writing, by the Shire.

22. Trucks are not to operate between 7:30am to 8:40am and 3:20pm to 4:20pm on any given school day on a school bus route.

VEHICULAR MANAGEMENT

23. Prior to the commencement of works, a new crossover is to be constructed for the use of the extractive industry operations. The new crossover and the first 50m of the driveway inside the property is to be bitumen sealed at the applicants cost to the satisfaction of the Shire in consultation with Main Roads WA.

24. **The cost to relocate and/or remove any services/infrastructure that may be required for the purposes of meeting Condition 23, are the responsibility of the applicant.**

25. **The applicant to install advance warning truck entering signs along Goodwood Road to the satisfaction of the Shire in consultation with Main Roads WA.**

OTHER

26. **Prior to the commencement of works, a copy of a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for a sum of not less than $20,000,000 in respect of any one claim relating to any of the excavation operations.**

ADVICE NOTES

a. **This development approval is not an Extractive Industry Licence. No works are to be undertaken until such time as all conditions of the Development Approval have been satisfied and an Extractive Industry Licence has been granted under the *Shire of Donnybrook Balingup Extractive Industry Local Law 2016.***

b. **The proposed operations are categorised as a Prescribed Premises, as per Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations). The applicant is advised to refer to the information and Industry Regulation Guide to Licensing available at http://www.der.wa.gov.au/our work/licences-and-works-approvals. Please contact the Department of Water and Environmental Regulation at info@dwer.wa.gov.au or (08) 6364 7000 regarding requirements.**

c. **With regard to Condition 5, if the take of groundwater is proposed then the Department of Water and Environmental Regulation advises that the groundwater resource is fully allocated, and no water is identified as being available to support the proposed development. Trading of water or alternative water sources will need to be investigated; the details of licences in the subarea for consideration for trading can be viewed at the water register at https://maps.water.wa.gov.au/#/webmap/register. Further information on trades and transfers can be found at the department's website at Water entitlement transfers, trades and agreements | Western Australian Government. The applicant is strongly advised to contact DWER's Bunbury water licensing branch on 97264111 to determine licensing requirements for the take of water to support the proposed extraction activities.**

d. **With regards to Condition 9, Stormwater Management shall:**

I. **be implemented to ensure the surface flows during, and post-extraction will not detrimentally impact downstream properties. The management measures imposed must mitigate the risk of stormwater runoff and include details such as detention pond sizing, batters etc.**

II. **cover the proposed extraction area and be prepared in accordance with the Department of Water and Environmental Regulation's WQPN 15 'Basic raw materials extraction' (July 2019) where applicable, to ensure environmental risks are appropriately mitigated.**

III. **cover the proposed extraction area and haulage routes within the property boundary, including appropriate details, such as, but not limited to:**

i. **Detention basin sizing and stormwater volumes.**
ii. **Sediment and erosion control details.**
iii. **Stormwater flow directions and controls during pit establishment.**
iv. **Stockpile management.**
v. **Detention basin maintenance schedule.**
vi. **Silt trap design.**
vii. **Design demonstrating that flows with not be directed towards retained vegetation, to minimise the spread of *Phytophthora* dieback disease.**

e. **With regards to Condition 11, the following is advised:**

- **Cell 1: The maximum pit floor depth shall be established in accordance with an agreed pit floor contour plan to ensure a 2-metre groundwater separation. Piezometers be installed to 2 metres below the intended extraction depth at the lower lying areas to check the thickness of the gravel resource and groundwater levels.**
- **Cell 2: The maximum pit floor depth shall be established in accordance with an agreed pit floor contour plan to minimise the risk of groundwater being intercepted. Deeper test pits to be (<6m) at the lower lying areas to establish the thickness of the gravel resource and groundwater levels.**

The applicant is to provide further information to the satisfaction of the Shire, to determine the highest groundwater (to inform the pit floor level). Groundwater levels should be taken between August to early October to determine the highest groundwater.

f. **With regards to Condition 13 and 14, the Acoustic Assessment and Noise Management Plan must be prepared by a registered Acoustic Consultant with suitable qualifications, expertise, and local experience in the assessment of transport and environmental noise. They or their organisation must hold membership the membership grade of 'Member', being eligible to be a 'Member' or is working under the supervision of a 'Member' of the Australian Acoustical Society; or work for a firm that is a member of the Association of Australasian Acoustical Consultants.**

g. **With regards to Condition 19, return of the bond will be measured against the works identified within the Rehabilitation and Pit Closure Management Plan as determined by the Shire.**

h. Management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with the Department of Water and Environmental Regulation's WQPN 56 'Toxic and Hazardous Substance Storage and Use' (Dec 2018) and Contingencies for spills should be in accordance with WQPN 10 – 'Contaminant spills — emergency response plan' (May 2020).

i. With regard to the construction of the internal driveway, the Department of Water and Environmental Regulation advise that a Clearing Permit is required for the works; and the department's Native Vegetation Regulation section is to be contacted by email (admin.nvp@dwer.wa.gov.au**) or by telephone (6364 7098) to discuss the requirements of the EP Act with regards to the clearing of native vegetation. The applicant will need to seek advice directly from the Department of Water and Environmental Regulation in relation to clearing permit requirements.**

j. If the development the subject of this approval is not commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

k. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.

l. If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005. An application must be made within 28 days of the determination.

m. With regards to Condition 7, dieback management measures are to be implemented consistent with the *Best Practice Guidelines for Management of Phytophthora Dieback in the Basic Raw Materials Industri*es.

n. The applicant is responsible to ensure obligations are met under the Aboriginal Heritage Act 1972 with regards to undertaking a due diligence assessment and obtaining all relevant approvals.

B. Authorises the Chief Executive Officer to issue an Extractive Industry License for the extraction of gravel at Lot 100 Goodwood Road, Upper Capel upon complying with the conditions of the above development approval and subject to the following conditions:

1. **The extractive operation shall comply with the Shire of Donnybrook-Balingup *Extractive Industry Local Law 2016* at all times.**
2. **Compliance with all approved plans and any conditions/advice contained in Development Approval P24066 at all times during the life of the extractive industry to the satisfaction of the Shire.**

3. **A licensee shall pay to the local government the annual licence fee in accordance with the Schedule of Fees and Charges adopted each year in the Shire annual budget prior to the commencement of extraction.**
4. **The operator is required to submit to the Shire an annual 'Progress Report' by the 30 December, detailing progress of the pit over the previous 12-month period. The Report should provide details on the following:**
    a. **extent of extraction undertaken (volume and area);**
    b. **completion of stages;**
    c. **rehabilitation of completed stages; and**
    d. **site survey plan prepared by a licensed surveyor.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome:	6 - The built environment is responsibly planned and well maintained.
Objective:	6.1 - Ensure sufficient land is available for residential, industrial and commercial uses.
Item:	Nil.

Executive Summary

The purpose of this report is for Council to consider an application for development approval for an extractive industry for gravel at Lot 100 Goodwood Road, Upper Capel as outlined in the (Attachment 9.1.2(1)) application report.

Officers do not have delegation to determine applications for development approval where objections are received, or they are considered contentious as are historically extractive industry developments in the General and Priority Agriculture zones. There have been no objections received from referral and advertising of the proposal from any adjoining/nearby landowners (within 1km of the pit).

Officers consider that the proposal may proceed and recommend it be granted approval subject to conditions/advice. The conditions/advice on the approval address the matters raised in the government agency submissions and are consistent with similar application approvals.

Background

Proposal

The Shire received a development application for an extractive industry at Lot 100 Goodwood Road, Upper Capel to extract gravel over a 10-year period with an annual excavation in the order of 20,000m³ - 30,000m³ (32,000 - 48,000 tonnes) and then rehabilitation of the pit area back to pasture. The development application details and plans are contained in (Attachment 9.1.2(1)) and summarised below:

Application Details	
Lot	Lot 100
Lot Area	81.8480 hectares
LPS7 Zoning	General Agriculture
Permissibility in the Zone	'A' advertised discretionary use
Hours of Operation	All operations will be during daylight hours, in spring/summer time of the year. No work on Sundays and Public holidays.
Total Extraction Area	Maximum of 10 hectares in 2 cells as follows: Cell 1 – 4.75 hectares Cell 2 – 4.85 hectares from DBCEC Earthmoving Contractors Pit Design.
Extraction Depth	Not stated.
Extraction Length (Years)	10 years.
Rehabilitation	At the completion of gravel excavation and stockpile operations, the pit area will be rehabilitated as follows: • Pit walls will be battered to a slope no more than 1 in 4 by pushing material from the pit floor. • The pit floor will be shaped with a minimum of 1 in 100 fall to avoid water ponding with any drainage directed downslope towards natural flow path of the site. • Pit floor will be ripped during summer at minimum 1m spacings across the contour a depth of at least 800mm. • The pit will be shaped to conform and blend into the adjacent landform as far as practical. • Topsoil and any over burden will be evenly spread over the pit area leaving a rough surface. • Any exposed rock shall be crushed or removed.
Extraction Volume	20,000m³ - 30,000m³ (32,000 - 48,000 tonnes) annually.
Truck Haulage Volume	Estimated that 10-12 vehicles movements per day will be entering and exiting the site (2-3 per hour).
Haulage Route	The property has frontage to Goodwood Road (a road under the control of Main Roads WA). The proposed access to the pit will use a new crossover and extended driveway onto Goodwood Road.

Location Plan

Lot 100 is bounded by Goodwood Road to the west and Pearls Road to the south and located within a General Agriculture zone area that supports a range of general rural activities (some with dwellings) including farming, forestry, and previous extractive industries on the surrounding properties (see Figure 1 below). Figure 2 further highlights the proposed extraction area.

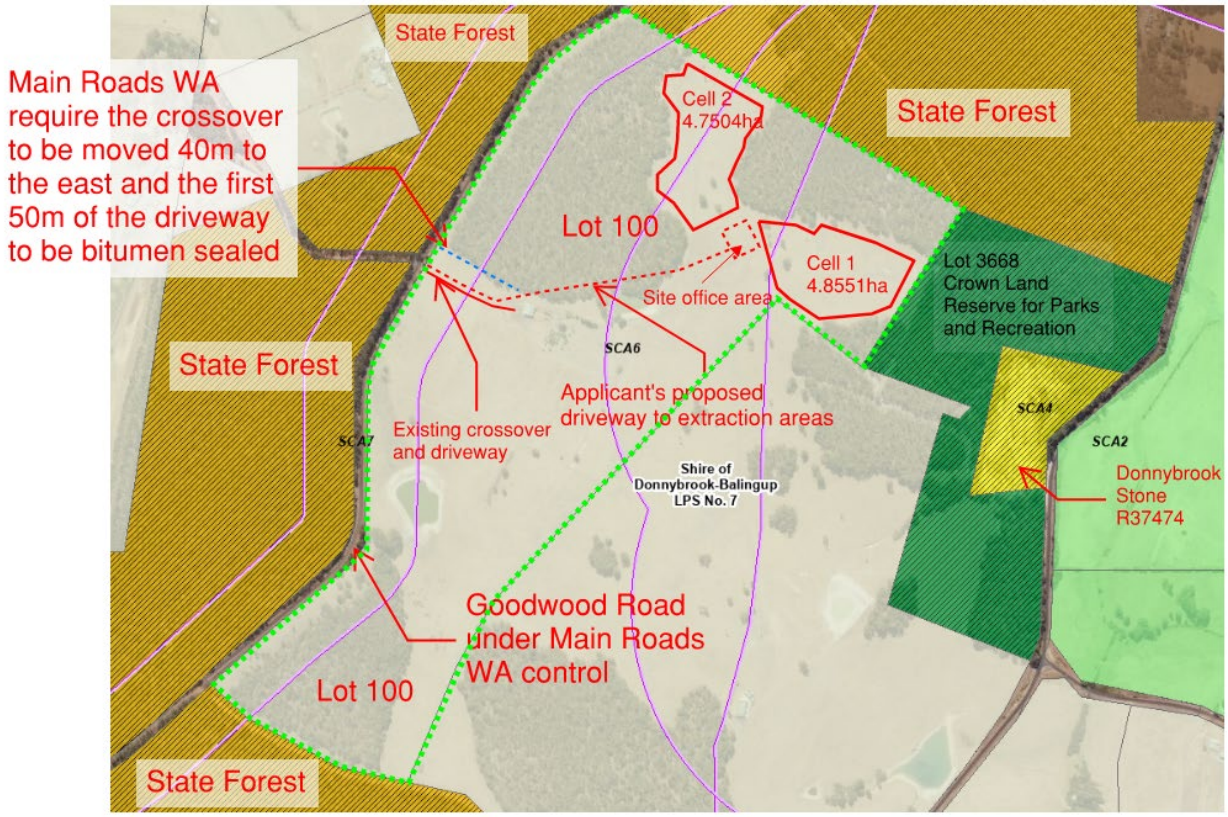


Figure 1 - Subject property Lot 100 bordered in green dotted line.

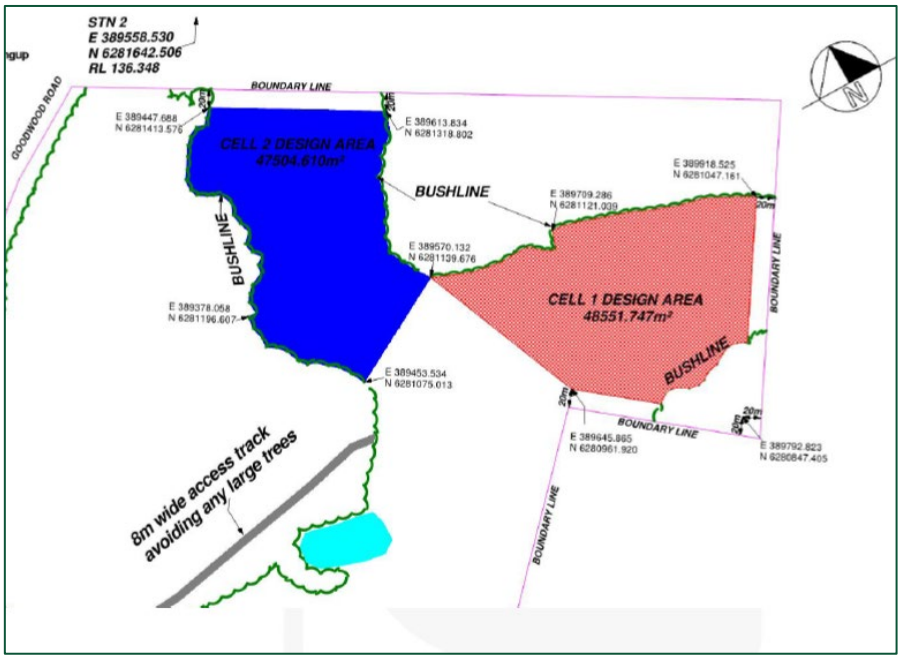


Figure 2 - Proposed Gravel pit area

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Possible	Moderate	Moderate (5)
Risk Description:	Operation of the pit may have off site impacts relating to traffic, noise, and dust.		
Mitigation:	Officers recommend that if approval is granted conditions are to be imposed to mitigate land use impacts and managing potential off-site effects to acceptable levels.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Insignificant	Low (3)
Risk Description:	Impact on local community due to operations.		
Mitigation:	Conditional development approval and compliance.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Health	Unlikely	Minor	Low (4)
Risk Description:	Non-compliance with legislation.		
Mitigation:	Conditional development approval and ongoing compliance inspections and licensing.		

Financial Implications

The applicant has paid all relevant application fees. If Council refuses the application the applicant may exercise the right to have the decision reviewed by the State Administrative Tribunal. If that is the case, then it may be likely that there will be additional resourcing required (staff time and/or the cost of appointing a consultant to represent the Shire).

A bond of $20,000 is required to be paid to the Shire prior to the issue of the licence in accordance with the *Shire of Donnybrook Balingup Extractive Industries Local Law 1998*. This bond is refundable on completion of rehabilitation of the site in accordance with an approved rehabilitation management plan. Once the extractive industry licence has been granted a licensee shall pay to the local government the annual licence fee determined by the local government from time to time.

Policy Compliance

Local Planning Policy 9.7 Interpretation (Extractive Industry)

The application is for a commercial extractive industry and not covered by the Policy.

Statutory Compliance

The application has been assessed against the relevant and applicable statutory Shire of Donnybrook Balingup Local Planning Scheme No.7 (LPS7) provisions, and the proposal has also been assessed in accordance with Schedule 2, Part 9, Clause 67 (2) of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*. A full assessment is contained in (Attachment 9.1.2(3)).

The proposed extractive industry is considered compatible with the purpose and majority of the objectives for the General Agriculture zone as it would enable the gravel resource to be extracted with the land then being returned to pasture.

Consultation

Public Submissions

The application was advertised in the South Western Times, on the Shire's website and a sign placed on-site and referred to landowners within a 1km radius of the subject lot boundaries, for a period of two weeks. No public submissions were received at the conclusion of the public advertising period.

Consultation with Government/Service Agencies

The proposal was referred to the Department of Primary Industries and Regional Development, Department of Energy, Mines, Industry Regulation and Safety, Department of Biodiversity, Conservation and Attractions, Main Roads WA and Department of Water and Environmental Regulation for comment. Submissions are contained in (Attachment 9.1.2(2)) and discussed below.

Department of Primary Industries and Regional Development (DPIRD)	
Issue raised in submission:	Officer response:
The Department does not object to the proposed extractive industry (gravel) and provide the following comments: DPIRD assessed the Weed Management Plan and found that it fulfils the basic requirements. The applicant prepared a Decommissioning Program that describes the final pit wall slopes and the preparation of the pit floor, but it does not include any details of plantings to facilitate the rehabilitation of the site.	The Department's comments are noted and the requirements for additional information on the rehabilitation plantings will be added as conditions/advice notes to the approval, if granted.

Department of Biodiversity, Conservation and Attractions (DBCA)	
Issues raised in submission:	Officer response:
Biodiversity values Lot 100 contains the *Donnybrook (DB3)* vegetation complex, that has 29.23% and 535ha of the pre-1750 extent remaining. This is below the nationally recommended 30% and 1500 ha threshold for the retention of remnant vegetation. The Priority flora species *Acacia semitrullata* (P4) has been identified less than 250 metres to the west of Lot 100. Black cockatoos and western ringtail possums (WRP) are listed as threatened species under the *Biodiversity Conservation Act* and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and have been found within close proximity to Lot 100. Other species of conservation significance likely to be within the area include the chuditch and south-western brush-tailed phascogale. DBCA-Managed land The Lot 100 northern, western, and southern boundaries are adjacent to the Boyanup State Forest. The vegetation on the adjacent DBCA-managed land would be considered an extreme bushfire hazard. Approval of the proposal should not result in impositions being placed upon the management of the adjoining DBCA-managed land. A portion of the Lot 100 eastern boundary is adjacent to Crown reserve 17665 (Lot 3668), managed by the Shire of Donnybrook-Balingup. Vegetation clearing The Urbanise WA *Extractive Industry License* (Rev A, 20 September 2024) (Application) Section 2.1 "Existing Land" notes that the proposed extraction areas require no vegetation clearing. Application Section 2.10 refers to stockpile stacks being no closer than 10 metres from any retained vegetation. Section 2.4 "Site Access Road" refers to extending the existing Lot 100 gravel access track from Goodwood Road ensuring significant trees are retained. The G&W Surveys *Goodwood Road Pit* (Drawing #1, 13 August 2024) (Plan) indicates the access track will be 8 metres wide. While significant trees are proposed to be retained, some additional vegetation may be required to be removed for the development of the site access track extension and for road widening works as indicated on the Plan. The applicant will need to seek advice from the Department of Water and Environmental Regulation (DWER) in	The Department's comments are noted and will be added as conditions/advice notes to the approval, if granted.

relation to clearing permit requirements. If a clearing permit is required, DBCA expects that the environmental values that are likely to be impacted by the proposed development will be adequately considered through the assessment of the clearing permit, through which DBCA may provide advice to DWER. If the works will require the clearing of trees, DBCA would recommend a fauna habitat tree survey is undertaken to guide the location of the proposed access track alignment. The applicant should be aware of their obligations and approval requirements under section 40 of the BC Act, which requires Ministerial authorisation to take or disturb threatened species. DBCA recommends that if any vegetation clearing is required, the applicant should seek advice from DBCA's Species and Communities branch at speciesandcommunities@dbca.wa.gov.au prior to clearing works, in relation of section 40 authorisation requirements. Retained vegetation The Plan depicts 20 metre setbacks to lot boundaries but no buffers between retained vegetation and the proposed extraction site. DBCA recommends that a 10-metre buffer be demarcated and located outside the tree crown drip zone, with the buffer being measured from the crown drip zone rather than the tree trunk to protect the retained trees and tree roots from accidental vehicle damage, soil compaction and tree root exposure during extraction and development works. Surface water run-off and drainage from the haulage route should be designed to not flow directly towards retained vegetation, to minimise the spread of *Phytophthora* dieback disease. DBCA recommends that advice is sought from DWER in relation to the proposed gravel extraction works and potential reduced surface and ground water flows to retained vegetation. Bunds, basins, and landscaping DBCA recommends that the bund be located outside the recommended 10 metre demarcated buffer from retained vegetation, to ensure soil spread does not occur within the adjacent DBCA-managed land and retained vegetation buffer. There should be no direct or indirect impacts, including surface water run-off, drainage, erosion, pollution, weed spread and/or *Phytophthora* dieback spread from the site to the adjacent DBCA-managed land. DBCA recommends that the landscape buffer is revegetated using local endemic species. The Plan depicts stormwater detention basins being located adjacent to the recommended retained vegetation. DBCA recommends that stormwater basins are located outside the 10-metre demarcated buffer and that surface water flows from the proposed extraction area	

and/or stormwater detention basins are managed to ensure potential sedimentation and siltation do no flow directly into the retained vegetation.	

Department of Energy, Mines, Industry Regulation and Safety (DEMIRS)	
Issues raised in submission:	Officer response:
Although EIL's fall outside the *Mining Act 1978*, information on mineral resources, including basic raw materials, is of importance to the Geological Survey and Resource Strategy Division, within DEMIRS. DEMIRS has determined this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy, and basic raw materials.	The Department's comments are noted.

Main Roads WA (MRWA)	
Issue raised in submission:	Officer response:
Advise that Main Roads has no objection to the proposed extractive industry. The existing driveway/ crossover is opposite the existing Silipo Road intersection on Goodwood Road and is required to be closed. A new driveway crossover must be constructed to the east. The first 50 metres of the new driveway and crossover will need to be bitumen sealed to avoid gravel spill from trucks entering and leaving the property. The applicant should liaise with Main Roads regarding design specifications and location of the new crossover.	The Department's advice is noted and will be added as conditions/advice notes to the approval, if granted.

Department of Water and Environmental Regulation	
Issues raised in submission:	Officer response:
Issue 1: The proposed operations may be categorised as Prescribed Premises under the *Environmental Protection Regulations* 1987 a) As the proposal is likely to exceed the threshold for a prescribed premises (Category 12: >50,000 tonnes/year or Category 70: >5 000 but < 50 000 tonnes/year), it is likely to require a works approval/license for a Prescribed Premises under the EP Act 1986 b) As such, the applicant is to strongly advised to contact DWER's Industry Regulation branch regarding a works approval/license at info@dwer.wa.gov.au or 6364 7000 c) The Applicant is to refer to the information and Industry Regulation Guide to Licensing available at http://www.der.wa.gov.au/our-work/licences-and-works-approvals Issue 2: Groundwater and pit floor levels a) The Shire is advised that the submitted pit floor plans in this referral may require revision, subject to further information being provided.	The Department's advice is noted and will be added as conditions/advice notes to the approval, if granted.

Department of Water and Environmental Regulation	
Issues raised in submission:	Officer response:
b) Recommended condition for Cell 1: The maximum pit floor depth shall be established in accordance with an agreed pit floor contour plan to ensure a 2-metre groundwater separation. No dewatering works are to be undertaken without DWER consultation. The Local Government is to be notified within 24 hours if the water table is intercepted and remedial works undertaken. c) Recommended condition for Cell 2: The maximum pit floor depth shall be established in accordance with an agreed pit floor contour plan to minimise the risk of groundwater being intercepted. No dewatering works are to be undertaken without DWER consultation. The Local Government is to be notified within 24 hours if the water table is intercepted and remedial works undertaken. Advice: The applicant is to provide further information to the satisfaction of the Shire, on advice of DWER, to determine the highest groundwater (to inform the pit floor level): Cell 1 only: Piezometers be installed to 2 metres below the intended extraction depth at the lower lying areas to check the thickness of the gravel resource and groundwater levels. Cell 2 only: Deeper test pits being dug (<6m) at the lower lying areas to check the thickness of the gravel resource and groundwater levels. For Cells 1 & 2: Groundwater levels should be taken between August to early October to determine the highest groundwater. Issue 3: Stormwater management Recommended Condition: A Stormwater Management Plan is to be prepared and approved to the satisfaction of the Shire, consistent with WQPN 15. Advice: The Stormwater Management Plan shall cover the proposed extraction area and haulage routes within the property boundary, including appropriate details, such as, but not limited to: ▪ Detention basin sizing and stormwater volumes ▪ Sediment and erosion control details ▪ Stormwater flow directions and controls during pit establishment ▪ Stockpile management ▪ Detention basin maintenance schedule and ▪ Silt trap design. Issue 4: Water supply	

Department of Water and Environmental Regulation	
Issues raised in submission:	Officer response:
Recommended Condition: The applicant is to quantify their water requirements for all aspects of the proposed extraction and provide evidence of a secure water source, to the satisfaction of the Shire Advice: If the take of groundwater is proposed: it should be noted the groundwater resource is fully allocated, and no water is identified as being available to support the proposed development; trading of water or alternative water sources will need to be investigated; the details of licences in the subarea for consideration for trading can be viewed at the water register at https://maps.water.wa.gov.au/#/webmap/register Further information on trades and transfers can be found at the department's website at Water entitlement transfers, trades and agreements | Western Australian Government The applicant is strongly advised to contact DWER's Bunbury water licensing branch on 97264111 to determine licensing requirements for the take of water to support the proposed extraction activities Issue 5: Environmental risks The proposed extraction is to be implemented in accordance with DWER's Water quality protection note (WQPN) no. 15 '*Basic raw materials extraction*' (July 2019) where appropriate to the site situation to ensure environmental risks are appropriately mitigated. Issue 6: Dieback management plan The Dieback Management measures provided in Section 2.7 of the Gravel License Application is to be reviewed, approved, and implemented to the satisfaction of the Shire, in consultation with DBCA, consistent with the Best Practice Guidelines for Management of Phytophthora Dieback in the Basic Raw Materials Industries Issue 7: Staging Plan Recommended Condition: Extraction must be undertaken in accordance with an agreed staging plan, as approved by the local government. Commencement of the subsequent extraction stage shall be subject to the previous extraction site having substantially commenced rehabilitation. Issue 8: Rehabilitation plan and final landform Recommended Condition: A Rehabilitation Plan is to be prepared and approved to the satisfaction of the Shire consistent with WQPN 15 and the *Guidelines for Preparing Mine Closure Plans*, and covering the	

Department of Water and Environmental Regulation	
Issues raised in submission:	Officer response:
intended staging, final landform (including separation to groundwater), proposed post extraction land use and successful rehabilitation criteria. a) Advice: Upon clarification of the pit floor design, if applicable, an updated contour map be provided to inform the final landform b) Advice: The applicant is advised to refer to DWER's WQPN 84: *Rehabilitation of disturbed land in PDWSAs*, to assist them with the Rehabilitation Plan c) Advice: Due to the 'General Agriculture' zoning of the subject land, the Shire is advised to consult with DPIRD regarding the potential impacts the removal of material would have on the agricultural landuse post-rehabilitation Issue 9: Fuel and chemical management Management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with DWER's WQPN 56 – '*Toxic and Hazardous Substance Storage and Use*' (Dec 2018). Contingencies for spills should be in accordance with WQPN 10 – '*Contaminant spills — emergency response plan*' (May 2020) Issue 10: Clearing of native vegetation is subject to the *Environmental Protection Act 1986* (EP Act) The following is advised: a) The applicant is to apply for a clearing permit at https://www.der.wa.gov.au/our-work/clearing-permits/46-clearing-permit-application-forms b) It is highly recommended our Native Vegetation Regulation section be contacted by email (admin.nvp@dwer.wa.gov.au) or by telephone (6364 7098) to discuss the requirements of the EP Act with regards to the clearing of native vegetation Issue 11: Noise The following is advised: a) DWER is unable to adequately assess this proposal for noise on the basis of insufficient/potentially incorrect information, and no detail being provided demonstrating how compliance with the *Environmental Protection (Noise) Regulations 1997* (the Noise Regulations) can be achieved b) Given the potential for the gravel extraction to result in non-compliance with the Noise Regulations, it is recommended that an acoustic consultant be prepared to prepare a report on the matter	

Department of Water and Environmental Regulation	
Issues raised in submission:	Officer response:
c) For an appropriate level technical acoustic assessment, DWER expects people undertaking environmental acoustic assessments to be able to demonstrate their competency by either holding the membership grade of 'Member', being eligible to be a 'Member' or is working under the supervision of a 'Member' of the Australian Acoustical Society; or work for a firm that is a member of the Association of Australasian Acoustical Consultants Further information was also received from DWER on 5 February 2025 confirming the following: As discussed, owing to the very limited, as well as potentially erroneous detail provided to date, it is not possible for the Department of Water and Environmental Regulation (Department) to provide any formal advice at this stage. Accordingly, it would be prudent for the Shire of Donnybrook Balingup (Shire) to impose conditions on any development approval (DA), suggested along the lines: • an 'Acoustic Assessment' of potential noise emissions shall be prepared, to the standards of the Australian Acoustical Society, to the satisfaction of the Local Government Authority, • a 'Noise Management Plan' shall be prepared, based on an acceptable 'Acoustic Assessment', to the satisfaction of the Local Government Authority. Note that the referral of an Acoustic Assessment, associated with a planning application for the Department's expert advice, is at the discretion of the decision-making authority. There is no statutory obligation for referral or review of acoustic assessments by the Department. Also note that a professionally prepared Acoustic Assessment that includes correct modelling of the equipment intended to be used in an extractive industry (EI) operation is essential to any noise assessment. If the assessment finds that compliance is marginal, and dependent on the use of specific equipment (particularly equipment which may be unusually quiet for that particular operation) then the decision-making authority (DMA) may choose to impose conditions on the DA that limits the equipment to be used. Issue 12: Dust Please refer to document 'AQ2104-M AQ Final__ for Shire'.	

Department of Water and Environmental Regulation	
Issues raised in submission:	Officer response:
• The proposal assessed the separation distance between the activity boundary and residential receptors are more than 650m away, which meets the separation distance of 300m to 500m recommended in EPA GS3 for sand and limestone extraction with no grinding works, indicating that risk is likely to be low. • The applicant is planning to undertake gravel screening "*a couple of times a year for no longer than two weeks*". DWER presumes this means screening will be undertaken 4 weeks per year. The EPA GS3 separation distance for quarrying (including blasting), crushing and screening is 1,000m. Hence, during these periods, there is a higher risk of dust impacts as receptors are between 500m and 1,000m. DWER recommendations: Due to the change of risk profile while screening, we recommend the applicant amends their dust management plan to specifically address the periods when screening is undertaken. The draft Guideline: Fugitive dust emissions and the DEC 2011 dust guideline provide information that may be useful. Advice: The 2005 *EPA Guidance Statement No. 3: Separation Distances between Industrial and Sensitive Land Uses* (EPA GS 3) specifies the following separation distances for: • 1,000m for extractive industries quarrying (including blasting), crushing and screening. • 300m to 500m, extractive industries sand and limestone extraction, depending on size, and without grinding or milling works. The proposal indicates that residential receptors are more than 650m from the activity boundary and that screening is limited to a couple of times a year for no longer than two weeks. This indicates that when screening is not undertaken, the separation distance is met, and the risk is considered low. However, when screening is undertaken, the separation distance is not met ,as some receptors are between 500m and 1,000m away (Figure 1), indicating a change in the risk profile. The proposed dust controls in Section 2.8 of the Goodwood Road-Gravel Licence Application are consistent with those commonly used for similar operations as described in the DEC 2011 dust guideline. However, due to the change of risk profile while screening, we recommend the applicant amends the dust controls and strategy to specifically address the periods when screening is undertaken. The draft Guideline: Fugitive dust emissions and the DEC 2011 dust guideline provide information that may be useful.	

Officer Comment

The proposal has been assessed in accordance with the planning framework and a full assessment is contained in (Attachment 9.1.2(3)).

Key considerations identified are:

1. Zoning and Land Use Class Permissibility: The land is zoned General Agriculture under the Local Planning Scheme (LPS7), and the proposed Industry-Extractive use is an 'A' use, meaning it is discretionary and subject to local government approval after consultation. The proposal has gone through the required advertising process, and no public submissions were received.
2. Traffic and Infrastructure: The traffic impact is expected to be low, with only 12-14 vehicles traveling in and out each day. The proposal also includes a new entry point onto Goodwood Road for the extractive industry operations. Since Goodwood Road is managed by Main Roads WA, they have recommended that the new entry and the first 50 meters of the driveway be constructed at a bitumen standard at the applicants cost. Additionally, the Department of Water and Environmental Regulation (DWER) has stated that a clearing permit is required, prior to the new internal driveway being constructed and it is the applicant's responsibility to comply with this requirement prior to commencement of work.
3. Environmental Impact: The potential environmental impacts (such as dust, noise, and stormwater runoff) will be managed through conditions, and detailed management plans are recommended to ensure that any adverse effects on nearby properties are minimized. The proposal also includes a rehabilitation plan for the land post-extraction. The rehabilitation plan does not provide sufficient detail, and this would require further consideration, and a condition is recommended for a Pit Closure Plan to be submitted for approval by the Shire. DWER has also raised concerns about groundwater, requiring further approval for the pit floor depth before work commences.
4. Agricultural Land Use: There are no significant concerns from the Department of Primary Industries and Regional Development (DPIRD) about the potential impact of the gravel extraction on the agricultural viability of the land. Once the activity ceases, the land will be rehabilitated to pasture.
5. Approval with Conditions: Although the proposal meets the requirements of LPS7 and relevant regulations, officers recommend the imposition of conditions related to infrastructure, environmental management, and rehabilitation to mitigate any potential negative impacts.

Development considerations

When considering a development application, clause 68 (2) of the Deemed Provisions outlines the following options for determination:

> *The local government may determine an application for development approval by -*
> *(d) Granting development approval without conditions; or*
> *(e) Granting development approval with conditions; or*
> *(f) Refusing to grant development approval.*

Staff have assessed the application, including the advice from relevant Government Agencies and other Shire service divisions. Staff consider the proposal capable of being approved and managed through reasonable and achievable conditions of approval.

Conclusion

The proposal has been assessed in accordance with the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7.

In conclusion, while the proposal is supported, it will require conditions to be imposed to manage infrastructure, environmental impacts, and rehabilitation to meet both regulatory requirements and community expectations.

MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Cr Anita Lindemann

That Council:

A. Pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24066 Industry-Extractive (Gravel) on Lot 100 Goodwood Road, Upper Capel subject to the following conditions and advice:

VALIDITY

1. **This approval is valid for a period of ten (10) years after the date of issue or within any extended period as determined, in writing, by the Shire.**
2. **This approval allows the excavation and transportation of 20,000m³ - 30,000m³ (32,000 - 48,000 tonnes) of gravel annually.**

APPROVED PLANS

3. **The layout of the site and location of crusher, stockpiles, access route and works permitted must always accord with 'Urbanise WA Engineering Solutions Extractive Industry Application (September 2024)'** (Attachment 9.1.2(1)) **and the conditions of approval and must not be altered or modified without the further written consent of the Shire.**

DUST MANAGEMENT

4. **Prior to the commencement of works, a Dust Management Plan must be submitted to and approved by the Shire and thereafter implemented. The Dust Management Plan must be prepared in accordance with the Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017 to the satisfaction of the Shire. Once approved, the plan will form part of this approval and must be complied with at all times for the life of this approval.**

5. **A suitable supply of water for the purposes of all site management operations is to be provided to the satisfaction of the Shire.**

WEED AND DIEBACK MANAGEMENT

6. **Weed management is to be undertaken to the satisfaction of the Shire. Any declared weeds found to be within the site need to be appropriately treated and removed prior to any further excavation works.**

7. **Dieback measures to reduce the spread of dieback into adjoining properties are to be undertaken to the satisfaction of the Shire.**

8. **A minimum 10m setback is to be provided between the extraction area and adjacent existing native vegetation, with the 10m setback located on the outside of the tree crown drip line. This setback is to be clearly demarcated on the lot to ensure vehicles, extraction works, detention pond, bunds, and stockpile areas are located outside this works exclusion area to the satisfaction of the Shire.**

STORMWATER MANAGEMENT

9. **Prior to the commencement of works, a Stormwater Management Plan is to be submitted to and approved by the Shire demonstrating compliance with the Shire's stormwater management standards and the Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017. Stormwater is to be managed thereafter by the applicant in accordance with the approved Stormwater Management Plan to the satisfaction of the Shire.**

10. **Any erosion and/or sedimentation issues that occur due to insufficient drainage and/or stormwater management from the proposed development, including any driveway or accessway, is to be rectified, so as not to impact any surrounding waterways and/or properties, including any infrastructure, to the satisfaction of the Shire.**

11. **Prior to the commencement of works, the maximum pit floor depth shall be established in accordance with a pit floor contour plan to be approved by the Shire in consultation with the Department of Water and Environmental Regulation. No groundwater is to be exposed on the surface of the pit floor. Should groundwater be exposed during excavation works, all works are to cease, and the Shire is to be notified. Any remedial works, as required by the Shire, in consultation with the Department of Water and Environmental Regulation, are the responsibility of the operator to rectify. No dewatering is permitted.**

12. **Any refuelling and/or activities that carry a risk of fuel or chemical spills are not to be undertaken in close proximity to the detention basin or stormwater flow paths.**

NOISE MANAGEMENT

13. **Prior to the commencement of works, the applicant is to submit an Acoustic Assessment of the potential noise emissions of the extractive industry operations prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society.**
14. **The Acoustic Assessment shall include (but not limited to):**
    i. **the expected level of noise emissions from the extractive industry proposed development.**
    j. **determine whether the emissions are expected to be free from tonality, impulsiveness, and modulation characteristics.**
    k. **an assessment of the expected level of noise emissions for compliance with the *Environmental Protection (Noise) Regulations 1997* at nearby sensitive receptors.**
    l. **provide detail as to the methodology used, calculations made, and any actual data obtained in relation to the assessment and expected noise emissions.**

15. **Following receipt of the Acoustic Assessment, the applicant is to submit a Noise Management Plan prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society. The Noise Management Plan is to include (but is not limited to):**
    c. **details of expected levels of noise emissions in accordance with Acoustic Assessment associated with the extractive industry operations.**
    d. **details of noise reduction measures to be implemented to control noise emissions.**

ONGOING COMPLIANCE AND MONITORING

16. **A complaints register is to be established including:**
    d. **details of the subject of the complaint;**
    e. **actions undertaken by the applicant to rectify the complaint; and**
    f. **the on-site publication of appropriate contact details where complaints are to be directed (in the first instance).**
17. **A suitable report is to be prepared and submitted to the Shire every 3 months including information relating to:**
    c. **a copy of the complaints register as per Condition 15; and**
    d. **any other information as deemed necessary by the Shire.**

REHABILITATION AND PIT CLOSURE MANAGEMENT

18. **Prior to the commencement of works, a Rehabilitation and Pit Closure Management Plan shall be submitted to and approved by the Shire. The plan must demonstrate (but not limited to) the following:**
    a. **stages of rehabilitation.**
    b. **details of the establishment of pasture post-extraction with plant species, density of planting and maintenance measures.**

c. weed identification and management measures to occur every six months (Autumn and Spring).
d. dieback identification and management measures.
e. demonstrate that it is consistent with the Department of Water and Environmental Regulation's WQPN 15 and the Guidelines for Preparing Mine Closure Plans and WQPN 84 Rehabilitation of disturbed land in public drinking water source areas.
f. the applicant is to adhere to the agreed intended staging and ensure successful rehabilitation to the final landform and land use.
g. upon clarification of the pit floor design, if applicable, an updated contour map be provided to inform the final landform.
h. management and compliance reporting shall be included to ensure successful implementation.
i. demonstrate compliance with the conditions for sites under the Shire of Donnybrook Balingup Extractive Industry Local Law 2016.
j. the revegetation of areas used for stockpiles.
k. extraction of subsequent stages may only commence if rehabilitation of the previous extraction site has commenced.

Once the Shire approves the Rehabilitation and Pit Closure Management Plan, the applicant is responsible to ensure that the development is conducted at all times and in all respects in accordance with the plan.

19. Pit closure works, and rehabilitation of the entire site is to be completed within two (2) years of the end of extraction works or the expiration of this approval (whichever is sooner) unless otherwise extended, in writing, by the Shire.

20. Prior to the commencement of works, a $20,000 bond (cash or unconditional bank guarantee in favour of the Shire of Donnybrook Balingup) is required for the works identified by the Rehabilitation and Pit Closure Management Plan in Condition 17.

OPERATING HOURS

21. Operating hours of the extractive works are restricted to between 7:00am to 6:00pm Monday to Friday and 7:00am to 1:00pm on Saturdays. No operations are permitted on Sundays or Public Holidays unless otherwise agreed, in writing, by the Shire.

22. Trucks are not to operate between 7:30am to 8:40am and 3:20pm to 4:20pm on any given school day on a school bus route.

VEHICULAR MANAGEMENT

23. Prior to the commencement of works, a new crossover is to be constructed for the use of the extractive industry operations. The new crossover and the first 50m of the driveway inside the property is to be bitumen sealed at the applicants cost to the satisfaction of the Shire in consultation with Main Roads WA.

24. **The cost to relocate and/or remove any services/infrastructure that may be required for the purposes of meeting Condition 23, are the responsibility of the applicant.**

25. **The applicant to install advance warning truck entering signs along Goodwood Road to the satisfaction of the Shire in consultation with Main Roads WA.**

OTHER

26. **Prior to the commencement of works, a copy of a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for a sum of not less than $20,000,000 in respect of any one claim relating to any of the excavation operations.**

ADVICE NOTES

a. **This development approval is not an Extractive Industry Licence. No works are to be undertaken until such time as all conditions of the Development Approval have been satisfied and an Extractive Industry Licence has been granted under the *Shire of Donnybrook Balingup Extractive Industry Local Law 2016.***

b. **The proposed operations are categorised as a Prescribed Premises, as per Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations). The applicant is advised to refer to the information and Industry Regulation Guide to Licensing available at http://www.der.wa.gov.au/our work/licences-and-works-approvals. Please contact the Department of Water and Environmental Regulation at info@dwer.wa.gov.au or (08) 6364 7000 regarding requirements.**

c. **With regard to Condition 5, if the take of groundwater is proposed then the Department of Water and Environmental Regulation advises that the groundwater resource is fully allocated, and no water is identified as being available to support the proposed development. Trading of water or alternative water sources will need to be investigated; the details of licences in the subarea for consideration for trading can be viewed at the water register at https://maps.water.wa.gov.au/#/webmap/register. Further information on trades and transfers can be found at the department's website at Water entitlement transfers, trades and agreements | Western Australian Government. The applicant is strongly advised to contact DWER's Bunbury water licensing branch on 97264111 to determine licensing requirements for the take of water to support the proposed extraction activities.**

d. **With regards to Condition 9, Stormwater Management shall:**

I. **be implemented to ensure the surface flows during, and post-extraction will not detrimentally impact downstream properties. The management measures imposed must mitigate the risk of stormwater runoff and include details such as detention pond sizing, batters etc.**

II. **cover the proposed extraction area and be prepared in accordance with the Department of Water and Environmental Regulation's WQPN 15 'Basic raw materials extraction' (July 2019) where applicable, to ensure environmental risks are appropriately mitigated.**

III. **cover the proposed extraction area and haulage routes within the property boundary, including appropriate details, such as, but not limited to:**

   i. **Detention basin sizing and stormwater volumes.**
   ii. **Sediment and erosion control details.**
   iii. **Stormwater flow directions and controls during pit establishment.**
   iv. **Stockpile management.**
   v. **Detention basin maintenance schedule.**
   vi. **Silt trap design.**
   vii. **Design demonstrating that flows with not be directed towards retained vegetation, to minimise the spread of *Phytophthora* dieback disease.**

e. **With regards to Condition 11, the following is advised:**

- **Cell 1: The maximum pit floor depth shall be established in accordance with an agreed pit floor contour plan to ensure a 2-metre groundwater separation. Piezometers be installed to 2 metres below the intended extraction depth at the lower lying areas to check the thickness of the gravel resource and groundwater levels.**
- **Cell 2: The maximum pit floor depth shall be established in accordance with an agreed pit floor contour plan to minimise the risk of groundwater being intercepted. Deeper test pits to be (<6m) at the lower lying areas to establish the thickness of the gravel resource and groundwater levels.**

The applicant is to provide further information to the satisfaction of the Shire, to determine the highest groundwater (to inform the pit floor level). Groundwater levels should be taken between August to early October to determine the highest groundwater.

f. **With regards to Condition 13 and 14, the Acoustic Assessment and Noise Management Plan must be prepared by a registered Acoustic Consultant with suitable qualifications, expertise, and local experience in the assessment of transport and environmental noise. They or their organisation must hold membership the membership grade of 'Member', being eligible to be a 'Member' or is working under the supervision of a 'Member' of the Australian Acoustical Society; or work for a firm that is a member of the Association of Australasian Acoustical Consultants.**

g. **With regards to Condition 19, return of the bond will be measured against the works identified within the Rehabilitation and Pit Closure Management Plan as determined by the Shire.**

h. Management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with the Department of Water and Environmental Regulation's WQPN 56 'Toxic and Hazardous Substance Storage and Use' (Dec 2018) and Contingencies for spills should be in accordance with WQPN 10 – 'Contaminant spills — emergency response plan' (May 2020).

i. With regard to the construction of the internal driveway, the Department of Water and Environmental Regulation advise that a Clearing Permit is required for the works; and the department's Native Vegetation Regulation section is to be contacted by email (admin.nvp@dwer.wa.gov.au**) or by telephone (6364 7098) to discuss the requirements of the EP Act with regards to the clearing of native vegetation. The applicant will need to seek advice directly from the Department of Water and Environmental Regulation in relation to clearing permit requirements.**

j. If the development the subject of this approval is not commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

k. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.

l. If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005. An application must be made within 28 days of the determination.

m. With regards to Condition 7, dieback management measures are to be implemented consistent with the *Best Practice Guidelines for Management of Phytophthora Dieback in the Basic Raw Materials Industri*es.

n. The applicant is responsible to ensure obligations are met under the Aboriginal Heritage Act 1972 with regards to undertaking a due diligence assessment and obtaining all relevant approvals.

B. Authorises the Chief Executive Officer to issue an Extractive Industry License for the extraction of gravel at Lot 100 Goodwood Road, Upper Capel upon complying with the conditions of the above development approval and subject to the following conditions:

1. **The extractive operation shall comply with the Shire of Donnybrook-Balingup *Extractive Industry Local Law 2016* at all times.**
2. **Compliance with all approved plans and any conditions/advice contained in Development Approval P24066 at all times during the life of the extractive industry to the satisfaction of the Shire.**

3. **A licensee shall pay to the local government the annual licence fee in accordance with the Schedule of Fees and Charges adopted each year in the Shire annual budget prior to the commencement of extraction.**
4. **The operator is required to submit to the Shire an annual 'Progress Report' by the 30 December, detailing progress of the pit over the previous 12-month period. The Report should provide details on the following:**
   a. **extent of extraction undertaken (volume and area);**
   b. **completion of stages;**
   c. **rehabilitation of completed stages; and**
   d. **site survey plan prepared by a licensed surveyor.**

Amendment by Cr Davy:

COUNCIL RESOLUTION:	23/02-25		
MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Cr Anita Lindemann

7. Prior to the commencement of any site disturbance activities, the applicant must confirm the presence or absence of dieback in adjacent vegetation and prepare a Dieback Management Plan to the satisfaction of the Shire. Once approved, the Dieback Management Plan shall become part of this approval and must be adhered to at all times for the duration of the approval.

27. Prior to the commencement of gravel extraction, the applicant shall install piezometers within the extraction area and ensure that annual monitoring of these piezometers is conducted during the period from August to October each year. The monitoring shall be carried out to ensure that with regard to Cell 1 there is a 2m separation between the groundwater and the pit floor; and with regard to Cell 2 there is adequate separation between the groundwater level and the pit floor in accordance with the approved pit floor contour plan.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

Amendment by Cr Bailey:

MOVED BY:	Cr John Bailey	**SECONDED BY:**	Cr Alexis Davy

21 Operating hours of the extractive works are restricted to between 7:00am to 6:00pm Monday to Friday. No operations are permitted on Sunday or Public Holidays unless otherwise agreed, in writing, by the Shire. Operations on a Saturday, to be limited to carting only between 7:00am to 1:00pm.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann,
Against: Cr Mitchell, Cr Patrick
Carried: 6/2

Substantive motion including Cr Davy's amendment (highlighted in red):

COUNCIL RESOLUTION:	24/02-25		
MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Cr Anita Lindemann

That Council:

A. Pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24066 Industry-Extractive (Gravel) on Lot 100 Goodwood Road, Upper Capel subject to the following conditions and advice:

VALIDITY

1. **This approval is valid for a period of ten (10) years after the date of issue or within any extended period as determined, in writing, by the Shire.**
2. **This approval allows the excavation and transportation of 20,000m³ - 30,000m³ (32,000 - 48,000 tonnes) of gravel annually.**

APPROVED PLANS

3. **The layout of the site and location of crusher, stockpiles, access route and works permitted must always accord with 'Urbanise WA Engineering Solutions Extractive Industry Application (September 2024)'** (Attachment 9.1.2(1)) **and the conditions of approval and must not be altered or modified without the further written consent of the Shire.**

DUST MANAGEMENT

4. **Prior to the commencement of works, a Dust Management Plan must be submitted to and approved by the Shire and thereafter implemented. The Dust Management Plan must be prepared in accordance with the Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017 to the satisfaction of the Shire. Once approved, the plan will form part of this approval and must be complied with at all times for the life of this approval.**

5. **A suitable supply of water for the purposes of all site management operations is to be provided to the satisfaction of the Shire.**

WEED AND DIEBACK MANAGEMENT

6. **Weed management is to be undertaken to the satisfaction of the Shire. Any declared weeds found to be within the site need to be appropriately treated and removed prior to any further excavation works.**

7. **Prior to the commencement of any site disturbance activities, the applicant must confirm the presence or absence of dieback in adjacent vegetation and prepare a Dieback Management Plan to the satisfaction of the Shire. Once approved, the Dieback Management Plan shall become part of this approval and must be adhered to at all times for the duration of the approval.**

8. **A minimum 10m setback is to be provided between the extraction area and adjacent existing native vegetation, with the 10m setback located on the outside of the tree crown drip line. This setback is to be clearly demarcated on the lot to ensure vehicles, extraction works, detention pond, bunds, and stockpile areas are located outside this works exclusion area to the satisfaction of the Shire.**

STORMWATER MANAGEMENT

9. **Prior to the commencement of works, a Stormwater Management Plan is to be submitted to and approved by the Shire demonstrating compliance with the Shire's stormwater management standards and the Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017. Stormwater is to be managed thereafter by the applicant in accordance with the approved Stormwater Management Plan to the satisfaction of the Shire.**

10. **Any erosion and/or sedimentation issues that occur due to insufficient drainage and/or stormwater management from the proposed development, including any driveway or accessway, is to be rectified, so as not to impact any surrounding waterways and/or properties, including any infrastructure, to the satisfaction of the Shire.**

11. **Prior to the commencement of works, the maximum pit floor depth shall be established in accordance with a pit floor contour plan to be approved by the Shire in consultation with the Department of Water and Environmental Regulation. No groundwater is to be exposed on the surface of the pit floor. Should groundwater be exposed during excavation works, all works are to cease, and the Shire is to be notified. Any remedial works, as required by the Shire, in consultation with the Department of Water and Environmental Regulation, are the responsibility of the operator to rectify. No dewatering is permitted.**

12. **Any refuelling and/or activities that carry a risk of fuel or chemical spills are not to be undertaken in close proximity to the detention basin or stormwater flow paths.**

NOISE MANAGEMENT

13. **Prior to the commencement of works, the applicant is to submit an Acoustic Assessment of the potential noise emissions of the extractive industry operations**

prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society.

14. **The Acoustic Assessment shall include (but not limited to):**
    a. **the expected level of noise emissions from the extractive industry proposed development.**
    b. **determine whether the emissions are expected to be free from tonality, impulsiveness, and modulation characteristics.**
    c. **an assessment of the expected level of noise emissions for compliance with the *Environmental Protection (Noise) Regulations 1997* at nearby sensitive receptors.**
    d. **provide detail as to the methodology used, calculations made, and any actual data obtained in relation to the assessment and expected noise emissions.**

15. **Following receipt of the Acoustic Assessment, the applicant is to submit a Noise Management Plan prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society. The Noise Management Plan is to include (but is not limited to):**
    a. **details of expected levels of noise emissions in accordance with Acoustic Assessment associated with the extractive industry operations.**
    b. **details of noise reduction measures to be implemented to control noise emissions.**

ONGOING COMPLIANCE AND MONITORING

16. **A complaints register is to be established including:**
    a. **details of the subject of the complaint;**
    b. **actions undertaken by the applicant to rectify the complaint; and**
    c. **the on-site publication of appropriate contact details where complaints are to be directed (in the first instance).**
17. **A suitable report is to be prepared and submitted to the Shire every 3 months including information relating to:**
    a. **a copy of the complaints register as per Condition 15; and**
    b. **any other information as deemed necessary by the Shire.**

REHABILITATION AND PIT CLOSURE MANAGEMENT

18. **Prior to the commencement of works, a Rehabilitation and Pit Closure Management Plan shall be submitted to and approved by the Shire. The plan must demonstrate (but not limited to) the following:**
    a. **stages of rehabilitation.**
    b. **details of the establishment of pasture post-extraction with plant species, density of planting and maintenance measures.**
    c. **weed identification and management measures to occur every six months (Autumn and Spring).**
    d. **dieback identification and management measures.**

e. demonstrate that it is consistent with the Department of Water and Environmental Regulation's WQPN 15 and the Guidelines for Preparing Mine Closure Plans and WQPN 84 Rehabilitation of disturbed land in public drinking water source areas.
f. the applicant is to adhere to the agreed intended staging and ensure successful rehabilitation to the final landform and land use.
g. upon clarification of the pit floor design, if applicable, an updated contour map be provided to inform the final landform.
h. management and compliance reporting shall be included to ensure successful implementation.
i. demonstrate compliance with the conditions for sites under the Shire of Donnybrook Balingup Extractive Industry Local Law 2016.
j. the revegetation of areas used for stockpiles.
k. extraction of subsequent stages may only commence if rehabilitation of the previous extraction site has commenced.

Once the Shire approves the Rehabilitation and Pit Closure Management Plan, the applicant is responsible to ensure that the development is conducted at all times and in all respects in accordance with the plan.

19. Pit closure works, and rehabilitation of the entire site is to be completed within two (2) years of the end of extraction works or the expiration of this approval (whichever is sooner) unless otherwise extended, in writing, by the Shire.

20. Prior to the commencement of works, a $20,000 bond (cash or unconditional bank guarantee in favour of the Shire of Donnybrook Balingup) is required for the works identified by the Rehabilitation and Pit Closure Management Plan in Condition 17.

OPERATING HOURS

21. Operating hours of the extractive works are restricted to between 7:00am to 6:00pm Monday to Friday. No operations are permitted on Sunday or Public Holidays unless otherwise agreed, in writing, by the Shire. Operations on a Saturday, to be limited to carting only between 7:00am to 1:00pm.

22. Trucks are not to operate between 7:30am to 8:40am and 3:20pm to 4:20pm on any given school day on a school bus route.

VEHICULAR MANAGEMENT

23. Prior to the commencement of works, a new crossover is to be constructed for the use of the extractive industry operations. The new crossover and the first 50m of the driveway inside the property is to be bitumen sealed at the applicants cost to the satisfaction of the Shire in consultation with Main Roads WA.

24. **The cost to relocate and/or remove any services/infrastructure that may be required for the purposes of meeting Condition 23, are the responsibility of the applicant.**

25. **The applicant to install advance warning truck entering signs along Goodwood Road to the satisfaction of the Shire in consultation with Main Roads WA.**

OTHER

26. **Prior to the commencement of works, a copy of a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for a sum of not less than $20,000,000 in respect of any one claim relating to any of the excavation operations.**

27. **Prior to the commencement of gravel extraction, the applicant shall install piezometers within the extraction area and ensure that annual monitoring of these piezometers is conducted during the period from August to October each year. The monitoring shall be carried out to ensure that with regard to Cell 1 there is a 2m separation between the groundwater and the pit floor; and with regard to Cell 2 there is adequate separation between the groundwater level and the pit floor in accordance with the approved pit floor contour plan.**

ADVICE NOTES

a. **This development approval is not an Extractive Industry Licence. No works are to be undertaken until such time as all conditions of the Development Approval have been satisfied and an Extractive Industry Licence has been granted under the *Shire of Donnybrook Balingup Extractive Industry Local Law 2016.***

b. **The proposed operations are categorised as a Prescribed Premises, as per Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations). The applicant is advised to refer to the information and Industry Regulation Guide to Licensing available at http://www.der.wa.gov.au/our work/licences-and-works-approvals. Please contact the Department of Water and Environmental Regulation at info@dwer.wa.gov.au or (08) 6364 7000 regarding requirements.**

c. **With regard to Condition 5, if the take of groundwater is proposed then the Department of Water and Environmental Regulation advises that the groundwater resource is fully allocated, and no water is identified as being available to support the proposed development. Trading of water or alternative water sources will need to be investigated; the details of licences in the subarea for consideration for trading can be viewed at the water register at https://maps.water.wa.gov.au/#/webmap/register. Further information on trades and transfers can be found at the department's website at Water entitlement transfers, trades and agreements | Western Australian Government. The applicant is strongly advised to contact DWER's Bunbury water**

licensing branch on 97264111 to determine licensing requirements for the take of water to support the proposed extraction activities.

d. With regards to Condition 9, Stormwater Management shall:

I. be implemented to ensure the surface flows during, and post-extraction will not detrimentally impact downstream properties. The management measures imposed must mitigate the risk of stormwater runoff and include details such as detention pond sizing, batters etc.

II. cover the proposed extraction area and be prepared in accordance with the Department of Water and Environmental Regulation's WQPN 15 'Basic raw materials extraction' (July 2019) where applicable, to ensure environmental risks are appropriately mitigated.

III. cover the proposed extraction area and haulage routes within the property boundary, including appropriate details, such as, but not limited to:

i. Detention basin sizing and stormwater volumes.
ii. Sediment and erosion control details.
iii. Stormwater flow directions and controls during pit establishment.
iv. Stockpile management.
v. Detention basin maintenance schedule.
vi. Silt trap design.
vii. Design demonstrating that flows with not be directed towards retained vegetation, to minimise the spread of *Phytophthora* dieback disease.

e. With regards to Condition 11, the following is advised:

- **Cell 1: The maximum pit floor depth shall be established in accordance with an agreed pit floor contour plan to ensure a 2-metre groundwater separation. Piezometers be installed to 2 metres below the intended extraction depth at the lower lying areas to check the thickness of the gravel resource and groundwater levels.**
- **Cell 2: The maximum pit floor depth shall be established in accordance with an agreed pit floor contour plan to minimise the risk of groundwater being intercepted. Deeper test pits to be (<6m) at the lower lying areas to establish the thickness of the gravel resource and groundwater levels.**

The applicant is to provide further information to the satisfaction of the Shire, to determine the highest groundwater (to inform the pit floor level). Groundwater levels should be taken between August to early October to determine the highest groundwater.

f. With regards to Condition 13 and 14, the Acoustic Assessment and Noise Management Plan must be prepared by a registered Acoustic Consultant with suitable qualifications, expertise, and local experience in the assessment of transport and environmental noise. They or their organisation must hold membership the membership grade of 'Member', being eligible to be a 'Member' or is working under

the supervision of a 'Member' of the Australian Acoustical Society; or work for a firm that is a member of the Association of Australasian Acoustical Consultants.

g. With regards to Condition 19, return of the bond will be measured against the works identified within the Rehabilitation and Pit Closure Management Plan as determined by the Shire.

h. Management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with the Department of Water and Environmental Regulation's WQPN 56 'Toxic and Hazardous Substance Storage and Use' (Dec 2018) and Contingencies for spills should be in accordance with WQPN 10 – 'Contaminant spills — emergency response plan' (May 2020).

i. With regard to the construction of the internal driveway, the Department of Water and Environmental Regulation advise that a Clearing Permit is required for the works; and the department's Native Vegetation Regulation section is to be contacted by email (admin.nvp@dwer.wa.gov.au**) or by telephone (6364 7098) to discuss the requirements of the EP Act with regards to the clearing of native vegetation. The applicant will need to seek advice directly from the Department of Water and Environmental Regulation in relation to clearing permit requirements.**

j. If the development the subject of this approval is not commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

k. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.

l. If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005. An application must be made within 28 days of the determination.

m. With regards to Condition 7, dieback management measures are to be implemented consistent with the *Best Practice Guidelines for Management of Phytophthora Dieback in the Basic Raw Materials Industri*es.

n. The applicant is responsible to ensure obligations are met under the Aboriginal Heritage Act 1972 with regards to undertaking a due diligence assessment and obtaining all relevant approvals.

B. Authorises the Chief Executive Officer to issue an Extractive Industry License for the extraction of gravel at Lot 100 Goodwood Road, Upper Capel upon complying with the conditions of the above development approval and subject to the following conditions:

1. **The extractive operation shall comply with the Shire of Donnybrook-Balingup *Extractive Industry Local Law 2016* at all times.**
2. **Compliance with all approved plans and any conditions/advice contained in Development Approval P24066 at all times during the life of the extractive industry to the satisfaction of the Shire.**
3. **A licensee shall pay to the local government the annual licence fee in accordance with the Schedule of Fees and Charges adopted each year in the Shire annual budget prior to the commencement of extraction.**
4. **The operator is required to submit to the Shire an annual 'Progress Report' by the 30 December, detailing progress of the pit over the previous 12-month period. The Report should provide details on the following:**
    a. **extent of extraction undertaken (volume and area);**
    b. **completion of stages;**
    c. **rehabilitation of completed stages; and**
    d. **site survey plan prepared by a licensed surveyor.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

9.1.3. Development Application P24076/77 – Asphalt Art – Collins Street and Reserve Street, Donnybrook

Report Details:			
Prepared by:	Manager Development Services		
Manager:	Ross Marshall, Director Operations		
Applicant:	Donnybrook Town Team		
Location:	Collins Street and Reserve Street, Donnybrook		
File Reference:	ASS 27 (P24076/77)	**Voting Requirement:**	Simple Majority

Attachment(s):

9.1.3(1) Application report
9.1.3(2) Government Agency submissions

Executive Recommendation

That Council, pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24076/77 Asphalt Art – Collins Street and Reserve Street, Donnybrook, subject to the following conditions and advice:

1. **Prior to the commencement of works, applicant to submit a Traffic Management Plan (TMP) prepared by an appropriately qualified person, showing temporary warning signs and method of traffic management to control traffic for the duration of the works. This TMP is subject to separate written approval from the Shire, in consultation with Main Roads, prior to commencement of works.**
2. **An accredited traffic management provider must be in control of all Traffic Management for the duration of the works. All aspects of the TMP must be adhered to at all times and traffic controllers must be fully accredited for the tasks they are undertaking.**
3. **Prior to the commencement of works applicant to provide a plan, subject to separate written approval from the Shire, that demonstrates how the stormwater system will be protected during the preparation and painting works. Thereafter the plan must be implemented for the duration of works, including any maintenance works.**
4. **Prior to the commencement of works, applicant to provide evidence of minimum $20 million public liability insurance to the satisfaction of the Shire.**

Advice

i. **Applicant to note that the issue of development approval is not to be construed as endorsement or commitment for ongoing maintenance of the artwork to be carried out by Council; with the artwork likely to fade unevenly over time and be impacted by general road maintenance tasks.**
ii. **In relation to condition 3 this plan is to demonstrate how cleaning materials and the wastewater generated from cleaning (potentially containing sediment and hydrocarbons)**

will be prevented from entering the stormwater network. This plan is to also consider appropriate spillage cleanup measures and demonstrate suitable equipment for the duration of the works.

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome:	6 - The built environment is responsibly planned and well maintained.
Objective:	6.1 - Ensure sufficient land is available for residential, industrial and commercial uses.
Outcome:	8 - Safe and convenient movement of people into and around the district.
Objective:	8.1 - Improve road safety, connectivity and traffic flow for all users. 8.3 - Provide safe, well connected paths for pedestrians, cyclists and gophers.

Executive Summary

The purpose of this report is for Council to consider an application for development approval for a public art installation within Collins Street adjacent to the Apple Fun Park and Pump Track.

Officers do not have delegation to determine applications for development approval for works valued at more than $20,000 on land owned or managed by the Shire. Conditional approval is recommended.

Background

Proposal

The Shire received a development application for the installation of an asphalt art project as part of a road safety initiative aimed to improve driver and pedestrian behaviors around the Apple Fun Park and Pump Track as illustrated in Figure 1.

Figure 1 – Proposed art installation location

The artwork will be painted using solid colour and will involve minor modifications to existing parking bays on Collins Street to improve sight lines. The development application details, plans and justification are contained in (Attachment 9.1.3(1)).

Public roads are not zoned within the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS). While there are no specific development standards within the LPS for sites of "no zone", Town Planning Policy 9.19 applies to this proposal. This is further outlined under Policy Compliance.

The roads are located within Special Control Area - SCA2 – Public Drinking Water Source Protection. The objective of the Public Drinking Water Source Protection Special Control Area is to ensure that land use and development with the Special Control Area is compatible with the protection and long-term management of water resources for public water supply and water catchment areas designated under the *Country Areas Water Supply Act 1947*.

In accordance with the SCA controls, the proposal was referred to the Department of Water and Environmental Regulation (DWER) for comment. DWER had no objection to this proposal with the outcome of this referral is further outlined under Consultation.

In addition to the applicant's own consultation and community engagement, the Shire referred the proposal to owners of 12 properties adjacent to the development area and relevant Government Agencies namely Main Roads WA, Public Transport Authority WA and DWER. The outcome of this referral is outlined under Consultation.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Almost Certain	Minor	High (10)
Risk Description:	Degradation of the paint, over time, entering the stormwater system and ultimately the Preston River.		
Mitigation:	Officers referred this proposal to DWER who suggested a risk during initial installation only (from cleaning). A condition is proposed to address this.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Likely	Minor	Moderate (8)
Risk Description:	Community expectation that art will be maintained by the Shire.		
Mitigation:	Clear communication.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Health	Unlikely	Catastrophic	High (10)
Risk Description:	Conflict between people and vehicles during or after installation.		
Mitigation:	The art will be applied under traffic management; with the research suggesting that after installation, traffic should slow in these areas. Increased sight lines at the pram ramps will also assist.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Service Interruption	Almost Certain	Minor	High (10)
Risk Description:	Road or park closures.		
Mitigation:	Clear communication plan with regular users.		

Financial Implications

The applicant has obtained an RAC grant for this project and has, within their project plan, considered the long-term serviceability of the surface treatment. While the applicant has committed to minor maintenance in the first two years, the intent is for the art to eventually fade, with no obligation intended for Council to reinstate the treatment. Traffic management for the implementation of the project will be at the cost of the applicant.

If Council refuses the application the applicant may exercise the right to have the decision reviewed by the State Administrative Tribunal. If that is the case, then it may be likely that there will be additional resourcing required (staff time and/or the cost of appointing a consultant to represent the Shire).

Policy Compliance

Local Planning Policy 9.19 Memorials and Public Art

This policy applies to public art that can be viewed in the public domain. This Policy triggers a development application. In addition to a site plan, detailed designs and safety information; the policy requires that the applicant include a budget, including ongoing maintenance.

While the policy requires a formal agreement outlining insurance, ownership and maintenance, as this installation is temporary i.e. the paint is intended to fade over time, with no need for ongoing maintenance, it is considered that a formal agreement is not warranted on this occasion.

The proposed design is not considered controversial or divisive, with the applicant demonstrating adaption of their initial proposal following the outcome of their own community consultation. In addition, the referral of the proposal received two public submissions in support of the proposal.

Statutory Compliance

The Shire has a responsibility as both the assessing authority as well as the custodian of local roads i.e. public thoroughfare.

The application has been assessed against the relevant provisions and applicable statutory requirements of the Shire of Donnybrook Balingup Local Planning Scheme No.7 (LPS7) and is considered capable of being approved.

Under clause 2.2(1) of the Shire of Donnybrook-Balingup Activities on Thoroughfares & Trading in Thoroughfares & Public Places Local Law, a person shall not, without a permit –

> *(c) cause any obstruction to a vehicle or a person using a thoroughfare as a thoroughfare*
> *(d) cause any obstruction to a water channel or a water course in a thoroughfare*
> *(e) damage a thoroughfare*

Approval under the provisions of the local law is also supported and can be dealt with under existing delegated authority closer to the activity occurring.

Consultation

Public Submissions

The application was advertised on the Shire's website and referred to 12 landowners immediately adjacent to the art project. Two submissions were received in support of this proposal.

Consultation with Government/Service Agencies

The proposal was referred to Main Roads WA, Public Transport Authority WA and Department of Water and Environmental Regulation for comment. Submissions are contained in (Attachment 9.1.3 (2)) and discussed below.

Main Roads WA	
Issues Raised in Submission	Response
Main Roads have issued conditional approval for the regulatory aspects of the road markings i.e. line marking components/pram ramp treatments.	The Agency's approval is noted.

Public Transport Authority WA	
Issues Raised in Submission	Response
No objection to the proposal.	The Authority's advice is noted.

Department of Water and Environmental Regulation	
Issues Raised in Submission	Response
The Department supports water catchment protection measures, to ensure that there are no unintended consequences of offsite runoff from either the initial asphalt cleaning process or the subsequent painting activities. Appropriate protection measures and availability of spillage cleanup equipment are recommended as a planning consideration.	The Department's comments are noted and the requirement for managing runoff will be added as a condition, if granted.

Officer Comment

The applicant has undertaken extensive consultation and research in relation to this initiative, including sourcing independent funding to undertake the project at no cost to the Shire. The proposal has been assessed in accordance with the planning framework and the Shire's local laws. Conditional approval is recommended.

COUNCIL RESOLUTION:	25/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That Council, pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24076/77 Asphalt Art – Collins Street and Reserve Street, Donnybrook, subject to the following conditions and advice:

1. **Prior to the commencement of works, applicant to submit a Traffic Management Plan (TMP) prepared by an appropriately qualified person, showing temporary warning signs and method of traffic management to control traffic for the duration of the works. This TMP is subject to separate written approval from the Shire, in consultation with Main Roads, prior to commencement of works.**

2. **An accredited traffic management provider must be in control of all Traffic Management for the duration of the works. All aspects of the TMP must be adhered to at all times and traffic controllers must be fully accredited for the tasks they are undertaking.**
3. **Prior to the commencement of works applicant to provide a plan, subject to separate written approval from the Shire, that demonstrates how the stormwater system will be protected during the preparation and painting works. Thereafter the plan must be implemented for the duration of works, including any maintenance works.**
4. **Prior to the commencement of works, applicant to provide evidence of minimum $20 million public liability insurance to the satisfaction of the Shire.**

Advice

i. **Applicant to note that the issue of development approval is not to be construed as endorsement or commitment for ongoing maintenance of the artwork to be carried out by Council; with the artwork likely to fade unevenly over time and be impacted by general road maintenance tasks.**
ii. **In relation to condition 3 this plan is to demonstrate how cleaning materials and the wastewater generated from cleaning (potentially containing sediment and hydrocarbons) will be prevented from entering the stormwater network. This plan is to also consider appropriate spillage cleanup measures and demonstrate suitable equipment for the duration of the works.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0 by en-bloc resolution 14/02-25

Cr John Bailey left the Council Chamber at 6:15pm.

9.1.4 Development Application P24070 – Balingup Fruit Winery Cellar Door – Lot 62 (Unit 1) 33 Bridgetown Road, Balingup

Report Details:

Prepared by: Principal Planner and Planning Officer

Manager: Manager Development Services

Applicant: Sharon Burke (Balingup Fruit Winery)

Location: Lot 62 (Unit 1) 33 Bridgetown Road, Balingup

File Reference: A4526 (P24070) **Voting Requirement:** Simple Majority

Attachment(s):

9.1.4(1) Development application.
9.1.4(2) Development plans.
9.1.4(3) Agency submission.
9.1.4(4) Public submission with applicant's comment.
9.1.4(5) Assessment under Clause 67.

Executive Recommendation

That Council:

A. Pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24070 for the relocation of the Cellar Door for the Balingup Fruit Winery to Unit 1, 33 Bridgetown Road, Balingup, subject to the following conditions and advice:

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, including any notations, and must not be altered or modified without the further written consent of the Shire.**
   Approved plans:
   (i) Balingup Fruit Winery – Development Plans (Attachment 9.1.4(2)).

2. **Prior to the commencement of the use, a minimum of 3 car parking bays, and manoeuvring areas, in the location of the right of carriageway on Strata Plan 55248 , are to be constructed to a gravel standard, drained, and clearly designated to the satisfaction of the Shire and thereafter maintained.**

3. **Vehicular access and egress to the site is restricted to the existing crossover onto Bridgetown Road.**

Advice

a. The Shire Environmental Health Services advises that:

i. **The food business is required to be registered with the Shire of Donnybrook Balingup. A Food Business Notification / Registration Form is to be submitted for approval by an Environmental Health Officer (include a detailed sketch plan of fit out of premise).**
ii. **Food handling, preparation and storage areas to be designed and constructed in accordance with *Food Act 2008, Food Regulations 2009* and the Food Standards Code Requirements.**
iii. **Any future change of use that would increase the effluent flows onsite is likely to trigger a requirement for upgrades to the effluent system and prior to the approval of the change of use the applicant would need to demonstrate that the proposal will comply with the Department of Health's "Government Sewerage Policy 2019".**

b. **The Shire Works and Services advises that:**
   i. **The unsealed carpark has created ongoing maintenance issues for the Shire, and any further development or increases in uses may warrant the carpark having to be sealed in future.**

c. **Planning Services advises that:**
   i. **Advertising signage does not form part of this approval. Any advertising signage is subject to a separate assessment and may require prior development approval from the Shire. It is recommended that you contact the Shire prior to the placement of any advertising signage onsite.**

d. **If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.**

e. **Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.**

f. **If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005. An application must be made within 28 days of the determination.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome:	6 - The built environment is responsibly planned and well maintained.
Objective:	6.1 - Ensure sufficient land is available for residential, industrial and commercial uses.
Outcome:	10 - A popular destination for visitors and tourists.
Objective:	10.1 - Encourage more people to stop, shop and experience the Shire of Donnybrook Balingup.

Executive Summary

The purpose of this report is for Council to consider an application for development approval for the relocation of the existing cellar door currently located at Shop 1, 32 Bridgetown Rd to Unit 1, 33 Bridgetown Road, Balingup as outlined in the (Attachment 9.1.4(1)) application and the (Attachment 9.1.4(2)) development plans.

Officers do not have delegation to determine applications for development approval where objections are received. Officers consider that the proposal may proceed and recommend it be granted approval subject to conditions and advice that address the matters raised in the submissions.

Background

The Balingup Fruit Winery cellar door currently operates from 'The Packing Shed' producing and selling wine products. The Winery seeks approval to relocate the cellar sales component across the road to the current Balingup Visitor Centre building including transferring the existing liquor licence. (It is to be noted that the Balingup Visitor Centre will relocate upon the successful outcome of this application).

Figure 1 - Subject property No. 33 (Lot 62 Unit 1 on Strata Plan 55248)

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Insignificant	Low (3)
Risk Description:	Impact on local community due to operations.		
Mitigation:	Conditional development approval and compliance.		

Risk:	Likelihood:	Consequence:	Risk Rating:
Health	Unlikely	Minor	Low (4)
Risk Description:	Non-compliance with legislation.		
Mitigation:	Conditional development approval and ongoing compliance inspections and licensing.		

Financial Implications

The applicant has paid all relevant application fees. If Council refuses the application the applicant may exercise the right to have the decision reviewed by the State Administrative Tribunal. If that is the case, then it may be likely that there will be additional resourcing required (staff time and/or the cost of appointing a consultant to represent the Shire).

Policy Compliance

See details in Clause 67 assessment in (Attachment 9.1.4(5)).

Statutory Compliance

The application has been assessed against the relevant and applicable statutory Shire of Donnybrook Balingup Local Planning Scheme No.7 (LPS7) provisions, and the proposal has also been assessed in accordance with Schedule 2, Part 9, Clause 67 (2) of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*. A full assessment is contained in (Attachment 9.1.4(5)).

The proposal is considered compatible with the purpose and majority of the objectives for the Commercial zone as it reinforces the use of commercial land in Balingup for a broad range of uses appropriate to the Balingup town centre.

Consultation

Public Submissions

The application was referred to adjoining landowners of the subject lot. In total, one public submission was received at the conclusion of the referral, opposing the application. The Public Submission and applicant response is contained in (Attachment 9.1.4(4)).

The matters raised in the submission relate to the ongoing management of the strata (including strata management, common areas insurance, water meter etc) and are considered outside of the development approval process. The proponents have responded to these matters, and these are expected to be resolved between the strata owners.

The comments related to parking, rubbish bins, delivery of goods, increase in trading hours and toilet amenities etc. are all considered under the Clause 67 assessment contained in (Attachment 9.1.4(5)) and summarised under the Officer Comment section of this report.

Consultation with Government/Service Agencies

The proposal was referred to the Department of Local Government, Sport and Cultural Industries (Racing, Gaming and Liquor) for comment. The Department have confirmed the transfer of the cellar door license separate to the production facility can be permitted. The Department's submission is contained in (Attachment 9.1.4(3)).

Officer Comment

The proposal has been assessed in accordance with the planning framework and a full assessment is contained in (Attachment 9.1.4(8)).

Key considerations identified are:

1. Parking - The owner of Unit 2 has raised concerns regarding the parking area, describing it as "non-existent" which may impact access to his unit. As indicated in Figure 2, Strata Plan 55248 includes a right of carriageway for parking purposes benefiting both Units 1 and 2. Under the requirements of LPS7 for shop premises, based on the size of Unit 1 (48m²), on-site parking for 3 vehicles is required at a ratio of 1 space per 20m² of GFA. Initially, 5 parking bays were approved to the east of Units 1 and 2 when the development was first approved. However, this arrangement seems to have changed following the approval of the Strata plan. To accommodate the Cellar Door Sales, it is recommended that a condition be imposed requiring the existing parking area to be upgraded to a gravel standard to the satisfaction of the Shire, with the bays clearly marked on-site.

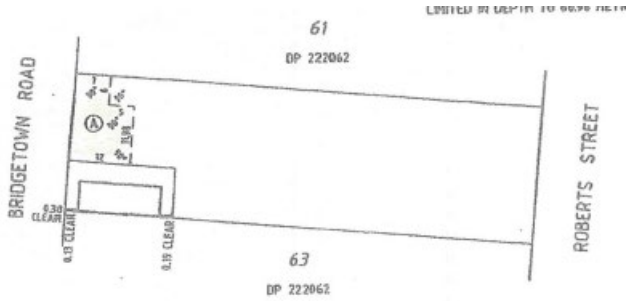


Figure 2 – A on Strata Plan 55248 is a right of carriageway that benefit Units 1 and 2.

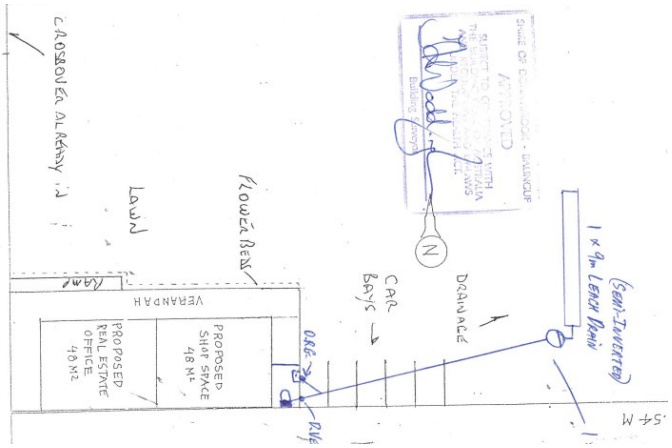


Figure 3 – Originally five bays were approved to the east of Units 1 and 2

2. Toilet and waste water – Reticulated sewerage is not available in Balingup, and the development is currently serviced by an on-site effluent disposal system. The objector has raised concerns that the septic system may not be sufficient to accommodate the operations of the Cellar Door Sales. However, the proposed sales will include cheese and other local condiments, but consumption will not be permitted on-site—only tastings will be provided. The applicant has provided an estimate for wastewater usage, stating that the toilet will only be used by one employee when open. Visitors to the shop, similar to previous arrangements, will need to use the public toilets across the road. Regarding the glass washer, it will be used once per day, and only heat is used—no chemicals.

   Health staff have requested further information regarding the existing effluent system. The applicant then appointed Bradley Plumbing, and a site inspection was conducted on January 23, 2025. During the inspection of the septic tanks and leach drains servicing the Balingup Visitors Centre, the plumber reported: *"Once located, it was found that there is a single concrete tank with a baffle inside and one 9m-long concrete leach drain at the back of the property. After flushing the toilet and inspecting the flow, it was determined that everything seems to be in good working order."* Based on this assessment, the information provided is considered sufficient to allow the proposal to proceed with the existing on-site effluent disposal system. Health staff have recommended further advice indicating that any change of use that would increase the effluent flows onsite is likely to trigger a requirement for upgrades to comply with the Department of Health's "Government Sewerage Policy 2019".

3. Delivery of Goods **-** The objector has raised concerns that deliveries to Unit 1 may negatively impact Unit 2. The applicant has clarified that wine restocks occur fortnightly (3–4 crates of wine), and other stock is delivered on a walk-in basis. This information indicates that the delivery scale is relatively low and would not negatively impact the future use of Unit 2 as a shop, as it is likely to use similar delivery methods.

4. Other planning considerations - The proposal is consistent with LPS7 development standards, the objectives for the Commercial zone and relevant Local Planning Policies. The proposal complies with the recommendations in the existing and draft Local Planning Strategies. The Department of Local Government, Sport and Cultural Industries (Racing, Gaming and Liquor) have confirmed the existing liquor licence for the cellar door can be transferred to the new site.

Development considerations

When considering a development application, clause 68 (2) of the Deemed Provisions outlines the following options for determination:

The local government may determine an application for development approval by -

(g) Granting development approval without conditions; or

(h) Granting development approval with conditions; or

(i) Refusing to grant development approval.

Staff have assessed the application, including the public submission and advice from the Department of Local Government, Sport and Cultural Industries (Racing, Gaming and Liquor) and other Shire service divisions. Staff consider the proposal capable of being approved and managed through reasonable and achievable conditions of approval.

Conclusion

The application complies with the requirement of orderly and proper planning and, therefore, Staff consider that the proposal may proceed and recommend it be granted approval subject to conditions and advice. The conditions and advice on the approval address the matters raised in the one public and agency submissions from the Department of Local Government, Sport and Cultural Industries (Racing, Gaming and Liquor).

COUNCIL RESOLUTION:	26/02-25		
MOVED BY:	Cr Grant Patrick	SECONDED BY:	Cr Lisa Glover

That Council:

A. Pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24070 for the relocation of the Cellar Door for the Balingup Fruit Winery to Unit 1, 33 Bridgetown Road, Balingup, subject to the following conditions and advice:

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, including any notations, and must not be altered or modified without the further written consent of the Shire.**

Approved plans:

(i) Balingup Fruit Winery – Development Plans (Attachment 9.1.4(2)).

2. **Prior to the commencement of the use, a minimum of 3 car parking bays, and manoeuvring areas, in the location of the right of carriageway on Strata Plan 55248 , are to be constructed to a gravel standard, drained, and clearly designated to the satisfaction of the Shire and thereafter maintained.**

3. **Vehicular access and egress to the site is restricted to the existing crossover onto Bridgetown Road.**

Advice

a. The Shire Environmental Health Services advises that:

i. The food business is required to be registered with the Shire of Donnybrook Balingup. A Food Business Notification / Registration Form is to be submitted for approval by an Environmental Health Officer (include a detailed sketch plan of fit out of premise).

ii. Food handling, preparation and storage areas to be designed and constructed in accordance with *Food Act 2008, Food Regulations 2009* and the Food Standards Code Requirements.

iii. Any future change of use that would increase the effluent flows onsite is likely to trigger a requirement for upgrades to the effluent system and prior to the approval of the change of use the applicant would need to demonstrate that the proposal will comply with the Department of Health's "Government Sewerage Policy 2019".

b. The Shire Works and Services advises that:

i. The unsealed carpark has created ongoing maintenance issues for the Shire, and any further development or increases in uses may warrant the carpark having to be sealed in future.

c. Planning Services advises that:

i. **Advertising signage does not form part of this approval. Any advertising signage is subject to a separate assessment and may require prior development approval from the Shire. It is recommended that you contact the Shire prior to the placement of any advertising signage onsite.**

d. **If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.**

e. **Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.**

f. **If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005. An application must be made within 28 days of the determination.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

Cr John Bailey re entered Council Chamber at 6:17pm.

9.1.5 Request for Consent to Mine (Exploration Activities) - Reserve 2052 and Reserve 22860

Report Details:			
Prepared by:	Principal Planner and Manager Development Services		
Manager:	Ross Marshall, Director Operations		
Applicant:	Kulu Gold Limited		
Location:	Lot 515, 516, 517 and 518 (Reserve 2052) Sandhills Road, Brookhampton and Lot 363 and 392 (Reserve 22860) Thomson Road, Donnybrook		
File Reference:	A3475 and A3252 (IND 01/1)	**Voting Requirement:**	Simple Majority

Attachment(s):

9.1.5(1)	Letter from DMIRS requesting comment relating to Reserve 2052
9.1.5(2)	Letter from DMIRS requesting comment relating to Reserve R22860
9.1.5(3)	Crown Land Reserve Reports
9.1.5(4)	Response from DMIRS to Councillor questions taken on notice (September 2024 Agenda Briefing)

Executive Recommendation

That Council inform the Minister for Mines and Petroleum:

1. **That it does not support the exploration activities proposed by Kula Gold Limited at Reserve 2052 Sandhills Road, Brookhampton and Reserve 22860 Thomson Road, Donnybrook under application E70/5599 due to the proximity of these Reserves to the Donnybrook townsite.**

2. **That should the Minister determine to issue consent to mine Reserve 2052 Sandhills Road, Brookhampton to Kula Gold Limited (E70/5599) that the following conditions and advice notes be included:**
    a. **That no mining occurs on Lots 516 and 518 on Deposited Plan 215417 that are currently used for the purpose of the Sandhills Walk Trail.**
    b. **Access to the surface of land within Donnybrook Townsite for mining purposes being subject to the approval of the Shire of Donnybrook Balingup and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the Executive Director, Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety.**

    Advice notes:

    For approval of the Shire of Donnybrook Balingup to be obtained the following will be required:

    i. **The development and operation of the project being carried out in such a manner to create the minimum practicable disturbance to the existing vegetation and natural landform. Should clearing of native vegetation be required, a vegetation survey with a primary survey in Spring (September-November) and a supplementary survey (after Autumn rains) be undertaken,**

to identify vegetation on the site worthy of retention including any potential habitat or foraging trees for threatened fauna species, and protection measures implemented to ensure such vegetation is not impacted by works.

ii. **A site management plan that addresses social and environmental impacts must be provided to the satisfaction of the Shire. This plan must outline the scope, methodology and timing of the works and address the management of the following impacts as a minimum: noise, dust, waste, fuels and chemicals, traffic management, waste management, dieback, protection and enhancement of retained vegetation, rehabilitation.**

iii. **Copies of site assessment reports that may assist in future land use planning are to be provided to the Shire, for example, any ecological, environmental, hydrological and geological reports.**

3. **That should the Minister determine to issue consent to mine Reserve 22860 Thomson Road, Donnybrook to Kula Gold Limited (E70/5599) that the following condition and advice notes be included:**

   a. **Access to the surface of land within Donnybrook Townsite for mining purposes being subject to the approval of the Shire of Donnybrook Balingup and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the Executive Director, Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety.**

   Advice notes:

   For approval of the Shire of Donnybrook Balingup to be obtained the following will be required:

   i. **The development and operation of the project being carried out in such a manner so as to create the minimum practicable disturbance to the existing vegetation and natural landform. Should clearing of native vegetation be required, a clearing permit or evidence of exemption must be provided to the Shire prior to the commencement of works.**

   ii. **A site management plan that addresses social and environmental impacts must be provided to the satisfaction of the Shire. This plan must outline the scope, methodology and timing of the works and address the management of the following impacts as a minimum: noise, dust, waste, fuels and chemicals, traffic management, waste management, dieback, protection of retained vegetation, rehabilitation.**

   iii. **Copies of site assessment reports that may assist in future land use planning are to be provided to the Shire, for example, any ecological, environmental, hydrological and geological reports.**

   iv. **The Shire is to retain access to the basic raw materials (sand and gravel) resource located on the land for the benefit of public works.**

   v. **All sand and gravel material, disturbed as part of the exploration activities, to be removed and stockpiled to the satisfaction of the Shire.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome:	3 - The natural environment is well managed for the benefit of current and future generations.
Objective:	3.1 - Care for the natural environment, including weed and pest management.
Item:	Nil.
Outcome:	6 - The built environment is responsibly planned and well maintained.
Objective:	6.1 - Ensure sufficient land is available for residential, industrial and commercial uses.
Item:	Nil.

Executive Summary

The Department of Energy, Mines, Industry Regulation and Safety (DMIRS) has requested Council comment for exploration activities proposed within existing Exploration Licence E70/5599 that encompasses portions of two Crown Reserves. It is important to note that this is not a development application, and that Council is in effect a referral agency, not the decision maker.

Under the provisions of the *Mining Act 1978* Council is to be consulted where a mining licence is being considered within a townsite, or where Council holds a management order for the relevant Crown Reserve. Crown Reserve 2052 Sandhills Road, Brookhampton is located within the Donnybrook townsite boundaries. Crown Reserve 22860 is located on the periphery of the Donnybrook townsite boundary and is vested to the Shire of Donnybrook Balingup for the purpose of a sand quarry.

While Council may request conditions to be imposed, the inclusion or otherwise, is determined by the Minister for Mines and Petroleum.

Background

Kula Gold Limited (KGL) holds existing Exploration Licence E70/5599, issued by DMIRS subject to a “no mining” condition without the consent of the Minister for Mines and Petroleum. Under the provisions of the *Mining Act 1978* mining includes exploration activities that result in ground disturbances. KGL have sought consent of the Minister for Mines and Petroleum to mine Reserves 2025 and 22860, with DMIRS now referring this to Council for comment (refer Attachments 9.1.5(1) and 9.1.5(2)). Figure 1 illustrates the location of these reserves.

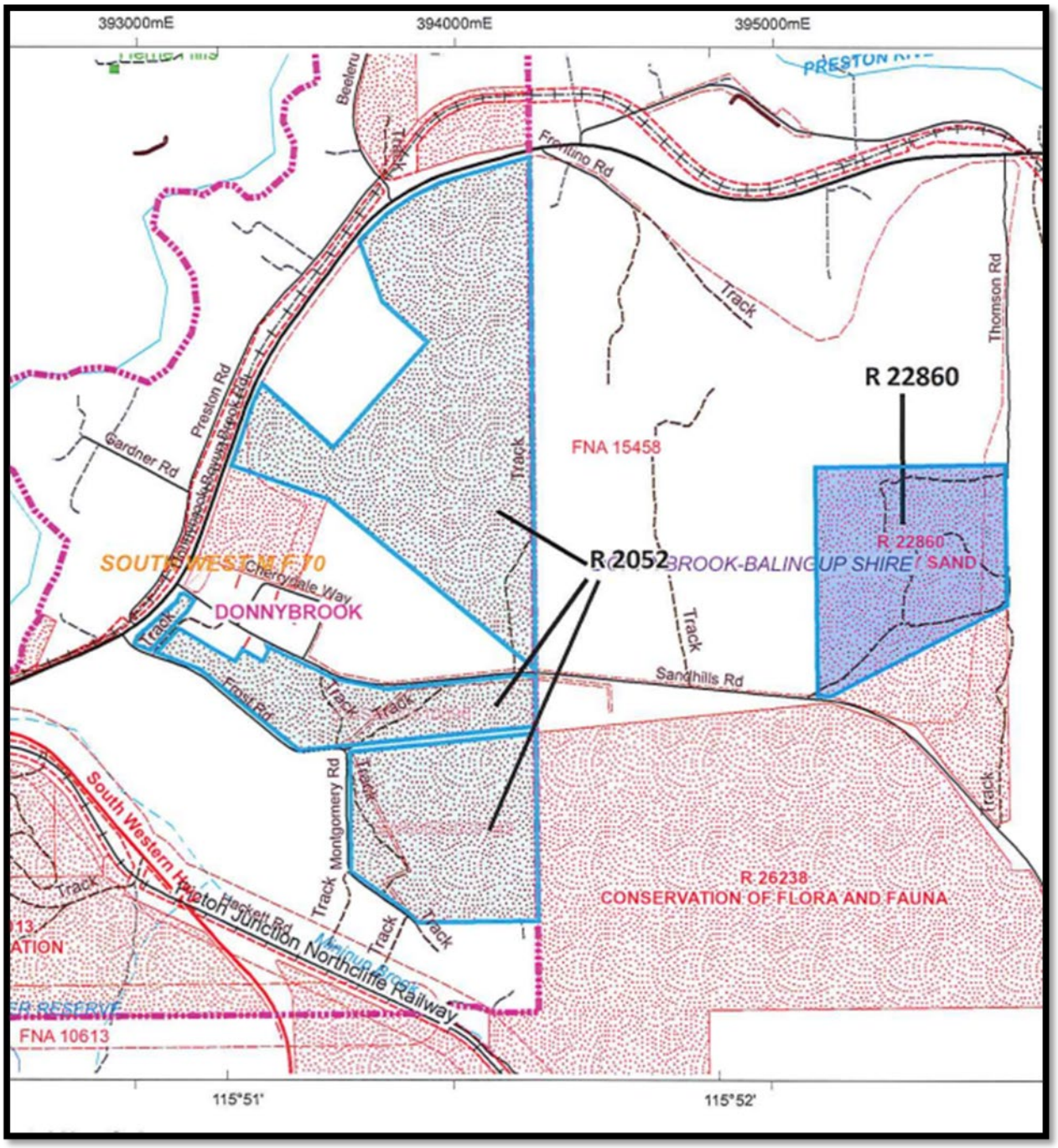


Figure 1 – Reserve 2052 Sandhills Road, Brookhampton and
Reserve 22860 Thomson Road, Donnybrook

Under the provisions of the *Mining Act 1978* Council is to be consulted where a mining licence is being considered within a townsite, or where Council holds a management order for the relevant Crown Reserve. Crown Reserve 2052 Sandhills Road, Brookhampton is located within the Donnybrook townsite boundary. Crown Reserve 22860 is located on the periphery of the Donnybrook townsite boundary and is vested to the Shire of Donnybrook Balingup for the purpose of a sand quarry. A Crown Reserve report is included in Attachment 9.1.5(3).

In addition to general comment, DMIRS have also requested that Council consider the following condition of approval, if granted by the Minister:

Condition:
Access to the surface of land within Donnybrook Townsite for mining purposes being subject to the approval of the Local Authority or relevant reserve vestees, and mining activities within the first 100m below the surface of the land being limited to such exploration activities as may be approved by the Executive Director, Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Possible	Moderate	Moderate (5)
Risk Description:	Mining activities may have impacts relating to noise, dust, waste, fuels and chemicals, traffic management, water management, dieback, vegetation and habitat loss.		
Mitigation:	As Council is not the determining authority, recommending refusal as well as appropriate conditions aimed at mitigating land use impacts and managing potential off-site effects to acceptable levels ensures that the Minister is aware of local concerns.		

Financial Implications

Nil.

Policy Compliance

Nil.

Statutory Compliance

Mining resources are the property of the state and exploration/development of these resources is determined by the state in accordance with the *Mining Act 1978*, having regard to any Local Planning Scheme operating in the area.
Section 120 of the *Mining Act 1978* establishes a connection to the *Planning and Development Act 2005* such that provisions of a Local Planning Scheme are to be taken into account, however, cannot prohibit the granting of a mining tenement. Some local governments choose to formulate a position on “mining operations” within their Shire, specifically through the permissibility’s within the zoning table and communicate this to DMIRS when required under section 120.

Under the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7) 'industry – mining' is defined as: *means land used commercially to extract minerals from the land in accordance with the Mining Act 1978.*

While the Scheme defines this land use it does not specifically list it within the zoning table i.e. there is no permissibility set within each of the difference scheme zones. While a formal position, within the planning framework, has not been established consideration of the request received allows the Shire the opportunity to provide feedback from a local perspective.

Mining Act 1978

Part V - General provisions relating to mining and mining tenements

120. Town planning schemes and local laws to be considered but not to derogate from this Act

1) *In considering any application for the grant of a mining tenement the Minister, warden or mining registrar, as the case requires, shall take into account the provisions of any town planning scheme in force under the Town Planning and Development Act 1928 or local laws in force under the Local Government Act 1995 affecting the use of the land concerned, but the provisions of any such scheme or local laws shall not operate to prohibit or affect the granting of a mining tenement or the carrying out of any mining operations authorised by this Act.*

2) *Without affecting subsection (1), where -*
   a) *an application has been made for a mining lease or a general purpose lease; and*
   b) *the local government has, in writing, informed the Minister and the Minister for the time being administering the Town Planning and Development Act 1928, that the mining lease or general purpose lease would, if granted, authorise the carrying on of mining operations contrary to the provisions of a town planning scheme or local laws referred to in subsection (1), the Minister shall not dispose of the application until he has first consulted the Minister for the time being administering the Town Planning and Development Act 1928 and obtained his recommendation thereon.*

Consultation

An internal referral of the application was conducted, and the following comments were received:

Health:

The proposal is supported subject to:

Noise from the development and land use is to comply with *Environmental Protection (Noise) Regulations 1997* (the Regulations).

Works and Services:

The proposal relating to R22860 is supported subject to:

a. The Shire retaining full rights to all the sand and gravel material that is within the property.
b. Any sand material to be moved for exploration purposes must be extracted and stockpiled to the satisfaction of the Shire, to ensure it is not contaminated.
c. The miner to complete the rehabilitation of the land post mining and/or any exploration activities.
d. If the land is to be mined in the future, the miner must extract and stockpile all sand from the site at their full cost and stockpile at a Shire site located within 10km of the Shire's main administration site in Donnybrook.

Works and Services has no comment relating to the proposal relevant to R2052.

Environment:

The proposal is supported subject to:

a. Should clearing of vegetation be required, a clearing permit or evidence of exemption must be provided to the Shire, prior to the commencement of the work program.
b. A site management plan that addresses social and environmental impacts be provided to the Shire. This report should outline the scope, methodology and timing of the works, and address the management of the following impacts as a minimum: noise, dust, waste, fuels and chemicals, water, dieback, vegetation, site rehabilitation.
c. Requesting copies of site assessment reports that are beneficial to the Shire, for example, any ecological, environmental, hydrological, and geological reports, to assist in future land use planning.
d. A condition that rehabilitation works be undertaken to improve the ecological health of the retained vegetation in a previously highly degraded area as determined by the Shire, should the licence be granted, to offset the environmental and social impacts of the exploration activity on lands identified for public purposes, as both lots are in proximity to conservation areas and public walking trails, and both lots contain vegetation that is contiguous with a Regional Ecological Linkage, which indicates increased ecological significance.
e. The Shire to retain access to the basic raw material (sand) resource located on these sites, for the benefit of the Shire community.

Governance:

The Shire previously held a Section 91 Licence that expired on 29/02/2024 on a portion of Reserve 2052 (Lots 516 & 518 on Deposited Plan 215417) from the Department of Planning, Lands and Heritage (DPLH). Licence Number 00097-1892_A10376155 was for the designated use of "Walk Trail" and locally referred to as the Sandhills Track. Figure 2 below illustrates the extent of the Sandhills Track over lots 516 and 518.

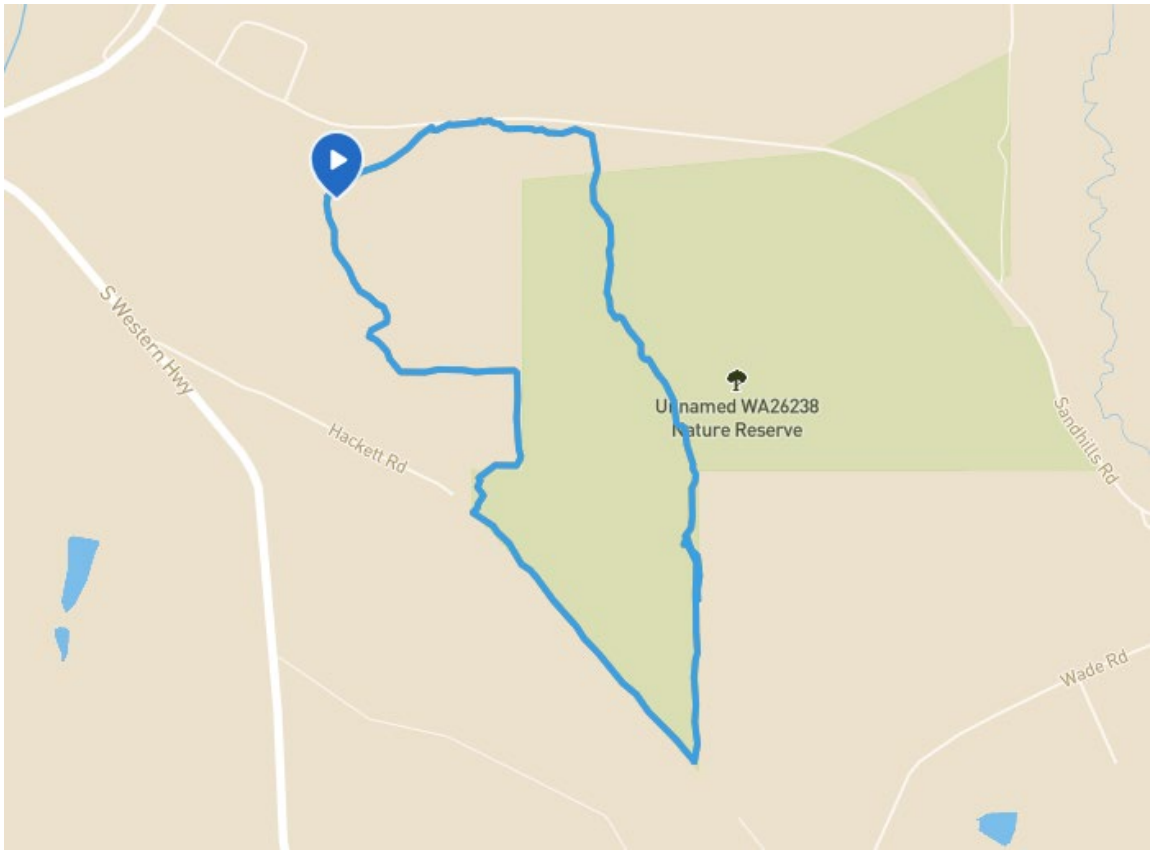


Figure 2 – Sandhills Track, Donnybrook (Trails WA)

Council

Following withdrawal of this officer report from the September 2024 Ordinary Council meeting several Councillor questions were forwarded to DMIRS for response. The responses to these questions are included in Attachment 9.1.5(4). In addition, DMIRS' Regional (South West) Liaison Officer attended a Councillor workshop in November 2024 to provide an overview of the relevant provisions of the *Mining Act 1978* with respect to the current request.

Officer Comment

Table 1 below provides zoning/reservation information under LPS7 relevant to each of the lots as illustrated in Figure 3.

Reserve	Lot number	Zone/Reserve
2052	515, 517 and 518	Zoned: General Industry Development investigation area - DIA10 (Sand extracting is supported prior to industrial development occurring on these lots) Special Control Area - SCA7 – Road protection area Special Control Area - SCA6 – Plantation exclusion area
	516	Local Scheme Reserve: Parks and recreation Special Control Area - SCA6 – Plantation exclusion area
22860	363	Local Scheme Reserve: Parks and recreation Special Control Area - SCA6 – Plantation exclusion area
	392	Zone: General Agriculture Special Control Area - SCA6 – Plantation exclusion area

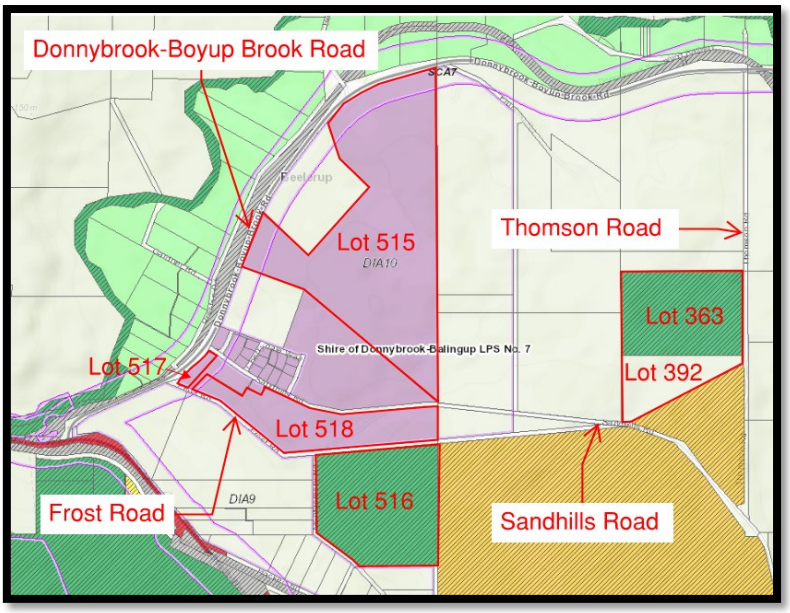


Figure 4 – Excerpt from LPS7 Scheme Map, with lot information overlayed

At the Annual General Meeting of Electors held 7 March 2023, five of seven motions raised related to mining tenements within the Shire and the role of local government in the consultation process. These items were further considered at Ordinary Council Meetings (Commissioner) in March and then May 2023. One of the commitments made included consideration of mining within the new Local Planning Scheme 8 as the key statutory planning mechanism.

As noted in under Statutory, LPS7 does not include "industry – mining" within the Zoning Table. While a formal position, within the planning framework, has not been established consideration of the request received allows the Shire the opportunity to provide feedback from a local perspective. Given the Shire is a referral agency for this application it is considered prudent to provide an indication of

Council's preference, and where refusal is recommended, applicable conditions should the Minister approve the application. The Executive Recommendation has been formulated utilising the standard condition requested by DMIRS with a number of Shire specific advice notes recommended.

MOVED BY:	Cr Anita Lindemann	**SECONDED BY:**	Cr Alexis Davy

That Council inform the Minister for Mines and Petroleum:

1. **That it does not support the exploration activities proposed by Kula Gold Limited at Reserve 2052 Sandhills Road, Brookhampton and Reserve 22860 Thomson Road, Donnybrook under application E70/5599 due to the proximity of these Reserves to the Donnybrook townsite.**

2. **That should the Minister determine to issue consent to mine Reserve 2052 Sandhills Road, Brookhampton to Kula Gold Limited (E70/5599) that the following conditions and advice notes be included:**
    a. **That no mining occurs on Lots 516 and 518 on Deposited Plan 215417 that are currently used for the purpose of the Sandhills Walk Trail.**
    b. **Access to the surface of land within Donnybrook Townsite for mining purposes being subject to the approval of the Shire of Donnybrook Balingup and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the Executive Director, Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety.**

    Advice notes:

    For approval of the Shire of Donnybrook Balingup to be obtained the following will be required:
        i. **The development and operation of the project being carried out in such a manner to create the minimum practicable disturbance to the existing vegetation and natural landform. Should clearing of native vegetation be required, a vegetation survey with a primary survey in Spring (September-November) and a supplementary survey (after Autumn rains) be undertaken, to identify vegetation on the site worthy of retention including any potential habitat or foraging trees for threatened fauna species, and protection measures implemented to ensure such vegetation is not impacted by works.**
        ii. **A site management plan that addresses social and environmental impacts must be provided to the satisfaction of the Shire. This plan must outline the scope, methodology and timing of the works and address the management of the following impacts as a minimum: noise, dust, waste, fuels and chemicals, traffic management, waste management, dieback, protection and enhancement of retained vegetation, rehabilitation.**
        iii. **Copies of site assessment reports that may assist in future land use planning are to be provided to the Shire, for example, any ecological, environmental, hydrological and geological reports.**

3. **That should the Minister determine to issue consent to mine Reserve 22860 Thomson Road, Donnybrook to Kula Gold Limited (E70/5599) that the following condition and advice notes be included:**
    a. **Access to the surface of land within Donnybrook Townsite for mining purposes being subject to the approval of the Shire of Donnybrook Balingup and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the Executive Director, Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety.**

    Advice notes:

    For approval of the Shire of Donnybrook Balingup to be obtained the following will be required:

    i. **The development and operation of the project being carried out in such a manner so as to create the minimum practicable disturbance to the existing vegetation and natural landform. Should clearing of native vegetation be required, a clearing permit or evidence of exemption must be provided to the Shire prior to the commencement of works.**
    ii. **A site management plan that addresses social and environmental impacts must be provided to the satisfaction of the Shire. This plan must outline the scope, methodology and timing of the works and address the management of the following impacts as a minimum: noise, dust, waste, fuels and chemicals, traffic management, waste management, dieback, protection of retained vegetation, rehabilitation.**
    iii. **Copies of site assessment reports that may assist in future land use planning are to be provided to the Shire, for example, any ecological, environmental, hydrological and geological reports.**
    iv. **The Shire is to retain access to the basic raw materials (sand and gravel) resource located on the land for the benefit of public works.**
    v. **All sand and gravel material, disturbed as part of the exploration activities, to be removed and stockpiled to the satisfaction of the Shire.**

Amendment by Cr MacCarthy:

COUNCIL RESOLUTION:	27/02-25		
MOVED BY:	Cr Vivienne MacCarthy	**SECONDED BY:**	Cr Alexis Davy

It should be noted that some of this land has been considered for inclusion in the Noongar Land Estate to be held by the Noongar Boodja Trust.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

Substantive motion including Cr MacCarthy's amendment (highlighted in red):

COUNCIL RESOLUTION:	28/02-25		
MOVED BY:	Cr Vivienne MacCarthy	**SECONDED BY:**	Cr Alexis Davy

That Council inform the Minister for Mines and Petroleum:

1. **That it does not support the exploration activities proposed by Kula Gold Limited at Reserve 2052 Sandhills Road, Brookhampton and Reserve 22860 Thomson Road, Donnybrook under application E70/5599 due to the proximity of these Reserves to the Donnybrook townsite.**

2. **That should the Minister determine to issue consent to mine Reserve 2052 Sandhills Road, Brookhampton to Kula Gold Limited (E70/5599) that the following conditions and advice notes be included:**
    a. **That no mining occurs on Lots 516 and 518 on Deposited Plan 215417 that are currently used for the purpose of the Sandhills Walk Trail.**
    b. **Access to the surface of land within Donnybrook Townsite for mining purposes being subject to the approval of the Shire of Donnybrook Balingup and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the Executive Director, Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety.**

    Advice notes:

    For approval of the Shire of Donnybrook Balingup to be obtained the following will be required:

    i. **The development and operation of the project being carried out in such a manner to create the minimum practicable disturbance to the existing vegetation and natural landform. Should clearing of native vegetation be required, a vegetation survey with a primary survey in Spring (September-November) and a supplementary survey (after Autumn rains) be undertaken,**

to identify vegetation on the site worthy of retention including any potential habitat or foraging trees for threatened fauna species, and protection measures implemented to ensure such vegetation is not impacted by works.

ii. A site management plan that addresses social and environmental impacts must be provided to the satisfaction of the Shire. This plan must outline the scope, methodology and timing of the works and address the management of the following impacts as a minimum: noise, dust, waste, fuels and chemicals, traffic management, waste management, dieback, protection and enhancement of retained vegetation, rehabilitation.

iii. Copies of site assessment reports that may assist in future land use planning are to be provided to the Shire, for example, any ecological, environmental, hydrological and geological reports.

iv. It should be noted that some of this land has been considered for inclusion in the Noongar Land Estate to be held by the Noongar Boodja Trust.

3. That should the Minister determine to issue consent to mine Reserve 22860 Thomson Road, Donnybrook to Kula Gold Limited (E70/5599) that the following condition and advice notes be included:

   a. Access to the surface of land within Donnybrook Townsite for mining purposes being subject to the approval of the Shire of Donnybrook Balingup and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the Executive Director, Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety.

   Advice notes:

   For approval of the Shire of Donnybrook Balingup to be obtained the following will be required:

   i. The development and operation of the project being carried out in such a manner so as to create the minimum practicable disturbance to the existing vegetation and natural landform. Should clearing of native vegetation be required, a clearing permit or evidence of exemption must be provided to the Shire prior to the commencement of works.

   ii. A site management plan that addresses social and environmental impacts must be provided to the satisfaction of the Shire. This plan must outline the scope, methodology and timing of the works and address the management of the following impacts as a minimum: noise, dust, waste, fuels and chemicals, traffic management, waste management, dieback, protection of retained vegetation, rehabilitation.

   iii. Copies of site assessment reports that may assist in future land use planning are to be provided to the Shire, for example, any ecological, environmental, hydrological and geological reports.

   iv. The Shire is to retain access to the basic raw materials (sand and gravel) resource located on the land for the benefit of public works.

v. **All sand and gravel material, disturbed as part of the exploration activities, to be removed and stockpiled to the satisfaction of the Shire.**

vi. **It should be noted that some of this land has been considered for inclusion in the Noongar Land Estate to be held by the Noongar Boodja Trust.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Cr Gubler
Carried: 7/1

9.1.6. Proposed Speed Zoning Changes for the Locality of Irishtown and Reserve and Collins Street, Donnybrook

Report Details:			
Prepared by:	Manager Works and Services		
Manager:	Ross Marshall, Director Operations		
Location:	Reserve and Collins Street, Donnybrook, plus various roads within the Irishtown Locality		
File Reference:	CNL 33	**Voting Requirement:**	Simple Majority

Attachment(s):

9.1.6(1) Irishtown 60km-hr Area Zone – Site Plan
9.1.6(2) Reserve & Collins Street 40km-hr Site Plan

Executive Recommendation

That Council:

1. **Supports the proposed establishment of an Urban Area Speed Zone for the Irishtown Locality, resulting in the following roads having a 60 kilometres per hour speed limit once implemented:**
   - **1.1. Arboretum Road**
   - **1.2. River Street**
   - **1.3. Hamilton Street**
   - **1.4. Grist Road**
   - **1.5. Nash Place**
   - **1.6. Hickman Place**
   - **1.7. Miller Road**
   - **1.8. Meotti Road**
   - **1.9. Hardy Place**
   - **1.10. Scaffidi Place**
   - **1.11. Brazier Street**
   - **1.12. Fowler Street**
   - **1.13. Kelly Road**
   - **1.14. McCutcheon Road; and**
2. **Notes that through this process any current speed zoning for these roads will be changed to the 60km/hr speed limit, including Irishtown Road which has a current speed limit of 80km/hr for most of its length; and**
3. **Supports the change in speed limit from 50 kilometres per hour to 40 kilometres per hour for Reserve Street Donnybrook between Collins Street and South Western Highway, as well as for Collins Street Donnybrook, from its intersection with Reserve Street, to a point approximately 350 metres south.; and**
4. **Requests the Chief Executive Officer to proceed with community consultation with regards to the changes proposed in points 1, 2 and 3 above. The community is to be provided with a minimum of 4 weeks to comment; and**

5. **Following the closure of the consultation period, request the Chief Executive Officer to review all submissions received, to determine if a further report needs to be brought back to Council for deliberation; and**
6. **If a further report for Council is not deemed required as per point 5, request the Chief Executive Officer to provide written correspondence to Main Roads WA to implement the changes outlined in points 1 and 3, noting Councils endorsement of these changes.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome:	8 - Safe and convenient movement of people into and around the district.
Objective:	8.1 - Improve road safety, connectivity and traffic flow for all users.
Item:	8.1.1 - Advocate for the State Government to upgrade and improve key regional transport infrastructure.

Executive Summary

Following repeated requests from the community, Shire officers have received support from Main Roads Western Australia (MRWA) for the following changes to road speed limits within the Shire:

1. Implementation of an "*Urban Area Speed Zone*" for the locality of Irishtown, which would result in the following roads having a regulatory speed limit of 60 kilometers per hour:
    1.1. Arboretum Road
    1.2. River Street
    1.3. Hamilton Street
    1.4. Grist Road
    1.5. Nash Place.
    1.6. Hickman Place
    1.7. Miller Road
    1.8. Meotti Road
    1.9. Hardy Place
    1.10. Scaffidi Place
    1.11. Brazier Street
    1.12. Fowler Street
    1.13. Kelly Road
    1.14. McCutcheon Road

2. Implementation of a 40 kilometers per hour speed zone within Donnybrook townsite on:
    a. Reserve Street, between Collins Street and South Western Highway; and
    b. Collins Street, from its intersection with Reserve Street, to a point approximately 350 meters south.

Although supported by MRWA, who are the agency responsible for all regulatory devices such as speed signs, Officers consider that the changes should be referred to Council for endorsement and the broader community consultation, prior to a final decision to implement the changes.

Background

Irishtown Road

The Shire has received several concerns from the regular users of Irishtown Road with regards to its speed limit, with one of their main concerns being the 80km/hr speed limit across Irishtown Road Bridge, due to its lack of a dedicated pedestrian/cycle crossing.

The Irishtown locality has seen an increase in housing development in recent years, resulting in an increase of the shared use (walking, biking, horse riding and vehicular traffic) of the roads in the locality, thus increasing the potential of conflict between users. The locality has no dedicated off-road paths, primarily due to its special rural nature.

The initial request to MRWA by Shire Officers was to have the speed limit over the bridge reduced to 60km/hr due to its regular use by vehicles, pedestrians, cyclists, and horse riders. Subsequent advice from MRWA was, that based on their policy "*Speed Zoning – Policy and Application Guidelines*", they could not support a speed limit on an individual road within a network of similar roads, however that they could potentially support an area-based speed limit being applied to all roads in the locality of Irishtown due to their similar nature.

Further assessment by MRWA determined that an "*Urban Area Speed Zone"* of 60 kilometres per hour could be supported for the outlined roads within the Irishtown Locality (refer Attachment 9.1.6(1)). In this instance, this will result in a 60-kilometre speed zone being put in place from the intersection of Irishtown Road with the South Western Highway, covering the majority of roads in the Irishtown locality, including the newly constructed Hamilton/Fowler/Kelly Road link. An additional 60 kilometre per hour sign will also be placed on Kelly Road, near its intersection with Bridge Street, as these two roads are the only formal access/egress points from the Irishtown locality.

Shire Officers have also confirmed with MRWA that several of the roads identified for the "Urban Area Speed Zone" are gravel roads. MRWA advice is that these roads still remain applicable to the area speed zone, however noting that drivers still need to drive to the condition of the road.

Reserve and Collins Street

The Shire has identified for many years the need to have the sections of road adjacent to the Apple Fun Park (Reserve and Collins Street) reduced to a 40 kilometres per hour limit. Council has also previously endorsed the resolution below, at its 23 May 2018 Ordinary Council Meeting, with the request for the speed limit changes on Reserve and Collins not being supported by MRWA at that time.

At its Ordinary Council meeting held 23 May 2018 Council resolved the following:

"COUNCIL RESOLUTION

That Council:

1. *Instruct the Chief Executive Officer to request Main Roads WA to implement 40km/hr speed zoning on the South Western Highway as a priority, in both the Donnybrook and Balingup townsites.*
2. *Instruct the Chief Executive Officer to request Main Roads WA to implement 40km/hr speed zoning on the sections of Reserve and Collins Street, Donnybrook, that abut the Apple Fun Park as a priority.*
3. *Instruct the Chief Executive Officer to request advocacy and support for the implementation of resolutions 1 and 2, above, from the Member for Collie Preston, Hon. Mr Mick Murray MLA.*
4. *Instruct the Chief Executive Officer to liaise with the Shire of Capel and the Shire of Bridgetown Greenbushes with the objective of developing a collaborative advocacy position on implementation of 40km/hr speed limits through the townsites of Bridgetown, Balingup, Donnybrook and Boyanup."*

In the years following this request, Officers have repeatedly advocated to MRWA for the 40 kilometres per hour speed zoning of the sections of Reserve and Collins Street that are adjacent to the Apple Fun Park, after receiving further requests from the public and community groups.

MRWA have now confirmed that following its further review of the Shire's request that the 40km/hr speed zoning can be supported for the section of Reserve and Collins Street as shown in Attachment 9.1.7(2).

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Moderate	Low (4)
Risk Description:	There is inherent risk associated with higher speed zones/limits when the zones/limits do not appear to be commensurate with usage and/or adjacent property usage. Lower speed zones/limits (and compliance with them) will naturally lower levels of risk.		
Mitigation:	Acceptance and implementation of MRWA proposed speed zone/limits reductions.		

Financial Implications

As the signage to be installed is regulatory signage, it will be installed by MRWA at their cost. Once the signage is installed, the ongoing maintenance and replacement remains the responsibility of MRWA.

Policy Compliance

The implementation of speed zoning on all roads can only be undertaken by MRWA in accordance with their policy "*Speed Zoning – Policy and Application Guidelines*", a full copy of this document can be obtained from MRWA website; within this policy the following is outlined for "Urban Area Speed Zones"

5.5 Urban Area Speed Zones

Area Speed Zones may be considered where a local area has consistent characteristics which support broad application of a consistent speed limit. Area Speed Zones apply a regulatory limit on all roads within the area through the installation of signage of all entrance points to the area.

For any urban Area Speed Zone, all roads shall be fully contained within a clearly recognisable and dedicated residential, shopping, commercial, industrial, tourist, recreation, conservation or other precinct or reserve, subject to the following:

- The traffic volume on each road shall be less than 5,000 vpd,
- The area shall have a higher than normal pedestrian activity level and significant broader Place values,
- The proposed area speed zones to be signed shall have a clearly defined boundary,
- The boundaries of the area, precinct or reserve should have a threshold treatment to clearly define the area, and
- Generally, all roads within the area shall be local access or local distributor roads in a functional road hierarchy (having generally lowest, low to medium Movement function).

There is no arbitrary restriction on the maximum or minimum size of an area to which an area speed zone may be applied. Generally, most area speed zones will naturally be restricted by the size of the relevant precinct. The adopted boundary of the zone and the associated speed limit signing should appear logical and clear to drivers.

Where a Local Government boundary passes through an area proposed for an area speed zone, close consultation and coordination will be necessary so that the zone is implemented within both municipalities simultaneously.

Council Policy COMD/CP-3- Community Engagement Framework

This policy is to provide a framework to embed proactive stakeholder analysis, communication and engagement planning and delivery for Shire projects, services, and issues management.

Statutory Compliance

Nil.

Consultation

Officers regularly discuss with MRWA concerns raised about speed zoning within the Shire. The Executive recommendation also proposes for further consultation to occur if it is endorsed by Council.

Officer Comment

As outlined in MRWA's policy, speed limits are an essential mechanism to ensure the safe and efficient operation of road networks. Travel speeds on Western Australian roads must address a broad range of objectives. The application of appropriate speed limits and other traffic management measures is a

key mechanism in managing vehicle speeds to achieve desired safety, mobility, traffic management, local amenity, and road user expectations. Speed limits in Western Australia take the form of:

a. Default Speed Limits (which apply in the absence of signage).
b. Posted Speed Limits (where a specific maximum speed limit is applied to a road, road section, defined area, either permanently or temporarily).
c. Advisory Speed Limits (which provide the driver with a recommended travel speed at a known hazard).
d. Specific vehicle limits (where certain kinds of vehicles, including vehicles towing, are subject to an absolute maximum speed limit even where posted regulatory speed limits may be higher).

Officers consider that the proposed speed zoning changes are reflective of those outcomes that both Council and the community are seeking for increased road safety within these areas. Officers regularly receive concerns regarding speed zones throughout the Shire, however local governments are not the agency responsible for the implementation of regulatory speed zones and can only advocate to/request MRWA for a change to speed zoning in accordance with their policy "*Speed Zoning – Policy and Application Guidelines*".

The Executive Recommendation also provides an opportunity for further comments to be sought from the community on the subject proposed changes prior to implementation, to ensure that there is clear broader community support.

It is also noted that all road users in Western Australia are responsible for driving safely in accordance with conditions, irrespective of any signage (see regulation 18 of the *Road Traffic Code 2000*)

COUNCIL RESOLUTION:	28/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That Council:

1. **Supports the proposed establishment of an Urban Area Speed Zone for the Irishtown Locality, resulting in the following roads having a 60 kilometres per hour speed limit once implemented:**
    - **1.1. Arboretum Road**
    - **1.2. River Street**
    - **1.3. Hamilton Street**
    - **1.4. Grist Road**
    - **1.5. Nash Place**
    - **1.6. Hickman Place**
    - **1.7. Miller Road**
    - **1.8. Meotti Road**
    - **1.9. Hardy Place**
    - **1.10. Scaffidi Place**
    - **1.11. Brazier Street**
    - **1.12. Fowler Street**
    - **1.13. Kelly Road**

1.14. McCutcheon Road; and

2. **Notes that through this process any current speed zoning for these roads will be changed to the 60km/hr speed limit, including Irishtown Road which has a current speed limit of 80km/hr for most of its length; and**
3. **Supports the change in speed limit from 50 kilometres per hour to 40 kilometres per hour for Reserve Street Donnybrook between Collins Street and South Western Highway, as well as for Collins Street Donnybrook, from its intersection with Reserve Street, to a point approximately 350 metres south.; and**
4. **Requests the Chief Executive Officer to proceed with community consultation with regards to the changes proposed in points 1, 2 and 3 above. The community is to be provided with a minimum of 4 weeks to comment; and**
5. **Following the closure of the consultation period, request the Chief Executive Officer to review all submissions received, to determine if a further report needs to be brought back to Council for deliberation; and**
6. **If a further report for Council is not deemed required as per point 5, request the Chief Executive Officer to provide written correspondence to Main Roads WA to implement the changes outlined in points 1 and 3, noting Councils endorsement of these changes.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0 by en-bloc resolution 14/02-25

9.1.7. Council Endorsement – Shire of Donnybrook Balingup Bushfire Risk Management plan 2024-2026 (BRMP)

Report Details:			
Prepared by:	Jess Cooper, Community Emergency Services Manager		
Manager:	Ross Marshall, Director Operations		
File Reference:	FRC 13	**Voting Requirement:**	Simple Majority
Attachment(s):			

9.1.7(1) Updated Shire of Donnybrook Balingup Bushfire Risk Management Plan

Executive Recommendation

That Council:

1. **Endorse the updated Shire of Donnybrook Balingup Bushfire Risk Management Plan 2024-2026 (BRMP); and**
2. **Requests the Chief Executive Officer facilitate the submission of the endorsed plan to the Department of Fire and Emergency Service's (DFES) Office of Bushfire Risk Management Strategic Alignment.**

The following outcomes from the Council Plan relate to this proposal:

Outcome:	3 - The natural environment is well managed for the benefit of current and future generations.
Objective:	3.2 - Develop community readiness to cope with natural disasters and emergencies.
Item:	3.2.4 - Provide support for emergency services volunteers.

Executive Summary

Council is requested to endorse the draft Shire of Donnybrook Balingup Bushfire Risk Management Plan 2024-2026 (BRMP), which provides a structured approach to identifying, assessing, prioritizing, monitoring and treating bushfire risk within the Shire of Donnybrook Balingup. Endorsement of this Plan also ensures that the Shire continues to be eligible to access future Mitigation Activity Funding.

Background

This Bushfire Risk Management Plan 2024-2026 (BRMP) provides contextual information to inform a structured approach in identifying, assessing, prioritising, monitoring and treating bushfire risk within the community. BRMPs are developed for local governments with significant bushfire risk.

An endorsed BRMP is a prerequisite for the Shire to be eligible to access Mitigation Activity Funding (MAF), which is provided by DFES, and has been instrumental in enabling the Shire to mitigate bushfire risk within its reserves. Since the 2017/2018 financial year, the Shire has been awarded over $1.4 million through MAF to perform mitigation works throughout the Shire. Without an endorsed BRMP,

the Shire will no longer be eligible to access this funding. The table below summarises the funding that has been awarded to the Shire since 2017.

Financial Year	Amount Granted
2017/18	$ 169,250
2018/19	$ 185,050
2019/20	$ 269,200
2020/21	$ 190,750
2021/22	$ 327,015
2022/23	$ 133,316
2023/24	$ 161,150
	$ 1,435,731

The draft BRMP 2024-2026 is an update to the previously approved Plan (2017). The current draft plan has been developed utilising the Department of Fire and Emergency Services' (DFES) *Guidelines for Preparing a Bushfire Risk Management Plan* and stakeholder consultation.

To enable the Shire to continue to access this funding and subsequently manage its bushfire risk, an endorsed plan is to be submitted to the Office of Bushfire Risk Management before 1 April 2025. Following endorsement of the Plan, the Shire will be required to update on a two-yearly basis to ensure the information contained within the document is maintained and remains current.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Almost Certain	Moderate	Moderate (5)
Risk Description:	Loss of ongoing grant funding		
Mitigation:	Endorse BRMP to maintain funding eligibility		

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Almost Certain	Moderate	Moderate (5)
Risk Description:	Bushfire risk within Shire reserves is unmanaged		
Mitigation:	Manage Bushfire risk utilising contractors and volunteers through MAF funds		

Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Likely	Moderate	High (10)
Risk Description:	Environmental considerations within Shire Reserves is unmanaged, resulting in reserve flora and fauna habitat deterioration		
Mitigation:	Appropriately manage shire reserves utilising MAF funds		

Financial Implications

Should the Shire be unsuccessful in submitting the updated Bushfire Risk Management Plan 2024-2026 to the Office of Bushfire Risk Management before 1 April 2025, the Shire will no longer be eligible to access funding through the MAF. The Shire would either be required to fund its own bushfire mitigation works or reduce/cease mitigation works.

Policy Compliance

Nil.

Statutory Compliance

Bush Fires Act 1954
Emergency Management Act 2005

Consultation

The Shire of Donnybrook Balingup Bushfire Risk Management plan 2024-2026 has been developed in consultation with numerous stakeholders:

a. Shire of Donnybrook Balingup Bushfire Service
b. Department of Fire and Emergency Services
c. Department of Biodiversity, Conservation and Attractions
d. Neighbouring Local Governments (Bridgetown-Greenbushes, Collie, Nannup)
e. Shire of Donnybrook Balingup Local Emergency Management Committee

Officer Comment

The Bushfire Risk Management Plan 2024-2026 and the MAF have enabled the Shire to better manage reserves that it is responsible for. The management of these reserves has reduced bushfire risk throughout the Shire, while focussing on protecting both public and private assets whilst appropriately managing environmental considerations.

The draft Bushfire Risk Management Plan 2024-2026 provides an established approach whilst ensuring that the Shire maintains an awareness of the bushfire risk that exists within its tenure. An endorsed plan also enables the Shire to access funding to assist in managing the risk that exists within its reserves.

COUNCIL RESOLUTION:	29/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That Council:

1. **Endorse the updated Shire of Donnybrook Balingup Bushfire Risk Management Plan 2024-2026 (BRMP); and**
2. **Requests the Chief Executive Officer facilitate the submission of the endorsed plan to the Department of Fire and Emergency Service's (DFES) Office of Bushfire Risk Management Strategic Alignment.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0 by en-bloc resolution 14/02-25

9.2. Director Finance and Corporate

9.2.1. Schedule of Accounts Paid as at 31 January 2025

Report Details:

Prepared by: Finance Officer

Manager: Manager Financial Services

File Reference: FNC **Voting Requirement:** Simple Majority

Attachment(s):

9.2.1(1) Schedule of Accounts Paid Under Delegation

Executive Recommendation

That Council:

Receive the accounts for payment report for the period ended January 2025 as per Attachment 9.2.1(1)

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 12 - A well respected, professionally run organisation.

Objective: 12.1 - Deliver effective and efficient operations and service provision.

Item: Nil.

Executive Summary

That in accordance with Regulation 13 (3) of the *Local Government (Financial Management) Regulations 1996,* Council receive the "Schedule of Accounts Paid" covering the period 1 January 2025 to 31 January 2025, the schedule contains details of the following transactions:

1 Municipal Account – payments totalling $1,626,628.15.

Credit Card payments	3589
EFT Payments	EFT30075C – EFT30257
Cheque Payments	53821 – 53822
Direct Debit payments	DD28179, DD28208 & DD28248.1

Background

In accordance with Delegation 1.2.23 – payments from the Municipal or Trust funds adopted by Council on 26 June 2024, the Chief Executive Officer is authorised to incur expenditure in accordance with the Annual Budget provisions and limited over-expenditure subject to subsequent budget amendments. In doing so, section 13 of the *Local Government Financial Management Regulations 1996* is to be adhered to with a list of accounts for approval to be presented to Council each month.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Unlikely	Minor	Low (2)
Risk Description:	Additional checks and balances of accounts paid by the Shire.		
Mitigation:	Monthly reporting on accounts paid.		
Compliance	Unlikely	Minor	Low (2)
Risk Description:	Meeting legislative requirement of financial reporting to the Council		
Mitigation:	Monthly reporting on accounts paid.		

Financial Implications

All liabilities settled have been in accordance with the Annual Budget provisions.

Policy Compliance

FIN/CP-4 Purchasing
FIN/CP-5 Regional Price Preference
FIN/CP-7 Credit Card

Statutory Compliance

Local Government Act 1995
Local Government (Financial Management) Regulations 1996
Where the local government has delegated the CEO the exercise of its power to make payments from the municipal fund or the trust funds, Regulation 13 requires that a list of accounts paid by the CEO is to be prepared each month showing for each account paid:

(a) The payee's name; and
(b) The amount of the payment; and
(c) The date of the payment; and
(d) Sufficient information to identify the transaction.

This list of accounts is to be:

(a) Presented to Council at the next ordinary meeting of the Council after the list is prepared; and
(b) Recorded in the minutes of that meeting.

Consultation

Relevant staff have been consulted and have authorised the payments.

Officer Comment

For a detailed listing of payments see Attachment 9.2.1(1)

Please raise any queries prior to the meeting to enable questions to be investigated and a response prepared.

COUNCIL RESOLUTION:	30/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That Council:
Receive the accounts for payment report for the period ended January 2025 as per Attachment 9.2.1(1)

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

9.2.2. Statement of Financial Activity report as at 31st January 2025

Report Details:			
Prepared by:	Acting Manager Financial Services		
Manager:	Acting Director Finance & Corporate		
File Reference:	Nil	**Voting Requirement:**	Simple Majority
Attachment(s):			
9.2.2(1)	Statement of Financial Activity January 2025		

Executive Recommendation

That Council receive the Statement of Financial Activity report for the period ending 31st January 2025 as per Attachment 9.2.2(1)

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 12 - A well respected, professionally run organisation.

Objective: 12.1 - Deliver effective and efficient operations and service provision.

Item: Nil.

Executive Summary

Pursuant to Section 6.4 of the *Local Government Act 1995* (the Act) and Regulation 34(4) of the *Local Government (Financial Management) Regulations 1996* (the Regulations), a local government is to prepare, on a monthly basis, a monthly financial report presented to Council details the Shire's performance in relation to its adopted/amended budget and actuals.

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the Shire's financial performance for the period ending 31st January 2025.

Background

The Regulations detail the form and manner in which the monthly financial report is to be presented to the Council, and is to include the following:

- Annual budget estimates.
- Budget estimates to the end of the month in which the statement relates.
- Actual amounts of revenue and expenditure to the end of the month in which the statement relates.
- Material variances between budget estimates and actual revenue/expenditure.
- Net current assets at the end of the month to which the statement relates.

Additionally, and pursuant to Regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year.

At its Special Meeting of Council on 18th September 2024 it was recommended Council adopt the following material variance reporting thresholds for the 2024/25 financial year:

A material variance for reporting of $10,000, for 2024/2025, pursuant to Regulation 34(5) of the Local Government (Financial Management) Regulations 1996.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Unlikely	Moderate	Moderate (6)
Risk Description:	Monetary loss that may or may not be managed within existing budget or may not impact a program or services		
Mitigation:	Reporting financials monthly		
Compliance	Unlikely	Minor	Low (4)
Risk Description:	Meeting legislative requirement of financial reporting to the Council		
Mitigation:	Monthly reporting on financial reports.		

Financial Implications

Budget

There are no financial implications relevant to this proposal.

Long Term

As no assets/infrastructure are being created, there are no long-term financial implications relevant to this proposal.

Policy Compliance

Nil.

Statutory Compliance

Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* detail the form and manner in which a local government is to prepare financial activity statements.

Consultation

The Shire's Executive Team, Department Managers and Finance staff monitor the Shire's monthly revenue and expenditure.

Approved budget amendments are recorded in the financial statements to always reflect the Shire's current budget and financial position.

Officer Comment

The January Financial Statements are compared to year-to-date expenditure and revenue against the 2024-25 Budget.

January 2025 Financial Analysis Summary

The issuing of rates for 2024/25 was completed in September 2024. Payment options were as follow:

- First instalment and due date for single full payment occurred 11th November 2024
- Second rates instalment due date occurred 10th January 2025
- Third rates instalment due date is 11th March 2025.
- Fourth and final instalment due date is 12th May 2025

The rates and service charges collected as at 31st January 2025 is 81.4%.
The Shire's surplus after imposition of rates was $4,585,135, which is 15.37% higher than the year-to-date budgeted surplus of $3,974,159 at the end of January 2025.
Explanation of current material variances is included in Note 3 of the attached financial report, with additional commentary below noting the reason for variances in some main cost centres/work.

Capital Grant, subsidies and contributions:
The shire received a replacement DFES funded light tanker for Lowden Bushfire Brigade which has contributed to the 5.74% higher than year to date budget, this is offset by the capital expenditure for the replacement vehicle.

Salary Expenditure:
The actual Employee Costs currently has an overspend of 6.54% to the adopted budget. This overspend has occurred due to timing of budget spreads and resignation of long serving employees being paid outstanding entitlements. This variance should correct itself over the coming months as the shire has had staff vacancies for several months. The reduction in annual and long service leave liability will be reflected in the employee related provisions at year end.

Capital Works Program
The Shire's capital expenditure at the end of January 2025 was $$7,023,754, which is 6.22% lower than the year-to-date budgeted capital expenditure of $7,489,616. This is mainly due to timing of the Road construction program.
Variations to the year-end projected balance will be reported to Council through the required midyear budget review to January 2025 at OCM March 2025.
This report is to be provided after the Agenda Briefing Session.

COUNCIL RESOLUTION:	31/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That Council receive the Statement of Financial Activity report for the period ending 31st January 2025 as per Attachment 9.2.2(1)

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

9.2.3. Council Plan - Biannual Progress Report July - December 2024

Report Details:			
Prepared by:	Loren Clifford, Acting Director Finance and Corporate		
Manager:	Loren Clifford, Acting Director Finance and Corporate		
File Reference:	CNL 16	**Voting Requirement:**	Simple Majority
Attachment(s):			
9.2.3(1)	Council Plan - Biannual Progress Report 1 July 2024 – 31 December 2024		

Executive Recommendation

That Council:

1. **Receives the Council Plan - Biannual Progress Report as shown in** Attachment 9.2.3(1).
2. **Notes that the Chief Executive Officer will publish the Council Plan - Biannual Progress Report on the Shire's website.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome:	11 - Strong, visionary leadership.
Objective:	11.1 - Provide strategically focused, open and accountable governance.
Item:	Nil.

Executive Summary

Council adopted its Council Plan 2022-2032 on 25 May 2022 at its Ordinary Council Meeting. The Council Plan outlines the Shire's operational and capital project priorities to meet the aspirations of the community as outlined in the Strategic Community Plan 2040.

It is best practice for the Shire to report progress against the Council Plan to Council on a biannual basis.

This report relates to the period between 1 July 2024 and 31 December 2024 (first half) for the 2024/2025 financial year. Council is asked to receive the Council Plan - Biannual Progress Report as shown in Attachment 9.2.3(1).

Background

Under the state government Integrated Planning and Reporting Framework (IPRF), local governments in Western Australia must deliver reports such as Corporate Business Plans, Strategic Community Plans and Annual Reports. The aim of the Framework is to make sure local governments consult their communities, and plan responsibly and sustainably according to community directions.

To understand local needs and priorities, the Shire of Donnybrook Balingup commissioned an independent review in 2019, when 441 community members completed a MARKYT® Community Scorecard.

In 2021, the Shire embraced elements of the FUTYR® approach to strategic planning. This is a community-led, integrated and streamlined approach designed specifically for local government.

As part of this process the benefits of merging the Shire's 34-page Strategic Community Plan and 21-page Corporate Business Plan became clear. The Department of Local Government confirmed this is acceptable, provided the elements required by the *Local Government Act 1995* were included. Merging the two documents is more efficient in staff time and Shire resources, and delivers a simpler, more easily understood Council Plan to the community.

Under the Integrated Planning and Reporting Framework (IPRF), Corporate Business Plans are reviewed each year and Strategic Community Plans every four (4) years, with minor reviews every two (2) years. To make sure the new Plan stays relevant to community goals and aspirations it will have desktop reviews annually, with major reviews every four years in line with the IPRF schedule.

At its Ordinary Council meeting held 25 May 2022 Council resolved the following:

> *"COUNCIL RESOLUTION 70/22*
> *That Council:*
> 1. *Acknowledges the renaming of the Corporate Business Plan to Council Plan.*
> 2. *Adopts the reviewed Shire of Donnybrook Balingup Council Plan, as attached.*
> 3. *Requests the Chief Executive Officer to reference objectives and/or priority project numbers from the Donnybrook Balingup Council Plan in Ordinary Council Meeting Agenda items, in order to clearly articulate the Strategic Alignment, focus of each agenda item.*
> 4. *Instructs the Chief Executive Officer to undertake bi-annual reporting on the Council Plan to Council and the community."*

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Likely	Insignificant	Low (4)
Risk Description:	Council don't receive ongoing progress updates on Council Plan Items, which undermines transparency and accountability.		
Mitigation:	Report progress against the Council Plan to Council on a biannual basis.		

Financial Implications

The actions and projects which are detailed in the Council Plan are aligned with the Shire's Annual Budget.

Items flagged in this report as red (deferred) or yellow (monitor) will continue to be monitored and addressed through budget review and reporting.

Policy Compliance

Nil.

Statutory Compliance

Local Government Act 1995
Section 5.56 (1) requires local governments to have in place a plan for the future of the district.

Consultation

External consultation is not required as part of the biannual reporting. Internally, the Executive, Leadership Team, Business Unit Managers and Coordinators were consulted.

Officer Comment

Key Aspects of The Council Plan

The Shire's Council Plan expresses the community's vision for the future through five (5) focus areas of People, Planet, Place, Prosperity, and Performance.

The Council Plan details the Current Situation, a list of services and facilities that the Shire will strive to continuously improve, and an overview of recent achievements relevant to each focus area.

To ensure that Council allocates resources and meets the current and changing community needs overarching outcomes were developed for each focus area, then broken down into objectives with several priority projects to be prioritise between over the 10-year period of 2022 - 2032. Of the 163 priority projects, 30 have been scheduled for the 2024/2025 financial year, while 23 incomplete or deferred projects have been carried over from previous financial periods, resulting in a total of 53 projects scheduled during this reporting period.

Reporting Requirements on Plan

Although not legislatively required, it is considered best practice for Council to receive updates on progress against the Council Plan.

At its Ordinary Council Meeting 25 May 2022 Council resolved that the Chief Executive Officer undertake bi-annual reporting on the Council Plan to Council and the community.

Half Yearly Reporting

The Council Plan progress report includes an update against the 53 priority projects.

Of the 53 priority projects adopted in the Council Plan 2022-2032, 6 have been Achieved, 22 are in progress, 13 require monitoring, 3 have not started and 9 have been marked for deferment.

Conclusion

Details regarding the performance from, 1 July 2024 and 31 December 2024 for each strategic project can be found in Attachment 9.2.3(1) to this report.

COUNCIL RESOLUTION:	32/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That Council:

1. **Receives the Council Plan - Biannual Progress Report as shown in** Attachment 9.2.3(1).
2. **Notes that the Chief Executive Officer will publish the Council Plan - Biannual Progress Report on the Shire's website.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0 by en-bloc resolution 14/02-25

9.3. Chief Executive Officer

9.3.1. WALGA Sustainable Energy Project

Report Details:

Prepared by: Nick O'Connor, Chief Executive Officer

Manager: Nick O'Connor, Chief Executive Officer

File Reference: DEP 22/4D ADM 32 **Voting Requirement:** Simple Majority

Attachment(s):

9.3.1(1) WALGA Memorandum of Understanding WALGA Sustainable Energy Project Phase Two 2024 Procurement Process

9.3.1(2) Donnybrook Balingup estimated cost and analysis - Confidential

Executive Recommendation

That Council accept the offer for contracting from the WALGA Sustainable Energy Project and request the Chief Executive Officer sign a new Renewable Energy Supply Arrangement which is due to commence 1 April 2025 for a three-year term.

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 12 - A well respected, professionally run organisation.

Objective: 12.1 - Deliver effective and efficient operations and service provision.

Item: Nil.

Executive Summary

The WALGA Sustainable Energy Project is an ACCC approved buying group of Local Governments that has contracted electricity under a volume aggregated purchasing process. Participants benefit from access to renewable energy and reduced energy prices.

WALGA ran a Request for Quotation (RFQ) for a new Phase Two term of contract commencing 1 April 2025. Project Participants entered an MOU with WALGA allowing the contestable energy spend to be represented into this procurement process for the purposes of pricing.

As an existing Phase One participant, Council is requested to consider entering into the Synergy Renewable Energy Supply Agreement (RESA) for a three-year term effective, 1 April 2025.

Background

The Shire is one of 48 Local Government Project Participants contracted to the Phase One contract term which commenced on 1 April 2022 and will expire on 31 March 2025. The Phase One term of the Project is estimated to save Local Governments $34 million in expenditure and offset over 120,000 tonnes of carbon.

WALGA ran a Request for Quotation (RFQ) for a new contract commencing 1 April 2025. In March 2024 the Shire entered an MOU with WALGA allowing the contestable energy spend to be represented into this procurement process for the purposes of pricing. The RFQ was overseen by a steering committee and evaluated by a team of WALGA officers, Local Government officers, and independent technical consultants.

The Council Administration Centre and Donnybrook Recreation Centre are the two contestable energy sites which would be covered by the Phase Two agreement.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Almost Certain	Major	Low (3)
Risk Description:	Additional negative impact on Council's budget from not taking advantage of the aggregated group buying proposal as presented by WALGA		
Mitigation:	Accept the recommendation to enter into contractual arrangements as recommended in this report		

Financial Implications

The Shire is currently a signatory to Phase One of the WALGA Sustainable Energy Project. The short-term electricity market price has increased from $48.03 kw/h in Q3 2021 to $98.54 kw/h at the end of June 2024, an increase of 105%. Participating in Phase Two of the WALGA Sustainable Energy Project will reduce the impact of electricity price increases.

Policy Compliance

Council Policy EXE/CP-2 Document Execution and Application of The Common Seal

The Chief Executive Officer has authorisation to execute Agreements as per Cl 5.4, table 1 for the policy.

Statutory Compliance

Nil.

Consultation

Discussion with WALGA Contract Manager, Commercial Development.

Officer Comment

Modelling from WALGA shows that the Western Australian Wholesale Electricity Market (WEM) has changed significantly since the Project was first tendered to the market in 2021. The short-term electricity market price has increased from $48.03kw/h in Q3 2021 to $98.54kw/h at the end of June 2024, an increase of 105%.

The most advantageous offer from the RFQ was an alternative offer received from Synergy, which is summarised as follows:

a. A three-year contract term from 1 April 2025 to 31 March 2028
b. A new Time-of-Offer band that allows for Peak, Midday and Off-Peak rates allowing for spend optimisation by scheduling consumption into a business hours period that has a cheaper supply rate
c. Unbundled pricing
d. Value added services that include an option to apply Natural Power to street lighting

Synergy's terms are dependent on 100% of participants agreeing to the contract.

WALGA modelling estimates that by accepting the most advantageous offer from Synergy, WALGA Members will incur an estimated average 36% increase from their incumbent three-year contract (locked in rates from 2022). This compares to an estimated increase in costs (62% for unbundled and 81% for bundled offers) that would otherwise occur were it not for the continuation of the WALGA Sustainable Energy Project.

The collective savings from the recommended offer are modelled (based on historic consumption profiles) to deliver an estimated $34.7 million savings in energy costs over a new three-year term for Participants.

The modelling for the Shire of Donnybrook Balingup shows as follows:

Total costs	
Year 1	$124,310
Year 2	$124,236
Year 3	$124,163
Total cost	$372,709
Total savings (from Open Market)	$87,574
Proportion savings	19%

WALGA requires notification by 7 March 2024 to secure Synergy's offer. If 100% contracting of participants is not achieved for the above rates, then the next most advantageous offer will become the fallback position for Contracting. This has been modelled by WALGA to be approximately 6% more expensive across the project base but will vary according to each Participant's consumption profile.

The Shire is estimated to have an additional cost of $21,333 if the 100% take-up of the whole of project offer is not achieved. The pricing of the fallback position is as follows:

Total costs	
Year 1	$131,421
Year 2	$131,347
Year 3	$131,274
Total cost	$394, 042
Total savings (from Open Market)	$66,241
Proportion savings	14%

As an existing Phase One participant Council is requested to consider entering into the Synergy Renewable Energy Supply Agreement (RESA) for a three-year term effective, 1 April 2025.

COUNCIL RESOLUTION:	33/02-25		
MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Cr Lisa Glover

That Council accept the offer for contracting from the WALGA Sustainable Energy Project and request the Chief Executive Officer sign a new Renewable Energy Supply Arrangement which is due to commence 1 April 2025 for a three-year term.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

10. Elected Member Motions of which previous notice has been given

Nil.

11. New Business of an urgent nature introduced by Decision of the Meeting

Nil.

12. Meetings Closed to the Public

12.1. Matters for which the Meeting may be closed

12.1.1 RFQ 336 - Supply of Loader

This report is confidential in accordance with Section 5.23(2)(c) of the *Local Government Act 1995*, which permits the meeting to be closed to the public.

> (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

COUNCIL RESOLUTION:	34/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That the meeting be closed in accordance with section 5.23(c) of the *Local Government Act 1995* to discuss the following confidential items:

RFQ 336 – Supply of Loader

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

The meeting was closed to the public at 6:50pm.

COUNCIL RESOLUTION:	36/02-25		
MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Cr Lisa Glover

That the meeting be re opened to the public.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

The meeting was re opened to the public at 6:54pm.

12.2. Public reading of Resolutions that may be made public

COUNCIL RESOLUTION:	35/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

1. **Requests the Chief Executive Officer to award RFQ 336 – Supply of Loader, to WesTrac Pty Ltd in accordance with their submitted price.**
2. **Endorses the disposal of its existing Caterpillar 924K loader to WesTrac Pty Ltd for their offered price of $115,000 (ex GST) in accordance with their terms and conditions and remove from the Shire's fleet, subject to:**
   2.1. Public notice of the proposed disposing outlined in point 2 being given in accordance with Section 3.58 (3) and (4) of the *Local Government Act 1995.*
3. **Authorises the Chief Executive Officer to execute the disposing of property outlined in point 2, should there be no submissions to the public notice as outlined in 2.1.**
4. **If submissions are received to the public notice outlined in 2.1, request the Chief Executive Officer to bring a further report to Council for the disposal of the Shire's existing Caterpillar 924K loader.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

13. Closure

The Shire President advised that the next Agenda Briefing Session will be held on 19 March 2025 at 5:00PM, in the Shire of Donnybrook Balingup Council Chamber.

The Shire President declared the meeting closed at 6:56pm.

Shire of
Donnybrook Balingup

Minutes of Ordinary Council Meeting

Held on 26 February 2025 and commenced at 5:00pm
Held at the Council Chambers in Donnybrook
(1 Bentley Street, Donnybrook)

Authorised:

Nicholas O'Connor, Chief Executive Officer

Prepared: 10 March 2025

MEASURES OF CONSEQUENCE

LEVEL	RATING	HEALTH & SAFETY	FINANCIAL	SERVICE INTERRUPTION	COMPLIANCE	REPUTATION	PROPERTY	ENVIRONMENT
1	**Insignificant**	Negligible injuries	Less than $5,000	No material service interruption	No noticeable regulatory or statutory impact	Unsubstantiated, localised low impact on community trust, low profile or no media item	Inconsequential or no damage.	Contained, reversible impact managed by on site response
2	**Minor**	First aid injuries	$5,000 - $20,000 Or < 5% variance in cost of project	Temporary interruption to an activity – backlog cleared with existing resources	Some temporary non compliances	Substantiated, localised impact on community trust or low media item	Localised damage rectified by routine internal procedures	Contained, reversible impact managed by internal response
3	**Moderate**	Medical type injuries	$20,001 - $100,000 Or > 5% variance in cost of project	Interruption to Service Unit/(s) deliverables – backlog cleared by additional resources	Short term non-compliance but with significant regulatory requirements imposed	Substantiated, public embarrassment, moderate impact on community trust or moderate media profile	Localised damage requiring external resources to rectify	Contained, reversible impact managed by external agencies
4	**Major**	Lost time injury	$100,001 - $1M	Prolonged interruption of Service Unit core service deliverables – additional resources; performance affected	Non-compliance results in termination of services or imposed penalties	Substantiated, public embarrassment, widespread high impact on community trust, high media profile, third party actions	Significant damage requiring internal & external resources to rectify	Uncontained, reversible impact managed by a coordinated response from external agencies
5	**Catastrophic**	Fatality, permanent disability	More than $1M	Indeterminate prolonged interruption of Service Unit core service deliverables	Non-compliance results in criminal charges or significant damages or penalties	Substantiated, public embarrassment, widespread loss of community trust, high widespread multiple media profile, third party actions	Extensive damage requiring prolonged period of restitution Complete loss of plant, equipment & building	Uncontained, irreversible impact

MEASURES OF LIKELIHOOD

LEVEL	RATING	DESCRIPTION	FREQUENCY
5	Almost Certain	The event is expected to occur in most circumstances	More than once per year
4	Likely	The event will probably occur in most circumstances	At least once per year
3	Possible	The event should occur at some time	At least once in 3 years
2	Unlikely	The event could occur at some time	At least once in 10 years
1	Rare	The event may only occur in exceptional circumstances	Less than once in 15 years

RISK MATRIX

Consequence / Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	MODERATE (5)	HIGH (10)	HIGH (15)	EXTREME (20)	EXTREME (25)
Likely	4	LOW (4)	MODERATE (8)	HIGH (12)	HIGH (16)	EXTREME (20)
Possible	3	LOW (3)	MODERATE (6)	MODERATE (9)	HIGH (12)	HIGH (15)
Unlikely	2	LOW (2)	LOW (4)	MODERATE (6)	MODERATE (8)	HIGH (10)
Rare	1	LOW (1)	LOW (2)	LOW (3)	LOW (4)	MODERATE (5)

RISK ACCEPTANCE CRITERIA

RISK RANK	DESCRIPTION	CRITERIA FOR RISK ACCEPTANCE	RESPONSIBILITY
LOW	Acceptable	Risk acceptable with adequate controls, managed by routine procedures and subject to annual monitoring	Operational Manager
MODERATE	Monitor	Risk acceptable with adequate controls, managed by specific procedures and subject to semi-annual monitoring	Operational Manager
HIGH	Urgent Attention Required	Risk acceptable with excellent controls, managed by senior management / executive and subject to monthly monitoring	Director / CEO
EXTREME	Unacceptable	Risk only acceptable with excellent controls and all treatment plans to be explored and implemented where possible, managed by highest level of authority and subject to continuous monitoring	CEO / Council

Contents

1. Declaration of Opening / Announcement of Visitors 6
2. Attendance 6
2.1. Apologies 7
2.2. Approved Leave of Absence 7
2.3. Application for Leave of Absence 7
3. Announcements from the Presiding Member 8
4. Declarations of Interest 8
5. Public Question Time 9
5.1. Responses to previous public questions that were taken on notice 9
5.2. Public Question Time 10
6. Presentations 10
6.1. Petitions 10
6.2. Presentations 10
6.3. Deputations 10
6.4. Delegates' Reports 10
Adoption by Exception 11
7. Confirmation of Minutes 12
7.1. Ordinary Council Meeting held on 18 December 2024 12
7.2. Special Council Meeting held on 7 January 2025 13
7.3. Special Council Meeting held on 29 January 2025 14
7.4. Annual General Meeting of Electors held on 3 February 2025 15
8. Reports of Committees 16
8.1. South West Regional Road Group Meeting held on 25 November 2024 16
8.2. Warren Blackwood Alliance of Councils Meeting held on 10 December 2024 17
9. Reports of Officers 18
9.1. Director Operations 18
9.1.1 Development Application P24056 – Extractive Industry (Sand) Lot 751 Donnybrook-Boyup Brook Road, Beelerup 18
9.1.2. Development Application P24066 – Extractive Industry (Gravel) Lot 100 Goodwood Road, Upper Capel 60
9.1.3. Development Application P24076/77 – Asphalt Art – Collins Street and Reserve Street, Donnybrook 98

9.1.4 Development Application P24070 – Balingup Fruit Winery Cellar Door – Lot 62 (Unit 1) 33 Bridgetown Road, Balingup 105

9.1.5 Request for Consent to Mine (Exploration Activities) - Reserve 2052 and Reserve 22860 114

9.1.6. Proposed Speed Zoning Changes for the Locality of Irishtown and Reserve and Collins Street, Donnybrook 128

9.1.7. Council Endorsement – Shire of Donnybrook Balingup Bushfire Risk Management plan 2024-2026 (BRMP) 135

9.2. Director Finance and Corporate 139

9.2.1. Schedule of Accounts Paid as at 31 January 2025 139

9.2.2. Statement of Financial Activity report as at 31st January 2025 142

9.2.3. Council Plan - Biannual Progress Report July - December 2024 145

9.3. Chief Executive Officer 149

9.3.1. WALGA Sustainable Energy Project 149

10. Elected Member Motions of which previous notice has been given 153

11. New Business of an urgent nature introduced by Decision of the Meeting 153

12. Meetings Closed to the Public 153

12.1. Matters for which the Meeting may be closed 153

12.1.1 RFQ 336 - Supply of Loader 153

12.2. Public reading of Resolutions that may be made public 154

13. Closure 155

1. Declaration of Opening / Announcement of Visitors

Acknowledgement of Country:

The Shire President acknowledged the continuing connection of Aboriginal people to Country, culture and community, including traditional custodians of this land, the Wardandi and Kaneang People of the Noongar Nation, paying respects to Elders, past and present.

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

The Shire President advised that the meeting is being live streamed and recorded in accordance with Council Policy EM/CP-2. The President further stated the following:

> *"This meeting is being livestreamed and digitally recorded in accordance with Council Policy. Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed without the permission of the chairperson.*
> *Whilst every endeavour has been made to only record those who are actively participating in the meeting, loud comments or noises from the gallery may be picked up on the recording."*

Suspension of clause 8.2 (members to rise) of *Meeting Procedures Local Law 2017.*

- At the start of each Council Meeting a resolution should be carried suspending clause 8.2 (members to rise) of the Standing Orders as having Councillors stand when debating interferes with the sound quality for livestream.

COUNCIL RESOLUTION:	12/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Alexis Davy

That Council Suspend clause 8.2 (members to rise) of the Standing Orders

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Patrick
Against: Nil.
Carried: 7/0

2. Attendance

Councillors Present:

Cr Vivienne MacCarthy	Cr Lisa Glover	Cr John Bailey
Cr Alexis Davy	Cr Peter Gubler	Cr Anita Lindemann
Cr Anne Mitchell (Joined via Teams at 5:05pm)	Cr Grant Patrick	

Staff Present:

Nick O'Connor, Chief Executive Officer
Loren Clifford, Acting Director Finance and Corporate
Michelle Dennis, Manager Development Services
Stephanie Karafilis, Acting Manager Financial Services
Ross Marshall, Director Operations
Samantha Farquhar, Administration Officer Corporate Services
Cecilia Muller, Principal Planner

Other Members Present:

Public Gallery: 3 members of the public were in attendance.

2.1. Apologies

Cr Deanna Shand

2.2. Approved Leave of Absence

Nil.

2.3. Application for Leave of Absence

Cr Lisa Glover requested a leave of absence for the Month of April 2025.

COUNCIL RESOLUTION:	13/02-25		
MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Cr Peter Gubler

That Council approve Cr Lisa Glover's request for a leave of absence for the April 2025 Agenda Briefing Session and Ordinary Council Meeting.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

3. Announcements from the Presiding Member

Upcoming events are as follows:

- 14th March at Balingup Hall from 7:00pm- The Lighthouse Girl Saga, tickets are available here- https://events.humanitix.com/the-lighthouse-girl-saga-7trfsuev
- 22nd March - The 25th Anniversary of the Donnybrook Library 11:30 am -1:30 pm
- 5th - 20th April the Blackwood River Arts Trail. For the first time they'll also be running a film festival with the assistance of the Balingup Arts and Cultural Hub
- 11th April - "Brook Fest our youth week event runs at the Pump Track from 3:00pm – 7:00pm, created by young people for young people.
- 12th April - Balingup Small Farm Field Day (Back to Basics) at Balingup Oval 9:00am-3.30 pm
- 19th April - Donnybrook Apple Festival, multiple locations throughout Donnybrook- 10:00am – 9:00pm

Irishtown Bridge repair update:
Works are progressing well and Council has been advised by the contractor that there has been a slight delay in the supply of some materials in the supply chain. The revised completion date is 8 April 2025. There is a significant concrete pour tomorrow.

Cr Mitchell joined the meeting at 5:05pm and stated the following:
"Pursuant to Section 14CA(5) of the Local Government (Administration) Regulations 1996, I Cr Anne Mitchell declare that I am situated in a location where I can maintain confidentiality throughout the duration of the meeting."

4. Declarations 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 John Bailey declared a financial interest regarding item 9.1.4.

5. Public Question Time

5.1. Responses to previous public questions that were taken on notice

Questions taken on notice at the Special Council Meeting 29 January 2025:

Question from:	Mr Hardisty

How many hours have been allocated to the State Administrative Tribunal on the case we have been going through and are still going through.

Response:

The Shire of Donnybrook Balingup is committed to fulfilling its compliance obligations, including matters before the State Administrative Tribunal. While we acknowledge the interest in this matter, the allocation of resources, including time spent on specific cases, is an operational consideration. Our focus remains on ensuring that all processes are conducted fairly, efficiently, and in accordance with the relevant legislative requirements.

Questions taken on notice at the Annual General Meeting of Electors on 3 February 2025

Question from:	Shane Sercombe

Regarding land disposal, in the finances there was $325,000 in land disposals for the last financial year. Part of that may have been Bridge Street, but what was the rest of that made up of.

Response:

Lot 142 Bridge Street, Donnybrook. Transferred to Bunbury Housing Association as Council contribution to Bridge Street affordable housing project.

Question from:	Shane Sercombe

In the financials it showed that rates increased between years 2023 and 2024, $564,000. Indicating an 8.6% rate increase and Council passed a 6.5% rate increase for that period. Could I please get some confirmation on the movement between those years.

Response:

The minutes of the 2022/23 Budget adoption (Ordinary Meeting of Council 24 August 2022) records Council adopted a one-off concession for the 2022/23 financial year.
Note 1: Rate increase based upon 8% increase to total base Rate Revenue.
Note 2: Rate Concession applied to all properties - Effective Rate increase 6.43%

The 2022/23 Statutory Annual Budget records the following explanation.
"A one-off concession totaling $94,683 was applied to all ratable properties for the 2022/23 Financial year, the purpose of the concession was to return the balance of the Covid-19 Reserve to ratepayers by way of a rates concession, as the reserve was no longer required."

The concessional amount of $94,683 reduced the rates that would have ordinarily been levied in the 2022/23 financial year. As the concession was a one off for the 2022/23 financial year the $94,683 was only deferred until the 2023/24 financial year and levied as part of the substantive rate in dollar in addition to the adopted rate in dollar increase for 2023/24.

5.2. Public Question Time

Nil.

6. Presentations

6.1. Petitions

Nil.

6.2. Presentations

Nil.

6.3. Deputations

Mr Tom Omond from DBCEC regarding item 9.1.1, Development Application P24056 – Extractive Industry (Sand) Lot 751 Donnybrook-Boyup Brook Road, Beelerup

Cr John Bailey left the Council Chamber at 5:18pm.

Ms Sharon Burke from the Balingup Fruit Winery regarding item 9.1.4, Development Application P24070 – Balingup Fruit Winery Cellar Door – Lot 62 (Unit 1) 33 Bridgetown Road, Balingup.

Cr John Bailey re entered the Council Chamber at 5:28pm.

6.4. Delegates' Reports

Nil.

Adoption by Exception

COUNCIL RESOLUTION:	14/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That Council adopt the following items 'En-bloc' and resolves in accordance with each of the Executive Recommendations:

7.1 Ordinary Council Meeting held on 18 December 2024
7.2 Special Council Meeting held on 7 January 2025
7.3 Special Council Meeting held on 29 January 2025
7.4 Annual General Meeting of Electors held on 3 February 2025
8.1 South West Regional Road Group Meeting held on 25 November 2024.
8.2 Warren Blackwood Alliance of Councils Meeting held on 10 December 2024.
9.1.3 Development Application P24076/77 – Asphalt Art – Collins Street and Reserve Street, Donnybrook.
9.1.6 Proposed Speed Zoning Changes for the Locality of Irishtown and Reserve and Collins Street, Donnybrook
9.1.7 Council Endorsement – Shire of Donnybrook Balingup Bushfire Risk Management Plan 2024-2026 (BRMP)
9.2.1 Schedule of Accounts Paid as at 31 January 2025
9.2.3 Council Plan – Biannual Progress Report July – December 2024
9.3.1 WALGA Sustainable Energy Project

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

7. Confirmation of Minutes

7.1. Ordinary Council Meeting held on 18 December 2024

Minutes of the Ordinary Council Meeting held 18 December 2024 are attached as Attachment 7.1(1).

Executive Recommendation:

That the Minutes from the Ordinary Council Meeting held 18 December 2024 be confirmed as a true and accurate record.

COUNCIL RESOLUTION:	15/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That the Minutes from the Ordinary Council Meeting held 18 December 2024 be confirmed as a true and accurate record.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0 by en-bloc resolution 14/02-25

7.2. Special Council Meeting held on 7 January 2025

Minutes of the Special Council Meeting held 7 January 2025 are attached as Attachment 7.2(1).

Executive Recommendation:

That the Minutes from the Special Council Meeting held 7 January 2025 be confirmed as a true and accurate record.

COUNCIL RESOLUTION:	16/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That the Minutes from the Special Council Meeting held 7 January 2025 be confirmed as a true and accurate record.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0 by en-bloc resolution 14/02-25

7.3. Special Council Meeting held on 29 January 2025

Minutes of the Special Council Meeting held 29 January 2025 are attached as Attachment 7.3(1).

Executive Recommendation:

That the Minutes from the Special Council Meeting held 29 January 2025 be confirmed as a true and accurate record.

COUNCIL RESOLUTION:	17/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That the Minutes from the Special Council Meeting held 29 January 2025 be confirmed as a true and accurate record.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 0/0 by en-bloc resolution 14/02-25

7.4. Annual General Meeting of Electors held on 3 February 2025

Minutes of the Annual General Meeting of Electors held 3 February 2025 are attached as Attachment 7.4(1).

Executive Recommendation:

That the Minutes from the Annual General Meeting of Electors held 3 February 2025 be confirmed as a true and accurate record.

COUNCIL RESOLUTION:	18/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That the Minutes from the Annual General Meeting of Electors held 3 February 2025 be confirmed as a true and accurate record.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0 by en-bloc resolution 14/02-25

8. Reports of Committees

8.1. South West Regional Road Group Meeting held on 25 November 2024

Minutes of the South West Regional Road Group Meeting held 25 November 2024 are attached at Attachment 8.1(1).

Executive Recommendation:

That the Minutes from the South West Regional Road Group Meeting held on 25 November 2024 be received.

COUNCIL RESOLUTION:	19/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That the Minutes from the South West Regional Road Group Meeting held on 25 November 2024 be received.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0 by en-bloc resolution 14/02-25

8.2. Warren Blackwood Alliance of Councils Meeting held on 10 December 2024

Minutes of the Warren Blackwood Alliance of Councils Meeting held 10 December 2024 are attached at Attachment 8.2(1).

Executive Recommendation:

That the Minutes from the Warren Blackwood Alliance of Councils Meeting held on 10 December 2024 be received.

COUNCIL RESOLUTION:	20/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That the Minutes from the Warren Blackwood Alliance of Councils Meeting held on 10 December 2024 be received.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0 by en-bloc resolution 14/02-25

9. Reports of Officers

9.1. Director Operations

9.1.1 Development Application P24056 – Extractive Industry (Sand) Lot 751 Donnybrook-Boyup Brook Road, Beelerup

Report Details:

Prepared by: Principal Planner and Planning Officer

Manager: Manager Development Services

Applicant: Shane Smith on behalf of Smith Sands Pty Ltd

Location: Lot 751 Donnybrook-Boyup Brook Road, Beelerup

File Reference: A4943 (P24056) **Voting Requirement:** Simple Majority

Attachment(s):

9.1.1(1) Location Plan.
9.1.1(2) Urbanise WA Engineering Solutions - Extractive Industry Application
9.1.1(3) Civil Plans
9.1.1(4) Urbanise WA Engineering Solutions - Environmental Feasibility Report
9.1.1(5) Structerre Consulting Engineers – Geotechnical Investigation
9.1.1(6) Public Submissions
9.1.1(7) Government Agency submissions
9.1.1(8) Assessment under Clause 67

Executive Recommendation

That Council:

A. Pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24056 Industry-Extractive (Sand) on Lot 751 Donnybrook-Boyup Brook Road, Beelerup, subject to the following conditions and advice:

VALIDITY

1. **This approval is valid for a period of ten (10) years after the date of issue or within any extended period as determined, in writing, by the Shire.**

2. **This approval allows the excavation and transportation of 80,000m³ - 100,000m³ (144,000 - 180,000 tonnes) of sand annually.**

APPROVED PLANS

3. **The layout of the site and location of crusher, stockpiles, access route and works permitted must always accord with 'Urbanise WA Engineering Solutions Extractive Industry Licence Application (August 2024) and Attachments** (Attachment 9.1.1(2) –

Attachment 9.1.1(5)) **and the conditions of approval and must not be altered or modified without the further written consent of the Shire.**

DUST MANAGEMENT

4. **Prior to the commencement of works, a Dust Management Plan must be submitted to and approved by the Shire and thereafter implemented. The Dust Management Plan must be prepared in accordance with the *Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017* to the satisfaction of the Shire. Once approved, the plan will form part of this approval and must be complied with at all times for the life of this approval.**

5. **Prior to the commencement of works, a suitable supply of water for the purposes of all site management operations is to be provided to the satisfaction of the Shire.**

WEED AND DIEBACK MANAGEMENT

6. **Prior to the commencement of works, a Weed Management Plan must be prepared to the satisfaction of the Shire. Any declared weeds found to be within the site need to be appropriately treated and removed prior to any excavation works. Once approved, the Weed Management Plan will form part of this approval and must be complied with at all times for the life of this approval.**

7. **Dieback measures to reduce the spread of dieback into adjoining properties are to be undertaken to the satisfaction of the Shire.**

8. **A minimum 10m setback is to be provided between the extraction area and adjacent existing native vegetation, with the 10m setback located on the outside of the tree crown drip line. This setback is to be clearly demarcated on the lot to ensure vehicles, extraction works, detention pond, and stockpile areas are located outside this works exclusion area to the satisfaction of the Shire.**

STORMWATER MANAGEMENT

9. **Prior to the commencement of works, a Stormwater Management Plan is to be submitted to and approved by the Shire demonstrating compliance with the Shire's stormwater management standards and the *Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017*. Stormwater is to be managed thereafter by the applicant in accordance with the approved Stormwater Management Plan the satisfaction of the Shire.**

10. **Any erosion and/or sedimentation issues that occur due to insufficient drainage and/or stormwater management from the proposed development, including any driveway or accessway, is to be rectified, so as not to impact any surrounding waterways and/or properties, including any infrastructure, to the satisfaction of the Shire.**

11. **Prior to the commencement of works, the maximum pit floor depth shall be established in accordance with a pit floor contour plan to be approved by the Shire in consultation with the Department of Water and Environmental Regulation. No groundwater is to be exposed on the surface of the pit floor. Should groundwater be exposed during excavation works, all works are to cease, and the Shire is to be notified. Any remedial works, as required by the Shire, in consultation with the Department of Water and Environmental Regulation, are the responsibility of the operator to rectify. No dewatering is permitted.**

12. **Any refuelling and/or activities that carry a risk of fuel or chemical spills are not to be undertaken in close proximity to the detention basin or stormwater flow paths.**

NOISE MANAGEMENT

13. **Prior to the commencement of works, the applicant is to submit an Acoustic Assessment of the potential noise emissions of the extractive industry operations prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society.**
    The Acoustic Assessment shall include (but not limited to):
    a. **the expected level of noise emissions from the extractive industry proposed development.**
    b. **determine whether the emissions are expected to be free from tonality, impulsiveness, and modulation characteristics.**
    c. **an assessment of the expected level of noise emissions for compliance with the Environmental Protection (Noise) Regulations 1997 at nearby sensitive receptors.**
    d. **provide detail as to the methodology used, calculations made, and any actual data obtained in relation to the assessment and expected noise emissions.**

14. **Following receipt of the Acoustic Assessment, the applicant is to submit a Noise Management Plan prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society.**
    The Noise Management Plan is to include (but is not limited to):
    a. **details of expected levels of noise emissions in accordance with Acoustic Assessment associated with the extractive industry operations.**
    b. **details of noise reduction measures to be implemented to control noise emissions.**

ONGOING COMPLIANCE AND MONITORING

15. **A complaints register is to be established including:**
    a. **details of the subject of the complaint;**
    b. **actions undertaken by the applicant to rectify the complaint; and**
    c. **the on-site publication of appropriate contact details where complaints are to be directed (in the first instance).**

16. **A suitable report is to be prepared and submitted to the Shire every 3 months including information relating to:**
    a. **a copy of the complaints register as per Condition 15; and**
    b. **any other information as deemed necessary by the Shire.**

REHABILITATION AND PIT CLOSURE MANAGEMENT

17. **Prior to the commencement of works, a Rehabilitation and Pit Closure Management Plan shall be submitted to and approved by the Shire. The plan must demonstrate (but not limited to) the following:**
    a. **stages of rehabilitation.**
    b. **details of the establishment of pasture post-extraction with plant species, density of planting and maintenance measures.**
    b. **weed identification and management measures to occur every six months (Autumn and Spring).**
    c. **dieback identification and management measures.**
    d. **demonstrate that it is consistent with the Department of Water and Environmental Regulation's WQPN 15 and the Guidelines for Preparing Mine Closure Plans and WQPN 84 Rehabilitation of disturbed land in public drinking water source areas.**
    e. **the applicant is to adhere to the agreed intended staging and ensure successful rehabilitation to the final landform and land use.**
    f. **management and compliance reporting shall be included to ensure successful implementation.**
    g. **demonstrate compliance with the conditions for sites under the *Shire of Donnybrook Balingup Extractive Industry Local Law 2016*.**
    h. **the revegetation of areas used for stockpiles.**
    i. **extraction of subsequent stages may only commence if rehabilitation of the previous extraction site has substantially commenced.**

    Once the Shire approves the Rehabilitation and Pit Closure Management Plan, the applicant is responsible to ensure that the development is conducted at all times and in all respects in accordance with the plan.

18. **Pit closure works, and rehabilitation of the entire site is to be completed within two (2) years of the end of extraction works or the expiration of this approval (whichever is sooner) unless otherwise extended, in writing, by the Shire.**

19. **Prior to the commencement of works, a $20,000 bond (cash or unconditional bank guarantee in favour of the Shire of Donnybrook Balingup) is required for the works identified by the Rehabilitation and Pit Closure Management Plan in Condition 17.**

OPERATING HOURS

20. **Operating hours of the extractive works are restricted to between 7:00am to 6:00pm Monday to Friday and 7:00am to 1:00pm on Saturdays. No operations are permitted on Sundays or Public Holidays unless otherwise agreed, in writing, by the Shire.**

21. **Trucks are not to operate between 7:30am to 8:40am and 3:20pm to 4:20pm on any given school day on a school bus route.**

VEHICULAR MANAGEMENT

22. **The southern part of Lot 751 is landlocked with no legal access. In approving this development application, the Shire agrees that temporary access may be obtained to the southern part of Lot 751 via parts of the Shire owned Lot 3122 as depicted on Figure 3. Access is only to be obtained over Lot 3122 for the life of this development approval. Prior to any application for the extension of the time frame of this development approval the applicant would need to demonstrate that legal access is available to Lot 751. The temporary accesses depicted in Figure 3 are to be maintained to the satisfaction of the Shire for the life of this approval; and at the end of the pit life these are to be in a condition to the satisfaction of the Shire prior to the return of any Shire bonds held.**

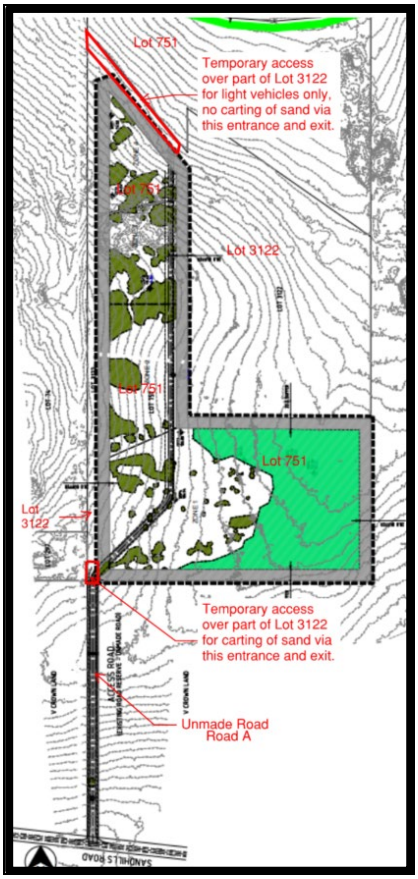


Figure 3 – Temporary access

23. **No movement of sand from the lot is to occur from the northern access over Lot 3122 via Frontino Road, this access is limited to light vehicles only.**

24. **Prior to the commencement of works, the applicant must submit to and have approved by the Shire detail plans for the construction of the unmade road (Road A). Thereafter all works are to be undertaken in accordance with the approved plans to the satisfaction of the Shire.**

25. **Once construction of Road A is completed, this road including 50m of Sandhills Road either side of Road A are to be maintained to the satisfaction of the Shire for the life of this approval; and at the end of the pit life Road A is to be in a condition to the satisfaction of the Shire prior to the return of any Shire bonds held.**

26. **The cost to relocate and/or remove any services/infrastructure that may be required for the purposes of meeting the vehicle management, are the responsibility of the applicant.**

27. **Prior to the commencement of works, the applicant is to install advance warning truck entering signs at the intersection of Road A and Sandhills Road. Signage at the entrance to Road A is also to be installed outlining that the road is not to be used for public access. All signs are to be installed to the satisfaction of the Shire.**

OTHER

28. **Prior to the commencement of works, a copy of a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for a sum of not less than $20,000,000 in respect of any one claim relating to any of the excavation operations.**

ADVICE NOTES

a. **This development approval is not an Extractive Industry Licence. No works are to be undertaken until such time as all conditions of the Development Approval have been satisfied and an Extractive Industry Licence has been granted under the *Shire of Donnybrook-Balingup Extractive Industry Local Law 2016.***

b. **The Department of Water and Environmental Regulation advise that a Clearing Permit is required for the pit works and road construction and upgrading. The applicant will need to seek advice directly from the Department of Water and Environmental Regulation in relation to clearing permit requirements.**

c. The proposed turkey nest dam to be constructed shall comply with the Shire of Donnybrook-Balingup 'Planning Information: Dams & Dam Construction, Shire of Donnybrook-Balingup, August 2024'.

d. The proposed operations are likely categorised as a Prescribed Premises, as per Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations). The applicant is advised to refer to the information and Industry Regulation Guide to Licensing available at http://www.der.wa.gov.au/our work/licences-and-works-approvals. Please contact the Department of Water and Environmental Regulation at info@dwer.wa.gov.au or (08) 6364 7000 regarding requirements.

e. With regards to Condition 9, Stormwater Management shall:

i. be implemented to ensure the surface flows during, and post-extraction will not detrimentally impact downstream properties. The management measures imposed must mitigate the risk of stormwater runoff and include details such as detention pond sizing, batters etc.

ii. cover the proposed extraction area and be prepared in accordance with the Department of Water and Environmental Regulation's WQPN 15 'Basic raw materials extraction' (July 2019) where applicable, to ensure environmental risks are appropriately mitigated.

f. With regards to Condition 11, groundwater levels Department of Water and Environmental Regulation advises that:

i. the applicant is to clarify the discrepancy in groundwater levels between the Urbanise WA Drawing SK002 (Rev A) Civil Plans (dated 05/07/24) and the Structerre Consulting Engineers Geotechnical Report, to the satisfaction of the Shire, in consultation with DWER. This requires additional information, such as, but not limited to updated groundwater levels using survey bore heights in metres AHD.

ii. the pit floor contour plan is to include a cross section across Zone 1, and both Cross Sections A (as identified across Zones 4 and 5 in Urbanise WA Drawing SK002 (Rev A) Civil Plans) are to be updated to reflect the correct sections, topography, proposed pit floor levels and groundwater levels in metres AHD – to the satisfaction of the Shire, in consultation with DWER.

iii. groundwater levels at the western portion of Zone 2 are to be determined to establish/confirm the cross section across Zone 2.

g. With regards to Condition 13 and 14, the Acoustic Assessment and Noise Management Plan must be prepared by a registered Acoustic Consultant with suitable qualifications, expertise, and local experience in the assessment of transport and environmental noise. They or their organisation must hold membership the membership grade of 'Member', being eligible to be a 'Member' or is working under

the supervision of a 'Member' of the Australian Acoustical Society; or work for a firm that is a member of the Association of Australasian Acoustical Consultants.

h. With regards to Condition 19, return of the bond will be measured against the works identified within the Rehabilitation and Pit Closure Management Plan as determined by the Shire.

i. With regards to Condition 22, it is the landowner's responsibility to ensure Lot 751 is provided with legal, constructed access in perpetuity. This may require an easement over the Shire owned Lot 3122. The approval of this development application is not to be construed as an agreement from Council to dispose of a part of the Shire owned Lot 3122. Consideration of this matter is separated from the development approval and subject to the provisions of the *Local Government Act 1995.*

j. Management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with the Department of Water and Environmental Regulation's WQPN 56 'Toxic and Hazardous Substance Storage and Use' (Dec 2018) and Use' (Dec 2018) and Contingencies for spills should be in accordance with WQPN 10 – 'Contaminant spills — emergency response plan' (May 2020).

k. If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

l. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.

m. If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005. An application must be made within 28 days of the determination.

n. With regards to Condition 7, dieback management measures are to be implemented consistent with the *Best Practice Guidelines for Management of Phytophthora Dieback in the Basic Raw Materials Industri*es.

o. The applicant is responsible to ensure obligations are met under the *Aboriginal Heritage Act 1972* with regards to undertaking a due diligence assessment and obtaining all relevant approvals.

B. Authorises the Chief Executive Officer to issue an Extractive Industry License for the extraction of gravel at Lot 751 Donnybrook-Boyup Brook Road, Beelerup upon complying

with the conditions of the above development approval and subject to the following conditions:

1. **The extractive operation shall comply with the Shire of Donnybrook-Balingup *Extractive Industry Local Law 2016* at all times.**

2. **Compliance with all approved plans and any conditions/advice contained in Development Approval P24056 at all times during the life of the extractive industry to the satisfaction of the Shire.**
3. **A licensee shall pay to the local government the annual licence fee in accordance with the Schedule of Fees and Charges adopted each year in the Shire annual budget prior to the commencement of extraction.**

4. **The operator is required to submit to the Shire an annual 'Progress Report' by the 30 December, detailing progress of the pit over the previous 12-month period. The Report should provide details on the following:**
   a. **extent of extraction undertaken (volume and area);**
   b. **completion of stages;**
   c. **rehabilitation of completed stages; and**
   d. **site survey plan prepared by a licensed surveyor.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome:	6 - The built environment is responsibly planned and well maintained.
Objective:	6.1 - Ensure sufficient land is available for residential, industrial and commercial uses.
Item:	Nil.

Executive Summary

The purpose of this report is for Council to consider an application for development approval for an extractive industry for sand at Lot 751 Donnybrook-Boyup Brook Road, Beelerup as outlined in the (Attachment 9.1.1(2)) application report. The southern section of Lot 751 on which the extractive industry is to be operated does not have access to a constructed road and this matter will also need to be consider by Council as part of the determination of this application.

Officers do not have delegation to determine applications for development approval where objections are received, or they are considered contentious as are historically extractive industry developments in the General and Priority Agriculture zones. There have been no objections received from referral and advertising of the proposal from any adjoining/nearby landowners (within 2km of the pit). Four (4) submissions from nearby landowners (18799 SW Highway, Brookhampton 1.8km, 38 Montgomery Road, Brookhampton 1.6km, 31 Sandhills Road, Beelerup 1.3km and 492 Donnybrook-Boyup Brook Road, Charley Creek 1.3km) from the pit supported the application.

Officers consider that the proposal may proceed and recommend it be granted approval subject to conditions/advice. The conditions/advice on the approval address the matters raised in the government agency submissions and are consistent with similar application approvals.

Background

Proposal

The Shire received a development application for an extractive industry at Lot 751 from Shane Smith on behalf of Smith Sands Pty Ltd to extract sand over a 10-year period with an annual excavation in the order of 80,000m³ - 100,000m³ (144,000 - 180,000 tonnes) and then rehabilitation of the pit area back to pasture. The development application details and plans are contained in (Attachment 9.1.1 (2)) and summarised below:

Application Details	
Lot	Lot 751
Lot Area	37.3560 hectares
LPS7 Zoning	General Agriculture
Permissibility in the Zone	'A' advertised discretionary use
Hours of Operation	All operations will be during daylight hours, in spring/summer time of the year. No work on Sundays and Public holidays.
Total Extraction Area	Maximum of 14.5 hectares in 4 zones as follows: Zone 1 – 5.89 hectares Zone 2 – 3.14 hectares Zone 3 – 2.21 hectares Zone 4 – 1.69 hectares from DBCEC Earthmoving Contractors Pit Overview/Survey Certificate.
Extraction Depth	Between 1m – 4.5m from Geotechnical Investigation report.
Extraction Length (Years)	10 years.
Rehabilitation	At the completion of sand excavation and stockpile operations, the pit area will be rehabilitated as follows: • Pit walls will be battered to a slope no more than 1 in 4 by pushing material from the pit floor. • The pit floor will be shaped with a minimum of 1 in 500 fall to avoid water ponding with any drainage directed downslope towards natural flow path of the site. • Any rocky material encountered within the pit floor will be ripped during summer at minimum 1m spacings across the contour a depth of at least 800mm. • The pit will be shaped to conform and blend into the adjacent landform as far as practical. • Topsoil and any over burden will be evenly spread over the pit area leaving a rough surface. • Any exposed rock shall be crushed or removed.

Application Details	
Extraction Volume	80,000m³ - 100,000m³ (144,000 - 180,000 tonnes) annually.
Truck Haulage Volume	Estimated that 12-14 vehicles movements per day will be entering and exiting the site (2-3 per hour).
Haulage Route	The southern section of Lot 751 on which the extractive industry is to be operated does not have access to a constructed road. The proposed access to the pit is from Sandhills Road (to the south of the property) through the existing unnamed road reserve and across Lot 3122 (under the care/control of the Shire). Sandhills Road is an approved MRWA Rav 4 access route. This unnamed road is currently a sand access track, and it is proposed to upgrade this road to provide safe access for LV's and HV vehicles. Further consideration of the access arrangements forms part of this Council Report.

Location Plan

Lot 751 is bounded by Donnybrook-Boyup Brook Road to the north and unnamed road to the west and located within a General Agriculture zone area that supports a range of rural activities (some with dwellings) including farming, horticulture, previous extractive industries on the surrounding properties. The lot is split in two parts with 23.9932ha south of Lot 3122 and 13.3628ha north of Lot 3122.

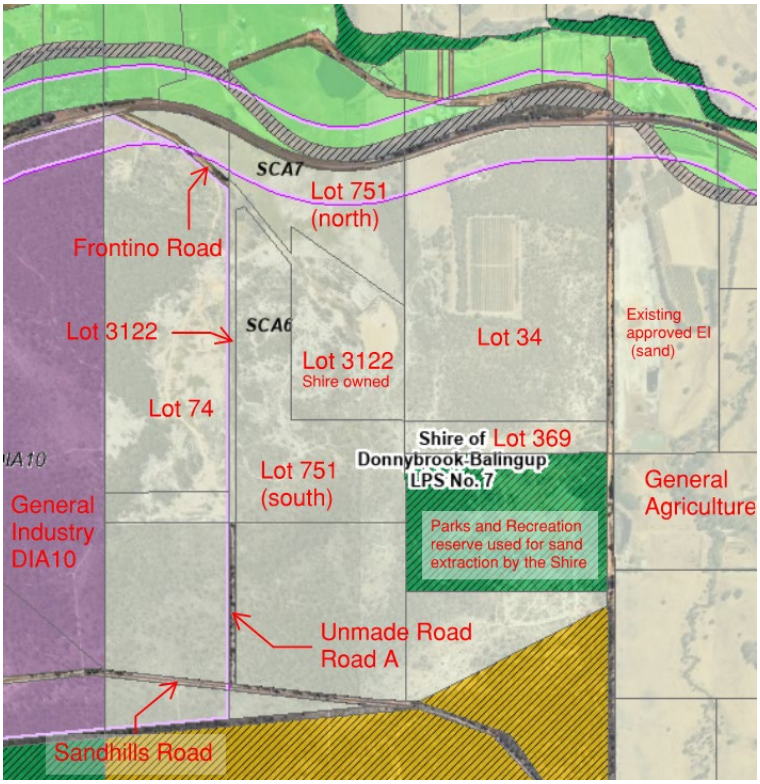


Figure 1 - Subject property Lot 751 and surrounds

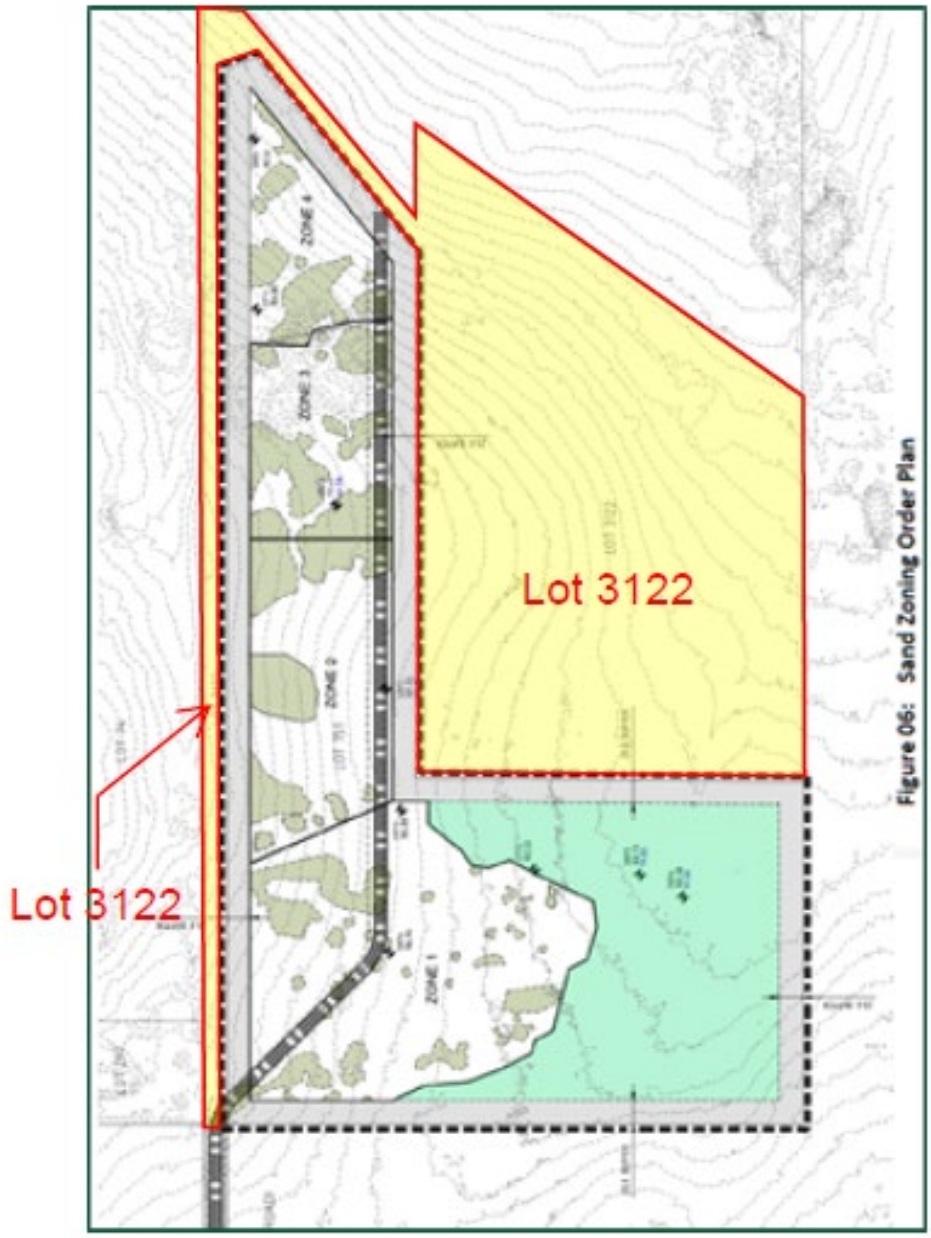


Figure 2 - Proposed Sand pit area showing relationship to Lot 3122.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Possible	Moderate	Moderate (5)
Risk Description:	Operation of the pit may have off site impacts relating to traffic, noise, and dust.		
Mitigation:	Officers recommend that if approval is granted conditions are to be imposed to mitigate land use impacts and managing potential off-site effects to acceptable levels.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Insignificant	Low (3)
Risk Description:	Impact on local community due to operations.		
Mitigation:	Conditional development approval and compliance.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Health	Unlikely	Minor	Low (4)
Risk Description:	Non-compliance with legislation.		
Mitigation:	Conditional development approval and ongoing compliance inspections and licensing.		

Financial Implications

The applicant has paid all relevant application fees. If Council refuses the application the applicant may exercise the right to have the decision reviewed by the State Administrative Tribunal. If that is the case, then it may be likely that there will be additional resourcing required (staff time and/or the cost of appointing a consultant to represent the Shire).

A bond of $20,000 is required to be paid to the Shire prior to the issue of the licence in accordance with the *Shire of Donnybrook Balingup Extractive Industries Local Law 1998*. This bond is refundable on completion of rehabilitation of the site in accordance with an approved rehabilitation management plan. Once the extractive industry licence has been granted a licensee shall pay to the local government the annual licence fee determined by the local government from time to time.

Policy Compliance

Local Planning Policy 9.7 Interpretation (Extractive Industry)

The application is for a commercial extractive industry and not covered by the Policy.

Statutory Compliance

The application has been assessed against the relevant and applicable statutory Shire of Donnybrook Balingup Local Planning Scheme No.7 (LPS7) provisions, and the proposal has also been assessed in accordance with Schedule 2, Part 9, Clause 67 (2) of the deemed provisions of the *Planning and*

Development (Local Planning Schemes) Regulations 2015. A full assessment is contained in (Attachment 9.1.1(8)).

The proposed extractive industry is considered compatible with the purpose and majority of the objectives for the General Agriculture zone as it would enable the sand resource to be extracted with the land then being returned to pasture.

Consultation

Public Submissions

The application was advertised in the local newspaper; the Preston Press, on the Shire's website and referred to landowners within a 2km radius of the subject lot boundaries. In total, four (4) public submissions were received at the conclusion of the public advertising period, all supporting the proposal. The Public Submissions are contained in (Attachment 9.1.1(6)).

Consultation with Government/Service Agencies

The proposal was referred to the Department of Energy, Mines, Industry Regulation and Safety, Department of Primary Industries and Regional Development, Department of Biodiversity, Conservation and Attractions, Department of Health, Main Roads WA and Department of Water and Environmental Regulation for comment. Submissions received are contained in (Attachment 9.1.1(7)) and discussed below.

Department of Primary Industries and Regional Development (DPIRD)	
Issues Raised in Submission	Response
The Department does not object to the proposed extractive industry (sand) and provide the following comments: • There is only a brief description related to weed management in the application and a declared weed has been identified on the property. The applicant to prepare a Weed Management Plan to ensure weeds are managed within the property. • The applicant will require a clearing permit from the Department of Water and Environmental Regulation. • The Decommissioning Program does not include any details of plantings to facilitate the rehabilitation of the site.	The Department's comments are noted and the requirements for a Weed Management Plan, clearing permit and rehabilitation plantings will be added as conditions/advice notes to the approval, if granted.

Department of Health (DoH)	
Issues Raised in Submission	Response
Water Supply and Wastewater Disposal DoH has no objection to the proposal subject to ensuring the treatment and disposal of the wastewater that is generated on site complies with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* and the Government Sewerage Policy 2019 requirements.	The Department's comments are noted. There are no buildings proposed requiring installation of a wastewater disposal system. The requirements for a Dust Management Plan and additional details for rehabilitation (as also recommended in the DPIRD submission above) will be added as conditions/advice notes to the approval, if granted.
Sand Extraction/Sand Mining/Sand Quarry DoH notes historically, and in general, sand quarries have posed significant dust complaints from nearby land users. DoH recommends a Dust Management Plan is prepared to the satisfaction of the Shire which includes specific measures to monitor visible dust and to conduct dust monitoring, particularly along the downwind perimeters to demonstrate compliance with National Environment Protection Measures' (NEPMs) 24-hour Particulate Matter 10 goal of 50ug/m³ criteria. The proposal does not provide sufficient details of the final restoration/remediation of the quarry excavation. DoH recommends that the applicant ensure that sufficient time and resources are set aside to ensure that the site is rehabilitated to condition suitable for use, and that the site is NOT reported or classified under the *Contaminated Sites Act 2003*.	

Department of Biodiversity, Conservation and Attractions (DBCA)	
Issues Raised in Submission	Response
Biodiversity values The MBS *Environmental Feasibility Assessment* (December 2013) (EFA) Section 5 refers to three locations of the Priority flora species *Acacia semitrullata* (P4) being recorded within Lot 751. The Priority flora species *Tetratheca parvifolia* (P3) has also been identified approximately 545 metres to the west of Lot 751. EFA Section 5 refers to a Level 1 vegetation and flora survey being undertaken on 11 November 2013. *T. parvifolia* usually flowers during October, and the flora survey timing may have been too late to identify this flora species.	The Department's comments are noted and will be added as conditions/advice notes to the approval, if granted.

Department of Biodiversity, Conservation and Attractions (DBCA)	
Issues Raised in Submission	Response
EFA Section 10 refers to a Greg Harewood fauna assessment that identified threatened black cockatoo foraging and breeding habitat within Lot 751. Black cockatoos are listed as threatened species under the BC Act and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The applicant should be aware of their obligations and approval requirements under section 40 of the BC Act, which requires Ministerial authorisation to take or disturb threatened species. DBCA recommends that if any vegetation clearing is required, the applicant should seek advice from DBCA's Species and Communities branch at speciesandcommunities@dbca.wa.gov.au prior to clearing works, in relation of section 40 authorisation requirements.	
Clearing Permit EFA Sections 10,13 and 14 refer to vegetation clearing and clearing permit requirements. In addition, the Urbanise WA *Extractive Industry License* application (Rev A, 25 August 2024) (EIL) Section 2.4 refers to the unnamed road reserve off Sandhills Road as the proposed access way, that is to be upgraded to meet haulage route standards. Clearing of native vegetation will also be required for the road upgrades. Native vegetation clearing for the proposed extraction site and access way will be required. The applicant will need to seek advice from the Department of Water and Environmental Regulation (DWER) in relation to clearing permit requirements. If a clearing permit is required, DBCA expects that the environmental values that are likely to be impacted by the proposed development will be adequately considered through the assessment of the clearing permit, through which DBCA may provide advice to DWER. DBCA notes the applicant's reference in EFA Section 14 to referral requirements for EPBC Act approvals. EPBC Act referral requirements will be	

Department of Biodiversity, Conservation and Attractions (DBCA)	
Issues Raised in Submission	Response
assessed as part of the DWER clearing permit process.	
Retained vegetation and landscaping. EIL Section 2.9 refers to a 20 metre vegetated buffer to be retained. EIL Section 2.11 refers to debris stacks and stockpiles being located no closer than 10 metres from retained vegetation. DBCA recommends that the 10 metre buffer be demarcated and located outside the tree crown drip zone, with the buffer being measured from the crown drip zone rather than the tree trunk to protect the retained trees and tree roots from accidental vehicle damage, soil compaction and tree root exposure during extraction, rehabilitation and development works. The Urbanise WA *Overall Site and Buffer Plan* (25 July 2024) depicts the proposed extraction area. The MBS Environmental *Level 1 Flora Survey* (December 2013) attached to the EFA, includes Figure 1 which depicts the Lot 751 vegetation condition. Areas identified as containing Very Good to Excellent condition vegetation are proposed to be cleared for the proposed extraction works. DBCA's preference would be that the best condition vegetation be retained where possible.	
Sensitive sites The adjacent Lots 34 and 369 are subject to a Department of Primary Industries and Resource Development (DPIRD) (Agriculture and Food) *Soil and Land Conservation Act 1945* Agreement to Reserve (ATR) to protect the native vegetation within the lots. DBCA recommends that advice is sought from DPIRD regarding impacts to the ATR from the proposed extraction works.	DPIRD was requested for further information relating to the ATR and indicated that the extraction area will not be closer than 20m from the lot boundary based on the proposed setbacks. This will ensure that the sand extraction does not have a negative impact on the ATR. The screenshot below of the ATR clearly shows the separation of the ATR area from the sand extraction area.

Department of Biodiversity, Conservation and Attractions (DBCA)	
Issues Raised in Submission	Response

Main Roads WA	
Issues Raised in Submission	Response
Advise that Main Roads has no objection to the proposed extractive industry.	The Department's advice is noted.

Department of Water and Environmental Regulation	
Issues Raised in Submission	Response
• Issue 1: The proposed operations may be categorised as Prescribed Premises under the *Environmental Protection Regulations 1987.* Advice 1: The following is advised: a) In the event screening is to occur, it is likely to exceed the threshold for a prescribed premises (Category 12: >50,000 tonnes/year or Category 70: >5 000 but < 50 000 tonnes/year), the proposal is likely to require a works approval/license for a Prescribed Premises under the EP Act 1986. b) As such, the applicant is to strongly advised to contact DWER's Industry Regulation branch regarding a works approval/license at info@dwer.wa.gov.au or 6364 7000. c) The Applicant is to refer to the information and Industry Regulation Guide to Licensing available at http://www.der.wa.gov.au/our-work/licences-and-works-approvals. • Issue 2: Groundwater levels Advice 2: The following is advised: a) Recommended condition: The maximum pit floor depth shall be established in accordance with an agreed pit floor contour plan to minimise the risk of groundwater being intercepted. No dewatering	The Department's advice is noted and will be added as conditions/advice notes to the approval, if granted.

Department of Water and Environmental Regulation	
Issues Raised in Submission	Response
works are to be undertaken without DWER consultation. The Local Government is to be notified within 24 hours if the water table is intercepted and remedial works undertaken. b) Advice: The applicant is to clarify the discrepancy in groundwater levels between the *Urbanise WA* Drawing SK002 (Rev A) Civil Plans (dated 05/07/24) and the *Structerre Consulting Engineers* Geotechnical Report, to the satisfaction of the Shire, in consultation with DWER. This requires additional information, such as, but not limited to updated groundwater levels using survey bore heights in metres AHD. c) Advice: The pit floor contour plan is to include a cross section across Zone 1, and both Cross Sections A (as identified across Zones 4 and 5 in *Urbanise WA* Drawing SK002 (Rev A) Civil Plans) are to be updated to reflect the correct sections, topography, proposed pit floor levels and groundwater levels in metres AHD – to the satisfaction of the Shire, in consultation with DWER. d) Advice: Groundwater levels at the western portion of Zone 2 are to be determined to establish/confirm the cross section across Zone 2. • Issue 3: Stormwater management Advice 3: A Stormwater Management Plan is to be prepared and approved to the satisfaction of the Shire, consistent with WQPN 15. • Issue 4: Water supply Advice 4: Recommended Condition: The applicant is to quantify their water requirements for all aspects of the proposed extraction and provide evidence of a secure water source, to the satisfaction of the Shire. • Issue 5: Environmental risks Advice 5: The proposed extraction is to be implemented in accordance with DWER's Water quality protection note (WQPN) no. 15 '*Basic raw materials extraction*' (July 2019) where appropriate to the site situation to ensure environmental risks are appropriately mitigated. • Issue 6: Dieback management plan Advice 6: The Dieback Management measures provided in the Extractive Industry Application is to be reviewed, approved, and implemented to the satisfaction of the Shire, in consultation with DBCA, consistent with the *Best Practice Guidelines for Management of Phytophthora Dieback in the Basic Raw Materials Industri*es.	

Department of Water and Environmental Regulation	
Issues Raised in Submission	Response
• Issue 7: Staging Plan Advice 7: Recommended Condition: Extraction must be undertaken in accordance with the agreed staging plan, as approved by the local government. Commencement of the subsequent extraction stage shall be subject to the previous extraction site having substantially commenced rehabilitation. • Issue 8: Rehabilitation plan and final landform Advice 8: The following is advised: a) Recommended Condition: The Rehabilitation Plan (RMP) is to be approved and implemented to the satisfaction of the Shire consistent with WQPN 15 and the Guidelines for Preparing Mine Closure Plans. The applicant is to adhere to the agreed intended staging and ensure successful rehabilitation to the final landform and land use. Management and compliance reporting shall be included to ensure successful implementation. b) Upon clarification of the groundwater survey levels (in metres AHD), a contour map of the final landform be provided to assist in the assessment of stormwater flows post-development. c) Due to the 'General Agriculture' zoning of the subject land, the Shire is advised to consult with DPIRD regarding the potential impacts the removal of material would have on the agricultural land use post-rehabilitation. • Issue 9: Fuel and chemical management Advice 9: Management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with DWER's WQPN 56 – '*Toxic and Hazardous Substance Storage and Use*' (Dec 2018). Contingencies for spills should be in accordance with WQPN 10 – '*Contaminant spills — emergency response plan*' (May 2020). • Issue 10: Clearing of native vegetation is subject to the *Environmental Protection Act 1986* (EP Act) Advice 10: The following is advised: a) The applicant is to apply for a clearing permit at https://www.der.wa.gov.au/our-work/clearing-permits/46-clearing-permit-application-forms. b) A pre-application meeting is highly recommended with DWER to discuss the clearing of native vegetation for this proposal, to which our	

Department of Water and Environmental Regulation	
Issues Raised in Submission	Response
Native Vegetation Regulation section be contacted by email (admin.nvp@dwer.wa.gov.au) or by telephone (6364 7098). DWER notes that the Shire of Donnybrook-Balingup advice on noise and dust is not required. We also note that no technical reports on dust/noise have been submitted and understand that these matters are considerations for the Shire's Environmental Health Officers.	

Officer Comment

The proposal has been assessed in accordance with the planning framework and a full assessment is contained in (Attachment 9.1.1(8)).

Key considerations identified are:

1. Zoning and Land Use Class Permissibility: The land is zoned General Agriculture under the Local Planning Scheme (LPS7), and the proposed Industry-Extractive use is an 'A' use, meaning it is discretionary and subject to local government approval after consultation. The proposal has gone through the required advertising process, and public submissions indicate general support.
2. Traffic and Access:
   The development application proposes temporary access to the southern part of Lot 751, which is currently landlocked, via Shire-owned Lot 3122. This temporary access would be granted for the life of the development approval, with the applicant required to demonstrate legal access to Lot 751 before seeking an extension. Traffic impact is minimal, with only 12-14 vehicle movements per day. The temporary access arrangement includes restrictions: the northern access is limited to light vehicle use, while the southern access is designated for carting sand.

   Additionally, the applicant must construct and maintain "Road A" to the satisfaction of the Shire, including 50m of Sandhills Road on either side of the new road. It is important to note that the development approval does not guarantee permanent legal access for Lot 751, and it remains the responsibility of the landowner to secure such access, potentially through an easement over Lot 3122. This matter is separate from the development approval and is not guaranteed by the Shire.

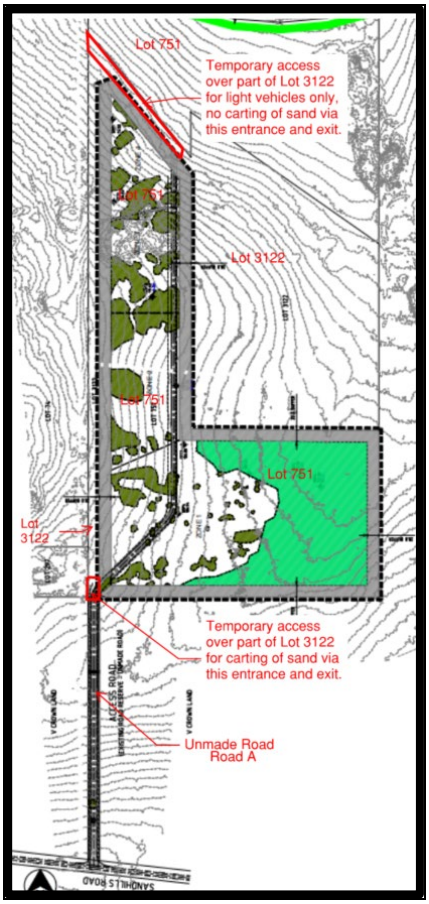


Figure 3 – Temporary access

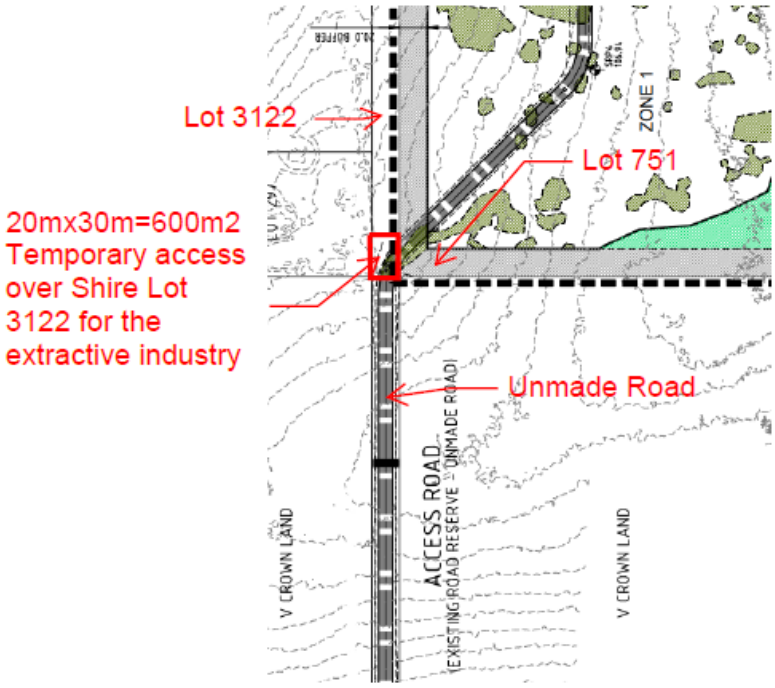


Figure 4 – Temporary access over Lot 3122 (southern access for carting of sand)

3. Environmental Impact: The potential environmental impacts (such as dust, noise, and stormwater runoff) will be managed through conditions, and detailed management plans are recommended to ensure that any adverse effects on nearby properties are minimized. The proposal also includes a rehabilitation plan for the land post-extraction. The rehabilitation plan does not provide sufficient detail, and this would require further consideration, and a condition is recommended for a and Pit Closure Plan to be submitted for approval by the Shire.
4. Agricultural Land Use: There are no significant concerns from the Department of Primary Industries and Regional Development (DPIRD) about the potential impact of the sand extraction on the agricultural viability of the land or the potential impacts of activities on the ATR identified lots (Lots 34 and 369). Once the activity ceases, the land will be rehabilitated to pasture, which helps to maintain long-term land use potential.
5. Approval with Conditions: Given the details provided, it is considered that the proposal meet the requirements of the LPS7 and relevant planning regulations. Conditions, especially those related to infrastructure upgrades and environmental management, will be key to ensuring the proposal is successful without causing long-term negative impacts.

Development considerations

When considering a development application, clause 68 (2) of the Deemed Provisions outlines the following options for determination:

> *The local government may determine an application for development approval by -*
> *(a) Granting development approval without conditions; or*
> *(b) Granting development approval with conditions; or*
> *(c) Refusing to grant development approval.*

Staff have assessed the application, including the advice from relevant Government Agencies and other Shire service divisions. Staff consider the proposal capable of being approved and managed through reasonable and achievable conditions of approval.

Conclusion

The proposal for sand extraction and processing activities has been thoroughly assessed in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* and the Shire of Donnybrook Balingup Local Planning Scheme No. 7. The proposal is deemed compatible with the objectives of the General Agriculture zone and is consistent with the surrounding area's developments and character. The consultation process has been successfully conducted, with all submissions received supporting the proposal, and any concerns raised have been addressed through proposed conditions.

The application complies with the requirements for orderly and proper planning, and potential impacts have been identified and can be effectively managed through conditions of approval. These conditions will ensure that the operation is conducted in a manner that mitigates environmental and community concerns, particularly regarding traffic, noise, dust, and stormwater runoff.

As a result, conditional approval for the proposal is recommended. With the implementation of these conditions, the proposal is expected to integrate successfully into the local area without creating significant negative impacts, and the land will ultimately be rehabilitated for future agricultural use once the extraction activity concludes.

MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That Council:

A. Pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24056 Industry-Extractive (Sand) on Lot 751 Donnybrook-Boyup Brook Road, Beelerup, subject to the following conditions and advice:

VALIDITY

1. This approval is valid for a period of ten (10) years after the date of issue or within any extended period as determined, in writing, by the Shire.

2. This approval allows the excavation and transportation of 80,000m³ - 100,000m³ (144,000 - 180,000 tonnes) of sand annually.

APPROVED PLANS

3. The layout of the site and location of crusher, stockpiles, access route and works permitted must always accord with 'Urbanise WA Engineering Solutions Extractive Industry Licence Application (August 2024) and Attachments (Attachment 9.1.1(2) – Attachment 9.1.1(5)) **and the conditions of approval and must not be altered or modified without the further written consent of the Shire.**

DUST MANAGEMENT

4. Prior to the commencement of works, a Dust Management Plan must be submitted to and approved by the Shire and thereafter implemented. The Dust Management Plan must be prepared in accordance with the *Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017* to the satisfaction of the Shire. Once approved, the plan will form part of this approval and must be complied with at all times for the life of this approval.

5. Prior to the commencement of works, a suitable supply of water for the purposes of all site management operations is to be provided to the satisfaction of the Shire.

WEED AND DIEBACK MANAGEMENT

6. Prior to the commencement of works, a Weed Management Plan must be prepared to the satisfaction of the Shire. Any declared weeds found to be within the site need to be appropriately treated and removed prior to any excavation works. Once

approved, the Weed Management Plan will form part of this approval and must be complied with at all times for the life of this approval.

7. **Dieback measures to reduce the spread of dieback into adjoining properties are to be undertaken to the satisfaction of the Shire.**

8. **A minimum 10m setback is to be provided between the extraction area and adjacent existing native vegetation, with the 10m setback located on the outside of the tree crown drip line. This setback is to be clearly demarcated on the lot to ensure vehicles, extraction works, detention pond, and stockpile areas are located outside this works exclusion area to the satisfaction of the Shire.**

STORMWATER MANAGEMENT

9. **Prior to the commencement of works, a Stormwater Management Plan is to be submitted to and approved by the Shire demonstrating compliance with the Shire's stormwater management standards and the *Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017*. Stormwater is to be managed thereafter by the applicant in accordance with the approved Stormwater Management Plan the satisfaction of the Shire.**

10. **Any erosion and/or sedimentation issues that occur due to insufficient drainage and/or stormwater management from the proposed development, including any driveway or accessway, is to be rectified, so as not to impact any surrounding waterways and/or properties, including any infrastructure, to the satisfaction of the Shire.**

11. **Prior to the commencement of works, the maximum pit floor depth shall be established in accordance with a pit floor contour plan to be approved by the Shire in consultation with the Department of Water and Environmental Regulation. No groundwater is to be exposed on the surface of the pit floor. Should groundwater be exposed during excavation works, all works are to cease, and the Shire is to be notified. Any remedial works, as required by the Shire, in consultation with the Department of Water and Environmental Regulation, are the responsibility of the operator to rectify. No dewatering is permitted.**

12. **Any refuelling and/or activities that carry a risk of fuel or chemical spills are not to be undertaken in close proximity to the detention basin or stormwater flow paths.**

NOISE MANAGEMENT

13. **Prior to the commencement of works, the applicant is to submit an Acoustic Assessment of the potential noise emissions of the extractive industry operations prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society.**

The Acoustic Assessment shall include (but not limited to):

a. **the expected level of noise emissions from the extractive industry proposed development.**
b. **determine whether the emissions are expected to be free from tonality, impulsiveness, and modulation characteristics.**
c. **an assessment of the expected level of noise emissions for compliance with the Environmental Protection (Noise) Regulations 1997 at nearby sensitive receptors.**
d. **provide detail as to the methodology used, calculations made, and any actual data obtained in relation to the assessment and expected noise emissions.**

14. **Following receipt of the Acoustic Assessment, the applicant is to submit a Noise Management Plan prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society. The Noise Management Plan is to include (but is not limited to):**
    a. **details of expected levels of noise emissions in accordance with Acoustic Assessment associated with the extractive industry operations.**
    b. **details of noise reduction measures to be implemented to control noise emissions.**

ONGOING COMPLIANCE AND MONITORING

15. **A complaints register is to be established including:**
    a. **details of the subject of the complaint;**
    b. **actions undertaken by the applicant to rectify the complaint; and**
    c. **the on-site publication of appropriate contact details where complaints are to be directed (in the first instance).**

16. **A suitable report is to be prepared and submitted to the Shire every 3 months including information relating to:**
    a. **a copy of the complaints register as per Condition 15; and**
    b. **any other information as deemed necessary by the Shire.**

REHABILITATION AND PIT CLOSURE MANAGEMENT

17. **Prior to the commencement of works, a Rehabilitation and Pit Closure Management Plan shall be submitted to and approved by the Shire. The plan must demonstrate (but not limited to) the following:**
    a. **stages of rehabilitation.**
    b. **details of the establishment of pasture post-extraction with plant species, density of planting and maintenance measures.**
    c. **weed identification and management measures to occur every six months (Autumn and Spring).**
    d. **dieback identification and management measures.**
    e. **demonstrate that it is consistent with the Department of Water and Environmental Regulation's WQPN 15 and the Guidelines for Preparing Mine**

Closure Plans and WQPN 84 Rehabilitation of disturbed land in public drinking water source areas.

f. the applicant is to adhere to the agreed intended staging and ensure successful rehabilitation to the final landform and land use.

g. management and compliance reporting shall be included to ensure successful implementation.

h. demonstrate compliance with the conditions for sites under the *Shire of Donnybrook Balingup Extractive Industry Local Law 2016*.

i. the revegetation of areas used for stockpiles.

j. extraction of subsequent stages may only commence if rehabilitation of the previous extraction site has substantially commenced.

Once the Shire approves the Rehabilitation and Pit Closure Management Plan, the applicant is responsible to ensure that the development is conducted at all times and in all respects in accordance with the plan.

18. Pit closure works, and rehabilitation of the entire site is to be completed within two (2) years of the end of extraction works or the expiration of this approval (whichever is sooner) unless otherwise extended, in writing, by the Shire.

19. Prior to the commencement of works, a $20,000 bond (cash or unconditional bank guarantee in favour of the Shire of Donnybrook Balingup) is required for the works identified by the Rehabilitation and Pit Closure Management Plan in Condition 17.

OPERATING HOURS

20. Operating hours of the extractive works are restricted to between 7:00am to 6:00pm Monday to Friday and 7:00am to 1:00pm on Saturdays. No operations are permitted on Sundays or Public Holidays unless otherwise agreed, in writing, by the Shire.

21. Trucks are not to operate between 7:30am to 8:40am and 3:20pm to 4:20pm on any given school day on a school bus route.

VEHICULAR MANAGEMENT

22. The southern part of Lot 751 is landlocked with no legal access. In approving this development application, the Shire agrees that temporary access may be obtained to the southern part of Lot 751 via parts of the Shire owned Lot 3122 as depicted on Figure 3. Access is only to be obtained over Lot 3122 for the life of this development approval. Prior to any application for the extension of the time frame of this development approval the applicant would need to demonstrate that legal access is available to Lot 751. The temporary accesses depicted in Figure 3 are to be maintained to the satisfaction of the Shire for the life of this approval; and at the end of the pit

life these are to be in a condition to the satisfaction of the Shire prior to the return of any Shire bonds held.

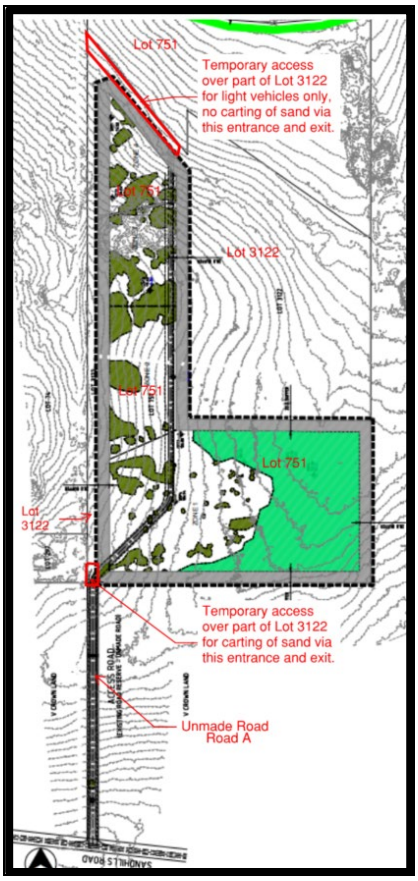


Figure 3 – Temporary access

23. **No movement of sand from the lot is to occur from the northern access over Lot 3122 via Frontino Road, this access is limited to light vehicles only.**

24. **Prior to the commencement of works, the applicant must submit to and have approved by the Shire detail plans for the construction of the unmade road (Road A). Thereafter all works are to be undertaken in accordance with the approved plans to the satisfaction of the Shire.**

25. **Once construction of Road A is completed, this road including 50m of Sandhills Road either side of Road A are to be maintained to the satisfaction of the Shire for the life of this approval; and at the end of the pit life Road A is to be in a condition to the satisfaction of the Shire prior to the return of any Shire bonds held.**

26. **The cost to relocate and/or remove any services/infrastructure that may be required for the purposes of meeting the vehicle management, are the responsibility of the applicant.**

27. **Prior to the commencement of works, the applicant is to install advance warning truck entering signs at the intersection of Road A and Sandhills Road. Signage at the entrance to Road A is also to be installed outlining that the road is not to be used for public access. All signs are to be installed to the satisfaction of the Shire.**

OTHER

28. **Prior to the commencement of works, a copy of a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for a sum of not less than $20,000,000 in respect of any one claim relating to any of the excavation operations.**

ADVICE NOTES

a. **This development approval is not an Extractive Industry Licence. No works are to be undertaken until such time as all conditions of the Development Approval have been satisfied and an Extractive Industry Licence has been granted under the *Shire of Donnybrook-Balingup Extractive Industry Local Law 2016.***

b. **The Department of Water and Environmental Regulation advise that a Clearing Permit is required for the pit works and road construction and upgrading. The applicant will need to seek advice directly from the Department of Water and Environmental Regulation in relation to clearing permit requirements.**

c. **The proposed turkey nest dam to be constructed shall comply with the Shire of Donnybrook-Balingup 'Planning Information: Dams & Dam Construction, Shire of Donnybrook-Balingup, August 2024'.**

d. **The proposed operations are likely categorised as a Prescribed Premises, as per Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations). The applicant is advised to refer to the information and Industry Regulation Guide to Licensing available at http://www.der.wa.gov.au/our work/licences-and-works-approvals. Please contact the Department of Water and Environmental Regulation at info@dwer.wa.gov.au or (08) 6364 7000 regarding requirements.**

e. **With regards to Condition 9, Stormwater Management shall:**
   i. **be implemented to ensure the surface flows during, and post-extraction will not detrimentally impact downstream properties. The management measures imposed must mitigate the risk of stormwater runoff and include details such as detention pond sizing, batters etc.**

   ii. **cover the proposed extraction area and be prepared in accordance with the Department of Water and Environmental Regulation's WQPN 15 'Basic raw**

materials extraction' (July 2019) where applicable, to ensure environmental risks are appropriately mitigated.

f. With regards to Condition 11, groundwater levels Department of Water and Environmental Regulation advises that:

i. the applicant is to clarify the discrepancy in groundwater levels between the Urbanise WA Drawing SK002 (Rev A) Civil Plans (dated 05/07/24) and the Structerre Consulting Engineers Geotechnical Report, to the satisfaction of the Shire, in consultation with DWER. This requires additional information, such as, but not limited to updated groundwater levels using survey bore heights in metres AHD.

ii. the pit floor contour plan is to include a cross section across Zone 1, and both Cross Sections A (as identified across Zones 4 and 5 in Urbanise WA Drawing SK002 (Rev A) Civil Plans) are to be updated to reflect the correct sections, topography, proposed pit floor levels and groundwater levels in metres AHD – to the satisfaction of the Shire, in consultation with DWER.

iii. groundwater levels at the western portion of Zone 2 are to be determined to establish/confirm the cross section across Zone 2.

g. With regards to Condition 13 and 14, the Acoustic Assessment and Noise Management Plan must be prepared by a registered Acoustic Consultant with suitable qualifications, expertise, and local experience in the assessment of transport and environmental noise. They or their organisation must hold membership the membership grade of 'Member', being eligible to be a 'Member' or is working under the supervision of a 'Member' of the Australian Acoustical Society; or work for a firm that is a member of the Association of Australasian Acoustical Consultants.

h. With regards to Condition 19, return of the bond will be measured against the works identified within the Rehabilitation and Pit Closure Management Plan as determined by the Shire.

i. With regards to Condition 22, it is the landowner's responsibility to ensure Lot 751 is provided with legal, constructed access in perpetuity. This may require an easement over the Shire owned Lot 3122. The approval of this development application is not to be construed as an agreement from Council to dispose of a part of the Shire owned Lot 3122. Consideration of this matter is separated from the development approval and subject to the provisions of the *Local Government Act 1995.*

j. Management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with the Department of Water and Environmental Regulation's WQPN 56 'Toxic and Hazardous Substance Storage

and Use' (Dec 2018) and Use' (Dec 2018) and Contingencies for spills should be in accordance with WQPN 10 – 'Contaminant spills — emergency response plan' (May 2020).

k. If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

l. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.

m. If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005. An application must be made within 28 days of the determination.

n. With regards to Condition 7, dieback management measures are to be implemented consistent with the *Best Practice Guidelines for Management of Phytophthora Dieback in the Basic Raw Materials Industrie*s.

o. The applicant is responsible to ensure obligations are met under the *Aboriginal Heritage Act 1972* with regards to undertaking a due diligence assessment and obtaining all relevant approvals.

B. Authorises the Chief Executive Officer to issue an Extractive Industry License for the extraction of gravel at Lot 751 Donnybrook-Boyup Brook Road, Beelerup upon complying with the conditions of the above development approval and subject to the following conditions:

1. The extractive operation shall comply with the Shire of Donnybrook-Balingup *Extractive Industry Local Law 2016* at all times.

2. Compliance with all approved plans and any conditions/advice contained in Development Approval P24056 at all times during the life of the extractive industry to the satisfaction of the Shire.

3. A licensee shall pay to the local government the annual licence fee in accordance with the Schedule of Fees and Charges adopted each year in the Shire annual budget prior to the commencement of extraction.

4. The operator is required to submit to the Shire an annual 'Progress Report' by the 30 December, detailing progress of the pit over the previous 12-month period. The Report should provide details on the following:

a. extent of extraction undertaken (volume and area);

b. completion of stages;

c. rehabilitation of completed stages; and
d.site survey plan prepared by a licensed surveyor.

Amendment by Cr Davy:

COUNCIL RESOLUTION:	21/02-25		
MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Cr John Bailey

7. Prior to the commencement of any clearing or site disturbance activities, the applicant must confirm the presence or absence of dieback and prepare a Dieback Management Plan to the satisfaction of the Shire. Once approved, the Dieback Management Plan shall become part of this approval and must be adhered to at all times for the duration of the approval.

29. Prior to the commencement of Spring/Summer sand extraction, the applicant shall monitor depth to groundwater during the period from August to October each year. The monitoring shall be carried out to ensure that there is adequate separation between the groundwater level and the pit floor in accordance with the approved pit floor contour plan.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

Amendment by Cr Bailey:

MOVED BY:	Cr John Bailey	**SECONDED BY:**	Cr Lisa Glover

20. Operating hours of the extractive works are restricted to between 7:00am to 6:00pm Monday to Friday. No operations are permitted on Saturday, Sunday or Public Holidays unless otherwise agreed, in writing, by the Shire. Operations on a Saturday, to be limited to carting only between 7:00am to 1:00pm.

For: Nil.
Against: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Lost: 8/0

Amendment by Cr Glover:

MOVED BY:	Cr Lisa Glover	**SECONDED BY:**	Cr John Bailey

20. Operating hours of the extractive works are restricted to between 7:00am to 6:00pm Monday to Friday. Operations on a Saturday, to be limited to carting only between 7:00am to 1:00pm.

For: Cr Patrick, Cr Bailey, Cr Gubler, Cr Glover
Against: Cr MacCarthy, Cr Davy, Cr Lindemann, Cr Mitchell
Lost: 5/4

Casting vote: President voted against

Substantive motion as amended by Cr Davy including the amendment (highlighted in red):

COUNCIL RESOLUTION:	22/02-25		
MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Cr John Bailey

That Council:

A. Pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24056 Industry-Extractive (Sand) on Lot 751 Donnybrook-Boyup Brook Road, Beelerup, subject to the following conditions and advice:

VALIDITY

1. **This approval is valid for a period of ten (10) years after the date of issue or within any extended period as determined, in writing, by the Shire.**

2. **This approval allows the excavation and transportation of 80,000m³ - 100,000m³ (144,000 - 180,000 tonnes) of sand annually.**

APPROVED PLANS

3. **The layout of the site and location of crusher, stockpiles, access route and works permitted must always accord with 'Urbanise WA Engineering Solutions Extractive Industry Licence Application (August 2024) and Attachments** (Attachment 9.1.1(2) – Attachment 9.1.1(5)) **and the conditions of approval and must not be altered or modified without the further written consent of the Shire.**

DUST MANAGEMENT

4. **Prior to the commencement of works, a Dust Management Plan must be submitted to and approved by the Shire and thereafter implemented. The Dust Management Plan must be prepared in accordance with the *Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017* to the satisfaction of the Shire. Once approved, the plan will form part of this approval and must be complied with at all times for the life of this approval.**

5. **Prior to the commencement of works, a suitable supply of water for the purposes of all site management operations is to be provided to the satisfaction of the Shire.**

WEED AND DIEBACK MANAGEMENT

6. **Prior to the commencement of works, a Weed Management Plan must be prepared to the satisfaction of the Shire. Any declared weeds found to be within the site need to be appropriately treated and removed prior to any excavation works. Once**

approved, the Weed Management Plan will form part of this approval and must be complied with at all times for the life of this approval.

7. **Prior to the commencement of any clearing or site disturbance activities, the applicant must confirm the presence or absence of dieback and prepare a Dieback Management Plan to the satisfaction of the Shire. Once approved, the Dieback Management Plan shall become part of this approval and must be adhered to at all times for the duration of the approval.**

8. **A minimum 10m setback is to be provided between the extraction area and adjacent existing native vegetation, with the 10m setback located on the outside of the tree crown drip line. This setback is to be clearly demarcated on the lot to ensure vehicles, extraction works, detention pond, and stockpile areas are located outside this works exclusion area to the satisfaction of the Shire.**

STORMWATER MANAGEMENT

9. **Prior to the commencement of works, a Stormwater Management Plan is to be submitted to and approved by the Shire demonstrating compliance with the Shire's stormwater management standards and the *Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017*. Stormwater is to be managed thereafter by the applicant in accordance with the approved Stormwater Management Plan the satisfaction of the Shire.**

10. **Any erosion and/or sedimentation issues that occur due to insufficient drainage and/or stormwater management from the proposed development, including any driveway or accessway, is to be rectified, so as not to impact any surrounding waterways and/or properties, including any infrastructure, to the satisfaction of the Shire.**

11. **Prior to the commencement of works, the maximum pit floor depth shall be established in accordance with a pit floor contour plan to be approved by the Shire in consultation with the Department of Water and Environmental Regulation. No groundwater is to be exposed on the surface of the pit floor. Should groundwater be exposed during excavation works, all works are to cease, and the Shire is to be notified. Any remedial works, as required by the Shire, in consultation with the Department of Water and Environmental Regulation, are the responsibility of the operator to rectify. No dewatering is permitted.**

12. **Any refuelling and/or activities that carry a risk of fuel or chemical spills are not to be undertaken in close proximity to the detention basin or stormwater flow paths.**

NOISE MANAGEMENT

13. **Prior to the commencement of works, the applicant is to submit an Acoustic Assessment of the potential noise emissions of the extractive industry operations prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society.**
The Acoustic Assessment shall include (but not limited to):

a. **the expected level of noise emissions from the extractive industry proposed development.**
b. **determine whether the emissions are expected to be free from tonality, impulsiveness, and modulation characteristics.**
c. **an assessment of the expected level of noise emissions for compliance with the Environmental Protection (Noise) Regulations 1997 at nearby sensitive receptors.**
d. **provide detail as to the methodology used, calculations made, and any actual data obtained in relation to the assessment and expected noise emissions.**

14. **Following receipt of the Acoustic Assessment, the applicant is to submit a Noise Management Plan prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society.**
The Noise Management Plan is to include (but is not limited to):
    a. **details of expected levels of noise emissions in accordance with Acoustic Assessment associated with the extractive industry operations.**
    b. **details of noise reduction measures to be implemented to control noise emissions.**

ONGOING COMPLIANCE AND MONITORING

15. **A complaints register is to be established including:**
    a. **details of the subject of the complaint;**
    b. **actions undertaken by the applicant to rectify the complaint; and**
    c. **the on-site publication of appropriate contact details where complaints are to be directed (in the first instance).**

16. **A suitable report is to be prepared and submitted to the Shire every 3 months including information relating to:**
    a. **a copy of the complaints register as per Condition 15; and**
    b. **any other information as deemed necessary by the Shire.**

REHABILITATION AND PIT CLOSURE MANAGEMENT

17. **Prior to the commencement of works, a Rehabilitation and Pit Closure Management Plan shall be submitted to and approved by the Shire. The plan must demonstrate (but not limited to) the following:**
    a. **stages of rehabilitation.**
    b. **details of the establishment of pasture post-extraction with plant species, density of planting and maintenance measures.**

c. weed identification and management measures to occur every six months (Autumn and Spring).
d. dieback identification and management measures.
e. demonstrate that it is consistent with the Department of Water and Environmental Regulation's WQPN 15 and the Guidelines for Preparing Mine Closure Plans and WQPN 84 Rehabilitation of disturbed land in public drinking water source areas.
f. the applicant is to adhere to the agreed intended staging and ensure successful rehabilitation to the final landform and land use.
g. management and compliance reporting shall be included to ensure successful implementation.
h. demonstrate compliance with the conditions for sites under the *Shire of Donnybrook Balingup Extractive Industry Local Law 2016*.
i. the revegetation of areas used for stockpiles.
j. extraction of subsequent stages may only commence if rehabilitation of the previous extraction site has substantially commenced.

Once the Shire approves the Rehabilitation and Pit Closure Management Plan, the applicant is responsible to ensure that the development is conducted at all times and in all respects in accordance with the plan.

18. Pit closure works, and rehabilitation of the entire site is to be completed within two (2) years of the end of extraction works or the expiration of this approval (whichever is sooner) unless otherwise extended, in writing, by the Shire.

19. Prior to the commencement of works, a $20,000 bond (cash or unconditional bank guarantee in favour of the Shire of Donnybrook Balingup) is required for the works identified by the Rehabilitation and Pit Closure Management Plan in Condition 17.

OPERATING HOURS

20. Operating hours of the extractive works are restricted to between 7:00am to 6:00pm Monday to Friday and 7:00am to 1:00pm on Saturdays. No operations are permitted on Sundays or Public Holidays unless otherwise agreed, in writing, by the Shire.

21. Trucks are not to operate between 7:30am to 8:40am and 3:20pm to 4:20pm on any given school day on a school bus route.

VEHICULAR MANAGEMENT

22. The southern part of Lot 751 is landlocked with no legal access. In approving this development application, the Shire agrees that temporary access may be obtained to the southern part of Lot 751 via parts of the Shire owned Lot 3122 as depicted on Figure 3. Access is only to be obtained over Lot 3122 for the life of this development

approval. Prior to any application for the extension of the time frame of this development approval the applicant would need to demonstrate that legal access is available to Lot 751. The temporary accesses depicted in Figure 3 are to be maintained to the satisfaction of the Shire for the life of this approval; and at the end of the pit life these are to be in a condition to the satisfaction of the Shire prior to the return of any Shire bonds held.

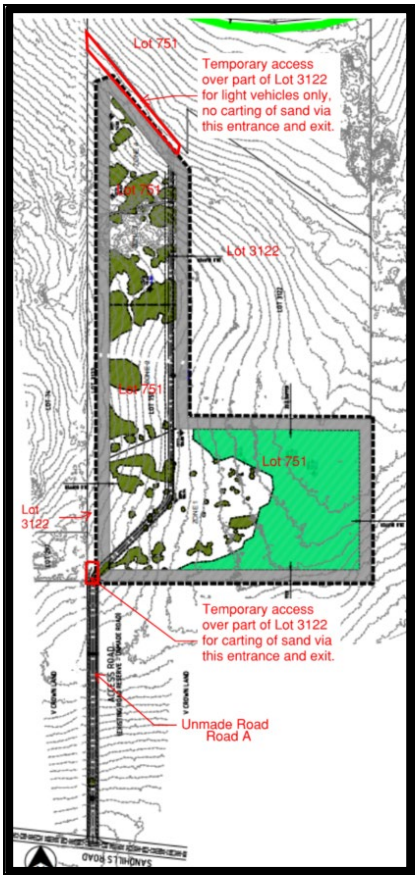


Figure 3 – Temporary access

23. **No movement of sand from the lot is to occur from the northern access over Lot 3122 via Frontino Road, this access is limited to light vehicles only.**

24. **Prior to the commencement of works, the applicant must submit to and have approved by the Shire detail plans for the construction of the unmade road (Road A). Thereafter all works are to be undertaken in accordance with the approved plans to the satisfaction of the Shire.**

25. **Once construction of Road A is completed, this road including 50m of Sandhills Road either side of Road A are to be maintained to the satisfaction of the Shire for the life of this approval; and at the end of the pit life Road A is to be in a condition to the satisfaction of the Shire prior to the return of any Shire bonds held.**

26. **The cost to relocate and/or remove any services/infrastructure that may be required for the purposes of meeting the vehicle management, are the responsibility of the applicant.**

27. **Prior to the commencement of works, the applicant is to install advance warning truck entering signs at the intersection of Road A and Sandhills Road. Signage at the entrance to Road A is also to be installed outlining that the road is not to be used for public access. All signs are to be installed to the satisfaction of the Shire.**

OTHER

28. **Prior to the commencement of works, a copy of a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for a sum of not less than $20,000,000 in respect of any one claim relating to any of the excavation operations.**

29 **Prior to the commencement of Spring/Summer sand extraction, the applicant shall monitor depth to groundwater during the period from August to October each year. The monitoring shall be carried out to ensure that there is adequate separation between the groundwater level and the pit floor in accordance with the approved pit floor contour plan.**

ADVICE NOTES

a. **This development approval is not an Extractive Industry Licence. No works are to be undertaken until such time as all conditions of the Development Approval have been satisfied and an Extractive Industry Licence has been granted under the *Shire of Donnybrook-Balingup Extractive Industry Local Law 2016.***

b. **The Department of Water and Environmental Regulation advise that a Clearing Permit is required for the pit works and road construction and upgrading. The applicant will need to seek advice directly from the Department of Water and Environmental Regulation in relation to clearing permit requirements.**

c. **The proposed turkey nest dam to be constructed shall comply with the Shire of Donnybrook-Balingup 'Planning Information: Dams & Dam Construction, Shire of Donnybrook-Balingup, August 2024'.**

d. **The proposed operations are likely categorised as a Prescribed Premises, as per Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations). The applicant is advised to refer to the information and Industry Regulation Guide to Licensing available at http://www.der.wa.gov.au/our work/licences-and-works-approvals. Please contact the Department of Water and Environmental Regulation at info@dwer.wa.gov.au or (08) 6364 7000 regarding requirements.**

e. With regards to Condition 9, Stormwater Management shall:

i. be implemented to ensure the surface flows during, and post-extraction will not detrimentally impact downstream properties. The management measures imposed must mitigate the risk of stormwater runoff and include details such as detention pond sizing, batters etc.

ii. cover the proposed extraction area and be prepared in accordance with the Department of Water and Environmental Regulation's WQPN 15 'Basic raw materials extraction' (July 2019) where applicable, to ensure environmental risks are appropriately mitigated.

f. With regards to Condition 11, groundwater levels Department of Water and Environmental Regulation advises that:

i. the applicant is to clarify the discrepancy in groundwater levels between the Urbanise WA Drawing SK002 (Rev A) Civil Plans (dated 05/07/24) and the Structerre Consulting Engineers Geotechnical Report, to the satisfaction of the Shire, in consultation with DWER. This requires additional information, such as, but not limited to updated groundwater levels using survey bore heights in metres AHD.

ii. the pit floor contour plan is to include a cross section across Zone 1, and both Cross Sections A (as identified across Zones 4 and 5 in Urbanise WA Drawing SK002 (Rev A) Civil Plans) are to be updated to reflect the correct sections, topography, proposed pit floor levels and groundwater levels in metres AHD – to the satisfaction of the Shire, in consultation with DWER.

iii. groundwater levels at the western portion of Zone 2 are to be determined to establish/confirm the cross section across Zone 2.

g. With regards to Condition 13 and 14, the Acoustic Assessment and Noise Management Plan must be prepared by a registered Acoustic Consultant with suitable qualifications, expertise, and local experience in the assessment of transport and environmental noise. They or their organisation must hold membership the membership grade of 'Member', being eligible to be a 'Member' or is working under the supervision of a 'Member' of the Australian Acoustical Society; or work for a firm that is a member of the Association of Australasian Acoustical Consultants.

h. With regards to Condition 19, return of the bond will be measured against the works identified within the Rehabilitation and Pit Closure Management Plan as determined by the Shire.

i. With regards to Condition 22, it is the landowner's responsibility to ensure Lot 751 is provided with legal, constructed access in perpetuity. This may require an

easement over the Shire owned Lot 3122. The approval of this development application is not to be construed as an agreement from Council to dispose of a part of the Shire owned Lot 3122. Consideration of this matter is separated from the development approval and subject to the provisions of the *Local Government Act 1995.*

j. Management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with the Department of Water and Environmental Regulation's WQPN 56 'Toxic and Hazardous Substance Storage and Use' (Dec 2018) and Use' (Dec 2018) and Contingencies for spills should be in accordance with WQPN 10 – 'Contaminant spills — emergency response plan' (May 2020).

k. If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

l. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.

m. If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005. An application must be made within 28 days of the determination.

n. With regards to Condition 7, dieback management measures are to be implemented consistent with the *Best Practice Guidelines for Management of Phytophthora Dieback in the Basic Raw Materials Industrie*s.

o. The applicant is responsible to ensure obligations are met under the *Aboriginal Heritage Act 1972* with regards to undertaking a due diligence assessment and obtaining all relevant approvals.

B. Authorises the Chief Executive Officer to issue an Extractive Industry License for the extraction of gravel at Lot 751 Donnybrook-Boyup Brook Road, Beelerup upon complying with the conditions of the above development approval and subject to the following conditions:

1. The extractive operation shall comply with the Shire of Donnybrook-Balingup *Extractive Industry Local Law 2016* at all times.

2. Compliance with all approved plans and any conditions/advice contained in Development Approval P24056 at all times during the life of the extractive industry to the satisfaction of the Shire.

3. **A licensee shall pay to the local government the annual licence fee in accordance with the Schedule of Fees and Charges adopted each year in the Shire annual budget prior to the commencement of extraction.**

4. **The operator is required to submit to the Shire an annual 'Progress Report' by the 30 December, detailing progress of the pit over the previous 12-month period. The Report should provide details on the following:**
   a. **extent of extraction undertaken (volume and area);**
   b. **completion of stages;**
   c. **rehabilitation of completed stages; and**
   d. **site survey plan prepared by a licensed surveyor.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

9.1.2. Development Application P24066 – Extractive Industry (Gravel) Lot 100 Goodwood Road, Upper Capel

Report Details:

Prepared by: Principal Planner and Planning Officer

Manager: Manager Development Services

Applicant: Shane Smith

Location: Lot 100 Goodwood Road, Upper Capel

File Reference: A5475 (P24066) **Voting Requirement:** Simple Majority

Attachment(s):

9.1.2(1) Urbanise WA Engineering Solutions - Extractive Industry Application.
9.1.2(2) Government Agency submissions.
9.1.2(3) Assessment under Clause 67.

Executive Recommendation

That Council:

A. Pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24066 Industry-Extractive (Gravel) on Lot 100 Goodwood Road, Upper Capel subject to the following conditions and advice:

VALIDITY

1. **This approval is valid for a period of ten (10) years after the date of issue or within any extended period as determined, in writing, by the Shire.**
2. **This approval allows the excavation and transportation of 20,000m³ - 30,000m³ (32,000 - 48,000 tonnes) of gravel annually.**

APPROVED PLANS

3. **The layout of the site and location of crusher, stockpiles, access route and works permitted must always accord with 'Urbanise WA Engineering Solutions Extractive Industry Application (September 2024)'** (Attachment 9.1.2(1)) **and the conditions of approval and must not be altered or modified without the further written consent of the Shire.**

DUST MANAGEMENT

4. **Prior to the commencement of works, a Dust Management Plan must be submitted to and approved by the Shire and thereafter implemented. The Dust Management Plan must be prepared in accordance with the Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017 to the satisfaction of the Shire. Once approved, the plan will form part of this approval and must be complied with at all times for the life of this approval.**

5. **A suitable supply of water for the purposes of all site management operations is to be provided to the satisfaction of the Shire.**

WEED AND DIEBACK MANAGEMENT

6. **Weed management is to be undertaken to the satisfaction of the Shire. Any declared weeds found to be within the site need to be appropriately treated and removed prior to any further excavation works.**

7. **Dieback measures to reduce the spread of dieback into adjoining properties are to be undertaken to the satisfaction of the Shire.**

8. **A minimum 10m setback is to be provided between the extraction area and adjacent existing native vegetation, with the 10m setback located on the outside of the tree crown drip line. This setback is to be clearly demarcated on the lot to ensure vehicles, extraction works, detention pond, bunds, and stockpile areas are located outside this works exclusion area to the satisfaction of the Shire.**

STORMWATER MANAGEMENT

9. **Prior to the commencement of works, a Stormwater Management Plan is to be submitted to and approved by the Shire demonstrating compliance with the Shire's stormwater management standards and the Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017. Stormwater is to be managed thereafter by the applicant in accordance with the approved Stormwater Management Plan to the satisfaction of the Shire.**

10. **Any erosion and/or sedimentation issues that occur due to insufficient drainage and/or stormwater management from the proposed development, including any driveway or accessway, is to be rectified, so as not to impact any surrounding waterways and/or properties, including any infrastructure, to the satisfaction of the Shire.**

11. **Prior to the commencement of works, the maximum pit floor depth shall be established in accordance with a pit floor contour plan to be approved by the Shire in consultation with the Department of Water and Environmental Regulation. No groundwater is to be exposed on the surface of the pit floor. Should groundwater be exposed during excavation works, all works are to cease, and the Shire is to be notified. Any remedial works, as required by the Shire, in consultation with the Department of Water and Environmental Regulation, are the responsibility of the operator to rectify. No dewatering is permitted.**

12. **Any refuelling and/or activities that carry a risk of fuel or chemical spills are not to be undertaken in close proximity to the detention basin or stormwater flow paths.**

NOISE MANAGEMENT

13. **Prior to the commencement of works, the applicant is to submit an Acoustic Assessment of the potential noise emissions of the extractive industry operations prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society.**
14. **The Acoustic Assessment shall include (but not limited to):**
    e. **the expected level of noise emissions from the extractive industry proposed development.**
    f. **determine whether the emissions are expected to be free from tonality, impulsiveness, and modulation characteristics.**
    g. **an assessment of the expected level of noise emissions for compliance with the *Environmental Protection (Noise) Regulations 1997* at nearby sensitive receptors.**
    h. **provide detail as to the methodology used, calculations made, and any actual data obtained in relation to the assessment and expected noise emissions.**

15. **Following receipt of the Acoustic Assessment, the applicant is to submit a Noise Management Plan prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society. The Noise Management Plan is to include (but is not limited to):**
    a. **details of expected levels of noise emissions in accordance with Acoustic Assessment associated with the extractive industry operations.**
    b. **details of noise reduction measures to be implemented to control noise emissions.**

ONGOING COMPLIANCE AND MONITORING

16. **A complaints register is to be established including:**
    a. **details of the subject of the complaint;**
    b. **actions undertaken by the applicant to rectify the complaint; and**
    c. **the on-site publication of appropriate contact details where complaints are to be directed (in the first instance).**
17. **A suitable report is to be prepared and submitted to the Shire every 3 months including information relating to:**
    a. **a copy of the complaints register as per Condition 15; and**
    b. **any other information as deemed necessary by the Shire.**

REHABILITATION AND PIT CLOSURE MANAGEMENT

18. **Prior to the commencement of works, a Rehabilitation and Pit Closure Management Plan shall be submitted to and approved by the Shire. The plan must demonstrate (but not limited to) the following:**
    a. **stages of rehabilitation.**
    b. **details of the establishment of pasture post-extraction with plant species, density of planting and maintenance measures.**

c. weed identification and management measures to occur every six months (Autumn and Spring).
d. dieback identification and management measures.
e. demonstrate that it is consistent with the Department of Water and Environmental Regulation's WQPN 15 and the Guidelines for Preparing Mine Closure Plans and WQPN 84 Rehabilitation of disturbed land in public drinking water source areas.
f. the applicant is to adhere to the agreed intended staging and ensure successful rehabilitation to the final landform and land use.
g. upon clarification of the pit floor design, if applicable, an updated contour map be provided to inform the final landform.
h. management and compliance reporting shall be included to ensure successful implementation.
i. demonstrate compliance with the conditions for sites under the Shire of Donnybrook Balingup Extractive Industry Local Law 2016.
j. the revegetation of areas used for stockpiles.
k. extraction of subsequent stages may only commence if rehabilitation of the previous extraction site has commenced.

Once the Shire approves the Rehabilitation and Pit Closure Management Plan, the applicant is responsible to ensure that the development is conducted at all times and in all respects in accordance with the plan.

19. Pit closure works, and rehabilitation of the entire site is to be completed within two (2) years of the end of extraction works or the expiration of this approval (whichever is sooner) unless otherwise extended, in writing, by the Shire.

20. Prior to the commencement of works, a $20,000 bond (cash or unconditional bank guarantee in favour of the Shire of Donnybrook Balingup) is required for the works identified by the Rehabilitation and Pit Closure Management Plan in Condition 17.

OPERATING HOURS

21. Operating hours of the extractive works are restricted to between 7:00am to 6:00pm Monday to Friday and 7:00am to 1:00pm on Saturdays. No operations are permitted on Sundays or Public Holidays unless otherwise agreed, in writing, by the Shire.

22. Trucks are not to operate between 7:30am to 8:40am and 3:20pm to 4:20pm on any given school day on a school bus route.

VEHICULAR MANAGEMENT

23. Prior to the commencement of works, a new crossover is to be constructed for the use of the extractive industry operations. The new crossover and the first 50m of the driveway inside the property is to be bitumen sealed at the applicants cost to the satisfaction of the Shire in consultation with Main Roads WA.

24. **The cost to relocate and/or remove any services/infrastructure that may be required for the purposes of meeting Condition 23, are the responsibility of the applicant.**

25. **The applicant to install advance warning truck entering signs along Goodwood Road to the satisfaction of the Shire in consultation with Main Roads WA.**

OTHER

26. **Prior to the commencement of works, a copy of a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for a sum of not less than $20,000,000 in respect of any one claim relating to any of the excavation operations.**

ADVICE NOTES

a. **This development approval is not an Extractive Industry Licence. No works are to be undertaken until such time as all conditions of the Development Approval have been satisfied and an Extractive Industry Licence has been granted under the *Shire of Donnybrook Balingup Extractive Industry Local Law 2016.***

b. **The proposed operations are categorised as a Prescribed Premises, as per Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations). The applicant is advised to refer to the information and Industry Regulation Guide to Licensing available at http://www.der.wa.gov.au/our work/licences-and-works-approvals. Please contact the Department of Water and Environmental Regulation at info@dwer.wa.gov.au or (08) 6364 7000 regarding requirements.**

c. **With regard to Condition 5, if the take of groundwater is proposed then the Department of Water and Environmental Regulation advises that the groundwater resource is fully allocated, and no water is identified as being available to support the proposed development. Trading of water or alternative water sources will need to be investigated; the details of licences in the subarea for consideration for trading can be viewed at the water register at https://maps.water.wa.gov.au/#/webmap/register. Further information on trades and transfers can be found at the department's website at Water entitlement transfers, trades and agreements | Western Australian Government. The applicant is strongly advised to contact DWER's Bunbury water licensing branch on 97264111 to determine licensing requirements for the take of water to support the proposed extraction activities.**

d. **With regards to Condition 9, Stormwater Management shall:**

I. **be implemented to ensure the surface flows during, and post-extraction will not detrimentally impact downstream properties. The management measures imposed must mitigate the risk of stormwater runoff and include details such as detention pond sizing, batters etc.**

II. **cover the proposed extraction area and be prepared in accordance with the Department of Water and Environmental Regulation's WQPN 15 'Basic raw materials extraction' (July 2019) where applicable, to ensure environmental risks are appropriately mitigated.**

III. **cover the proposed extraction area and haulage routes within the property boundary, including appropriate details, such as, but not limited to:**

i. **Detention basin sizing and stormwater volumes.**
ii. **Sediment and erosion control details.**
iii. **Stormwater flow directions and controls during pit establishment.**
iv. **Stockpile management.**
v. **Detention basin maintenance schedule.**
vi. **Silt trap design.**
vii. **Design demonstrating that flows with not be directed towards retained vegetation, to minimise the spread of *Phytophthora* dieback disease.**

e. **With regards to Condition 11, the following is advised:**

- **Cell 1: The maximum pit floor depth shall be established in accordance with an agreed pit floor contour plan to ensure a 2-metre groundwater separation. Piezometers be installed to 2 metres below the intended extraction depth at the lower lying areas to check the thickness of the gravel resource and groundwater levels.**
- **Cell 2: The maximum pit floor depth shall be established in accordance with an agreed pit floor contour plan to minimise the risk of groundwater being intercepted. Deeper test pits to be (<6m) at the lower lying areas to establish the thickness of the gravel resource and groundwater levels.**

The applicant is to provide further information to the satisfaction of the Shire, to determine the highest groundwater (to inform the pit floor level). Groundwater levels should be taken between August to early October to determine the highest groundwater.

f. **With regards to Condition 13 and 14, the Acoustic Assessment and Noise Management Plan must be prepared by a registered Acoustic Consultant with suitable qualifications, expertise, and local experience in the assessment of transport and environmental noise. They or their organisation must hold membership the membership grade of 'Member', being eligible to be a 'Member' or is working under the supervision of a 'Member' of the Australian Acoustical Society; or work for a firm that is a member of the Association of Australasian Acoustical Consultants.**

g. **With regards to Condition 19, return of the bond will be measured against the works identified within the Rehabilitation and Pit Closure Management Plan as determined by the Shire.**

h. Management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with the Department of Water and Environmental Regulation's WQPN 56 'Toxic and Hazardous Substance Storage and Use' (Dec 2018) and Contingencies for spills should be in accordance with WQPN 10 – 'Contaminant spills — emergency response plan' (May 2020).

i. With regard to the construction of the internal driveway, the Department of Water and Environmental Regulation advise that a Clearing Permit is required for the works; and the department's Native Vegetation Regulation section is to be contacted by email (admin.nvp@dwer.wa.gov.au**) or by telephone (6364 7098) to discuss the requirements of the EP Act with regards to the clearing of native vegetation. The applicant will need to seek advice directly from the Department of Water and Environmental Regulation in relation to clearing permit requirements.**

j. If the development the subject of this approval is not commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

k. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.

l. If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005. An application must be made within 28 days of the determination.

m. With regards to Condition 7, dieback management measures are to be implemented consistent with the *Best Practice Guidelines for Management of Phytophthora Dieback in the Basic Raw Materials Industri*es.

n. The applicant is responsible to ensure obligations are met under the Aboriginal Heritage Act 1972 with regards to undertaking a due diligence assessment and obtaining all relevant approvals.

B. Authorises the Chief Executive Officer to issue an Extractive Industry License for the extraction of gravel at Lot 100 Goodwood Road, Upper Capel upon complying with the conditions of the above development approval and subject to the following conditions:

1. **The extractive operation shall comply with the Shire of Donnybrook-Balingup *Extractive Industry Local Law 2016* at all times.**
2. **Compliance with all approved plans and any conditions/advice contained in Development Approval P24066 at all times during the life of the extractive industry to the satisfaction of the Shire.**

3. **A licensee shall pay to the local government the annual licence fee in accordance with the Schedule of Fees and Charges adopted each year in the Shire annual budget prior to the commencement of extraction.**
4. **The operator is required to submit to the Shire an annual 'Progress Report' by the 30 December, detailing progress of the pit over the previous 12-month period. The Report should provide details on the following:**
    a. **extent of extraction undertaken (volume and area);**
    b. **completion of stages;**
    c. **rehabilitation of completed stages; and**
    d. **site survey plan prepared by a licensed surveyor.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome:	6 - The built environment is responsibly planned and well maintained.
Objective:	6.1 - Ensure sufficient land is available for residential, industrial and commercial uses.
Item:	Nil.

Executive Summary

The purpose of this report is for Council to consider an application for development approval for an extractive industry for gravel at Lot 100 Goodwood Road, Upper Capel as outlined in the (Attachment 9.1.2(1)) application report.

Officers do not have delegation to determine applications for development approval where objections are received, or they are considered contentious as are historically extractive industry developments in the General and Priority Agriculture zones. There have been no objections received from referral and advertising of the proposal from any adjoining/nearby landowners (within 1km of the pit).

Officers consider that the proposal may proceed and recommend it be granted approval subject to conditions/advice. The conditions/advice on the approval address the matters raised in the government agency submissions and are consistent with similar application approvals.

Background

Proposal

The Shire received a development application for an extractive industry at Lot 100 Goodwood Road, Upper Capel to extract gravel over a 10-year period with an annual excavation in the order of 20,000m³ - 30,000m³ (32,000 - 48,000 tonnes) and then rehabilitation of the pit area back to pasture. The development application details and plans are contained in (Attachment 9.1.2(1)) and summarised below:

Application Details	
Lot	Lot 100
Lot Area	81.8480 hectares
LPS7 Zoning	General Agriculture
Permissibility in the Zone	'A' advertised discretionary use
Hours of Operation	All operations will be during daylight hours, in spring/summer time of the year. No work on Sundays and Public holidays.
Total Extraction Area	Maximum of 10 hectares in 2 cells as follows: Cell 1 – 4.75 hectares Cell 2 – 4.85 hectares from DBCEC Earthmoving Contractors Pit Design.
Extraction Depth	Not stated.
Extraction Length (Years)	10 years.
Rehabilitation	At the completion of gravel excavation and stockpile operations, the pit area will be rehabilitated as follows: • Pit walls will be battered to a slope no more than 1 in 4 by pushing material from the pit floor. • The pit floor will be shaped with a minimum of 1 in 100 fall to avoid water ponding with any drainage directed downslope towards natural flow path of the site. • Pit floor will be ripped during summer at minimum 1m spacings across the contour a depth of at least 800mm. • The pit will be shaped to conform and blend into the adjacent landform as far as practical. • Topsoil and any over burden will be evenly spread over the pit area leaving a rough surface. • Any exposed rock shall be crushed or removed.
Extraction Volume	20,000m³ - 30,000m³ (32,000 - 48,000 tonnes) annually.
Truck Haulage Volume	Estimated that 10-12 vehicles movements per day will be entering and exiting the site (2-3 per hour).
Haulage Route	The property has frontage to Goodwood Road (a road under the control of Main Roads WA). The proposed access to the pit will use a new crossover and extended driveway onto Goodwood Road.

Location Plan

Lot 100 is bounded by Goodwood Road to the west and Pearls Road to the south and located within a General Agriculture zone area that supports a range of general rural activities (some with dwellings) including farming, forestry, and previous extractive industries on the surrounding properties (see Figure 1 below). Figure 2 further highlights the proposed extraction area.

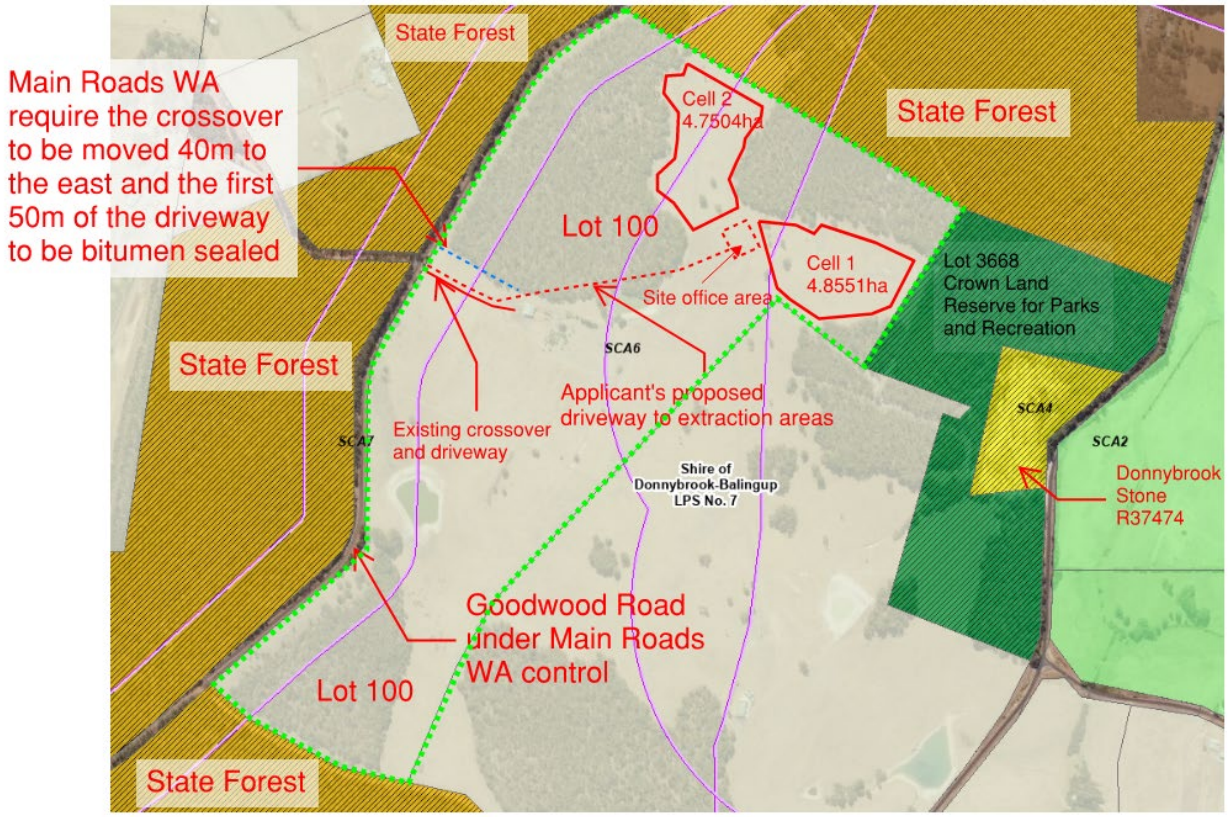


Figure 1 - Subject property Lot 100 bordered in green dotted line.

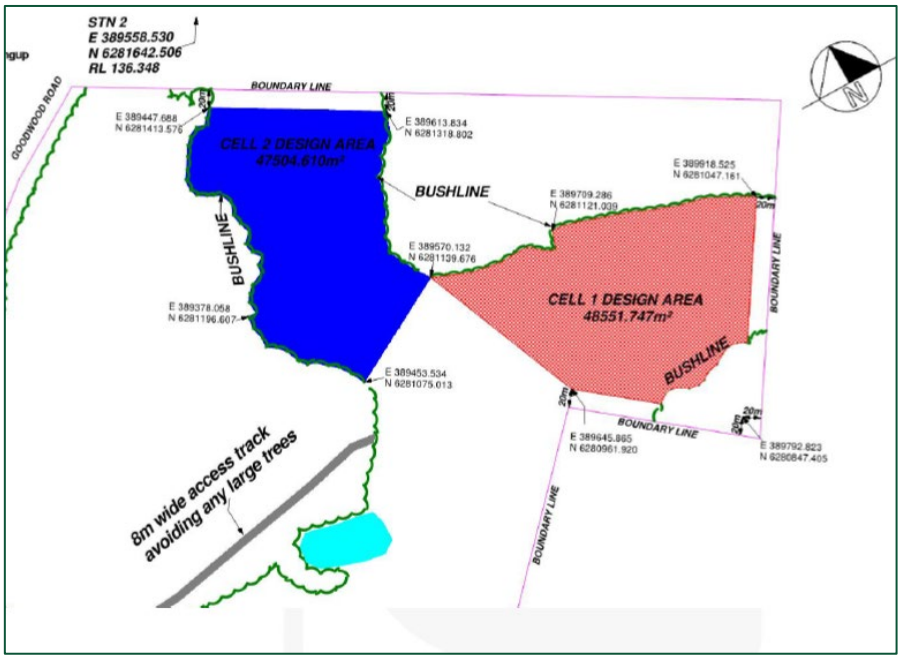


Figure 2 - Proposed Gravel pit area

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Possible	Moderate	Moderate (5)
Risk Description:	Operation of the pit may have off site impacts relating to traffic, noise, and dust.		
Mitigation:	Officers recommend that if approval is granted conditions are to be imposed to mitigate land use impacts and managing potential off-site effects to acceptable levels.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Insignificant	Low (3)
Risk Description:	Impact on local community due to operations.		
Mitigation:	Conditional development approval and compliance.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Health	Unlikely	Minor	Low (4)
Risk Description:	Non-compliance with legislation.		
Mitigation:	Conditional development approval and ongoing compliance inspections and licensing.		

Financial Implications

The applicant has paid all relevant application fees. If Council refuses the application the applicant may exercise the right to have the decision reviewed by the State Administrative Tribunal. If that is the case, then it may be likely that there will be additional resourcing required (staff time and/or the cost of appointing a consultant to represent the Shire).

A bond of $20,000 is required to be paid to the Shire prior to the issue of the licence in accordance with the *Shire of Donnybrook Balingup Extractive Industries Local Law 1998*. This bond is refundable on completion of rehabilitation of the site in accordance with an approved rehabilitation management plan. Once the extractive industry licence has been granted a licensee shall pay to the local government the annual licence fee determined by the local government from time to time.

Policy Compliance

Local Planning Policy 9.7 Interpretation (Extractive Industry)

The application is for a commercial extractive industry and not covered by the Policy.

Statutory Compliance

The application has been assessed against the relevant and applicable statutory Shire of Donnybrook Balingup Local Planning Scheme No.7 (LPS7) provisions, and the proposal has also been assessed in accordance with Schedule 2, Part 9, Clause 67 (2) of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*. A full assessment is contained in (Attachment 9.1.2(3)).

The proposed extractive industry is considered compatible with the purpose and majority of the objectives for the General Agriculture zone as it would enable the gravel resource to be extracted with the land then being returned to pasture.

Consultation

Public Submissions

The application was advertised in the South Western Times, on the Shire's website and a sign placed on-site and referred to landowners within a 1km radius of the subject lot boundaries, for a period of two weeks. No public submissions were received at the conclusion of the public advertising period.

Consultation with Government/Service Agencies

The proposal was referred to the Department of Primary Industries and Regional Development, Department of Energy, Mines, Industry Regulation and Safety, Department of Biodiversity, Conservation and Attractions, Main Roads WA and Department of Water and Environmental Regulation for comment. Submissions are contained in (Attachment 9.1.2(2)) and discussed below.

Department of Primary Industries and Regional Development (DPIRD)	
Issue raised in submission:	Officer response:
The Department does not object to the proposed extractive industry (gravel) and provide the following comments: DPIRD assessed the Weed Management Plan and found that it fulfils the basic requirements. The applicant prepared a Decommissioning Program that describes the final pit wall slopes and the preparation of the pit floor, but it does not include any details of plantings to facilitate the rehabilitation of the site.	The Department's comments are noted and the requirements for additional information on the rehabilitation plantings will be added as conditions/advice notes to the approval, if granted.

Department of Biodiversity, Conservation and Attractions (DBCA)	
Issues raised in submission:	Officer response:
Biodiversity values Lot 100 contains the *Donnybrook (DB3)* vegetation complex, that has 29.23% and 535ha of the pre-1750 extent remaining. This is below the nationally recommended 30% and 1500 ha threshold for the retention of remnant vegetation. The Priority flora species *Acacia semitrullata* (P4) has been identified less than 250 metres to the west of Lot 100. Black cockatoos and western ringtail possums (WRP) are listed as threatened species under the *Biodiversity Conservation Act* and the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) and have been found within close proximity to Lot 100. Other species of conservation significance likely to be within the area include the chuditch and south-western brush-tailed phascogale. DBCA-Managed land The Lot 100 northern, western, and southern boundaries are adjacent to the Boyanup State Forest. The vegetation on the adjacent DBCA-managed land would be considered an extreme bushfire hazard. Approval of the proposal should not result in impositions being placed upon the management of the adjoining DBCA-managed land. A portion of the Lot 100 eastern boundary is adjacent to Crown reserve 17665 (Lot 3668), managed by the Shire of Donnybrook-Balingup. Vegetation clearing The Urbanise WA *Extractive Industry License* (Rev A, 20 September 2024) (Application) Section 2.1 "Existing Land" notes that the proposed extraction areas require no vegetation clearing. Application Section 2.10 refers to stockpile stacks being no closer than 10 metres from any retained vegetation. Section 2.4 "Site Access Road" refers to extending the existing Lot 100 gravel access track from Goodwood Road ensuring significant trees are retained. The G&W Surveys *Goodwood Road Pit* (Drawing #1, 13 August 2024) (Plan) indicates the access track will be 8 metres wide. While significant trees are proposed to be retained, some additional vegetation may be required to be removed for the development of the site access track extension and for road widening works as indicated on the Plan. The applicant will need to seek advice from the Department of Water and Environmental Regulation (DWER) in	The Department's comments are noted and will be added as conditions/advice notes to the approval, if granted.

relation to clearing permit requirements. If a clearing permit is required, DBCA expects that the environmental values that are likely to be impacted by the proposed development will be adequately considered through the assessment of the clearing permit, through which DBCA may provide advice to DWER. If the works will require the clearing of trees, DBCA would recommend a fauna habitat tree survey is undertaken to guide the location of the proposed access track alignment. The applicant should be aware of their obligations and approval requirements under section 40 of the BC Act, which requires Ministerial authorisation to take or disturb threatened species. DBCA recommends that if any vegetation clearing is required, the applicant should seek advice from DBCA's Species and Communities branch at speciesandcommunities@dbca.wa.gov.au prior to clearing works, in relation of section 40 authorisation requirements. Retained vegetation The Plan depicts 20 metre setbacks to lot boundaries but no buffers between retained vegetation and the proposed extraction site. DBCA recommends that a 10-metre buffer be demarcated and located outside the tree crown drip zone, with the buffer being measured from the crown drip zone rather than the tree trunk to protect the retained trees and tree roots from accidental vehicle damage, soil compaction and tree root exposure during extraction and development works. Surface water run-off and drainage from the haulage route should be designed to not flow directly towards retained vegetation, to minimise the spread of *Phytophthora* dieback disease. DBCA recommends that advice is sought from DWER in relation to the proposed gravel extraction works and potential reduced surface and ground water flows to retained vegetation. Bunds, basins, and landscaping DBCA recommends that the bund be located outside the recommended 10 metre demarcated buffer from retained vegetation, to ensure soil spread does not occur within the adjacent DBCA-managed land and retained vegetation buffer. There should be no direct or indirect impacts, including surface water run-off, drainage, erosion, pollution, weed spread and/or *Phytophthora* dieback spread from the site to the adjacent DBCA-managed land. DBCA recommends that the landscape buffer is revegetated using local endemic species. The Plan depicts stormwater detention basins being located adjacent to the recommended retained vegetation. DBCA recommends that stormwater basins are located outside the 10-metre demarcated buffer and that surface water flows from the proposed extraction area	

and/or stormwater detention basins are managed to ensure potential sedimentation and siltation do no flow directly into the retained vegetation.	

Department of Energy, Mines, Industry Regulation and Safety (DEMIRS)	
Issues raised in submission:	Officer response:
Although EIL's fall outside the *Mining Act 1978*, information on mineral resources, including basic raw materials, is of importance to the Geological Survey and Resource Strategy Division, within DEMIRS. DEMIRS has determined this proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy, and basic raw materials.	The Department's comments are noted.

Main Roads WA (MRWA)	
Issue raised in submission:	Officer response:
Advise that Main Roads has no objection to the proposed extractive industry. The existing driveway/ crossover is opposite the existing Silipo Road intersection on Goodwood Road and is required to be closed. A new driveway crossover must be constructed to the east. The first 50 metres of the new driveway and crossover will need to be bitumen sealed to avoid gravel spill from trucks entering and leaving the property. The applicant should liaise with Main Roads regarding design specifications and location of the new crossover.	The Department's advice is noted and will be added as conditions/advice notes to the approval, if granted.

Department of Water and Environmental Regulation	
Issues raised in submission:	Officer response:
Issue 1: The proposed operations may be categorised as Prescribed Premises under the *Environmental Protection Regulations* 1987 a) As the proposal is likely to exceed the threshold for a prescribed premises (Category 12: >50,000 tonnes/year or Category 70: >5 000 but < 50 000 tonnes/year), it is likely to require a works approval/license for a Prescribed Premises under the EP Act 1986 b) As such, the applicant is to strongly advised to contact DWER's Industry Regulation branch regarding a works approval/license at info@dwer.wa.gov.au or 6364 7000 c) The Applicant is to refer to the information and Industry Regulation Guide to Licensing available at http://www.der.wa.gov.au/our-work/licences-and-works-approvals Issue 2: Groundwater and pit floor levels a) The Shire is advised that the submitted pit floor plans in this referral may require revision, subject to further information being provided.	The Department's advice is noted and will be added as conditions/advice notes to the approval, if granted.

Department of Water and Environmental Regulation	
Issues raised in submission:	Officer response:
b) Recommended condition for Cell 1: The maximum pit floor depth shall be established in accordance with an agreed pit floor contour plan to ensure a 2-metre groundwater separation. No dewatering works are to be undertaken without DWER consultation. The Local Government is to be notified within 24 hours if the water table is intercepted and remedial works undertaken. c) Recommended condition for Cell 2: The maximum pit floor depth shall be established in accordance with an agreed pit floor contour plan to minimise the risk of groundwater being intercepted. No dewatering works are to be undertaken without DWER consultation. The Local Government is to be notified within 24 hours if the water table is intercepted and remedial works undertaken. Advice: The applicant is to provide further information to the satisfaction of the Shire, on advice of DWER, to determine the highest groundwater (to inform the pit floor level): Cell 1 only: Piezometers be installed to 2 metres below the intended extraction depth at the lower lying areas to check the thickness of the gravel resource and groundwater levels. Cell 2 only: Deeper test pits being dug (<6m) at the lower lying areas to check the thickness of the gravel resource and groundwater levels. For Cells 1 & 2: Groundwater levels should be taken between August to early October to determine the highest groundwater. Issue 3: Stormwater management Recommended Condition: A Stormwater Management Plan is to be prepared and approved to the satisfaction of the Shire, consistent with WQPN 15. Advice: The Stormwater Management Plan shall cover the proposed extraction area and haulage routes within the property boundary, including appropriate details, such as, but not limited to: ▪ Detention basin sizing and stormwater volumes ▪ Sediment and erosion control details ▪ Stormwater flow directions and controls during pit establishment ▪ Stockpile management ▪ Detention basin maintenance schedule and ▪ Silt trap design. Issue 4: Water supply	

Department of Water and Environmental Regulation	
Issues raised in submission:	Officer response:
Recommended Condition: The applicant is to quantify their water requirements for all aspects of the proposed extraction and provide evidence of a secure water source, to the satisfaction of the Shire Advice: If the take of groundwater is proposed: it should be noted the groundwater resource is fully allocated, and no water is identified as being available to support the proposed development; trading of water or alternative water sources will need to be investigated; the details of licences in the subarea for consideration for trading can be viewed at the water register at https://maps.water.wa.gov.au/#/webmap/register Further information on trades and transfers can be found at the department's website at Water entitlement transfers, trades and agreements | Western Australian Government The applicant is strongly advised to contact DWER's Bunbury water licensing branch on 97264111 to determine licensing requirements for the take of water to support the proposed extraction activities Issue 5: Environmental risks The proposed extraction is to be implemented in accordance with DWER's Water quality protection note (WQPN) no. 15 '*Basic raw materials extraction*' (July 2019) where appropriate to the site situation to ensure environmental risks are appropriately mitigated. Issue 6: Dieback management plan The Dieback Management measures provided in Section 2.7 of the Gravel License Application is to be reviewed, approved, and implemented to the satisfaction of the Shire, in consultation with DBCA, consistent with the Best Practice Guidelines for Management of Phytophthora Dieback in the Basic Raw Materials Industries Issue 7: Staging Plan Recommended Condition: Extraction must be undertaken in accordance with an agreed staging plan, as approved by the local government. Commencement of the subsequent extraction stage shall be subject to the previous extraction site having substantially commenced rehabilitation. Issue 8: Rehabilitation plan and final landform Recommended Condition: A Rehabilitation Plan is to be prepared and approved to the satisfaction of the Shire consistent with WQPN 15 and the *Guidelines for Preparing Mine Closure Plans*, and covering the	

Department of Water and Environmental Regulation	
Issues raised in submission:	Officer response:
intended staging, final landform (including separation to groundwater), proposed post extraction land use and successful rehabilitation criteria. a) Advice: Upon clarification of the pit floor design, if applicable, an updated contour map be provided to inform the final landform b) Advice: The applicant is advised to refer to DWER's WQPN 84: *Rehabilitation of disturbed land in PDWSAs*, to assist them with the Rehabilitation Plan c) Advice: Due to the 'General Agriculture' zoning of the subject land, the Shire is advised to consult with DPIRD regarding the potential impacts the removal of material would have on the agricultural landuse post-rehabilitation Issue 9: Fuel and chemical management Management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with DWER's WQPN 56 – '*Toxic and Hazardous Substance Storage and Use*' (Dec 2018). Contingencies for spills should be in accordance with WQPN 10 – '*Contaminant spills — emergency response plan*' (May 2020) Issue 10: Clearing of native vegetation is subject to the *Environmental Protection Act 1986* (EP Act) The following is advised: a) The applicant is to apply for a clearing permit at https://www.der.wa.gov.au/our-work/clearing-permits/46-clearing-permit-application-forms b) It is highly recommended our Native Vegetation Regulation section be contacted by email (admin.nvp@dwer.wa.gov.au) or by telephone (6364 7098) to discuss the requirements of the EP Act with regards to the clearing of native vegetation Issue 11: Noise The following is advised: a) DWER is unable to adequately assess this proposal for noise on the basis of insufficient/potentially incorrect information, and no detail being provided demonstrating how compliance with the *Environmental Protection (Noise) Regulations 1997* (the Noise Regulations) can be achieved b) Given the potential for the gravel extraction to result in non-compliance with the Noise Regulations, it is recommended that an acoustic consultant be prepared to prepare a report on the matter	

Department of Water and Environmental Regulation	
Issues raised in submission:	Officer response:
c) For an appropriate level technical acoustic assessment, DWER expects people undertaking environmental acoustic assessments to be able to demonstrate their competency by either holding the membership grade of 'Member', being eligible to be a 'Member' or is working under the supervision of a 'Member' of the Australian Acoustical Society; or work for a firm that is a member of the Association of Australasian Acoustical Consultants Further information was also received from DWER on 5 February 2025 confirming the following: As discussed, owing to the very limited, as well as potentially erroneous detail provided to date, it is not possible for the Department of Water and Environmental Regulation (Department) to provide any formal advice at this stage. Accordingly, it would be prudent for the Shire of Donnybrook Balingup (Shire) to impose conditions on any development approval (DA), suggested along the lines: • an 'Acoustic Assessment' of potential noise emissions shall be prepared, to the standards of the Australian Acoustical Society, to the satisfaction of the Local Government Authority, • a 'Noise Management Plan' shall be prepared, based on an acceptable 'Acoustic Assessment', to the satisfaction of the Local Government Authority. Note that the referral of an Acoustic Assessment, associated with a planning application for the Department's expert advice, is at the discretion of the decision-making authority. There is no statutory obligation for referral or review of acoustic assessments by the Department. Also note that a professionally prepared Acoustic Assessment that includes correct modelling of the equipment intended to be used in an extractive industry (EI) operation is essential to any noise assessment. If the assessment finds that compliance is marginal, and dependent on the use of specific equipment (particularly equipment which may be unusually quiet for that particular operation) then the decision-making authority (DMA) may choose to impose conditions on the DA that limits the equipment to be used. Issue 12: Dust Please refer to document 'AQ2104-M AQ Final__ for Shire'.	

Department of Water and Environmental Regulation	
Issues raised in submission:	Officer response:
• The proposal assessed the separation distance between the activity boundary and residential receptors are more than 650m away, which meets the separation distance of 300m to 500m recommended in EPA GS3 for sand and limestone extraction with no grinding works, indicating that risk is likely to be low. • The applicant is planning to undertake gravel screening "*a couple of times a year for no longer than two weeks*". DWER presumes this means screening will be undertaken 4 weeks per year. The EPA GS3 separation distance for quarrying (including blasting), crushing and screening is 1,000m. Hence, during these periods, there is a higher risk of dust impacts as receptors are between 500m and 1,000m. DWER recommendations: Due to the change of risk profile while screening, we recommend the applicant amends their dust management plan to specifically address the periods when screening is undertaken. The draft Guideline: Fugitive dust emissions and the DEC 2011 dust guideline provide information that may be useful. Advice: The 2005 *EPA Guidance Statement No. 3: Separation Distances between Industrial and Sensitive Land Uses* (EPA GS 3) specifies the following separation distances for: • 1,000m for extractive industries quarrying (including blasting), crushing and screening. • 300m to 500m, extractive industries sand and limestone extraction, depending on size, and without grinding or milling works. The proposal indicates that residential receptors are more than 650m from the activity boundary and that screening is limited to a couple of times a year for no longer than two weeks. This indicates that when screening is not undertaken, the separation distance is met, and the risk is considered low. However, when screening is undertaken, the separation distance is not met ,as some receptors are between 500m and 1,000m away (Figure 1), indicating a change in the risk profile. The proposed dust controls in Section 2.8 of the Goodwood Road-Gravel Licence Application are consistent with those commonly used for similar operations as described in the DEC 2011 dust guideline. However, due to the change of risk profile while screening, we recommend the applicant amends the dust controls and strategy to specifically address the periods when screening is undertaken. The draft Guideline: Fugitive dust emissions and the DEC 2011 dust guideline provide information that may be useful.	

Officer Comment

The proposal has been assessed in accordance with the planning framework and a full assessment is contained in (Attachment 9.1.2(3)).

Key considerations identified are:

1. Zoning and Land Use Class Permissibility: The land is zoned General Agriculture under the Local Planning Scheme (LPS7), and the proposed Industry-Extractive use is an 'A' use, meaning it is discretionary and subject to local government approval after consultation. The proposal has gone through the required advertising process, and no public submissions were received.
2. Traffic and Infrastructure: The traffic impact is expected to be low, with only 12-14 vehicles traveling in and out each day. The proposal also includes a new entry point onto Goodwood Road for the extractive industry operations. Since Goodwood Road is managed by Main Roads WA, they have recommended that the new entry and the first 50 meters of the driveway be constructed at a bitumen standard at the applicants cost. Additionally, the Department of Water and Environmental Regulation (DWER) has stated that a clearing permit is required, prior to the new internal driveway being constructed and it is the applicant's responsibility to comply with this requirement prior to commencement of work.
3. Environmental Impact: The potential environmental impacts (such as dust, noise, and stormwater runoff) will be managed through conditions, and detailed management plans are recommended to ensure that any adverse effects on nearby properties are minimized. The proposal also includes a rehabilitation plan for the land post-extraction. The rehabilitation plan does not provide sufficient detail, and this would require further consideration, and a condition is recommended for a Pit Closure Plan to be submitted for approval by the Shire. DWER has also raised concerns about groundwater, requiring further approval for the pit floor depth before work commences.
4. Agricultural Land Use: There are no significant concerns from the Department of Primary Industries and Regional Development (DPIRD) about the potential impact of the gravel extraction on the agricultural viability of the land. Once the activity ceases, the land will be rehabilitated to pasture.
5. Approval with Conditions: Although the proposal meets the requirements of LPS7 and relevant regulations, officers recommend the imposition of conditions related to infrastructure, environmental management, and rehabilitation to mitigate any potential negative impacts.

Development considerations

When considering a development application, clause 68 (2) of the Deemed Provisions outlines the following options for determination:

> *The local government may determine an application for development approval by -*
> *(d) Granting development approval without conditions; or*
> *(e) Granting development approval with conditions; or*
> *(f) Refusing to grant development approval.*

Staff have assessed the application, including the advice from relevant Government Agencies and other Shire service divisions. Staff consider the proposal capable of being approved and managed through reasonable and achievable conditions of approval.

Conclusion

The proposal has been assessed in accordance with the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7.

In conclusion, while the proposal is supported, it will require conditions to be imposed to manage infrastructure, environmental impacts, and rehabilitation to meet both regulatory requirements and community expectations.

MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Cr Anita Lindemann

That Council:

A. Pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24066 Industry-Extractive (Gravel) on Lot 100 Goodwood Road, Upper Capel subject to the following conditions and advice:

VALIDITY

1. **This approval is valid for a period of ten (10) years after the date of issue or within any extended period as determined, in writing, by the Shire.**
2. **This approval allows the excavation and transportation of 20,000m³ - 30,000m³ (32,000 - 48,000 tonnes) of gravel annually.**

APPROVED PLANS

3. **The layout of the site and location of crusher, stockpiles, access route and works permitted must always accord with 'Urbanise WA Engineering Solutions Extractive Industry Application (September 2024)'** (Attachment 9.1.2(1)) **and the conditions of approval and must not be altered or modified without the further written consent of the Shire.**

DUST MANAGEMENT

4. **Prior to the commencement of works, a Dust Management Plan must be submitted to and approved by the Shire and thereafter implemented. The Dust Management Plan must be prepared in accordance with the Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017 to the satisfaction of the Shire. Once approved, the plan will form part of this approval and must be complied with at all times for the life of this approval.**

5. **A suitable supply of water for the purposes of all site management operations is to be provided to the satisfaction of the Shire.**

WEED AND DIEBACK MANAGEMENT

6. **Weed management is to be undertaken to the satisfaction of the Shire. Any declared weeds found to be within the site need to be appropriately treated and removed prior to any further excavation works.**

7. **Dieback measures to reduce the spread of dieback into adjoining properties are to be undertaken to the satisfaction of the Shire.**

8. **A minimum 10m setback is to be provided between the extraction area and adjacent existing native vegetation, with the 10m setback located on the outside of the tree crown drip line. This setback is to be clearly demarcated on the lot to ensure vehicles, extraction works, detention pond, bunds, and stockpile areas are located outside this works exclusion area to the satisfaction of the Shire.**

STORMWATER MANAGEMENT

9. **Prior to the commencement of works, a Stormwater Management Plan is to be submitted to and approved by the Shire demonstrating compliance with the Shire's stormwater management standards and the Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017. Stormwater is to be managed thereafter by the applicant in accordance with the approved Stormwater Management Plan to the satisfaction of the Shire.**

10. **Any erosion and/or sedimentation issues that occur due to insufficient drainage and/or stormwater management from the proposed development, including any driveway or accessway, is to be rectified, so as not to impact any surrounding waterways and/or properties, including any infrastructure, to the satisfaction of the Shire.**

11. **Prior to the commencement of works, the maximum pit floor depth shall be established in accordance with a pit floor contour plan to be approved by the Shire in consultation with the Department of Water and Environmental Regulation. No groundwater is to be exposed on the surface of the pit floor. Should groundwater be exposed during excavation works, all works are to cease, and the Shire is to be notified. Any remedial works, as required by the Shire, in consultation with the Department of Water and Environmental Regulation, are the responsibility of the operator to rectify. No dewatering is permitted.**

12. **Any refuelling and/or activities that carry a risk of fuel or chemical spills are not to be undertaken in close proximity to the detention basin or stormwater flow paths.**

NOISE MANAGEMENT

13. **Prior to the commencement of works, the applicant is to submit an Acoustic Assessment of the potential noise emissions of the extractive industry operations prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society.**
14. **The Acoustic Assessment shall include (but not limited to):**
    i. **the expected level of noise emissions from the extractive industry proposed development.**
    j. **determine whether the emissions are expected to be free from tonality, impulsiveness, and modulation characteristics.**
    k. **an assessment of the expected level of noise emissions for compliance with the *Environmental Protection (Noise) Regulations 1997* at nearby sensitive receptors.**
    l. **provide detail as to the methodology used, calculations made, and any actual data obtained in relation to the assessment and expected noise emissions.**

15. **Following receipt of the Acoustic Assessment, the applicant is to submit a Noise Management Plan prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society. The Noise Management Plan is to include (but is not limited to):**
    c. **details of expected levels of noise emissions in accordance with Acoustic Assessment associated with the extractive industry operations.**
    d. **details of noise reduction measures to be implemented to control noise emissions.**

ONGOING COMPLIANCE AND MONITORING

16. **A complaints register is to be established including:**
    d. **details of the subject of the complaint;**
    e. **actions undertaken by the applicant to rectify the complaint; and**
    f. **the on-site publication of appropriate contact details where complaints are to be directed (in the first instance).**
17. **A suitable report is to be prepared and submitted to the Shire every 3 months including information relating to:**
    c. **a copy of the complaints register as per Condition 15; and**
    d. **any other information as deemed necessary by the Shire.**

REHABILITATION AND PIT CLOSURE MANAGEMENT

18. **Prior to the commencement of works, a Rehabilitation and Pit Closure Management Plan shall be submitted to and approved by the Shire. The plan must demonstrate (but not limited to) the following:**
    a. **stages of rehabilitation.**
    b. **details of the establishment of pasture post-extraction with plant species, density of planting and maintenance measures.**

c. weed identification and management measures to occur every six months (Autumn and Spring).
d. dieback identification and management measures.
e. demonstrate that it is consistent with the Department of Water and Environmental Regulation's WQPN 15 and the Guidelines for Preparing Mine Closure Plans and WQPN 84 Rehabilitation of disturbed land in public drinking water source areas.
f. the applicant is to adhere to the agreed intended staging and ensure successful rehabilitation to the final landform and land use.
g. upon clarification of the pit floor design, if applicable, an updated contour map be provided to inform the final landform.
h. management and compliance reporting shall be included to ensure successful implementation.
i. demonstrate compliance with the conditions for sites under the Shire of Donnybrook Balingup Extractive Industry Local Law 2016.
j. the revegetation of areas used for stockpiles.
k. extraction of subsequent stages may only commence if rehabilitation of the previous extraction site has commenced.

Once the Shire approves the Rehabilitation and Pit Closure Management Plan, the applicant is responsible to ensure that the development is conducted at all times and in all respects in accordance with the plan.

19. Pit closure works, and rehabilitation of the entire site is to be completed within two (2) years of the end of extraction works or the expiration of this approval (whichever is sooner) unless otherwise extended, in writing, by the Shire.

20. Prior to the commencement of works, a $20,000 bond (cash or unconditional bank guarantee in favour of the Shire of Donnybrook Balingup) is required for the works identified by the Rehabilitation and Pit Closure Management Plan in Condition 17.

OPERATING HOURS

21. Operating hours of the extractive works are restricted to between 7:00am to 6:00pm Monday to Friday and 7:00am to 1:00pm on Saturdays. No operations are permitted on Sundays or Public Holidays unless otherwise agreed, in writing, by the Shire.

22. Trucks are not to operate between 7:30am to 8:40am and 3:20pm to 4:20pm on any given school day on a school bus route.

VEHICULAR MANAGEMENT

23. Prior to the commencement of works, a new crossover is to be constructed for the use of the extractive industry operations. The new crossover and the first 50m of the driveway inside the property is to be bitumen sealed at the applicants cost to the satisfaction of the Shire in consultation with Main Roads WA.

24. **The cost to relocate and/or remove any services/infrastructure that may be required for the purposes of meeting Condition 23, are the responsibility of the applicant.**

25. **The applicant to install advance warning truck entering signs along Goodwood Road to the satisfaction of the Shire in consultation with Main Roads WA.**

OTHER

26. **Prior to the commencement of works, a copy of a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for a sum of not less than $20,000,000 in respect of any one claim relating to any of the excavation operations.**

ADVICE NOTES

a. **This development approval is not an Extractive Industry Licence. No works are to be undertaken until such time as all conditions of the Development Approval have been satisfied and an Extractive Industry Licence has been granted under the *Shire of Donnybrook Balingup Extractive Industry Local Law 2016.***

b. **The proposed operations are categorised as a Prescribed Premises, as per Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations). The applicant is advised to refer to the information and Industry Regulation Guide to Licensing available at http://www.der.wa.gov.au/our work/licences-and-works-approvals. Please contact the Department of Water and Environmental Regulation at info@dwer.wa.gov.au or (08) 6364 7000 regarding requirements.**

c. **With regard to Condition 5, if the take of groundwater is proposed then the Department of Water and Environmental Regulation advises that the groundwater resource is fully allocated, and no water is identified as being available to support the proposed development. Trading of water or alternative water sources will need to be investigated; the details of licences in the subarea for consideration for trading can be viewed at the water register at https://maps.water.wa.gov.au/#/webmap/register. Further information on trades and transfers can be found at the department's website at Water entitlement transfers, trades and agreements | Western Australian Government. The applicant is strongly advised to contact DWER's Bunbury water licensing branch on 97264111 to determine licensing requirements for the take of water to support the proposed extraction activities.**

d. **With regards to Condition 9, Stormwater Management shall:**

I. **be implemented to ensure the surface flows during, and post-extraction will not detrimentally impact downstream properties. The management measures imposed must mitigate the risk of stormwater runoff and include details such as detention pond sizing, batters etc.**

II. **cover the proposed extraction area and be prepared in accordance with the Department of Water and Environmental Regulation's WQPN 15 'Basic raw materials extraction' (July 2019) where applicable, to ensure environmental risks are appropriately mitigated.**

III. **cover the proposed extraction area and haulage routes within the property boundary, including appropriate details, such as, but not limited to:**

   i. **Detention basin sizing and stormwater volumes.**
   ii. **Sediment and erosion control details.**
   iii. **Stormwater flow directions and controls during pit establishment.**
   iv. **Stockpile management.**
   v. **Detention basin maintenance schedule.**
   vi. **Silt trap design.**
   vii. **Design demonstrating that flows with not be directed towards retained vegetation, to minimise the spread of *Phytophthora* dieback disease.**

e. **With regards to Condition 11, the following is advised:**

- **Cell 1: The maximum pit floor depth shall be established in accordance with an agreed pit floor contour plan to ensure a 2-metre groundwater separation. Piezometers be installed to 2 metres below the intended extraction depth at the lower lying areas to check the thickness of the gravel resource and groundwater levels.**
- **Cell 2: The maximum pit floor depth shall be established in accordance with an agreed pit floor contour plan to minimise the risk of groundwater being intercepted. Deeper test pits to be (<6m) at the lower lying areas to establish the thickness of the gravel resource and groundwater levels.**

The applicant is to provide further information to the satisfaction of the Shire, to determine the highest groundwater (to inform the pit floor level). Groundwater levels should be taken between August to early October to determine the highest groundwater.

f. **With regards to Condition 13 and 14, the Acoustic Assessment and Noise Management Plan must be prepared by a registered Acoustic Consultant with suitable qualifications, expertise, and local experience in the assessment of transport and environmental noise. They or their organisation must hold membership the membership grade of 'Member', being eligible to be a 'Member' or is working under the supervision of a 'Member' of the Australian Acoustical Society; or work for a firm that is a member of the Association of Australasian Acoustical Consultants.**

g. **With regards to Condition 19, return of the bond will be measured against the works identified within the Rehabilitation and Pit Closure Management Plan as determined by the Shire.**

h. Management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with the Department of Water and Environmental Regulation's WQPN 56 'Toxic and Hazardous Substance Storage and Use' (Dec 2018) and Contingencies for spills should be in accordance with WQPN 10 – 'Contaminant spills — emergency response plan' (May 2020).

i. With regard to the construction of the internal driveway, the Department of Water and Environmental Regulation advise that a Clearing Permit is required for the works; and the department's Native Vegetation Regulation section is to be contacted by email (admin.nvp@dwer.wa.gov.au**) or by telephone (6364 7098) to discuss the requirements of the EP Act with regards to the clearing of native vegetation. The applicant will need to seek advice directly from the Department of Water and Environmental Regulation in relation to clearing permit requirements.**

j. If the development the subject of this approval is not commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

k. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.

l. If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005. An application must be made within 28 days of the determination.

m. With regards to Condition 7, dieback management measures are to be implemented consistent with the *Best Practice Guidelines for Management of Phytophthora Dieback in the Basic Raw Materials Industri*es.

n. The applicant is responsible to ensure obligations are met under the Aboriginal Heritage Act 1972 with regards to undertaking a due diligence assessment and obtaining all relevant approvals.

B. Authorises the Chief Executive Officer to issue an Extractive Industry License for the extraction of gravel at Lot 100 Goodwood Road, Upper Capel upon complying with the conditions of the above development approval and subject to the following conditions:

1. **The extractive operation shall comply with the Shire of Donnybrook-Balingup *Extractive Industry Local Law 2016* at all times.**
2. **Compliance with all approved plans and any conditions/advice contained in Development Approval P24066 at all times during the life of the extractive industry to the satisfaction of the Shire.**

3. **A licensee shall pay to the local government the annual licence fee in accordance with the Schedule of Fees and Charges adopted each year in the Shire annual budget prior to the commencement of extraction.**
4. **The operator is required to submit to the Shire an annual 'Progress Report' by the 30 December, detailing progress of the pit over the previous 12-month period. The Report should provide details on the following:**
   a. **extent of extraction undertaken (volume and area);**
   b. **completion of stages;**
   c. **rehabilitation of completed stages; and**
   d. **site survey plan prepared by a licensed surveyor.**

Amendment by Cr Davy:

COUNCIL RESOLUTION:	23/02-25		
MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Cr Anita Lindemann

7. Prior to the commencement of any site disturbance activities, the applicant must confirm the presence or absence of dieback in adjacent vegetation and prepare a Dieback Management Plan to the satisfaction of the Shire. Once approved, the Dieback Management Plan shall become part of this approval and must be adhered to at all times for the duration of the approval.

27. Prior to the commencement of gravel extraction, the applicant shall install piezometers within the extraction area and ensure that annual monitoring of these piezometers is conducted during the period from August to October each year. The monitoring shall be carried out to ensure that with regard to Cell 1 there is a 2m separation between the groundwater and the pit floor; and with regard to Cell 2 there is adequate separation between the groundwater level and the pit floor in accordance with the approved pit floor contour plan.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

Amendment by Cr Bailey:

MOVED BY:	Cr John Bailey	**SECONDED BY:**	Cr Alexis Davy

21 Operating hours of the extractive works are restricted to between 7:00am to 6:00pm Monday to Friday. No operations are permitted on Sunday or Public Holidays unless otherwise agreed, in writing, by the Shire. Operations on a Saturday, to be limited to carting only between 7:00am to 1:00pm.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann,
Against: Cr Mitchell, Cr Patrick
Carried: 6/2

Substantive motion including Cr Davy's amendment (highlighted in red):

COUNCIL RESOLUTION:	24/02-25		
MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Cr Anita Lindemann

That Council:

A. Pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24066 Industry-Extractive (Gravel) on Lot 100 Goodwood Road, Upper Capel subject to the following conditions and advice:

VALIDITY

1. **This approval is valid for a period of ten (10) years after the date of issue or within any extended period as determined, in writing, by the Shire.**
2. **This approval allows the excavation and transportation of 20,000m³ - 30,000m³ (32,000 - 48,000 tonnes) of gravel annually.**

APPROVED PLANS

3. **The layout of the site and location of crusher, stockpiles, access route and works permitted must always accord with 'Urbanise WA Engineering Solutions Extractive Industry Application (September 2024)'** (Attachment 9.1.2(1)) **and the conditions of approval and must not be altered or modified without the further written consent of the Shire.**

DUST MANAGEMENT

4. **Prior to the commencement of works, a Dust Management Plan must be submitted to and approved by the Shire and thereafter implemented. The Dust Management Plan must be prepared in accordance with the Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017 to the satisfaction of the Shire. Once approved, the plan will form part of this approval and must be complied with at all times for the life of this approval.**

5. **A suitable supply of water for the purposes of all site management operations is to be provided to the satisfaction of the Shire.**

WEED AND DIEBACK MANAGEMENT

6. **Weed management is to be undertaken to the satisfaction of the Shire. Any declared weeds found to be within the site need to be appropriately treated and removed prior to any further excavation works.**

7. **Prior to the commencement of any site disturbance activities, the applicant must confirm the presence or absence of dieback in adjacent vegetation and prepare a Dieback Management Plan to the satisfaction of the Shire. Once approved, the Dieback Management Plan shall become part of this approval and must be adhered to at all times for the duration of the approval.**

8. **A minimum 10m setback is to be provided between the extraction area and adjacent existing native vegetation, with the 10m setback located on the outside of the tree crown drip line. This setback is to be clearly demarcated on the lot to ensure vehicles, extraction works, detention pond, bunds, and stockpile areas are located outside this works exclusion area to the satisfaction of the Shire.**

STORMWATER MANAGEMENT

9. **Prior to the commencement of works, a Stormwater Management Plan is to be submitted to and approved by the Shire demonstrating compliance with the Shire's stormwater management standards and the Shire of Donnybrook Balingup Animals, Environment and Nuisance Local Law 2017. Stormwater is to be managed thereafter by the applicant in accordance with the approved Stormwater Management Plan to the satisfaction of the Shire.**

10. **Any erosion and/or sedimentation issues that occur due to insufficient drainage and/or stormwater management from the proposed development, including any driveway or accessway, is to be rectified, so as not to impact any surrounding waterways and/or properties, including any infrastructure, to the satisfaction of the Shire.**

11. **Prior to the commencement of works, the maximum pit floor depth shall be established in accordance with a pit floor contour plan to be approved by the Shire in consultation with the Department of Water and Environmental Regulation. No groundwater is to be exposed on the surface of the pit floor. Should groundwater be exposed during excavation works, all works are to cease, and the Shire is to be notified. Any remedial works, as required by the Shire, in consultation with the Department of Water and Environmental Regulation, are the responsibility of the operator to rectify. No dewatering is permitted.**

12. **Any refuelling and/or activities that carry a risk of fuel or chemical spills are not to be undertaken in close proximity to the detention basin or stormwater flow paths.**

NOISE MANAGEMENT

13. **Prior to the commencement of works, the applicant is to submit an Acoustic Assessment of the potential noise emissions of the extractive industry operations**

prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society.

The Acoustic Assessment shall include (but not limited to):

- **a. the expected level of noise emissions from the extractive industry proposed development.**
- **b. determine whether the emissions are expected to be free from tonality, impulsiveness, and modulation characteristics.**
- **c. an assessment of the expected level of noise emissions for compliance with the *Environmental Protection (Noise) Regulations 1997* at nearby sensitive receptors.**
- **d. provide detail as to the methodology used, calculations made, and any actual data obtained in relation to the assessment and expected noise emissions.**

14. Following receipt of the Acoustic Assessment, the applicant is to submit a Noise Management Plan prepared by a suitably qualified acoustic consultant whose qualifications and experience qualify them for membership of the Acoustical Society. The Noise Management Plan is to include (but is not limited to):

- **a. details of expected levels of noise emissions in accordance with Acoustic Assessment associated with the extractive industry operations.**
- **b. details of noise reduction measures to be implemented to control noise emissions.**

ONGOING COMPLIANCE AND MONITORING

15. A complaints register is to be established including:

- **a. details of the subject of the complaint;**
- **b. actions undertaken by the applicant to rectify the complaint; and**
- **c. the on-site publication of appropriate contact details where complaints are to be directed (in the first instance).**

16. A suitable report is to be prepared and submitted to the Shire every 3 months including information relating to:

- **a. a copy of the complaints register as per Condition 15; and**
- **b. any other information as deemed necessary by the Shire.**

REHABILITATION AND PIT CLOSURE MANAGEMENT

17. Prior to the commencement of works, a Rehabilitation and Pit Closure Management Plan shall be submitted to and approved by the Shire. The plan must demonstrate (but not limited to) the following:

- **a. stages of rehabilitation.**
- **b. details of the establishment of pasture post-extraction with plant species, density of planting and maintenance measures.**
- **c. weed identification and management measures to occur every six months (Autumn and Spring).**
- **d. dieback identification and management measures.**

e. demonstrate that it is consistent with the Department of Water and Environmental Regulation's WQPN 15 and the Guidelines for Preparing Mine Closure Plans and WQPN 84 Rehabilitation of disturbed land in public drinking water source areas.
f. the applicant is to adhere to the agreed intended staging and ensure successful rehabilitation to the final landform and land use.
g. upon clarification of the pit floor design, if applicable, an updated contour map be provided to inform the final landform.
h. management and compliance reporting shall be included to ensure successful implementation.
i. demonstrate compliance with the conditions for sites under the Shire of Donnybrook Balingup Extractive Industry Local Law 2016.
j. the revegetation of areas used for stockpiles.
k. extraction of subsequent stages may only commence if rehabilitation of the previous extraction site has commenced.

Once the Shire approves the Rehabilitation and Pit Closure Management Plan, the applicant is responsible to ensure that the development is conducted at all times and in all respects in accordance with the plan.

18. Pit closure works, and rehabilitation of the entire site is to be completed within two (2) years of the end of extraction works or the expiration of this approval (whichever is sooner) unless otherwise extended, in writing, by the Shire.

19. Prior to the commencement of works, a $20,000 bond (cash or unconditional bank guarantee in favour of the Shire of Donnybrook Balingup) is required for the works identified by the Rehabilitation and Pit Closure Management Plan in Condition 17.

OPERATING HOURS

20. Operating hours of the extractive works are restricted to between 7:00am to 6:00pm Monday to Friday. No operations are permitted on Sunday or Public Holidays unless otherwise agreed, in writing, by the Shire. Operations on a Saturday, to be limited to carting only between 7:00am to 1:00pm.

21. Trucks are not to operate between 7:30am to 8:40am and 3:20pm to 4:20pm on any given school day on a school bus route.

VEHICULAR MANAGEMENT

22. Prior to the commencement of works, a new crossover is to be constructed for the use of the extractive industry operations. The new crossover and the first 50m of the driveway inside the property is to be bitumen sealed at the applicants cost to the satisfaction of the Shire in consultation with Main Roads WA.

23. **The cost to relocate and/or remove any services/infrastructure that may be required for the purposes of meeting Condition 22, are the responsibility of the applicant.**

24. **The applicant to install advance warning truck entering signs along Goodwood Road to the satisfaction of the Shire in consultation with Main Roads WA.**

OTHER

25. **Prior to the commencement of works, a copy of a current public liability insurance policy taken out in the joint names of the licensee and the local government indemnifying the licensee and the local government for a sum of not less than $20,000,000 in respect of any one claim relating to any of the excavation operations.**

26. **Prior to the commencement of gravel extraction, the applicant shall install piezometers within the extraction area and ensure that annual monitoring of these piezometers is conducted during the period from August to October each year. The monitoring shall be carried out to ensure that with regard to Cell 1 there is a 2m separation between the groundwater and the pit floor; and with regard to Cell 2 there is adequate separation between the groundwater level and the pit floor in accordance with the approved pit floor contour plan.**

ADVICE NOTES

a. **This development approval is not an Extractive Industry Licence. No works are to be undertaken until such time as all conditions of the Development Approval have been satisfied and an Extractive Industry Licence has been granted under the *Shire of Donnybrook Balingup Extractive Industry Local Law 2016.***

b. **The proposed operations are categorised as a Prescribed Premises, as per Schedule 1 of the *Environmental Protection Regulations 1987* (EP Regulations). The applicant is advised to refer to the information and Industry Regulation Guide to Licensing available at http://www.der.wa.gov.au/our work/licences-and-works-approvals. Please contact the Department of Water and Environmental Regulation at info@dwer.wa.gov.au or (08) 6364 7000 regarding requirements.**

c. **With regard to Condition 5, if the take of groundwater is proposed then the Department of Water and Environmental Regulation advises that the groundwater resource is fully allocated, and no water is identified as being available to support the proposed development. Trading of water or alternative water sources will need to be investigated; the details of licences in the subarea for consideration for trading can be viewed at the water register at https://maps.water.wa.gov.au/#/webmap/register. Further information on trades and transfers can be found at the department's website at Water entitlement transfers, trades and agreements | Western Australian Government. The applicant is strongly advised to contact DWER's Bunbury water**

licensing branch on 97264111 to determine licensing requirements for the take of water to support the proposed extraction activities.

d. With regards to Condition 9, Stormwater Management shall:

I. be implemented to ensure the surface flows during, and post-extraction will not detrimentally impact downstream properties. The management measures imposed must mitigate the risk of stormwater runoff and include details such as detention pond sizing, batters etc.

II. cover the proposed extraction area and be prepared in accordance with the Department of Water and Environmental Regulation's WQPN 15 'Basic raw materials extraction' (July 2019) where applicable, to ensure environmental risks are appropriately mitigated.

III. cover the proposed extraction area and haulage routes within the property boundary, including appropriate details, such as, but not limited to:

i. Detention basin sizing and stormwater volumes.
ii. Sediment and erosion control details.
iii. Stormwater flow directions and controls during pit establishment.
iv. Stockpile management.
v. Detention basin maintenance schedule.
vi. Silt trap design.
vii. Design demonstrating that flows with not be directed towards retained vegetation, to minimise the spread of *Phytophthora* dieback disease.

e. With regards to Condition 11, the following is advised:

- **Cell 1: The maximum pit floor depth shall be established in accordance with an agreed pit floor contour plan to ensure a 2-metre groundwater separation. Piezometers be installed to 2 metres below the intended extraction depth at the lower lying areas to check the thickness of the gravel resource and groundwater levels.**
- **Cell 2: The maximum pit floor depth shall be established in accordance with an agreed pit floor contour plan to minimise the risk of groundwater being intercepted. Deeper test pits to be (<6m) at the lower lying areas to establish the thickness of the gravel resource and groundwater levels.**

The applicant is to provide further information to the satisfaction of the Shire, to determine the highest groundwater (to inform the pit floor level). Groundwater levels should be taken between August to early October to determine the highest groundwater.

f. With regards to Condition 13 and 14, the Acoustic Assessment and Noise Management Plan must be prepared by a registered Acoustic Consultant with suitable qualifications, expertise, and local experience in the assessment of transport and environmental noise. They or their organisation must hold membership the membership grade of 'Member', being eligible to be a 'Member' or is working under

the supervision of a 'Member' of the Australian Acoustical Society; or work for a firm that is a member of the Association of Australasian Acoustical Consultants.

g. With regards to Condition 19, return of the bond will be measured against the works identified within the Rehabilitation and Pit Closure Management Plan as determined by the Shire.

h. Management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with the Department of Water and Environmental Regulation's WQPN 56 'Toxic and Hazardous Substance Storage and Use' (Dec 2018) and Contingencies for spills should be in accordance with WQPN 10 – 'Contaminant spills — emergency response plan' (May 2020).

i. With regard to the construction of the internal driveway, the Department of Water and Environmental Regulation advise that a Clearing Permit is required for the works; and the department's Native Vegetation Regulation section is to be contacted by email (admin.nvp@dwer.wa.gov.au**) or by telephone (6364 7098) to discuss the requirements of the EP Act with regards to the clearing of native vegetation. The applicant will need to seek advice directly from the Department of Water and Environmental Regulation in relation to clearing permit requirements.**

j. If the development the subject of this approval is not commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.

k. Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.

l. If an applicant is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005. An application must be made within 28 days of the determination.

m. With regards to Condition 7, dieback management measures are to be implemented consistent with the *Best Practice Guidelines for Management of Phytophthora Dieback in the Basic Raw Materials Industri*es.

n. The applicant is responsible to ensure obligations are met under the Aboriginal Heritage Act 1972 with regards to undertaking a due diligence assessment and obtaining all relevant approvals.

B. Authorises the Chief Executive Officer to issue an Extractive Industry License for the extraction of gravel at Lot 100 Goodwood Road, Upper Capel upon complying with the conditions of the above development approval and subject to the following conditions:

1. **The extractive operation shall comply with the Shire of Donnybrook-Balingup *Extractive Industry Local Law 2016* at all times.**
2. **Compliance with all approved plans and any conditions/advice contained in Development Approval P24066 at all times during the life of the extractive industry to the satisfaction of the Shire.**
3. **A licensee shall pay to the local government the annual licence fee in accordance with the Schedule of Fees and Charges adopted each year in the Shire annual budget prior to the commencement of extraction.**
4. **The operator is required to submit to the Shire an annual 'Progress Report' by the 30 December, detailing progress of the pit over the previous 12-month period. The Report should provide details on the following:**
    a. **extent of extraction undertaken (volume and area);**
    b. **completion of stages;**
    c. **rehabilitation of completed stages; and**
    d. **site survey plan prepared by a licensed surveyor.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

9.1.3. Development Application P24076/77 – Asphalt Art – Collins Street and Reserve Street, Donnybrook

Report Details:			
Prepared by:	Manager Development Services		
Manager:	Ross Marshall, Director Operations		
Applicant:	Donnybrook Town Team		
Location:	Collins Street and Reserve Street, Donnybrook		
File Reference:	ASS 27 (P24076/77)	**Voting Requirement:**	Simple Majority

Attachment(s):

9.1.3(1) Application report
9.1.3(2) Government Agency submissions

Executive Recommendation

That Council, pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24076/77 Asphalt Art – Collins Street and Reserve Street, Donnybrook, subject to the following conditions and advice:

1. **Prior to the commencement of works, applicant to submit a Traffic Management Plan (TMP) prepared by an appropriately qualified person, showing temporary warning signs and method of traffic management to control traffic for the duration of the works. This TMP is subject to separate written approval from the Shire, in consultation with Main Roads, prior to commencement of works.**
2. **An accredited traffic management provider must be in control of all Traffic Management for the duration of the works. All aspects of the TMP must be adhered to at all times and traffic controllers must be fully accredited for the tasks they are undertaking.**
3. **Prior to the commencement of works applicant to provide a plan, subject to separate written approval from the Shire, that demonstrates how the stormwater system will be protected during the preparation and painting works. Thereafter the plan must be implemented for the duration of works, including any maintenance works.**
4. **Prior to the commencement of works, applicant to provide evidence of minimum $20 million public liability insurance to the satisfaction of the Shire.**

Advice

i. **Applicant to note that the issue of development approval is not to be construed as endorsement or commitment for ongoing maintenance of the artwork to be carried out by Council; with the artwork likely to fade unevenly over time and be impacted by general road maintenance tasks.**
ii. **In relation to condition 3 this plan is to demonstrate how cleaning materials and the wastewater generated from cleaning (potentially containing sediment and hydrocarbons)**

will be prevented from entering the stormwater network. This plan is to also consider appropriate spillage cleanup measures and demonstrate suitable equipment for the duration of the works.

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome:	6 - The built environment is responsibly planned and well maintained.
Objective:	6.1 - Ensure sufficient land is available for residential, industrial and commercial uses.
Outcome:	8 - Safe and convenient movement of people into and around the district.
Objective:	8.1 - Improve road safety, connectivity and traffic flow for all users. 8.3 - Provide safe, well connected paths for pedestrians, cyclists and gophers.

Executive Summary

The purpose of this report is for Council to consider an application for development approval for a public art installation within Collins Street adjacent to the Apple Fun Park and Pump Track.

Officers do not have delegation to determine applications for development approval for works valued at more than $20,000 on land owned or managed by the Shire. Conditional approval is recommended.

Background

Proposal

The Shire received a development application for the installation of an asphalt art project as part of a road safety initiative aimed to improve driver and pedestrian behaviors around the Apple Fun Park and Pump Track as illustrated in Figure 1.

Figure 1 – Proposed art installation location

The artwork will be painted using solid colour and will involve minor modifications to existing parking bays on Collins Street to improve sight lines. The development application details, plans and justification are contained in (Attachment 9.1.3(1)).

Public roads are not zoned within the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS). While there are no specific development standards within the LPS for sites of "no zone", Town Planning Policy 9.19 applies to this proposal. This is further outlined under Policy Compliance.

The roads are located within Special Control Area - SCA2 – Public Drinking Water Source Protection. The objective of the Public Drinking Water Source Protection Special Control Area is to ensure that land use and development with the Special Control Area is compatible with the protection and long-term management of water resources for public water supply and water catchment areas designated under the *Country Areas Water Supply Act 1947*.

In accordance with the SCA controls, the proposal was referred to the Department of Water and Environmental Regulation (DWER) for comment. DWER had no objection to this proposal with the outcome of this referral is further outlined under Consultation.

In addition to the applicant's own consultation and community engagement, the Shire referred the proposal to owners of 12 properties adjacent to the development area and relevant Government Agencies namely Main Roads WA, Public Transport Authority WA and DWER. The outcome of this referral is outlined under Consultation.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Almost Certain	Minor	High (10)
Risk Description:	Degradation of the paint, over time, entering the stormwater system and ultimately the Preston River.		
Mitigation:	Officers referred this proposal to DWER who suggested a risk during initial installation only (from cleaning). A condition is proposed to address this.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Likely	Minor	Moderate (8)
Risk Description:	Community expectation that art will be maintained by the Shire.		
Mitigation:	Clear communication.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Health	Unlikely	Catastrophic	High (10)
Risk Description:	Conflict between people and vehicles during or after installation.		
Mitigation:	The art will be applied under traffic management; with the research suggesting that after installation, traffic should slow in these areas. Increased sight lines at the pram ramps will also assist.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Service Interruption	Almost Certain	Minor	High (10)
Risk Description:	Road or park closures.		
Mitigation:	Clear communication plan with regular users.		

Financial Implications

The applicant has obtained an RAC grant for this project and has, within their project plan, considered the long-term serviceability of the surface treatment. While the applicant has committed to minor maintenance in the first two years, the intent is for the art to eventually fade, with no obligation intended for Council to reinstate the treatment. Traffic management for the implementation of the project will be at the cost of the applicant.

If Council refuses the application the applicant may exercise the right to have the decision reviewed by the State Administrative Tribunal. If that is the case, then it may be likely that there will be additional resourcing required (staff time and/or the cost of appointing a consultant to represent the Shire).

Policy Compliance

Local Planning Policy 9.19 Memorials and Public Art

This policy applies to public art that can be viewed in the public domain. This Policy triggers a development application. In addition to a site plan, detailed designs and safety information; the policy requires that the applicant include a budget, including ongoing maintenance.

While the policy requires a formal agreement outlining insurance, ownership and maintenance, as this installation is temporary i.e. the paint is intended to fade over time, with no need for ongoing maintenance, it is considered that a formal agreement is not warranted on this occasion.

The proposed design is not considered controversial or divisive, with the applicant demonstrating adaption of their initial proposal following the outcome of their own community consultation. In addition, the referral of the proposal received two public submissions in support of the proposal.

Statutory Compliance

The Shire has a responsibility as both the assessing authority as well as the custodian of local roads i.e. public thoroughfare.

The application has been assessed against the relevant provisions and applicable statutory requirements of the Shire of Donnybrook Balingup Local Planning Scheme No.7 (LPS7) and is considered capable of being approved.

Under clause 2.2(1) of the Shire of Donnybrook-Balingup Activities on Thoroughfares & Trading in Thoroughfares & Public Places Local Law, a person shall not, without a permit –

> *(c) cause any obstruction to a vehicle or a person using a thoroughfare as a thoroughfare*
> *(d) cause any obstruction to a water channel or a water course in a thoroughfare*
> *(e) damage a thoroughfare*

Approval under the provisions of the local law is also supported and can be dealt with under existing delegated authority closer to the activity occurring.

Consultation

Public Submissions

The application was advertised on the Shire's website and referred to 12 landowners immediately adjacent to the art project. Two submissions were received in support of this proposal.

Consultation with Government/Service Agencies

The proposal was referred to Main Roads WA, Public Transport Authority WA and Department of Water and Environmental Regulation for comment. Submissions are contained in (Attachment 9.1.3 (2)) and discussed below.

Main Roads WA	
Issues Raised in Submission	Response
Main Roads have issued conditional approval for the regulatory aspects of the road markings i.e. line marking components/pram ramp treatments.	The Agency's approval is noted.

Public Transport Authority WA	
Issues Raised in Submission	Response
No objection to the proposal.	The Authority's advice is noted.

Department of Water and Environmental Regulation	
Issues Raised in Submission	Response
The Department supports water catchment protection measures, to ensure that there are no unintended consequences of offsite runoff from either the initial asphalt cleaning process or the subsequent painting activities. Appropriate protection measures and availability of spillage cleanup equipment are recommended as a planning consideration.	The Department's comments are noted and the requirement for managing runoff will be added as a condition, if granted.

Officer Comment

The applicant has undertaken extensive consultation and research in relation to this initiative, including sourcing independent funding to undertake the project at no cost to the Shire. The proposal has been assessed in accordance with the planning framework and the Shire's local laws. Conditional approval is recommended.

COUNCIL RESOLUTION:	25/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That Council, pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24076/77 Asphalt Art – Collins Street and Reserve Street, Donnybrook, subject to the following conditions and advice:

1. **Prior to the commencement of works, applicant to submit a Traffic Management Plan (TMP) prepared by an appropriately qualified person, showing temporary warning signs and method of traffic management to control traffic for the duration of the works. This TMP is subject to separate written approval from the Shire, in consultation with Main Roads, prior to commencement of works.**

2. **An accredited traffic management provider must be in control of all Traffic Management for the duration of the works. All aspects of the TMP must be adhered to at all times and traffic controllers must be fully accredited for the tasks they are undertaking.**
3. **Prior to the commencement of works applicant to provide a plan, subject to separate written approval from the Shire, that demonstrates how the stormwater system will be protected during the preparation and painting works. Thereafter the plan must be implemented for the duration of works, including any maintenance works.**
4. **Prior to the commencement of works, applicant to provide evidence of minimum $20 million public liability insurance to the satisfaction of the Shire.**

Advice

i. **Applicant to note that the issue of development approval is not to be construed as endorsement or commitment for ongoing maintenance of the artwork to be carried out by Council; with the artwork likely to fade unevenly over time and be impacted by general road maintenance tasks.**
ii. **In relation to condition 3 this plan is to demonstrate how cleaning materials and the wastewater generated from cleaning (potentially containing sediment and hydrocarbons) will be prevented from entering the stormwater network. This plan is to also consider appropriate spillage cleanup measures and demonstrate suitable equipment for the duration of the works.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0 by en-bloc resolution 14/02-25

Cr John Bailey left the Council Chamber at 6:15pm.

9.1.4 Development Application P24070 – Balingup Fruit Winery Cellar Door – Lot 62 (Unit 1) 33 Bridgetown Road, Balingup

Report Details:

Prepared by: Principal Planner and Planning Officer

Manager: Manager Development Services

Applicant: Sharon Burke (Balingup Fruit Winery)

Location: Lot 62 (Unit 1) 33 Bridgetown Road, Balingup

File Reference: A4526 (P24070) **Voting Requirement:** Simple Majority

Attachment(s):

9.1.4(1) Development application.
9.1.4(2) Development plans.
9.1.4(3) Agency submission.
9.1.4(4) Public submission with applicant's comment.
9.1.4(5) Assessment under Clause 67.

Executive Recommendation

That Council:

A. Pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24070 for the relocation of the Cellar Door for the Balingup Fruit Winery to Unit 1, 33 Bridgetown Road, Balingup, subject to the following conditions and advice:

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, including any notations, and must not be altered or modified without the further written consent of the Shire.**
   Approved plans:
   (i) Balingup Fruit Winery – Development Plans (Attachment 9.1.4(2)).

2. **Prior to the commencement of the use, a minimum of 3 car parking bays, and manoeuvring areas, in the location of the right of carriageway on Strata Plan 55248 , are to be constructed to a gravel standard, drained, and clearly designated to the satisfaction of the Shire and thereafter maintained.**

3. **Vehicular access and egress to the site is restricted to the existing crossover onto Bridgetown Road.**

Advice

a. The Shire Environmental Health Services advises that:

i. **The food business is required to be registered with the Shire of Donnybrook Balingup. A Food Business Notification / Registration Form is to be submitted for approval by an Environmental Health Officer (include a detailed sketch plan of fit out of premise).**
ii. **Food handling, preparation and storage areas to be designed and constructed in accordance with *Food Act 2008, Food Regulations 2009* and the Food Standards Code Requirements.**
iii. **Any future change of use that would increase the effluent flows onsite is likely to trigger a requirement for upgrades to the effluent system and prior to the approval of the change of use the applicant would need to demonstrate that the proposal will comply with the Department of Health's "Government Sewerage Policy 2019".**

b. **The Shire Works and Services advises that:**
   i. **The unsealed carpark has created ongoing maintenance issues for the Shire, and any further development or increases in uses may warrant the carpark having to be sealed in future.**

c. **Planning Services advises that:**
   i. **Advertising signage does not form part of this approval. Any advertising signage is subject to a separate assessment and may require prior development approval from the Shire. It is recommended that you contact the Shire prior to the placement of any advertising signage onsite.**

d. **If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.**

e. **Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.**

f. **If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005. An application must be made within 28 days of the determination.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome:	6 - The built environment is responsibly planned and well maintained.
Objective:	6.1 - Ensure sufficient land is available for residential, industrial and commercial uses.
Outcome:	10 - A popular destination for visitors and tourists.
Objective:	10.1 - Encourage more people to stop, shop and experience the Shire of Donnybrook Balingup.

Executive Summary

The purpose of this report is for Council to consider an application for development approval for the relocation of the existing cellar door currently located at Shop 1, 32 Bridgetown Rd to Unit 1, 33 Bridgetown Road, Balingup as outlined in the (Attachment 9.1.4(1)) application and the (Attachment 9.1.4(2)) development plans.

Officers do not have delegation to determine applications for development approval where objections are received. Officers consider that the proposal may proceed and recommend it be granted approval subject to conditions and advice that address the matters raised in the submissions.

Background

The Balingup Fruit Winery cellar door currently operates from 'The Packing Shed' producing and selling wine products. The Winery seeks approval to relocate the cellar sales component across the road to the current Balingup Visitor Centre building including transferring the existing liquor licence. (It is to be noted that the Balingup Visitor Centre will relocate upon the successful outcome of this application).

Figure 1 - Subject property No. 33 (Lot 62 Unit 1 on Strata Plan 55248)

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Insignificant	Low (3)
Risk Description:	Impact on local community due to operations.		
Mitigation:	Conditional development approval and compliance.		

Risk:	Likelihood:	Consequence:	Risk Rating:
Health	Unlikely	Minor	Low (4)
Risk Description:	Non-compliance with legislation.		
Mitigation:	Conditional development approval and ongoing compliance inspections and licensing.		

Financial Implications

The applicant has paid all relevant application fees. If Council refuses the application the applicant may exercise the right to have the decision reviewed by the State Administrative Tribunal. If that is the case, then it may be likely that there will be additional resourcing required (staff time and/or the cost of appointing a consultant to represent the Shire).

Policy Compliance

See details in Clause 67 assessment in (Attachment 9.1.4(5)).

Statutory Compliance

The application has been assessed against the relevant and applicable statutory Shire of Donnybrook Balingup Local Planning Scheme No.7 (LPS7) provisions, and the proposal has also been assessed in accordance with Schedule 2, Part 9, Clause 67 (2) of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*. A full assessment is contained in (Attachment 9.1.4(5)).

The proposal is considered compatible with the purpose and majority of the objectives for the Commercial zone as it reinforces the use of commercial land in Balingup for a broad range of uses appropriate to the Balingup town centre.

Consultation

Public Submissions

The application was referred to adjoining landowners of the subject lot. In total, one public submission was received at the conclusion of the referral, opposing the application. The Public Submission and applicant response is contained in (Attachment 9.1.4(4)).

The matters raised in the submission relate to the ongoing management of the strata (including strata management, common areas insurance, water meter etc) and are considered outside of the development approval process. The proponents have responded to these matters, and these are expected to be resolved between the strata owners.

The comments related to parking, rubbish bins, delivery of goods, increase in trading hours and toilet amenities etc. are all considered under the Clause 67 assessment contained in (Attachment 9.1.4(5)) and summarised under the Officer Comment section of this report.

Consultation with Government/Service Agencies

The proposal was referred to the Department of Local Government, Sport and Cultural Industries (Racing, Gaming and Liquor) for comment. The Department have confirmed the transfer of the cellar door license separate to the production facility can be permitted. The Department's submission is contained in (Attachment 9.1.4(3)).

Officer Comment

The proposal has been assessed in accordance with the planning framework and a full assessment is contained in (Attachment 9.1.4(8)).

Key considerations identified are:

1. Parking - The owner of Unit 2 has raised concerns regarding the parking area, describing it as "non-existent" which may impact access to his unit. As indicated in Figure 2, Strata Plan 55248 includes a right of carriageway for parking purposes benefiting both Units 1 and 2. Under the requirements of LPS7 for shop premises, based on the size of Unit 1 (48m²), on-site parking for 3 vehicles is required at a ratio of 1 space per 20m² of GFA. Initially, 5 parking bays were approved to the east of Units 1 and 2 when the development was first approved. However, this arrangement seems to have changed following the approval of the Strata plan. To accommodate the Cellar Door Sales, it is recommended that a condition be imposed requiring the existing parking area to be upgraded to a gravel standard to the satisfaction of the Shire, with the bays clearly marked on-site.

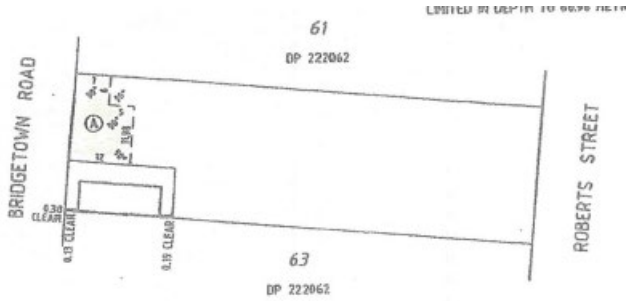


Figure 2 – A on Strata Plan 55248 is a right of carriageway that benefit Units 1 and 2.

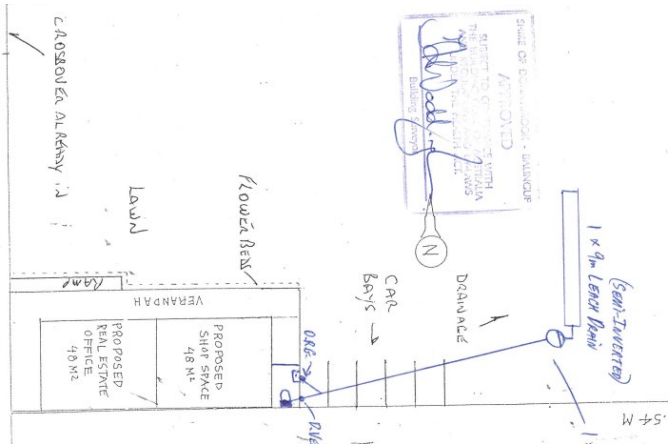


Figure 3 – Originally five bays were approved to the east of Units 1 and 2

2. Toilet and waste water – Reticulated sewerage is not available in Balingup, and the development is currently serviced by an on-site effluent disposal system. The objector has raised concerns that the septic system may not be sufficient to accommodate the operations of the Cellar Door Sales. However, the proposed sales will include cheese and other local condiments, but consumption will not be permitted on-site—only tastings will be provided. The applicant has provided an estimate for wastewater usage, stating that the toilet will only be used by one employee when open. Visitors to the shop, similar to previous arrangements, will need to use the public toilets across the road. Regarding the glass washer, it will be used once per day, and only heat is used—no chemicals.

   Health staff have requested further information regarding the existing effluent system. The applicant then appointed Bradley Plumbing, and a site inspection was conducted on January 23, 2025. During the inspection of the septic tanks and leach drains servicing the Balingup Visitors Centre, the plumber reported: *"Once located, it was found that there is a single concrete tank with a baffle inside and one 9m-long concrete leach drain at the back of the property. After flushing the toilet and inspecting the flow, it was determined that everything seems to be in good working order."* Based on this assessment, the information provided is considered sufficient to allow the proposal to proceed with the existing on-site effluent disposal system. Health staff have recommended further advice indicating that any change of use that would increase the effluent flows onsite is likely to trigger a requirement for upgrades to comply with the Department of Health's "Government Sewerage Policy 2019".

3. Delivery of Goods **-** The objector has raised concerns that deliveries to Unit 1 may negatively impact Unit 2. The applicant has clarified that wine restocks occur fortnightly (3–4 crates of wine), and other stock is delivered on a walk-in basis. This information indicates that the delivery scale is relatively low and would not negatively impact the future use of Unit 2 as a shop, as it is likely to use similar delivery methods.

4. Other planning considerations - The proposal is consistent with LPS7 development standards, the objectives for the Commercial zone and relevant Local Planning Policies. The proposal complies with the recommendations in the existing and draft Local Planning Strategies. The Department of Local Government, Sport and Cultural Industries (Racing, Gaming and Liquor) have confirmed the existing liquor licence for the cellar door can be transferred to the new site.

Development considerations

When considering a development application, clause 68 (2) of the Deemed Provisions outlines the following options for determination:

The local government may determine an application for development approval by -

(g) Granting development approval without conditions; or

(h) Granting development approval with conditions; or

(i) Refusing to grant development approval.

Staff have assessed the application, including the public submission and advice from the Department of Local Government, Sport and Cultural Industries (Racing, Gaming and Liquor) and other Shire service divisions. Staff consider the proposal capable of being approved and managed through reasonable and achievable conditions of approval.

Conclusion

The application complies with the requirement of orderly and proper planning and, therefore, Staff consider that the proposal may proceed and recommend it be granted approval subject to conditions and advice. The conditions and advice on the approval address the matters raised in the one public and agency submissions from the Department of Local Government, Sport and Cultural Industries (Racing, Gaming and Liquor).

COUNCIL RESOLUTION:	26/02-25		
MOVED BY:	Cr Grant Patrick	SECONDED BY:	Cr Lisa Glover

That Council:

A. Pursuant to Schedule 2, Part 9, Clause 68(2)(b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the provisions of the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7), approves the Development Application P24070 for the relocation of the Cellar Door for the Balingup Fruit Winery to Unit 1, 33 Bridgetown Road, Balingup, subject to the following conditions and advice:

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, including any notations, and must not be altered or modified without the further written consent of the Shire.**

Approved plans:

(i) Balingup Fruit Winery – Development Plans (Attachment 9.1.4(2)).

2. **Prior to the commencement of the use, a minimum of 3 car parking bays, and manoeuvring areas, in the location of the right of carriageway on Strata Plan 55248 , are to be constructed to a gravel standard, drained, and clearly designated to the satisfaction of the Shire and thereafter maintained.**

3. **Vehicular access and egress to the site is restricted to the existing crossover onto Bridgetown Road.**

Advice

a. The Shire Environmental Health Services advises that:

i. The food business is required to be registered with the Shire of Donnybrook Balingup. A Food Business Notification / Registration Form is to be submitted for approval by an Environmental Health Officer (include a detailed sketch plan of fit out of premise).

ii. Food handling, preparation and storage areas to be designed and constructed in accordance with *Food Act 2008, Food Regulations 2009* and the Food Standards Code Requirements.

iii. Any future change of use that would increase the effluent flows onsite is likely to trigger a requirement for upgrades to the effluent system and prior to the approval of the change of use the applicant would need to demonstrate that the proposal will comply with the Department of Health's "Government Sewerage Policy 2019".

b. The Shire Works and Services advises that:

i. The unsealed carpark has created ongoing maintenance issues for the Shire, and any further development or increases in uses may warrant the carpark having to be sealed in future.

c. Planning Services advises that:

i. **Advertising signage does not form part of this approval. Any advertising signage is subject to a separate assessment and may require prior development approval from the Shire. It is recommended that you contact the Shire prior to the placement of any advertising signage onsite.**

d. **If the development the subject of this approval is not substantially commenced within a period of two years, or another period specified in the approval after the date of determination, the approval will lapse and be of no further effect.**

e. **Where an approval has so lapsed, no development must be carried out without the further approval of the local government having first been sought or obtained.**

f. **If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with Part 14 of the Planning and Development Act 2005. An application must be made within 28 days of the determination.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

Cr John Bailey re entered Council Chamber at 6:17pm.

9.1.5 Request for Consent to Mine (Exploration Activities) - Reserve 2052 and Reserve 22860

Report Details:			
Prepared by:	Principal Planner and Manager Development Services		
Manager:	Ross Marshall, Director Operations		
Applicant:	Kulu Gold Limited		
Location:	Lot 515, 516, 517 and 518 (Reserve 2052) Sandhills Road, Brookhampton and Lot 363 and 392 (Reserve 22860) Thomson Road, Donnybrook		
File Reference:	A3475 and A3252 (IND 01/1)	**Voting Requirement:**	Simple Majority

Attachment(s):

9.1.5(1)	Letter from DMIRS requesting comment relating to Reserve 2052
9.1.5(2)	Letter from DMIRS requesting comment relating to Reserve R22860
9.1.5(3)	Crown Land Reserve Reports
9.1.5(4)	Response from DMIRS to Councillor questions taken on notice (September 2024 Agenda Briefing)

Executive Recommendation

That Council inform the Minister for Mines and Petroleum:

1. **That it does not support the exploration activities proposed by Kula Gold Limited at Reserve 2052 Sandhills Road, Brookhampton and Reserve 22860 Thomson Road, Donnybrook under application E70/5599 due to the proximity of these Reserves to the Donnybrook townsite.**

2. **That should the Minister determine to issue consent to mine Reserve 2052 Sandhills Road, Brookhampton to Kula Gold Limited (E70/5599) that the following conditions and advice notes be included:**
    a. **That no mining occurs on Lots 516 and 518 on Deposited Plan 215417 that are currently used for the purpose of the Sandhills Walk Trail.**
    b. **Access to the surface of land within Donnybrook Townsite for mining purposes being subject to the approval of the Shire of Donnybrook Balingup and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the Executive Director, Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety.**

    Advice notes:

    For approval of the Shire of Donnybrook Balingup to be obtained the following will be required:

    i. **The development and operation of the project being carried out in such a manner to create the minimum practicable disturbance to the existing vegetation and natural landform. Should clearing of native vegetation be required, a vegetation survey with a primary survey in Spring (September-November) and a supplementary survey (after Autumn rains) be undertaken,**

to identify vegetation on the site worthy of retention including any potential habitat or foraging trees for threatened fauna species, and protection measures implemented to ensure such vegetation is not impacted by works.

ii. **A site management plan that addresses social and environmental impacts must be provided to the satisfaction of the Shire. This plan must outline the scope, methodology and timing of the works and address the management of the following impacts as a minimum: noise, dust, waste, fuels and chemicals, traffic management, waste management, dieback, protection and enhancement of retained vegetation, rehabilitation.**

iii. **Copies of site assessment reports that may assist in future land use planning are to be provided to the Shire, for example, any ecological, environmental, hydrological and geological reports.**

3. **That should the Minister determine to issue consent to mine Reserve 22860 Thomson Road, Donnybrook to Kula Gold Limited (E70/5599) that the following condition and advice notes be included:**

   a. **Access to the surface of land within Donnybrook Townsite for mining purposes being subject to the approval of the Shire of Donnybrook Balingup and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the Executive Director, Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety.**

   Advice notes:

   For approval of the Shire of Donnybrook Balingup to be obtained the following will be required:

   i. **The development and operation of the project being carried out in such a manner so as to create the minimum practicable disturbance to the existing vegetation and natural landform. Should clearing of native vegetation be required, a clearing permit or evidence of exemption must be provided to the Shire prior to the commencement of works.**

   ii. **A site management plan that addresses social and environmental impacts must be provided to the satisfaction of the Shire. This plan must outline the scope, methodology and timing of the works and address the management of the following impacts as a minimum: noise, dust, waste, fuels and chemicals, traffic management, waste management, dieback, protection of retained vegetation, rehabilitation.**

   iii. **Copies of site assessment reports that may assist in future land use planning are to be provided to the Shire, for example, any ecological, environmental, hydrological and geological reports.**

   iv. **The Shire is to retain access to the basic raw materials (sand and gravel) resource located on the land for the benefit of public works.**

   v. **All sand and gravel material, disturbed as part of the exploration activities, to be removed and stockpiled to the satisfaction of the Shire.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome:	3 - The natural environment is well managed for the benefit of current and future generations.
Objective:	3.1 - Care for the natural environment, including weed and pest management.
Item:	Nil.
Outcome:	6 - The built environment is responsibly planned and well maintained.
Objective:	6.1 - Ensure sufficient land is available for residential, industrial and commercial uses.
Item:	Nil.

Executive Summary

The Department of Energy, Mines, Industry Regulation and Safety (DMIRS) has requested Council comment for exploration activities proposed within existing Exploration Licence E70/5599 that encompasses portions of two Crown Reserves. It is important to note that this is not a development application, and that Council is in effect a referral agency, not the decision maker.

Under the provisions of the *Mining Act 1978* Council is to be consulted where a mining licence is being considered within a townsite, or where Council holds a management order for the relevant Crown Reserve. Crown Reserve 2052 Sandhills Road, Brookhampton is located within the Donnybrook townsite boundaries. Crown Reserve 22860 is located on the periphery of the Donnybrook townsite boundary and is vested to the Shire of Donnybrook Balingup for the purpose of a sand quarry.

While Council may request conditions to be imposed, the inclusion or otherwise, is determined by the Minister for Mines and Petroleum.

Background

Kula Gold Limited (KGL) holds existing Exploration Licence E70/5599, issued by DMIRS subject to a “no mining” condition without the consent of the Minister for Mines and Petroleum. Under the provisions of the *Mining Act 1978* mining includes exploration activities that result in ground disturbances. KGL have sought consent of the Minister for Mines and Petroleum to mine Reserves 2025 and 22860, with DMIRS now referring this to Council for comment (refer Attachments 9.1.5(1) and 9.1.5(2)). Figure 1 illustrates the location of these reserves.

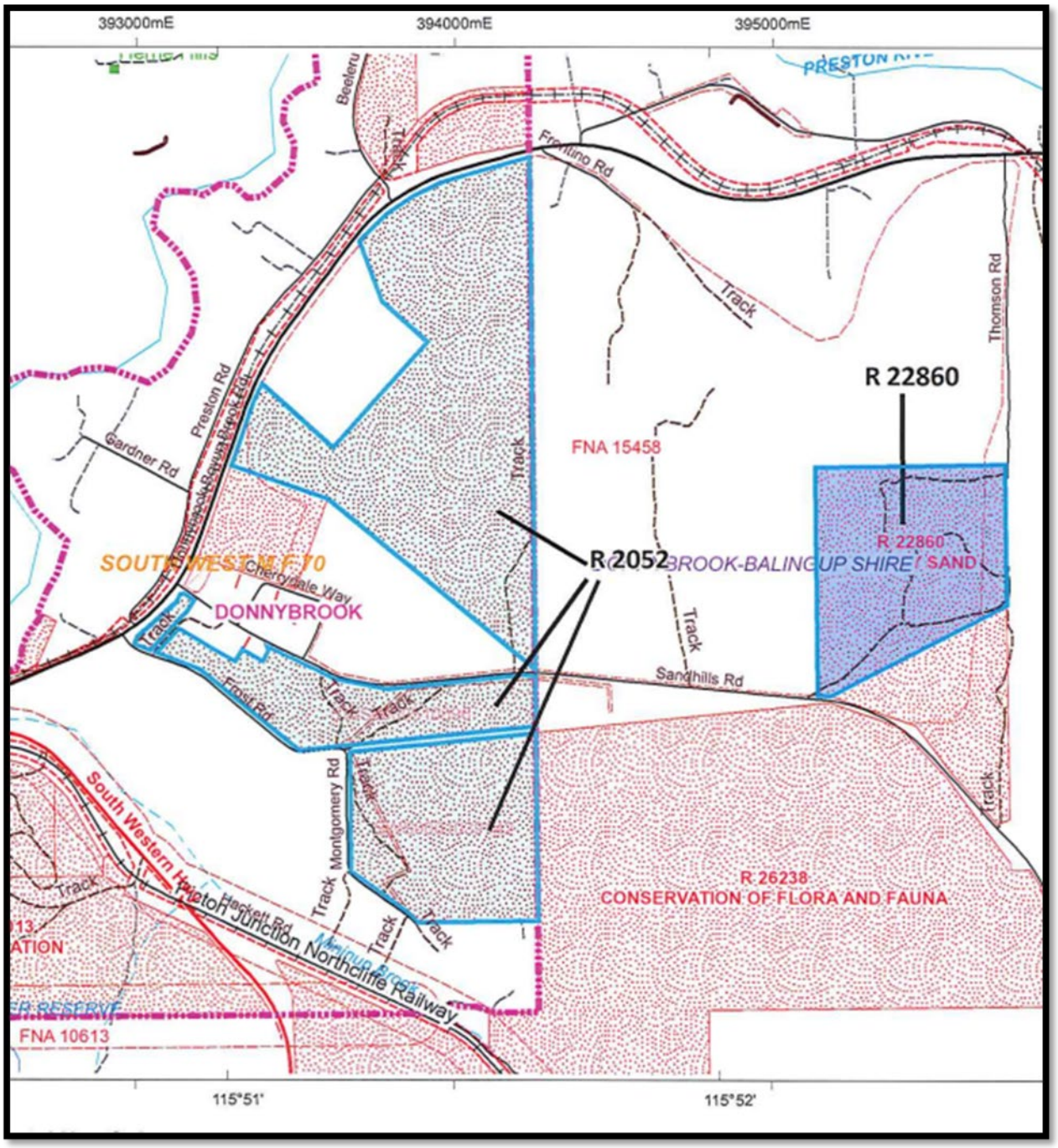


Figure 1 – Reserve 2052 Sandhills Road, Brookhampton and
Reserve 22860 Thomson Road, Donnybrook

Under the provisions of the *Mining Act 1978* Council is to be consulted where a mining licence is being considered within a townsite, or where Council holds a management order for the relevant Crown Reserve. Crown Reserve 2052 Sandhills Road, Brookhampton is located within the Donnybrook townsite boundary. Crown Reserve 22860 is located on the periphery of the Donnybrook townsite boundary and is vested to the Shire of Donnybrook Balingup for the purpose of a sand quarry. A Crown Reserve report is included in Attachment 9.1.5(3).

In addition to general comment, DMIRS have also requested that Council consider the following condition of approval, if granted by the Minister:

Condition:
Access to the surface of land within Donnybrook Townsite for mining purposes being subject to the approval of the Local Authority or relevant reserve vestees, and mining activities within the first 100m below the surface of the land being limited to such exploration activities as may be approved by the Executive Director, Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Possible	Moderate	Moderate (5)
Risk Description:	Mining activities may have impacts relating to noise, dust, waste, fuels and chemicals, traffic management, water management, dieback, vegetation and habitat loss.		
Mitigation:	As Council is not the determining authority, recommending refusal as well as appropriate conditions aimed at mitigating land use impacts and managing potential off-site effects to acceptable levels ensures that the Minister is aware of local concerns.		

Financial Implications

Nil.

Policy Compliance

Nil.

Statutory Compliance

Mining resources are the property of the state and exploration/development of these resources is determined by the state in accordance with the *Mining Act 1978*, having regard to any Local Planning Scheme operating in the area.
Section 120 of the *Mining Act 1978* establishes a connection to the *Planning and Development Act 2005* such that provisions of a Local Planning Scheme are to be taken into account, however, cannot prohibit the granting of a mining tenement. Some local governments choose to formulate a position on “mining operations” within their Shire, specifically through the permissibility’s within the zoning table and communicate this to DMIRS when required under section 120.

Under the Shire of Donnybrook Balingup Local Planning Scheme No. 7 (LPS7) 'industry – mining' is defined as: *means land used commercially to extract minerals from the land in accordance with the Mining Act 1978.*

While the Scheme defines this land use it does not specifically list it within the zoning table i.e. there is no permissibility set within each of the difference scheme zones. While a formal position, within the planning framework, has not been established consideration of the request received allows the Shire the opportunity to provide feedback from a local perspective.

Mining Act 1978

Part V - General provisions relating to mining and mining tenements

120. Town planning schemes and local laws to be considered but not to derogate from this Act

1) *In considering any application for the grant of a mining tenement the Minister, warden or mining registrar, as the case requires, shall take into account the provisions of any town planning scheme in force under the Town Planning and Development Act 1928 or local laws in force under the Local Government Act 1995 affecting the use of the land concerned, but the provisions of any such scheme or local laws shall not operate to prohibit or affect the granting of a mining tenement or the carrying out of any mining operations authorised by this Act.*

2) *Without affecting subsection (1), where -*
   a) *an application has been made for a mining lease or a general purpose lease; and*
   b) *the local government has, in writing, informed the Minister and the Minister for the time being administering the Town Planning and Development Act 1928, that the mining lease or general purpose lease would, if granted, authorise the carrying on of mining operations contrary to the provisions of a town planning scheme or local laws referred to in subsection (1), the Minister shall not dispose of the application until he has first consulted the Minister for the time being administering the Town Planning and Development Act 1928 and obtained his recommendation thereon.*

Consultation

An internal referral of the application was conducted, and the following comments were received:

Health:

The proposal is supported subject to:

Noise from the development and land use is to comply with *Environmental Protection (Noise) Regulations 1997* (the Regulations).

Works and Services:

The proposal relating to R22860 is supported subject to:

a. The Shire retaining full rights to all the sand and gravel material that is within the property.
b. Any sand material to be moved for exploration purposes must be extracted and stockpiled to the satisfaction of the Shire, to ensure it is not contaminated.
c. The miner to complete the rehabilitation of the land post mining and/or any exploration activities.
d. If the land is to be mined in the future, the miner must extract and stockpile all sand from the site at their full cost and stockpile at a Shire site located within 10km of the Shire's main administration site in Donnybrook.

Works and Services has no comment relating to the proposal relevant to R2052.

Environment:

The proposal is supported subject to:

a. Should clearing of vegetation be required, a clearing permit or evidence of exemption must be provided to the Shire, prior to the commencement of the work program.
b. A site management plan that addresses social and environmental impacts be provided to the Shire. This report should outline the scope, methodology and timing of the works, and address the management of the following impacts as a minimum: noise, dust, waste, fuels and chemicals, water, dieback, vegetation, site rehabilitation.
c. Requesting copies of site assessment reports that are beneficial to the Shire, for example, any ecological, environmental, hydrological, and geological reports, to assist in future land use planning.
d. A condition that rehabilitation works be undertaken to improve the ecological health of the retained vegetation in a previously highly degraded area as determined by the Shire, should the licence be granted, to offset the environmental and social impacts of the exploration activity on lands identified for public purposes, as both lots are in proximity to conservation areas and public walking trails, and both lots contain vegetation that is contiguous with a Regional Ecological Linkage, which indicates increased ecological significance.
e. The Shire to retain access to the basic raw material (sand) resource located on these sites, for the benefit of the Shire community.

Governance:

The Shire previously held a Section 91 Licence that expired on 29/02/2024 on a portion of Reserve 2052 (Lots 516 & 518 on Deposited Plan 215417) from the Department of Planning, Lands and Heritage (DPLH). Licence Number 00097-1892_A10376155 was for the designated use of "Walk Trail" and locally referred to as the Sandhills Track. Figure 2 below illustrates the extent of the Sandhills Track over lots 516 and 518.

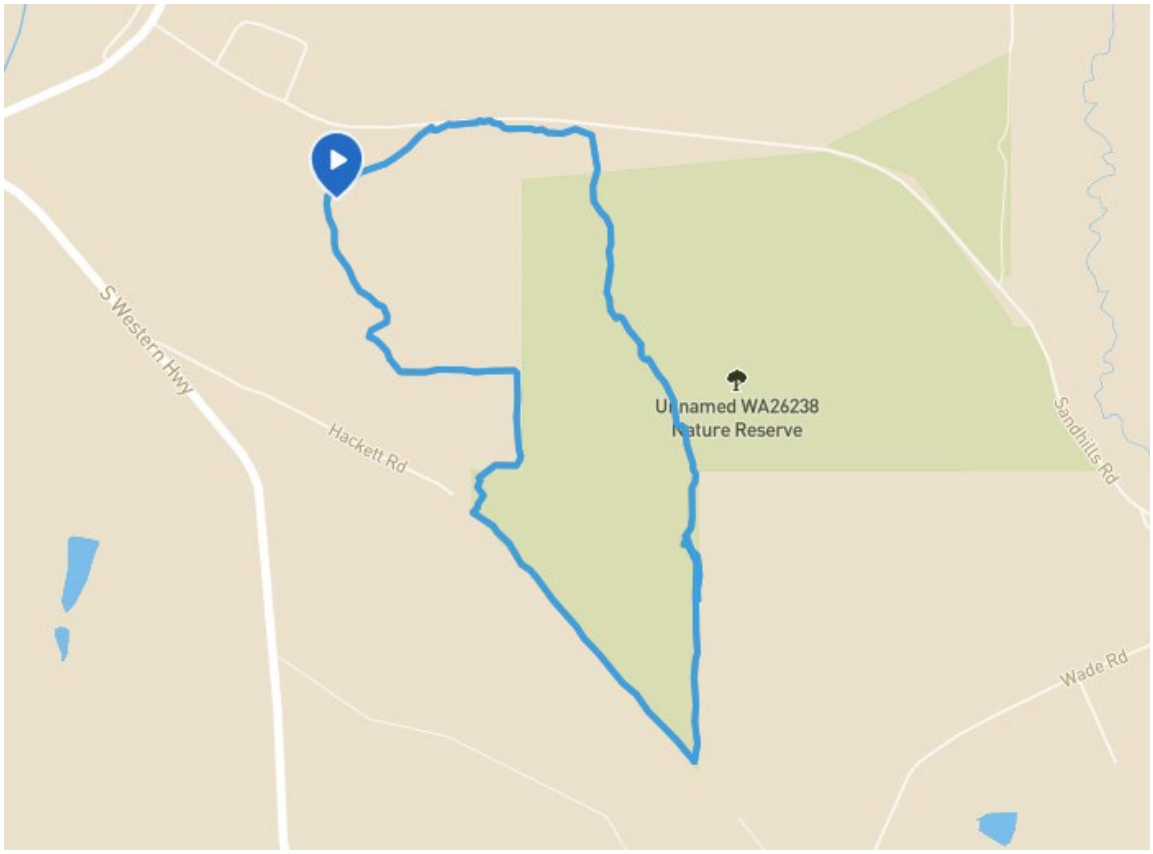


Figure 2 – Sandhills Track, Donnybrook (Trails WA)

Council

Following withdrawal of this officer report from the September 2024 Ordinary Council meeting several Councillor questions were forwarded to DMIRS for response. The responses to these questions are included in Attachment 9.1.5(4). In addition, DMIRS' Regional (South West) Liaison Officer attended a Councillor workshop in November 2024 to provide an overview of the relevant provisions of the *Mining Act 1978* with respect to the current request.

Officer Comment

Table 1 below provides zoning/reservation information under LPS7 relevant to each of the lots as illustrated in Figure 3.

Reserve	Lot number	Zone/Reserve
2052	515, 517 and 518	Zoned: General Industry Development investigation area - DIA10 (Sand extracting is supported prior to industrial development occurring on these lots) Special Control Area - SCA7 – Road protection area Special Control Area - SCA6 – Plantation exclusion area
	516	Local Scheme Reserve: Parks and recreation Special Control Area - SCA6 – Plantation exclusion area
22860	363	Local Scheme Reserve: Parks and recreation Special Control Area - SCA6 – Plantation exclusion area
	392	Zone: General Agriculture Special Control Area - SCA6 – Plantation exclusion area

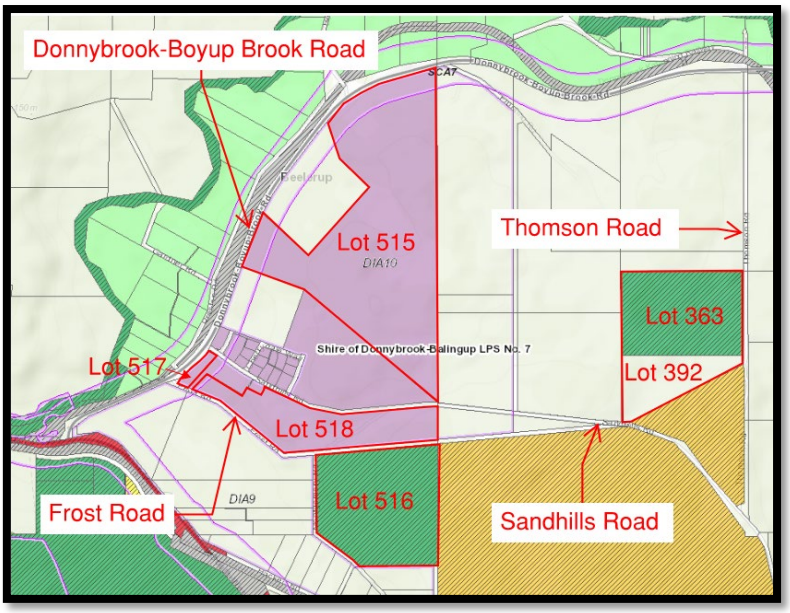


Figure 4 – Excerpt from LPS7 Scheme Map, with lot information overlayed

At the Annual General Meeting of Electors held 7 March 2023, five of seven motions raised related to mining tenements within the Shire and the role of local government in the consultation process. These items were further considered at Ordinary Council Meetings (Commissioner) in March and then May 2023. One of the commitments made included consideration of mining within the new Local Planning Scheme 8 as the key statutory planning mechanism.

As noted in under Statutory, LPS7 does not include "industry – mining" within the Zoning Table. While a formal position, within the planning framework, has not been established consideration of the request received allows the Shire the opportunity to provide feedback from a local perspective. Given the Shire is a referral agency for this application it is considered prudent to provide an indication of

Council's preference, and where refusal is recommended, applicable conditions should the Minister approve the application. The Executive Recommendation has been formulated utilising the standard condition requested by DMIRS with a number of Shire specific advice notes recommended.

MOVED BY:	Cr Anita Lindemann	**SECONDED BY:**	Cr Alexis Davy

That Council inform the Minister for Mines and Petroleum:

1. **That it does not support the exploration activities proposed by Kula Gold Limited at Reserve 2052 Sandhills Road, Brookhampton and Reserve 22860 Thomson Road, Donnybrook under application E70/5599 due to the proximity of these Reserves to the Donnybrook townsite.**

2. **That should the Minister determine to issue consent to mine Reserve 2052 Sandhills Road, Brookhampton to Kula Gold Limited (E70/5599) that the following conditions and advice notes be included:**
    a. **That no mining occurs on Lots 516 and 518 on Deposited Plan 215417 that are currently used for the purpose of the Sandhills Walk Trail.**
    b. **Access to the surface of land within Donnybrook Townsite for mining purposes being subject to the approval of the Shire of Donnybrook Balingup and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the Executive Director, Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety.**

    Advice notes:

    For approval of the Shire of Donnybrook Balingup to be obtained the following will be required:
        i. **The development and operation of the project being carried out in such a manner to create the minimum practicable disturbance to the existing vegetation and natural landform. Should clearing of native vegetation be required, a vegetation survey with a primary survey in Spring (September-November) and a supplementary survey (after Autumn rains) be undertaken, to identify vegetation on the site worthy of retention including any potential habitat or foraging trees for threatened fauna species, and protection measures implemented to ensure such vegetation is not impacted by works.**
        ii. **A site management plan that addresses social and environmental impacts must be provided to the satisfaction of the Shire. This plan must outline the scope, methodology and timing of the works and address the management of the following impacts as a minimum: noise, dust, waste, fuels and chemicals, traffic management, waste management, dieback, protection and enhancement of retained vegetation, rehabilitation.**
        iii. **Copies of site assessment reports that may assist in future land use planning are to be provided to the Shire, for example, any ecological, environmental, hydrological and geological reports.**

3. **That should the Minister determine to issue consent to mine Reserve 22860 Thomson Road, Donnybrook to Kula Gold Limited (E70/5599) that the following condition and advice notes be included:**
    a. **Access to the surface of land within Donnybrook Townsite for mining purposes being subject to the approval of the Shire of Donnybrook Balingup and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the Executive Director, Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety.**

    Advice notes:

    For approval of the Shire of Donnybrook Balingup to be obtained the following will be required:

    i. **The development and operation of the project being carried out in such a manner so as to create the minimum practicable disturbance to the existing vegetation and natural landform. Should clearing of native vegetation be required, a clearing permit or evidence of exemption must be provided to the Shire prior to the commencement of works.**
    ii. **A site management plan that addresses social and environmental impacts must be provided to the satisfaction of the Shire. This plan must outline the scope, methodology and timing of the works and address the management of the following impacts as a minimum: noise, dust, waste, fuels and chemicals, traffic management, waste management, dieback, protection of retained vegetation, rehabilitation.**
    iii. **Copies of site assessment reports that may assist in future land use planning are to be provided to the Shire, for example, any ecological, environmental, hydrological and geological reports.**
    iv. **The Shire is to retain access to the basic raw materials (sand and gravel) resource located on the land for the benefit of public works.**
    v. **All sand and gravel material, disturbed as part of the exploration activities, to be removed and stockpiled to the satisfaction of the Shire.**

Amendment by Cr MacCarthy:

COUNCIL RESOLUTION:	27/02-25		
MOVED BY:	Cr Vivienne MacCarthy	**SECONDED BY:**	Cr Alexis Davy

It should be noted that some of this land has been considered for inclusion in the Noongar Land Estate to be held by the Noongar Boodja Trust.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

Substantive motion including Cr MacCarthy's amendment (highlighted in red):

COUNCIL RESOLUTION:	28/02-25		
MOVED BY:	Cr Vivienne MacCarthy	**SECONDED BY:**	Cr Alexis Davy

That Council inform the Minister for Mines and Petroleum:

1. **That it does not support the exploration activities proposed by Kula Gold Limited at Reserve 2052 Sandhills Road, Brookhampton and Reserve 22860 Thomson Road, Donnybrook under application E70/5599 due to the proximity of these Reserves to the Donnybrook townsite.**

2. **That should the Minister determine to issue consent to mine Reserve 2052 Sandhills Road, Brookhampton to Kula Gold Limited (E70/5599) that the following conditions and advice notes be included:**
    a. **That no mining occurs on Lots 516 and 518 on Deposited Plan 215417 that are currently used for the purpose of the Sandhills Walk Trail.**
    b. **Access to the surface of land within Donnybrook Townsite for mining purposes being subject to the approval of the Shire of Donnybrook Balingup and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the Executive Director, Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety.**

    Advice notes:

    For approval of the Shire of Donnybrook Balingup to be obtained the following will be required:

    i. **The development and operation of the project being carried out in such a manner to create the minimum practicable disturbance to the existing vegetation and natural landform. Should clearing of native vegetation be required, a vegetation survey with a primary survey in Spring (September-November) and a supplementary survey (after Autumn rains) be undertaken,**

to identify vegetation on the site worthy of retention including any potential habitat or foraging trees for threatened fauna species, and protection measures implemented to ensure such vegetation is not impacted by works.

ii. A site management plan that addresses social and environmental impacts must be provided to the satisfaction of the Shire. This plan must outline the scope, methodology and timing of the works and address the management of the following impacts as a minimum: noise, dust, waste, fuels and chemicals, traffic management, waste management, dieback, protection and enhancement of retained vegetation, rehabilitation.

iii. Copies of site assessment reports that may assist in future land use planning are to be provided to the Shire, for example, any ecological, environmental, hydrological and geological reports.

iv. It should be noted that some of this land has been considered for inclusion in the Noongar Land Estate to be held by the Noongar Boodja Trust.

3. That should the Minister determine to issue consent to mine Reserve 22860 Thomson Road, Donnybrook to Kula Gold Limited (E70/5599) that the following condition and advice notes be included:

   a. Access to the surface of land within Donnybrook Townsite for mining purposes being subject to the approval of the Shire of Donnybrook Balingup and mining activities within the first 100 metres below the surface of the land being limited to such exploration activities as may be approved by the Executive Director, Resource and Environmental Compliance, Department of Mines, Industry Regulation and Safety.

   Advice notes:

   For approval of the Shire of Donnybrook Balingup to be obtained the following will be required:

   i. The development and operation of the project being carried out in such a manner so as to create the minimum practicable disturbance to the existing vegetation and natural landform. Should clearing of native vegetation be required, a clearing permit or evidence of exemption must be provided to the Shire prior to the commencement of works.

   ii. A site management plan that addresses social and environmental impacts must be provided to the satisfaction of the Shire. This plan must outline the scope, methodology and timing of the works and address the management of the following impacts as a minimum: noise, dust, waste, fuels and chemicals, traffic management, waste management, dieback, protection of retained vegetation, rehabilitation.

   iii. Copies of site assessment reports that may assist in future land use planning are to be provided to the Shire, for example, any ecological, environmental, hydrological and geological reports.

   iv. The Shire is to retain access to the basic raw materials (sand and gravel) resource located on the land for the benefit of public works.

v. **All sand and gravel material, disturbed as part of the exploration activities, to be removed and stockpiled to the satisfaction of the Shire.**

vi. **It should be noted that some of this land has been considered for inclusion in the Noongar Land Estate to be held by the Noongar Boodja Trust.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Cr Gubler
Carried: 7/1

9.1.6. Proposed Speed Zoning Changes for the Locality of Irishtown and Reserve and Collins Street, Donnybrook

Report Details:			
Prepared by:	Manager Works and Services		
Manager:	Ross Marshall, Director Operations		
Location:	Reserve and Collins Street, Donnybrook, plus various roads within the Irishtown Locality		
File Reference:	CNL 33	**Voting Requirement:**	Simple Majority

Attachment(s):

9.1.6(1) Irishtown 60km-hr Area Zone – Site Plan
9.1.6(2) Reserve & Collins Street 40km-hr Site Plan

Executive Recommendation

That Council:

1. **Supports the proposed establishment of an Urban Area Speed Zone for the Irishtown Locality, resulting in the following roads having a 60 kilometres per hour speed limit once implemented:**
   - **1.1. Arboretum Road**
   - **1.2. River Street**
   - **1.3. Hamilton Street**
   - **1.4. Grist Road**
   - **1.5. Nash Place**
   - **1.6. Hickman Place**
   - **1.7. Miller Road**
   - **1.8. Meotti Road**
   - **1.9. Hardy Place**
   - **1.10. Scaffidi Place**
   - **1.11. Brazier Street**
   - **1.12. Fowler Street**
   - **1.13. Kelly Road**
   - **1.14. McCutcheon Road; and**
2. **Notes that through this process any current speed zoning for these roads will be changed to the 60km/hr speed limit, including Irishtown Road which has a current speed limit of 80km/hr for most of its length; and**
3. **Supports the change in speed limit from 50 kilometres per hour to 40 kilometres per hour for Reserve Street Donnybrook between Collins Street and South Western Highway, as well as for Collins Street Donnybrook, from its intersection with Reserve Street, to a point approximately 350 metres south.; and**
4. **Requests the Chief Executive Officer to proceed with community consultation with regards to the changes proposed in points 1, 2 and 3 above. The community is to be provided with a minimum of 4 weeks to comment; and**

5. **Following the closure of the consultation period, request the Chief Executive Officer to review all submissions received, to determine if a further report needs to be brought back to Council for deliberation; and**
6. **If a further report for Council is not deemed required as per point 5, request the Chief Executive Officer to provide written correspondence to Main Roads WA to implement the changes outlined in points 1 and 3, noting Councils endorsement of these changes.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome:	8 - Safe and convenient movement of people into and around the district.
Objective:	8.1 - Improve road safety, connectivity and traffic flow for all users.
Item:	8.1.1 - Advocate for the State Government to upgrade and improve key regional transport infrastructure.

Executive Summary

Following repeated requests from the community, Shire officers have received support from Main Roads Western Australia (MRWA) for the following changes to road speed limits within the Shire:

1. Implementation of an "*Urban Area Speed Zone*" for the locality of Irishtown, which would result in the following roads having a regulatory speed limit of 60 kilometers per hour:
    1.1. Arboretum Road
    1.2. River Street
    1.3. Hamilton Street
    1.4. Grist Road
    1.5. Nash Place.
    1.6. Hickman Place
    1.7. Miller Road
    1.8. Meotti Road
    1.9. Hardy Place
    1.10. Scaffidi Place
    1.11. Brazier Street
    1.12. Fowler Street
    1.13. Kelly Road
    1.14. McCutcheon Road

2. Implementation of a 40 kilometers per hour speed zone within Donnybrook townsite on:
    a. Reserve Street, between Collins Street and South Western Highway; and
    b. Collins Street, from its intersection with Reserve Street, to a point approximately 350 meters south.

Although supported by MRWA, who are the agency responsible for all regulatory devices such as speed signs, Officers consider that the changes should be referred to Council for endorsement and the broader community consultation, prior to a final decision to implement the changes.

Background

Irishtown Road

The Shire has received several concerns from the regular users of Irishtown Road with regards to its speed limit, with one of their main concerns being the 80km/hr speed limit across Irishtown Road Bridge, due to its lack of a dedicated pedestrian/cycle crossing.

The Irishtown locality has seen an increase in housing development in recent years, resulting in an increase of the shared use (walking, biking, horse riding and vehicular traffic) of the roads in the locality, thus increasing the potential of conflict between users. The locality has no dedicated off-road paths, primarily due to its special rural nature.

The initial request to MRWA by Shire Officers was to have the speed limit over the bridge reduced to 60km/hr due to its regular use by vehicles, pedestrians, cyclists, and horse riders. Subsequent advice from MRWA was, that based on their policy "*Speed Zoning – Policy and Application Guidelines*", they could not support a speed limit on an individual road within a network of similar roads, however that they could potentially support an area-based speed limit being applied to all roads in the locality of Irishtown due to their similar nature.

Further assessment by MRWA determined that an "*Urban Area Speed Zone"* of 60 kilometres per hour could be supported for the outlined roads within the Irishtown Locality (refer Attachment 9.1.6(1)). In this instance, this will result in a 60-kilometre speed zone being put in place from the intersection of Irishtown Road with the South Western Highway, covering the majority of roads in the Irishtown locality, including the newly constructed Hamilton/Fowler/Kelly Road link. An additional 60 kilometre per hour sign will also be placed on Kelly Road, near its intersection with Bridge Street, as these two roads are the only formal access/egress points from the Irishtown locality.

Shire Officers have also confirmed with MRWA that several of the roads identified for the "Urban Area Speed Zone" are gravel roads. MRWA advice is that these roads still remain applicable to the area speed zone, however noting that drivers still need to drive to the condition of the road.

Reserve and Collins Street

The Shire has identified for many years the need to have the sections of road adjacent to the Apple Fun Park (Reserve and Collins Street) reduced to a 40 kilometres per hour limit. Council has also previously endorsed the resolution below, at its 23 May 2018 Ordinary Council Meeting, with the request for the speed limit changes on Reserve and Collins not being supported by MRWA at that time.

At its Ordinary Council meeting held 23 May 2018 Council resolved the following:

"COUNCIL RESOLUTION

That Council:

1. *Instruct the Chief Executive Officer to request Main Roads WA to implement 40km/hr speed zoning on the South Western Highway as a priority, in both the Donnybrook and Balingup townsites.*
2. *Instruct the Chief Executive Officer to request Main Roads WA to implement 40km/hr speed zoning on the sections of Reserve and Collins Street, Donnybrook, that abut the Apple Fun Park as a priority.*
3. *Instruct the Chief Executive Officer to request advocacy and support for the implementation of resolutions 1 and 2, above, from the Member for Collie Preston, Hon. Mr Mick Murray MLA.*
4. *Instruct the Chief Executive Officer to liaise with the Shire of Capel and the Shire of Bridgetown Greenbushes with the objective of developing a collaborative advocacy position on implementation of 40km/hr speed limits through the townsites of Bridgetown, Balingup, Donnybrook and Boyanup."*

In the years following this request, Officers have repeatedly advocated to MRWA for the 40 kilometres per hour speed zoning of the sections of Reserve and Collins Street that are adjacent to the Apple Fun Park, after receiving further requests from the public and community groups.

MRWA have now confirmed that following its further review of the Shire's request that the 40km/hr speed zoning can be supported for the section of Reserve and Collins Street as shown in Attachment 9.1.7(2).

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Possible	Moderate	Low (4)
Risk Description:	There is inherent risk associated with higher speed zones/limits when the zones/limits do not appear to be commensurate with usage and/or adjacent property usage. Lower speed zones/limits (and compliance with them) will naturally lower levels of risk.		
Mitigation:	Acceptance and implementation of MRWA proposed speed zone/limits reductions.		

Financial Implications

As the signage to be installed is regulatory signage, it will be installed by MRWA at their cost. Once the signage is installed, the ongoing maintenance and replacement remains the responsibility of MRWA.

Policy Compliance

The implementation of speed zoning on all roads can only be undertaken by MRWA in accordance with their policy "*Speed Zoning – Policy and Application Guidelines*", a full copy of this document can be obtained from MRWA website; within this policy the following is outlined for "Urban Area Speed Zones"

5.5 Urban Area Speed Zones

Area Speed Zones may be considered where a local area has consistent characteristics which support broad application of a consistent speed limit. Area Speed Zones apply a regulatory limit on all roads within the area through the installation of signage of all entrance points to the area.

For any urban Area Speed Zone, all roads shall be fully contained within a clearly recognisable and dedicated residential, shopping, commercial, industrial, tourist, recreation, conservation or other precinct or reserve, subject to the following:

- The traffic volume on each road shall be less than 5,000 vpd,
- The area shall have a higher than normal pedestrian activity level and significant broader Place values,
- The proposed area speed zones to be signed shall have a clearly defined boundary,
- The boundaries of the area, precinct or reserve should have a threshold treatment to clearly define the area, and
- Generally, all roads within the area shall be local access or local distributor roads in a functional road hierarchy (having generally lowest, low to medium Movement function).

There is no arbitrary restriction on the maximum or minimum size of an area to which an area speed zone may be applied. Generally, most area speed zones will naturally be restricted by the size of the relevant precinct. The adopted boundary of the zone and the associated speed limit signing should appear logical and clear to drivers.

Where a Local Government boundary passes through an area proposed for an area speed zone, close consultation and coordination will be necessary so that the zone is implemented within both municipalities simultaneously.

Council Policy COMD/CP-3- Community Engagement Framework

This policy is to provide a framework to embed proactive stakeholder analysis, communication and engagement planning and delivery for Shire projects, services, and issues management.

Statutory Compliance

Nil.

Consultation

Officers regularly discuss with MRWA concerns raised about speed zoning within the Shire. The Executive recommendation also proposes for further consultation to occur if it is endorsed by Council.

Officer Comment

As outlined in MRWA's policy, speed limits are an essential mechanism to ensure the safe and efficient operation of road networks. Travel speeds on Western Australian roads must address a broad range of objectives. The application of appropriate speed limits and other traffic management measures is a

key mechanism in managing vehicle speeds to achieve desired safety, mobility, traffic management, local amenity, and road user expectations. Speed limits in Western Australia take the form of:

a. Default Speed Limits (which apply in the absence of signage).
b. Posted Speed Limits (where a specific maximum speed limit is applied to a road, road section, defined area, either permanently or temporarily).
c. Advisory Speed Limits (which provide the driver with a recommended travel speed at a known hazard).
d. Specific vehicle limits (where certain kinds of vehicles, including vehicles towing, are subject to an absolute maximum speed limit even where posted regulatory speed limits may be higher).

Officers consider that the proposed speed zoning changes are reflective of those outcomes that both Council and the community are seeking for increased road safety within these areas. Officers regularly receive concerns regarding speed zones throughout the Shire, however local governments are not the agency responsible for the implementation of regulatory speed zones and can only advocate to/request MRWA for a change to speed zoning in accordance with their policy "*Speed Zoning – Policy and Application Guidelines*".

The Executive Recommendation also provides an opportunity for further comments to be sought from the community on the subject proposed changes prior to implementation, to ensure that there is clear broader community support.

It is also noted that all road users in Western Australia are responsible for driving safely in accordance with conditions, irrespective of any signage (see regulation 18 of the *Road Traffic Code 2000*)

COUNCIL RESOLUTION:	28/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That Council:

1. **Supports the proposed establishment of an Urban Area Speed Zone for the Irishtown Locality, resulting in the following roads having a 60 kilometres per hour speed limit once implemented:**
    - **1.1. Arboretum Road**
    - **1.2. River Street**
    - **1.3. Hamilton Street**
    - **1.4. Grist Road**
    - **1.5. Nash Place**
    - **1.6. Hickman Place**
    - **1.7. Miller Road**
    - **1.8. Meotti Road**
    - **1.9. Hardy Place**
    - **1.10. Scaffidi Place**
    - **1.11. Brazier Street**
    - **1.12. Fowler Street**
    - **1.13. Kelly Road**

1.14. McCutcheon Road; and

2. **Notes that through this process any current speed zoning for these roads will be changed to the 60km/hr speed limit, including Irishtown Road which has a current speed limit of 80km/hr for most of its length; and**
3. **Supports the change in speed limit from 50 kilometres per hour to 40 kilometres per hour for Reserve Street Donnybrook between Collins Street and South Western Highway, as well as for Collins Street Donnybrook, from its intersection with Reserve Street, to a point approximately 350 metres south.; and**
4. **Requests the Chief Executive Officer to proceed with community consultation with regards to the changes proposed in points 1, 2 and 3 above. The community is to be provided with a minimum of 4 weeks to comment; and**
5. **Following the closure of the consultation period, request the Chief Executive Officer to review all submissions received, to determine if a further report needs to be brought back to Council for deliberation; and**
6. **If a further report for Council is not deemed required as per point 5, request the Chief Executive Officer to provide written correspondence to Main Roads WA to implement the changes outlined in points 1 and 3, noting Councils endorsement of these changes.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0 by en-bloc resolution 14/02-25

9.1.7. Council Endorsement – Shire of Donnybrook Balingup Bushfire Risk Management plan 2024-2026 (BRMP)

Report Details:			
Prepared by:	Jess Cooper, Community Emergency Services Manager		
Manager:	Ross Marshall, Director Operations		
File Reference:	FRC 13	**Voting Requirement:**	Simple Majority
Attachment(s):			

9.1.7(1) Updated Shire of Donnybrook Balingup Bushfire Risk Management Plan

Executive Recommendation

That Council:

1. **Endorse the updated Shire of Donnybrook Balingup Bushfire Risk Management Plan 2024-2026 (BRMP); and**
2. **Requests the Chief Executive Officer facilitate the submission of the endorsed plan to the Department of Fire and Emergency Service's (DFES) Office of Bushfire Risk Management Strategic Alignment.**

The following outcomes from the Council Plan relate to this proposal:

Outcome:	3 - The natural environment is well managed for the benefit of current and future generations.
Objective:	3.2 - Develop community readiness to cope with natural disasters and emergencies.
Item:	3.2.4 - Provide support for emergency services volunteers.

Executive Summary

Council is requested to endorse the draft Shire of Donnybrook Balingup Bushfire Risk Management Plan 2024-2026 (BRMP), which provides a structured approach to identifying, assessing, prioritizing, monitoring and treating bushfire risk within the Shire of Donnybrook Balingup. Endorsement of this Plan also ensures that the Shire continues to be eligible to access future Mitigation Activity Funding.

Background

This Bushfire Risk Management Plan 2024-2026 (BRMP) provides contextual information to inform a structured approach in identifying, assessing, prioritising, monitoring and treating bushfire risk within the community. BRMPs are developed for local governments with significant bushfire risk.

An endorsed BRMP is a prerequisite for the Shire to be eligible to access Mitigation Activity Funding (MAF), which is provided by DFES, and has been instrumental in enabling the Shire to mitigate bushfire risk within its reserves. Since the 2017/2018 financial year, the Shire has been awarded over $1.4 million through MAF to perform mitigation works throughout the Shire. Without an endorsed BRMP,

the Shire will no longer be eligible to access this funding. The table below summarises the funding that has been awarded to the Shire since 2017.

Financial Year	Amount Granted
2017/18	$ 169,250
2018/19	$ 185,050
2019/20	$ 269,200
2020/21	$ 190,750
2021/22	$ 327,015
2022/23	$ 133,316
2023/24	$ 161,150
	$ 1,435,731

The draft BRMP 2024-2026 is an update to the previously approved Plan (2017). The current draft plan has been developed utilising the Department of Fire and Emergency Services' (DFES) *Guidelines for Preparing a Bushfire Risk Management Plan* and stakeholder consultation.

To enable the Shire to continue to access this funding and subsequently manage its bushfire risk, an endorsed plan is to be submitted to the Office of Bushfire Risk Management before 1 April 2025. Following endorsement of the Plan, the Shire will be required to update on a two-yearly basis to ensure the information contained within the document is maintained and remains current.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Almost Certain	Moderate	Moderate (5)
Risk Description:	Loss of ongoing grant funding		
Mitigation:	Endorse BRMP to maintain funding eligibility		

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Almost Certain	Moderate	Moderate (5)
Risk Description:	Bushfire risk within Shire reserves is unmanaged		
Mitigation:	Manage Bushfire risk utilising contractors and volunteers through MAF funds		

Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Likely	Moderate	High (10)
Risk Description:	Environmental considerations within Shire Reserves is unmanaged, resulting in reserve flora and fauna habitat deterioration		
Mitigation:	Appropriately manage shire reserves utilising MAF funds		

Financial Implications

Should the Shire be unsuccessful in submitting the updated Bushfire Risk Management Plan 2024-2026 to the Office of Bushfire Risk Management before 1 April 2025, the Shire will no longer be eligible to access funding through the MAF. The Shire would either be required to fund its own bushfire mitigation works or reduce/cease mitigation works.

Policy Compliance

Nil.

Statutory Compliance

Bush Fires Act 1954
Emergency Management Act 2005

Consultation

The Shire of Donnybrook Balingup Bushfire Risk Management plan 2024-2026 has been developed in consultation with numerous stakeholders:

a. Shire of Donnybrook Balingup Bushfire Service
b. Department of Fire and Emergency Services
c. Department of Biodiversity, Conservation and Attractions
d. Neighbouring Local Governments (Bridgetown-Greenbushes, Collie, Nannup)
e. Shire of Donnybrook Balingup Local Emergency Management Committee

Officer Comment

The Bushfire Risk Management Plan 2024-2026 and the MAF have enabled the Shire to better manage reserves that it is responsible for. The management of these reserves has reduced bushfire risk throughout the Shire, while focussing on protecting both public and private assets whilst appropriately managing environmental considerations.

The draft Bushfire Risk Management Plan 2024-2026 provides an established approach whilst ensuring that the Shire maintains an awareness of the bushfire risk that exists within its tenure. An endorsed plan also enables the Shire to access funding to assist in managing the risk that exists within its reserves.

COUNCIL RESOLUTION:	29/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That Council:

1. **Endorse the updated Shire of Donnybrook Balingup Bushfire Risk Management Plan 2024-2026 (BRMP); and**
2. **Requests the Chief Executive Officer facilitate the submission of the endorsed plan to the Department of Fire and Emergency Service's (DFES) Office of Bushfire Risk Management Strategic Alignment.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0 by en-bloc resolution 14/02-25

9.2. Director Finance and Corporate

9.2.1. Schedule of Accounts Paid as at 31 January 2025

Report Details:

Prepared by: Finance Officer

Manager: Manager Financial Services

File Reference: FNC **Voting Requirement:** Simple Majority

Attachment(s):

9.2.1(1) Schedule of Accounts Paid Under Delegation

Executive Recommendation

That Council:

Receive the accounts for payment report for the period ended January 2025 as per Attachment 9.2.1(1)

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 12 - A well respected, professionally run organisation.

Objective: 12.1 - Deliver effective and efficient operations and service provision.

Item: Nil.

Executive Summary

That in accordance with Regulation 13 (3) of the *Local Government (Financial Management) Regulations 1996,* Council receive the "Schedule of Accounts Paid" covering the period 1 January 2025 to 31 January 2025, the schedule contains details of the following transactions:

1 Municipal Account – payments totalling $1,626,628.15.

Credit Card payments	3589
EFT Payments	EFT30075C – EFT30257
Cheque Payments	53821 – 53822
Direct Debit payments	DD28179, DD28208 & DD28248.1

Background

In accordance with Delegation 1.2.23 – payments from the Municipal or Trust funds adopted by Council on 26 June 2024, the Chief Executive Officer is authorised to incur expenditure in accordance with the Annual Budget provisions and limited over-expenditure subject to subsequent budget amendments. In doing so, section 13 of the *Local Government Financial Management Regulations 1996* is to be adhered to with a list of accounts for approval to be presented to Council each month.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Unlikely	Minor	Low (2)
Risk Description:	Additional checks and balances of accounts paid by the Shire.		
Mitigation:	Monthly reporting on accounts paid.		
Compliance	Unlikely	Minor	Low (2)
Risk Description:	Meeting legislative requirement of financial reporting to the Council		
Mitigation:	Monthly reporting on accounts paid.		

Financial Implications

All liabilities settled have been in accordance with the Annual Budget provisions.

Policy Compliance

FIN/CP-4 Purchasing
FIN/CP-5 Regional Price Preference
FIN/CP-7 Credit Card

Statutory Compliance

Local Government Act 1995
Local Government (Financial Management) Regulations 1996
Where the local government has delegated the CEO the exercise of its power to make payments from the municipal fund or the trust funds, Regulation 13 requires that a list of accounts paid by the CEO is to be prepared each month showing for each account paid:

(a) The payee's name; and
(b) The amount of the payment; and
(c) The date of the payment; and
(d) Sufficient information to identify the transaction.

This list of accounts is to be:

(a) Presented to Council at the next ordinary meeting of the Council after the list is prepared; and
(b) Recorded in the minutes of that meeting.

Consultation

Relevant staff have been consulted and have authorised the payments.

Officer Comment

For a detailed listing of payments see Attachment 9.2.1(1)

Please raise any queries prior to the meeting to enable questions to be investigated and a response prepared.

COUNCIL RESOLUTION:	30/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That Council:
Receive the accounts for payment report for the period ended January 2025 as per Attachment 9.2.1(1)

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

9.2.2. Statement of Financial Activity report as at 31st January 2025

Report Details:			
Prepared by:	Acting Manager Financial Services		
Manager:	Acting Director Finance & Corporate		
File Reference:	Nil	**Voting Requirement:**	Simple Majority
Attachment(s):			
9.2.2(1)	Statement of Financial Activity January 2025		

Executive Recommendation

That Council receive the Statement of Financial Activity report for the period ending 31st January 2025 as per Attachment 9.2.2(1)

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 12 - A well respected, professionally run organisation.

Objective: 12.1 - Deliver effective and efficient operations and service provision.

Item: Nil.

Executive Summary

Pursuant to Section 6.4 of the *Local Government Act 1995* (the Act) and Regulation 34(4) of the *Local Government (Financial Management) Regulations 1996* (the Regulations), a local government is to prepare, on a monthly basis, a monthly financial report presented to Council details the Shire's performance in relation to its adopted/amended budget and actuals.

This report has been compiled to fulfil the statutory reporting requirements of the Act and associated Regulations, whilst also providing the Council with an overview of the Shire's financial performance for the period ending 31st January 2025.

Background

The Regulations detail the form and manner in which the monthly financial report is to be presented to the Council, and is to include the following:

- Annual budget estimates.
- Budget estimates to the end of the month in which the statement relates.
- Actual amounts of revenue and expenditure to the end of the month in which the statement relates.
- Material variances between budget estimates and actual revenue/expenditure.
- Net current assets at the end of the month to which the statement relates.

Additionally, and pursuant to Regulation 34(5) of the Regulations, a local government is required to adopt a material variance reporting threshold in each financial year.

At its Special Meeting of Council on 18th September 2024 it was recommended Council adopt the following material variance reporting thresholds for the 2024/25 financial year:

A material variance for reporting of $10,000, for 2024/2025, pursuant to Regulation 34(5) of the Local Government (Financial Management) Regulations 1996.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Unlikely	Moderate	Moderate (6)
Risk Description:	Monetary loss that may or may not be managed within existing budget or may not impact a program or services		
Mitigation:	Reporting financials monthly		
Compliance	Unlikely	Minor	Low (4)
Risk Description:	Meeting legislative requirement of financial reporting to the Council		
Mitigation:	Monthly reporting on financial reports.		

Financial Implications

Budget

There are no financial implications relevant to this proposal.

Long Term

As no assets/infrastructure are being created, there are no long-term financial implications relevant to this proposal.

Policy Compliance

Nil.

Statutory Compliance

Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Financial Management) Regulations 1996* detail the form and manner in which a local government is to prepare financial activity statements.

Consultation

The Shire's Executive Team, Department Managers and Finance staff monitor the Shire's monthly revenue and expenditure.

Approved budget amendments are recorded in the financial statements to always reflect the Shire's current budget and financial position.

Officer Comment

The January Financial Statements are compared to year-to-date expenditure and revenue against the 2024-25 Budget.

January 2025 Financial Analysis Summary

The issuing of rates for 2024/25 was completed in September 2024. Payment options were as follow:

- First instalment and due date for single full payment occurred 11th November 2024
- Second rates instalment due date occurred 10th January 2025
- Third rates instalment due date is 11th March 2025.
- Fourth and final instalment due date is 12th May 2025

The rates and service charges collected as at 31st January 2025 is 81.4%.
The Shire's surplus after imposition of rates was $4,585,135, which is 15.37% higher than the year-to-date budgeted surplus of $3,974,159 at the end of January 2025.
Explanation of current material variances is included in Note 3 of the attached financial report, with additional commentary below noting the reason for variances in some main cost centres/work.

Capital Grant, subsidies and contributions:
The shire received a replacement DFES funded light tanker for Lowden Bushfire Brigade which has contributed to the 5.74% higher than year to date budget, this is offset by the capital expenditure for the replacement vehicle.

Salary Expenditure:
The actual Employee Costs currently has an overspend of 6.54% to the adopted budget. This overspend has occurred due to timing of budget spreads and resignation of long serving employees being paid outstanding entitlements. This variance should correct itself over the coming months as the shire has had staff vacancies for several months. The reduction in annual and long service leave liability will be reflected in the employee related provisions at year end.

Capital Works Program
The Shire's capital expenditure at the end of January 2025 was $$7,023,754, which is 6.22% lower than the year-to-date budgeted capital expenditure of $7,489,616. This is mainly due to timing of the Road construction program.
Variations to the year-end projected balance will be reported to Council through the required midyear budget review to January 2025 at OCM March 2025.
This report is to be provided after the Agenda Briefing Session.

COUNCIL RESOLUTION:	31/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That Council receive the Statement of Financial Activity report for the period ending 31st January 2025 as per Attachment 9.2.2(1)

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

9.2.3. Council Plan - Biannual Progress Report July - December 2024

Report Details:			
Prepared by:	Loren Clifford, Acting Director Finance and Corporate		
Manager:	Loren Clifford, Acting Director Finance and Corporate		
File Reference:	CNL 16	**Voting Requirement:**	Simple Majority
Attachment(s):			
9.2.3(1)	Council Plan - Biannual Progress Report 1 July 2024 – 31 December 2024		

Executive Recommendation

That Council:

1. **Receives the Council Plan - Biannual Progress Report as shown in** Attachment 9.2.3(1).
2. **Notes that the Chief Executive Officer will publish the Council Plan - Biannual Progress Report on the Shire's website.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome:	11 - Strong, visionary leadership.
Objective:	11.1 - Provide strategically focused, open and accountable governance.
Item:	Nil.

Executive Summary

Council adopted its Council Plan 2022-2032 on 25 May 2022 at its Ordinary Council Meeting. The Council Plan outlines the Shire's operational and capital project priorities to meet the aspirations of the community as outlined in the Strategic Community Plan 2040.

It is best practice for the Shire to report progress against the Council Plan to Council on a biannual basis.

This report relates to the period between 1 July 2024 and 31 December 2024 (first half) for the 2024/2025 financial year. Council is asked to receive the Council Plan - Biannual Progress Report as shown in Attachment 9.2.3(1).

Background

Under the state government Integrated Planning and Reporting Framework (IPRF), local governments in Western Australia must deliver reports such as Corporate Business Plans, Strategic Community Plans and Annual Reports. The aim of the Framework is to make sure local governments consult their communities, and plan responsibly and sustainably according to community directions.

To understand local needs and priorities, the Shire of Donnybrook Balingup commissioned an independent review in 2019, when 441 community members completed a MARKYT® Community Scorecard.

In 2021, the Shire embraced elements of the FUTYR® approach to strategic planning. This is a community-led, integrated and streamlined approach designed specifically for local government.

As part of this process the benefits of merging the Shire's 34-page Strategic Community Plan and 21-page Corporate Business Plan became clear. The Department of Local Government confirmed this is acceptable, provided the elements required by the *Local Government Act 1995* were included. Merging the two documents is more efficient in staff time and Shire resources, and delivers a simpler, more easily understood Council Plan to the community.

Under the Integrated Planning and Reporting Framework (IPRF), Corporate Business Plans are reviewed each year and Strategic Community Plans every four (4) years, with minor reviews every two (2) years. To make sure the new Plan stays relevant to community goals and aspirations it will have desktop reviews annually, with major reviews every four years in line with the IPRF schedule.

At its Ordinary Council meeting held 25 May 2022 Council resolved the following:

> *"COUNCIL RESOLUTION 70/22*
> *That Council:*
> 1. *Acknowledges the renaming of the Corporate Business Plan to Council Plan.*
> 2. *Adopts the reviewed Shire of Donnybrook Balingup Council Plan, as attached.*
> 3. *Requests the Chief Executive Officer to reference objectives and/or priority project numbers from the Donnybrook Balingup Council Plan in Ordinary Council Meeting Agenda items, in order to clearly articulate the Strategic Alignment, focus of each agenda item.*
> 4. *Instructs the Chief Executive Officer to undertake bi-annual reporting on the Council Plan to Council and the community."*

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Likely	Insignificant	Low (4)
Risk Description:	Council don't receive ongoing progress updates on Council Plan Items, which undermines transparency and accountability.		
Mitigation:	Report progress against the Council Plan to Council on a biannual basis.		

Financial Implications

The actions and projects which are detailed in the Council Plan are aligned with the Shire's Annual Budget.

Items flagged in this report as red (deferred) or yellow (monitor) will continue to be monitored and addressed through budget review and reporting.

Policy Compliance

Nil.

Statutory Compliance

Local Government Act 1995
Section 5.56 (1) requires local governments to have in place a plan for the future of the district.

Consultation

External consultation is not required as part of the biannual reporting. Internally, the Executive, Leadership Team, Business Unit Managers and Coordinators were consulted.

Officer Comment

Key Aspects of The Council Plan

The Shire's Council Plan expresses the community's vision for the future through five (5) focus areas of People, Planet, Place, Prosperity, and Performance.

The Council Plan details the Current Situation, a list of services and facilities that the Shire will strive to continuously improve, and an overview of recent achievements relevant to each focus area.

To ensure that Council allocates resources and meets the current and changing community needs overarching outcomes were developed for each focus area, then broken down into objectives with several priority projects to be prioritise between over the 10-year period of 2022 - 2032. Of the 163 priority projects, 30 have been scheduled for the 2024/2025 financial year, while 23 incomplete or deferred projects have been carried over from previous financial periods, resulting in a total of 53 projects scheduled during this reporting period.

Reporting Requirements on Plan

Although not legislatively required, it is considered best practice for Council to receive updates on progress against the Council Plan.

At its Ordinary Council Meeting 25 May 2022 Council resolved that the Chief Executive Officer undertake bi-annual reporting on the Council Plan to Council and the community.

Half Yearly Reporting

The Council Plan progress report includes an update against the 53 priority projects.

Of the 53 priority projects adopted in the Council Plan 2022-2032, 6 have been Achieved, 22 are in progress, 13 require monitoring, 3 have not started and 9 have been marked for deferment.

Conclusion

Details regarding the performance from, 1 July 2024 and 31 December 2024 for each strategic project can be found in Attachment 9.2.3(1) to this report.

COUNCIL RESOLUTION:	32/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That Council:

1. **Receives the Council Plan - Biannual Progress Report as shown in** Attachment 9.2.3(1).
2. **Notes that the Chief Executive Officer will publish the Council Plan - Biannual Progress Report on the Shire's website.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0 by en-bloc resolution 14/02-25

9.3. Chief Executive Officer

9.3.1. WALGA Sustainable Energy Project

Report Details:

Prepared by: Nick O'Connor, Chief Executive Officer

Manager: Nick O'Connor, Chief Executive Officer

File Reference: DEP 22/4D ADM 32 **Voting Requirement:** Simple Majority

Attachment(s):

9.3.1(1) WALGA Memorandum of Understanding WALGA Sustainable Energy Project Phase Two 2024 Procurement Process

9.3.1(2) Donnybrook Balingup estimated cost and analysis - Confidential

Executive Recommendation

That Council accept the offer for contracting from the WALGA Sustainable Energy Project and request the Chief Executive Officer sign a new Renewable Energy Supply Arrangement which is due to commence 1 April 2025 for a three-year term.

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 12 - A well respected, professionally run organisation.

Objective: 12.1 - Deliver effective and efficient operations and service provision.

Item: Nil.

Executive Summary

The WALGA Sustainable Energy Project is an ACCC approved buying group of Local Governments that has contracted electricity under a volume aggregated purchasing process. Participants benefit from access to renewable energy and reduced energy prices.

WALGA ran a Request for Quotation (RFQ) for a new Phase Two term of contract commencing 1 April 2025. Project Participants entered an MOU with WALGA allowing the contestable energy spend to be represented into this procurement process for the purposes of pricing.

As an existing Phase One participant, Council is requested to consider entering into the Synergy Renewable Energy Supply Agreement (RESA) for a three-year term effective, 1 April 2025.

Background

The Shire is one of 48 Local Government Project Participants contracted to the Phase One contract term which commenced on 1 April 2022 and will expire on 31 March 2025. The Phase One term of the Project is estimated to save Local Governments $34 million in expenditure and offset over 120,000 tonnes of carbon.

WALGA ran a Request for Quotation (RFQ) for a new contract commencing 1 April 2025. In March 2024 the Shire entered an MOU with WALGA allowing the contestable energy spend to be represented into this procurement process for the purposes of pricing. The RFQ was overseen by a steering committee and evaluated by a team of WALGA officers, Local Government officers, and independent technical consultants.

The Council Administration Centre and Donnybrook Recreation Centre are the two contestable energy sites which would be covered by the Phase Two agreement.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Almost Certain	Major	Low (3)
Risk Description:	Additional negative impact on Council's budget from not taking advantage of the aggregated group buying proposal as presented by WALGA		
Mitigation:	Accept the recommendation to enter into contractual arrangements as recommended in this report		

Financial Implications

The Shire is currently a signatory to Phase One of the WALGA Sustainable Energy Project. The short-term electricity market price has increased from $48.03 kw/h in Q3 2021 to $98.54 kw/h at the end of June 2024, an increase of 105%. Participating in Phase Two of the WALGA Sustainable Energy Project will reduce the impact of electricity price increases.

Policy Compliance

Council Policy EXE/CP-2 Document Execution and Application of The Common Seal

The Chief Executive Officer has authorisation to execute Agreements as per Cl 5.4, table 1 for the policy.

Statutory Compliance

Nil.

Consultation

Discussion with WALGA Contract Manager, Commercial Development.

Officer Comment

Modelling from WALGA shows that the Western Australian Wholesale Electricity Market (WEM) has changed significantly since the Project was first tendered to the market in 2021. The short-term electricity market price has increased from $48.03kw/h in Q3 2021 to $98.54kw/h at the end of June 2024, an increase of 105%.

The most advantageous offer from the RFQ was an alternative offer received from Synergy, which is summarised as follows:

a. A three-year contract term from 1 April 2025 to 31 March 2028
b. A new Time-of-Offer band that allows for Peak, Midday and Off-Peak rates allowing for spend optimisation by scheduling consumption into a business hours period that has a cheaper supply rate
c. Unbundled pricing
d. Value added services that include an option to apply Natural Power to street lighting

Synergy's terms are dependent on 100% of participants agreeing to the contract.

WALGA modelling estimates that by accepting the most advantageous offer from Synergy, WALGA Members will incur an estimated average 36% increase from their incumbent three-year contract (locked in rates from 2022). This compares to an estimated increase in costs (62% for unbundled and 81% for bundled offers) that would otherwise occur were it not for the continuation of the WALGA Sustainable Energy Project.

The collective savings from the recommended offer are modelled (based on historic consumption profiles) to deliver an estimated $34.7 million savings in energy costs over a new three-year term for Participants.

The modelling for the Shire of Donnybrook Balingup shows as follows:

Total costs	
Year 1	$124,310
Year 2	$124,236
Year 3	$124,163
Total cost	$372,709
Total savings (from Open Market)	$87,574
Proportion savings	19%

WALGA requires notification by 7 March 2024 to secure Synergy's offer. If 100% contracting of participants is not achieved for the above rates, then the next most advantageous offer will become the fallback position for Contracting. This has been modelled by WALGA to be approximately 6% more expensive across the project base but will vary according to each Participant's consumption profile.

The Shire is estimated to have an additional cost of $21,333 if the 100% take-up of the whole of project offer is not achieved. The pricing of the fallback position is as follows:

Total costs	
Year 1	$131,421
Year 2	$131,347
Year 3	$131,274
Total cost	$394, 042
Total savings (from Open Market)	$66,241
Proportion savings	14%

As an existing Phase One participant Council is requested to consider entering into the Synergy Renewable Energy Supply Agreement (RESA) for a three-year term effective, 1 April 2025.

COUNCIL RESOLUTION:	33/02-25		
MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Cr Lisa Glover

That Council accept the offer for contracting from the WALGA Sustainable Energy Project and request the Chief Executive Officer sign a new Renewable Energy Supply Arrangement which is due to commence 1 April 2025 for a three-year term.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

10. Elected Member Motions of which previous notice has been given

Nil.

11. New Business of an urgent nature introduced by Decision of the Meeting

Nil.

12. Meetings Closed to the Public

12.1. Matters for which the Meeting may be closed

12.1.1 RFQ 336 - Supply of Loader

This report is confidential in accordance with Section 5.23(2)(c) of the *Local Government Act 1995*, which permits the meeting to be closed to the public.

> (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

COUNCIL RESOLUTION:	34/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

That the meeting be closed in accordance with section 5.23(c) of the *Local Government Act 1995* to discuss the following confidential items:

RFQ 336 – Supply of Loader

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

The meeting was closed to the public at 6:50pm.

COUNCIL RESOLUTION:	36/02-25		
MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Cr Lisa Glover

That the meeting be re opened to the public.

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

The meeting was re opened to the public at 6:54pm.

12.2. Public reading of Resolutions that may be made public

COUNCIL RESOLUTION:	35/02-25		
MOVED BY:	Cr Grant Patrick	**SECONDED BY:**	Cr Anita Lindemann

1. **Requests the Chief Executive Officer to award RFQ 336 – Supply of Loader, to WesTrac Pty Ltd in accordance with their submitted price.**
2. **Endorses the disposal of its existing Caterpillar 924K loader to WesTrac Pty Ltd for their offered price of $115,000 (ex GST) in accordance with their terms and conditions and remove from the Shire's fleet, subject to:**
   2.1. Public notice of the proposed disposing outlined in point 2 being given in accordance with Section 3.58 (3) and (4) of the *Local Government Act 1995.*
3. **Authorises the Chief Executive Officer to execute the disposing of property outlined in point 2, should there be no submissions to the public notice as outlined in 2.1.**
4. **If submissions are received to the public notice outlined in 2.1, request the Chief Executive Officer to bring a further report to Council for the disposal of the Shire's existing Caterpillar 924K loader.**

For: Cr MacCarthy, Cr Glover, Cr Bailey, Cr Davy, Cr Gubler, Cr Lindemann, Cr Mitchell, Cr Patrick
Against: Nil.
Carried: 8/0

13. Closure

The Shire President advised that the next Agenda Briefing Session will be held on 19 March 2025 at 5:00PM, in the Shire of Donnybrook Balingup Council Chamber.

The Shire President declared the meeting closed at 6:56pm.

Shire of
Donnybrook Balingup

Minutes of Audit and Risk Management Committee Meeting

Held on 18 March 2025 and commenced at 4:30pm
Held at the Council Chambers in Donnybrook
(1 Bentley Street, Donnybrook)

Authorised:

Mr Nick O'Connor, Chief Executive Officer

Prepared: 20 March 2025

Contents

1. Declaration of Opening / Announcement of Visitors 3
2. Attendance 3
2.1. Apologies 3
2.2. Approved Leave of Absence 3
2.3. Application for Leave of Absence 3
3. Announcements from the Chairperson 4
4. Declarations of Interest 4
5. Public Question Time 4
5.1. Responses to previous public questions that were taken on notice 4
5.2. Public Question Time 4
6. Confirmation of Minutes 4
6.1. Audit and Risk Management Committee Meeting held on 28 November 2024 4
7. Reports of Officers 5
7.1. Director Finance and Corporate 5
7.1.1 2024 COMPLIANCE AUDIT RETURN 5
7.2. Review Of Financial Management, Risk Management, Legislative Compliance and Internal Controls 11
7.3. Audit and Risk Management Committee Charter Review 19
7.4. Quarterly Audit Findings Progress Report (October 24 – February 25) 23
7.5. Risk Management Report/Update 26
7.6 CEO update to Committee 27
8. Meetings Closed to the Public 28
8.1. Matters for which the Meeting may be closed 28
8.2. Public reading of Resolutions that may be made public 28
9. Closure 28

1. Declaration of Opening / Announcement of Visitors

Acknowledgement of Country:

The Chairperson acknowledged the continuing connection of Aboriginal people to Country, culture and community, including traditional custodians of this land, the Wardandi and Kaneang People of the Noongar Nation, paying respects to Elders, past and present.

The Chairperson declared the meeting open at 4:30pm.

2. Attendance

Members Present:

Cr Vivienne MacCarthy
Cr John Bailey
Cr Alexis Davy
Mr Ian Telfer, External Member
Mr Angelo Loguidice, External Member

Staff Present:

Nick O'Connor, Chief Executive Officer
Loren Clifford, Acting Director Finance & Corporate
Ross Marshall, Director Operations

Other Members Present:

Public Gallery: Nil.
Guests:

2.1. Apologies

Nil.

2.2. Approved Leave of Absence

Nil.

2.3. Application for Leave of Absence

Nil.

3. Announcements from the Chairperson

4. Declarations of Interest

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Councillors, Committee members and staff 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.

5. Public Question Time

5.1. Responses to previous public questions that were taken on notice

Nil.

5.2. Public Question Time

Nil.

6. Confirmation of Minutes

6.1. Audit and Risk Management Committee Meeting held on 28 November 2024

Minutes of the Audit and Risk Management Committee Meeting held 28 November 2024 are attached as Attachment 6.1(1).

EXECUTIVE RECOMMENDATION

That the Minutes from the Audit and Risk Management Committee Meeting held 28 November 2024 be confirmed as a true and accurate record.

COMMITTEE RESOLUTION:	ARM1/03-25		
MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Mr Ian Telfer

That the Minutes from the Audit and Risk Management Committee Meeting held 28 November 2024 be confirmed as a true and accurate record.

For: Cr MacCarthy, Cr Bailey, Cr Davy, Mr Loguidice, Mr Telfer
Against: Nil.
Carried: 5/0

7. Reports of Officers

7.1. Director Finance and Corporate

7.1.1 2024 COMPLIANCE AUDIT RETURN

Report Details:

Prepared by: Acting Manager Corporate Services

Manager: Loren Clifford, Acting Director Finance and Corporate

File Reference: CNL 31 **Voting Requirement:** Simple Majority

Attachment(s):

7.1(1) 2024 Compliance Audit Return

Executive Recommendation

That the Audit and Risk Management Committee:

1. **Endorse the adoption of the 2024 Compliance Audit Return for the period 1 January 2024 to 31 December 2024** (Attachment7.1(1)); **and**
2. **Endorse the certification of the 2024 Compliance Audit Return by the Shire President and Chief Executive Officer prior to submission to the Department of Local Government, Sport and Cultural Industries by 31 March 2025.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 12 - A well respected, professionally run organisation.

Objective: 12.1 - Deliver effective and efficient operations and service provision.

Item: 12.1.2 - Provide and deliver an Internal Audit Program.

Executive Summary

Local governments are required to carry out a compliance audit for the period 1 January to 31 December each year in accordance with the *Local Government (Audit) Regulations 1996,* regulation 14.

The 2024 Compliance Audit Return (CAR) was conducted by staff for the period 1 January to 31 December 2024 within the scope and in the format provided by the Department of Local Government, Sport and Cultural Industries (DLGSC). After reviewing the audit findings, the 2024 CAR contains a compliance response for the Shire of 87 out of 94 compliance items (92.5%), with a non-compliance response for 7 items (7.5%). All compliance questions and responses are presented in Attachment 7.1(1).

Background

Local governments are required to conduct an annual assessment of their compliance with key components of the *Local Government Act 1995* (the Act) and subsidiary legislation. After carrying out a compliance audit, a return is to be prepared in the form approved by the Minister for Local Government. DLGSC manage this process and provide a set of legislative compliance questions to report on.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Unlikely	Moderate	Moderate (6)
Risk Description:	Failure to complete the 2024 CAR legislative process by the due date.		
Mitigation:	Adopt the Executive Recommendation to this report.		

Financial Implications

Nil.

Policy Compliance

Nil.

Statutory Compliance

The *Local Government (Audit) Regulations 1996* details the compliance audit requirements for local governments.

Regulations 14 and 15 require the CAR to be reviewed by the Shire's Audit and Risk Management Committee, with the results reported and presented to Council for adoption. Following this, the CAR requires certification by the Shire President and Chief Executive Officer and lodgment along with relevant documentation to DLGSC by 31 March 2025.

The meeting Minutes and recommendation to Council from the Audit and Risk Management Committee is considered to constitute the report referred to in the legislation.

Following presentation to Council, a certified copy of the 2024 CAR, along with an extract of the minutes of the meeting at which the CAR was adopted by Council, will be submitted to DLGSC as required by 31 March 2025.

Consultation

An internal review of the compliance audit requirements for the 2024 CAR were assessed by Shire Management. The combined responses are detailed in Attachment 7.1(1).

Officer Comment

The 2024 CAR contained 94 questions grouped in relation to various legislative compliance areas. The result of the 2024 CAR was a positive compliance response (or not applicable response) to 87 of these requirements, with 7 non-compliance responses. The responses for each non- compliance question are detailed below and contained in Attachment 7.1(1).

Compliance Area	Question	Non-Compliance Response
Disclosure of Interest	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	One (1) Primary Return was not received by the required due date from an Elected Member (relevant person). The CEO acted on this non-compliance as specified in the relevant legislation. The Shire provides training to Elected Members, which includes an overview of the statutory environment relating to declarations of interest and clarification of the personal responsibilities of Elected Members to comply with their legislative obligations. Further to this, compliance management software specifically designed for local governments is being implemented to improve processes and manage compliance requirements.
Disposal of Property	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) of the *Local Government Act 1995* (unless section 3.58(5) applies)?	Disposal of aged assets, comprising one plant item and playground equipment, did not meet all requirements. As a result, staff have reviewed and updated processes, with additional plans for improving procurement and disposal compliance.
Disposal of Property	Where the local government disposed of property under section 3.58(3) of the *Local Government Act 1995*, did it provide details, as prescribed by section 3.58(4) of the Act, in the required local public notice for each disposal of property?	Disposal of aged assets, comprising one plant item and playground equipment, did not meet all requirements. As a result, staff have reviewed and updated processes, with additional plans for improving procurement and disposal compliance.
Elections	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with regulation 30G(5)	An Electoral Gift Register was not published on the Shire website.

	of the *Local Government (Elections) Regulations 1997*?	No 'Disclosure of Gifts' forms were received for the Ordinary Local Government Election held during 2023. An Electoral Gift Register will be published in for the 2025 Ordinary Local Government Election, even if no disclosures are made. Compliance management software specifically designed for local governments is being implemented to improve processes and manage compliance requirements.
Optional Questions	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with the *Local Government (Financial Management) Regulations 1996* regulations 5(2)(c) within the three years prior to 31 December 2024? If yes, please provide the date of council's resolution to accept the report.	The review was undertaken by 31 December 2024. However, the report will be provided to the Audit and Risk Management Committee and Council in March 2025. Compliance management software specifically designed for local governments is being implemented to improve processes and manage compliance requirements.
Optional Questions	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with *Local Government (Audit) Regulations 1996* regulation 17 within the three financial years prior to 31 December 2024? If yes, please provide date of council's resolution to accept the report.	The review was undertaken by 31 December 2024. The report will be provided to the ARMC and Council in March 2025. Compliance management software specifically designed for local governments is being implemented to improve processes and manage compliance requirements.
Optional Questions	By 30 September 2024, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2024?	The Shire applied for an extension of time from the Minister for Local Government. The granted extension date of 31 October 2024 was complied with.

COMMITTEE RESOLUTION:	ARM2/03-25		
MOVED BY:	Mr Angelo Loguidice	**SECONDED BY:**	Mr Ian Telfer

That the Audit and Risk Management Committee:

1. **Endorse the adoption of the 2024 Compliance Audit Return for the period 1 January 2024 to 31 December 2024** (Attachment7.1(1)); **and**
2. **Endorse the certification of the 2024 Compliance Audit Return by the Shire President and Chief Executive Officer prior to submission to the Department of Local Government, Sport and Cultural Industries by 31 March 2025.**
3. **Note the change to Local Government Employees, question 4, s.5.37(2) from Yes to N/A.**

For: Cr MacCarthy, Cr Bailey, Cr Davy, Mr Loguidice, Mr Telfer
Against: Nil.
Carried:5/0

That the meeting be closed to the public.

COMMITTEE RESOLUTION:	ARM3/03-25		
MOVED BY:	Mr Ian Telfer	**SECONDED BY:**	Cr Alexis Davy

That the meeting be closed to the public.

For: Cr MacCarthy, Cr Bailey, Cr Davy, Mr Loguidice, Mr Telfer
Against: Nil.
Carried: 5/0

The meeting was closed to the public at 4:53pm.

7.2. Review Of Financial Management, Risk Management, Legislative Compliance and Internal Controls

Report Details:

Prepared by: Acting Director Finance and Corporate, Loren Clifford

Manager: Chief Executive Officer, Nick O'Connor

File Reference: FNC 02 **Voting Requirement:** Simple Majority

Attachment(s):

7.2(1) Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls – Summary Report

7.2(2) Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls – Detailed Report (confidential)

Executive Recommendation

That the Audit and Risk Management Committee:

1. **Note the completion of the review of the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with *Local Government (Audit) Regulations 1996* regulation 17.**
2. **Note the completion of the review of the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with the *Local Government (Financial Management) Regulations 1996* regulations 5(2) (c).**
3. **Receive the attached report by the Chief Executive Officer detailing the results of the Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls; and**
4. **Report to the Council the results of the Chief Executive Officer's report by providing a copy of the finalised Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 12 - A well respected, professionally run organisation.

Objective: 12.1 - Deliver effective and efficient operations and service provision.

Item: 12.1.2 - Provide and deliver an Internal Audit Program.

Executive Summary

The Audit and Risk Management Committee is requested to note the completion and receive the Chief Executive Officer's report detailing the results of the Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls.

The Committee is requested to report to the Council the results received by providing a copy of the finalised Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls.

Background

During 2024, the shire requested quotes for appropriate consultants to assist the Chief Executive Officer to perform reviews required by legislation relating to the appropriateness and effectiveness of financial management, risk management, legislative compliance systems and processes as required by legislation. Moore Australia (WA) were engaged to assist with this service and attended the shire from 9-11 December 2024 to perform the required fieldwork and prepare a report to assist the Chief Executive Officer in reporting the results of the reviews performed. The review and associated consulting and advisory services were finalised in February 2025 (Attachment 7.2(1)) and Attachment 7.2(2).

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Likely	Minor	Moderate (8)
Risk Description:	• Non-compliance with *Local Government (Audit) Regulations 1996* regulation 17 and *Local Government (Financial Management) Regulations 1996* regulations 5(2) (c). • Inadequate Safety and Security Practices: Non-compliance with WHS regulations. • Providing Inaccurate Advice/Information: Legal implications of providing incorrect advice. • Inadequate Supplier/Contract Management: Non-compliance with contractual obligations		
Risk:	Likelihood:	Consequence:	Risk Rating:
Health	Likely	Major	High (16)
Risk Description:	• Inadequate Safety and Security Practices: Non-compliance with WHS regulations, unsafe workplace conditions, inadequate emergency preparedness. • External Theft and Fraud: Physical security risks that could endanger staff. • Misconduct: Actions that could compromise the safety of employees and the public.		

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Likely	Minor	Moderate (8)
Risk Description:	• External Theft and Fraud: Financial fraud, theft of funds, and cyber-attacks. • Inadequate Project/Change Management: Cost overruns and budget constraints. • Errors, Omissions, and Delays: Financial losses due to mistakes and delays. • Inadequate Supplier/Contract Management: Financial instability of suppliers affecting costs. • Failure to Fulfil Statutory, Regulatory, or Compliance Requirements: Fines and penalties for non-compliance.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Service Interruption	Likely	Moderate	High (12)
Risk Description:	• Business and Community Disruption: Natural disasters, weather events, and vandalism causing disruptions. • Failure of IT and/or Communication Systems and Infrastructure: IT system failures, power outages, and communication breakdowns. • Inadequate Asset Sustainability Practices: Failure or reduction in service of infrastructure assets. • Inadequate Document Management Processes: Delays in accessing necessary documentation.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Property	Possible	Minor	Moderate (6)
Risk Description:	• Business and Community Disruption: Damage to buildings, property, and equipment. • Inadequate Asset Sustainability Practices: Poor maintenance and management of assets. • External Theft and Fraud: Theft or damage to physical assets. • Inadequate Environmental Management: Environmental factors causing property damage.		
Risk:	Likelihood:	Consequence:	Risk Rating:
Reputational	Likely	Minor	Moderate (8)
Risk Description:	• Inadequate Engagement Practices: Poor community and stakeholder engagement. • Providing Inaccurate Advice/Information: Damage to reputation from incorrect advice. • Misconduct: Reputation damage from unethical behavior. • Inadequate Environmental Management: Negative public perception due to poor environmental practices.		

Risk:	Likelihood:	Consequence:	Risk Rating:
Environment	Possible	Minor	Moderate (6)
Risk Description:	• Inadequate Environmental Management: Pollution, waste management issues, and biodiversity loss. • Business and Community Disruption: Natural disasters impacting the environment. • Inadequate Asset Sustainability Practices: Environmental wear and tear on assets. • Failure to Fulfil Statutory, Regulatory, or Compliance Requirements: Non-compliance with environmental regulations.		
Mitigation	Regular reviews of the shire's risk management, internal controls, and financial management systems, as per the *Local Government (Audit) Regulations 1996* and *Local Government (Financial Management) Regulations 1996,* ensure continuous improvement, accountability, compliance, and informed decision-making.		

Financial Implications

Provision is included in the 2024/25 Adopted Budget for Moore Australia WA to assist the Chief Executive Officer with undertaking the required review appropriateness and effectiveness of financial management, risk management, legislative compliance systems and processes.

Policy Compliance

EXE/CP- 6-Organisational Risk Management

The Risk Management Policy outlines the shire's commitment and approach to managing risks impacting on day-to-day operations.

Statutory Compliance

The CEO is required by the *Local Government (Audit) Regulations 1996* regulation 17 to review the appropriateness and effectiveness of the shire's risk management, internal controls and legislative compliance systems and procedures every three years. A review of financial management systems to assess the appropriateness and effectiveness of these systems and procedures, is also required by *Local Government (Financial Management) Regulations 1996*, regulation 5(2)(c) every three years.

The results of the risk management, legislative compliance and internal controls review are to be reported by the Chief Executive Officer to the Audit and Risk Management Committee. The Audit and Risk Management Committee is required to review the Chief Executive Officer's report and on-report to the Council. The report from the Audit and Risk Management Committee to the Council is required to have attached a copy of the Chief Executive Officer's initial report to the Audit & Risk Committee.

Consultation

Auditors sought input from employees across different sections on the topics covered in Attachment 7.2(1) and Attachment 7.2(2).

Officer Comment

The attached report (Attachment 7.2(2)) includes details of matters noted during the review, as well as improvements to be considered by the shire, providing a demonstrated benchmark. Comments from the executive team in response to the findings will be presented to the Council in a workshop forum. Future status reports will be presented to the Audit and Risk Management committee outlining the improvements that are implemented and completed by responsible officers.

The following table outlines the risk areas that were thoroughly examined, noting if improvements have been recommended within the report.

Risk Area		Improvements Noted	
		Yes	No
Financial Management Systems Review			
	Bank Reconciliation and Petty Cash management	X	
	Trust Funds		X
	Receipts and Receivables	X	
	Rates	X	
	Purchases, payments and payables (including purchase orders)	X	
	Payroll	X	
	Transaction Card Procedures	X	
	Fixed Assets (including depreciation, acquisition, and disposal of property)	X	
	Cost and Administration allocation	X	
	Financial reports controls	X	
	Budget and Budget Review		X
	Borrowings	X	
	Inventory	X	
Council Policies			
	Ancillary Accommodation - Agricultural Rural Small Holdings and Rural Residential Zones		X
	Animal husbandry – Intensive		X
	Attendance at Events and Functions	X	
	Balingup Village Centre - Special Character Area		X
	Building Insurance	X	
	Caretaker		X
	Commercial Lease	X	
	Commercial Vehicle Parking		X
	Communications and social media		X
	Community Engagement Framework		X
	Community Grants and Donations		X
	Community Townscape Activities		X
	Council Member Induction, Training and Professional Development	X	
	Credit Card	X	
	Debt	X	

Risk Area		Improvements Noted	
		Yes	No
	Document Execution and Application of the Common Seal	X	
	Elected Members Allowances and Entitlements	X	
	Fireworks Event	X	
	Gratuity		X
	Group Valuation Policy - Rating Identical Ownership		X
	Honorary Freeman Shire of Donnybrook Balingup		X
	Industrial and Commercial Development Control		X
	Infrastructure Asset Management	X	
	Investments	X	
	Land Resumption Compensation	X	
	Legal Representation for Elected Members and Employees	X	
	Live Streaming and Recording of Council Meetings	X	
	Memorials and Public Art		X
	Organisational Risk Management	X	
	Outbuilding Control		X
	Permits for Road Verge Burning	X	
	Policy Framework		X
	Private tree Plantations/Agroforestry		X
	Property Management		X
	Purchasing	X	
	Records Management	X	
	Reginal Price Preference		X
	Related Party Disclosure	X	
	Relocation and Use of Second-hand Dwellings		X
	Residential Development Guidelines		X
	Road Closure		X
	Road Use Approval for Restricted Access Vehicles (RAVs) on Councils Road Network	X	
	Rural Verge Management		X
	Signage/Advertisement		X
	Stocking Rates		X
	Tourism in Donnybrook Balingup		X
	Transportable Structures		X
	Urban Verge Management		X
	Welcome to and Acknowledgement of Country		X
	Work Health and Safety		X
Plans			
	Strategic Community Plan		X
	Council Plan		X
	Long Term Financial Plan		X
	Asset Management Plan (Consolidated)		X

Risk Area		Improvements Noted	
		Yes	No
	Asset Management Plan Parks and Reserves		X
	Asset Management Plan Buildings		X
	Asset Management Plan Vehicles		X
	Asset Management Plan Roads and Transport Infrastructure		X
	Reserve Fund Plan		X
	Borrowings Plan		X
	Rating Objectives Strategy		X
	Workforce Plan		X
	Code of Conduct Elected Members, Committees and Candidates		X
	Code of Conduct Staff, Volunteers		X
	Incident Management and Business Continuity Response Plan	X	
	Facility Emergency Plan		X
	Disaster Management Recovery Plan		X
	Annual Budget		X
	Record Keeping Plan	X	
	Annual Report	X	
Strategic and Operational Registers			
	Caravan Park and Camping Grounds Register		X
	Complaints Register	X	
	Completed Development Application Register	X	
	Councillor Training Register		X
	Credit Card Register		X
	Declaration of Gifts and Travel Contributions Register		X
	Delegations Register	X	
	Draft Risk Register	X	
	Financial Interest Register	X	
	Food Business Register		X
	Grant Register		X
	Insurance Claims and Litigation Register		X
	Lease Register		X
	Lodging House Register		X
	Pool Register	X	
	Portable and Attractive Items Register	X	
	Register of Investments		X
	Register of Primary and Annual Returns	X	
	Tender Register		X

That the meeting be re opened to the public.

COMMITTEE RESOLUTION:	ARM4/03-25		
MOVED BY:	Mr Angelo Loguidice	**SECONDED BY:**	Mr Ian Telfer

That the meeting be re opened to the public.

For: Cr MacCarthy, Cr Bailey, Cr Davy, Mr Loguidice, Mr Telfer
Against: Nil.
Carried: 5/0

The meeting was re opened to the public at 5:12pm.

COMMITTEE RESOLUTION:	ARM5/03-25		
MOVED BY:	Mr Ian Telfer	**SECONDED BY:**	Cr Alexis Davy

That the Audit and Risk Management Committee:

1. **Note the completion of the review of the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with *Local Government (Audit) Regulations 1996* regulation 17.**
2. **Note the completion of the review of the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with the *Local Government (Financial Management) Regulations 1996* regulations 5(2) (c).**
3. **Receive the attached report by the Chief Executive Officer detailing the results of the Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls; and**
4. **Report to the Council the results of the Chief Executive Officer's report by providing a copy of the finalised Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls.**
5. **Recommend to Council to hold a Workshop to discuss the findings and develop a prioritised, risk-based improvement plan as soon as practicable.**

For: Cr MacCarthy, Cr Bailey, Cr Davy, Mr Loguidice, Mr Telfer
Against: Nil.
Carried: 5/0

7.3. Audit and Risk Management Committee Charter Review

Report Details:

Prepared by: Nick O'Connor, Chief Executive Officer

Manager: Nick O'Connor, Chief Executive Officer

File Reference: FNC 02A **Voting Requirement:** Simple Majority

Attachment(s):

7.3(1) Report-26_Western-Australian-Public-Sector-Audit-Committees-–Better-Practice-Guide

Executive Recommendation

That the Audit and Risk Management Committee notes staff are currently reviewing the Audit and Risk Management Committee Charter to ensure compliance with recent amendments to *the Local Government Act 1995* and alignment with the OAG Western Australian Public Sector Audit Committees Better Practice Guide.

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 12 - A well respected, professionally run organisation.

Objective: 12.1 - Deliver effective and efficient operations and service provision.

Executive Summary

The Audit and Risk Management Committee (ARMC) is requested to note the work currently being undertaken to review the Committee Charter to ensure compliance with recent amendments to the *Local Government Act 1995.* As part of the review, staff are also ensuring the revised charter aligns with the OAG's Western Australian Public Sector Audit Committees Better Practice Guide.

Background

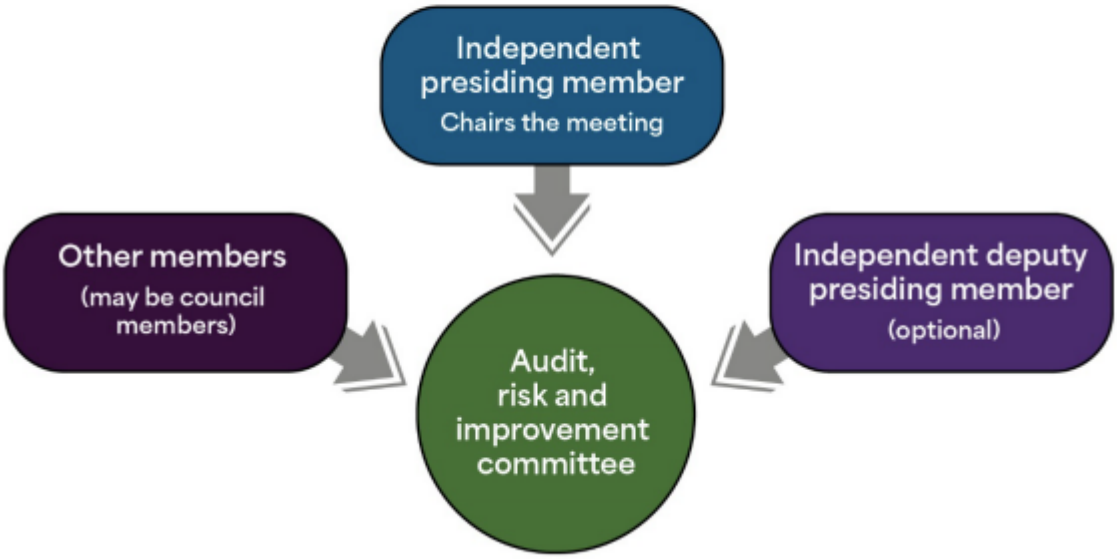
Under the WA State Government's Local Government Reforms, Audit committees will be revised as audit, risk and improvement committees (ARICs). ARICs must have an independent presiding member to ensure a level of neutrality and impartial oversight in chairing these meetings. An independent presiding member must be a person who is not a council member of a local government or an employee of the local government. If a deputy presiding member is appointed, they must also be independent. The introduction of an independent presiding member provides an opportunity for increased community confidence in a local government's financial and risk management. Local government operations may also benefit through appointing an independent chair with risk and financial management expertise that may otherwise be unavailable. This reform reflects modern governance practices in State Government authorities and agencies as well as private corporations. In

relation to the current Act, an audit committee is required to be established comprising 3 or more persons appointed by absolute majority by a local government. Most of the members must be council members. The CEO or a local government employee cannot be a member.

The OAG encourages public sector entities (including local governments) to utilise its Western Australian Public Sector Audit Committees Better Practice Guide. The purpose of the guide is to provide better practice principles and guidance to accountable authorities, audit committee members and senior managers with responsibility for audit committee activities. The guide provides a number of templates and precedent documents to aide consistency in approach, governance and operation of audit committees.

Audit, risk and improvement committee model

The new audit, risk and improvement committee will comprise the following roles, with a total of 3 or more members.



Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Almost Certain	Major	High (12)
Risk Description:	Legislature breach as a result of not amending the Committee Charter as required by recent changes to the Local Government Act 1995.		
Mitigation:	Amend Committee Charter		

Financial Implications

Nil.

Policy Compliance

Nil.

Statutory Compliance

Local Government Act 1995

Schedule 9.3 — Transitional provisions

69 (2) A local government must, in accordance with new Part 7 Division 1A, establish its audit, risk and improvement committee no later than 6 months after amendment day.

(3) On and after amendment day, until the audit, risk and improvement committee is established

(a) the local government's existing audit committee continues in place in accordance with old Part 7 Division 1A; and

(b) the local government may, as and when required, appoint members to the existing audit committee in accordance with old Part 7 Division 1A; and

(c) the existing audit committee's functions are those of the audit, risk and improvement committee.

Consultation

- Discussion with Shire President
- Discussions between CEO, A/DFC and Governance Staff
- Review of Local Government Act transitional provision
- CEO attendance at WALGA Local Government Act Professional Development Course

Officer Comment

In late 2024, staff commenced a review of the ARMC Charter with a view to recommending a number of changes to better align the Committee's governance with the OAG Western Australian Public Sector Audit Committees Better Practice Guide. Subsequent to the preliminary review, details of legislative amendments were made available through the Local Government Reform process. A new draft revised committee Charter is being developed to ensure legislative compliance and alignment with the OAG better practice guideline.

It is anticipated the revised Charter will be presented to the June ARMC meeting.

COMMITTEE RESOLUTION:	ARM6/03-25		
MOVED BY:	Mr Angelo Loguidice	**SECONDED BY:**	Mr Ian Telfer

That the Audit and Risk Management Committee notes staff are currently reviewing the Audit and Risk Management Committee Charter to ensure compliance with recent amendments to *the Local Government Act 1995* and alignment with the OAG Western Australian Public Sector Audit Committees Better Practice Guide.

For: Cr MacCarthy, Cr Bailey, Cr Davy, Mr Loguidice, Mr Telfer
Against: Nil.
Carried: 5/0

7.4. Audit Findings Progress Report (October 24 – February 25)

Report Details:

Prepared by: Loren Clifford, Acting Director Finance and Corporate

Manager: Nick O'Connor, Chief Executive Officer

File Reference: FNC 02A **Voting Requirement:** Simple Majority

Attachment(s):

7.4(1) Audit Findings Progress Report (1 October 24 – 28 February 25)

Executive Recommendation

That the Audit and Risk Management Committee:

1. **Notes the update provided in Audit Findings Progress Report for the period covering 1 October 2024 – 28 February 2025** Attachment 7.4(1).

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 11 - Strong, visionary leadership.

Objective: 11.1 - Provide strategically focused, open and accountable governance.

Item: Nil.

Executive Summary

It's requested that the Audit and Risk Management Committee (ARMC) notes the update provided on the Audit Findings Progress Report for the period covering October 2024 – February 2025.

Background

Under the *Local Government Act 1995* and associated regulations, the Shire is required to undertake several types of audits to ensure accountability and transparency. These Audit's consist of:

1. Financial Audits – The Shire must have their financial statements audited annually. This is mandated under Section 7.9 of the *Local Government Act 1995*.
2. Financial Management Review - is governed by Regulation 5(2) of the *Local Government (Financial Management) Regulations 1996*. This regulation requires the CEO to regularly review the appropriateness and effectiveness of the financial management systems and procedures of the local government, with a minimum frequency of once every three financial years.
3. Compliance Audits – The Shire must complete a compliance audit return (CAR) annually, which is reviewed by the ARMC, and Council then submitted to the Department of Local Government, Sport and Cultural Industries. This requirement is outlined in Regulation 14 of the *Local Government (Audit) Regulations 1996*.
4. Audit Regulation 17 Review - is a requirement under the *Local Government (Audit) Regulations 1996*. It requires the Chief Executive Officer (CEO) of a local government to review the

appropriateness and effectiveness of the local government's systems and procedures in relation to:

- Risk Management
- Internal Control
- Legislative Compliance

5. Internal Audits - While not explicitly mandated, internal audits are recommended as part of good governance practices. They help the Shire identify and mitigate risks proactively.

Regular reporting on progress and actions taken in response to audit findings to the Audit and Risk Management Committee should be undertaken to ensure transparency and accountability, demonstrating a commitment to addressing identified issues and improving governance.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Likely	Minor	Moderate (8)
Risk Description:	Not reporting updates on audit findings to the audit committee on a regular basis can lead to a lack of oversight, delayed corrective actions, and potential non-compliance with regulatory requirements.		
Mitigation:	Establish a reporting schedule and process as outlined in this report.		

Financial Implications

Nil.

Policy Compliance

Nil.

Statutory Compliance

Nil.

Consultation

An internal review of the findings contained in Attachment 7.4(1) were reviewed by key responsible officers, providing an Administration Update, and Status Update.

Officer Comment

Regular reporting on progress and actions taken in response to audit findings to the Audit and Risk Management Committee is crucial for the Shire. This practice ensures transparency and accountability, demonstrating a commitment to addressing identified issues and improving governance. By keeping the committee informed, the Shire can receive timely feedback and guidance, which helps in mitigating risks and enhancing operational efficiency. Additionally, the regular reporting fosters a

culture of continuous improvement and builds public trust, as the community can see the Shire is proactive in managing resources responsibly and effectively addressing any shortcomings.
Quarterly reporting will occur if there are findings to report on, covering the five audit areas:

1. financial audits,
2. financial Management Review,
3. compliance audit,
4. audit Regulation 17 Review, and
5. internal audits.

The ARMC are requested to note the update provided in Attachment 7.4(1).

COMMITTEE RESOLUTION:	ARM7/03-25		
MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Mr Ian Telfer

That the Audit and Risk Management Committee:

1. **Notes the update provided in Audit Findings Progress Report for the period covering 1 October 2024 – 28 February 2025** Attachment 7.4(1).

For: Cr MacCarthy, Cr Bailey, Cr Davy, Mr Loguidice, Mr Telfer
Against: Nil.
Carried: 5/0

7.5. Risk Management Report/Update

Report Details:

Prepared by: Loren Clifford, Acting Director Finance and Corporate

Manager: Nick O'Connor, Chief Executive Officer

File Reference: FNC 02A **Voting Requirement:**

Attachment(s):

Nil.

Officer Comment

This report has not been provided due to other organisational priorities and resource constraints.

7.6 CEO update to Committee

Report Details:

Prepared by: Loren Clifford, Acting Director Finance and Corporate

Manager: Nick O'Connor, Chief Executive Officer

File Reference: FNC 02A **Voting Requirement:** Simple Majority

Attachment(s):

Nil.

Executive Recommendation:

That the Committee notes the Chief Executive Officer's update.

Officer Comment

The Chief Executive Officer will provide the Committee with a verbal update on a number of organisational matters.

COMMITTEE RESOLUTION:	ARM8/03-25		
MOVED BY:	Mr Ian Telfer	**SECONDED BY:**	Mr Angelo Loguidice

That the Committee notes the Chief Executive Officer's update.

For: Cr MacCarthy, Cr Bailey, Cr Davy, Mr Loguidice, Mr Telfer
Against: Nil.
Carried:5/0

8. Meetings Closed to the Public

8.1. Matters for which the Meeting may be closed

Nil.

8.2. Public reading of Resolutions that may be made public

Nil.

9. Closure

The Chairperson advised that the next Audit and Risk Management Committee Meeting is to be held in May (to be confirmed after staff receive confirmation from AMD for the Audit entrance meeting).

The Chairperson declared the meeting closed at 5:46pm.

Audit and Risk Management Committee Meeting (18 March 2025)

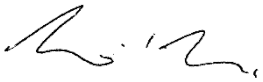
ATTACHMENTS

Number	Title
6.1(1)	Audit and Risk Management Committee Meeting held on 28 November 2024
7.1(1)	2024 Compliance Audit Return
7.2(1)	Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls – Summary Report
7.3(1)	Report-26_Western-Australian-Public-Sector-Audit-Committees-–Better-Practice-Guide
7.4(1)	Audit Findings Progress Report (1 October 24 – 28 February 25)

Shire of
Donnybrook Balingup

Minutes of Audit & Risk Management Committee Meeting

Held on 28 November 2024 and commenced at 4:30pm
Held at the Council Chambers in Donnybrook
(1 Bentley Street, Donnybrook)

Authorised: 

Mr Nick O'Connor, Chief Executive Officer

Prepared: 4 December 2024

Contents

1. Declaration of Opening / Announcement of Visitors 3
2. Attendance 3
2.1. Apologies 3
2.2. Approved Leave of Absence 3
2.3. Application for Leave of Absence 3
3. Announcements from the Chairperson 3
4. Declarations of Interest 4
5. Public Question Time 4
5.1. Responses to previous public questions that were taken on notice 4
5.2. Public Question Time 4
6. Confirmation of Minutes 6
6.1. Audit and Risk Management Committee Meeting held on 13 November 2024 6
7. Reports of Officers 7
7.1. Director Finance and Corporate 7
7.1.1. 2023/2024 Annual Financial Statements, Audit Report (Opinion) and Management Letter 7
8. Meetings Closed to the Public 12
8.1. Matters for which the Meeting may be closed 12
8.2. Public reading of Resolutions that may be made public 12
9. Closure 12

1. Declaration of Opening / Announcement of Visitors

Acknowledgement of Country:

The Chairperson acknowledged the continuing connection of Aboriginal people to Country, culture and community, including traditional custodians of this land, the Wardandi and Kaneang People of the Noongar Nation, paying respects to Elders, past and present.

The Chairperson declared the meeting open at 4:30pm and welcomed the public gallery.

2. Attendance

Members Present:

Cr Vivienne MacCarthy
Cr John Bailey
Cr Alexis Davy
Mr Ian Telfer, External Member
Mr Angelo Loguidice, External Member

Staff Present:

Nick O'Connor, Chief Executive Officer
Loren Clifford, Acting Director Finance & Corporate
Stephanie Karafilis, Acting Manager Financial Services
Ross Marshall, Director Operations
Samantha Farquhar, Administration Officer Corporate Services

Other Members Present:

Public Gallery: 2 member of the public was in attendance

2.1. Apologies

Nil.

2.2. Approved Leave of Absence

Nil.

2.3. Application for Leave of Absence

Nil.

3. Announcements from the Chairperson

Nil.

4. Declarations 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.

Nil.

5. Public Question Time

5.1. Responses to previous public questions that were taken on notice

Nil.

5.2. Public Question Time

Question from:	Shane Sercombe

It appears much work has been done to address the information contained in the table on page 8. What is the source of information on this table?

Response:	President Vivienne MacCarthy

This table is from the audit report.

Question from:	Shane Sercombe

Has the Audit Committee been presented with the audit report?

Response:	Chief Executive Officer

Yes. This is from a management letter, and it was tabled at the last Audit and Risk Management Committee Meeting. The responses and the findings were discussed with the auditors.

Question from:	Shane Sercombe

Was that management letter in regard to the interim audit report?

Response:	President Vivienne MacCarthy

Both the interim and the audit report were given together.

Question from:	Shane Sercombe

Where can I find the interim audit report?

Response:	President Vivienne MacCarthy

The interim audit report and the final audit report are all consolidated into one. The Office of the Auditor General had delays in responding to the interim audit report and it was agreed then to pull everything together into one report.

Question from:	Shane Sercombe

Could I please have a copy of the interim audit report.

Response:	President Vivienne MacCarthy

No, its confidential. An overview has been provided within the Officers report.

Question from:	Shane Sercombe

So, the Auditor General did that and not the Shire.

Response:	President Vivienne MacCarthy

Yes.

Question from:	Shane Sercombe

Is the audit management letter only written if significant issues are found.

Response:	Acting Manager Financial Services

The management letter includes findings that the auditors have found on site. We then get an opportunity to respond and then they assess our responses and make their recommendations. We had an unqualified audit so there were no qualifications and nothing to report. This is just a management letter.

Question from:	Shane Sercombe

Is the Shire able to elaborate what the reasons were for the confidential management letter. Is this a new process.

Response:	Chief Executive Officer

It's a long-standing practice for the management letter to be a confidential document, however the auditors opinion is a public document.

Question from:	Shane Sercombe

Local Governments usually receive interim audits in July or August. Is there a reason why ours was significantly late.

Response:	Acting Manager Financial Services

The interim audit report was done on time, and our auditors sent the report on to OAG, however they had a backlog. We were then informed that we were not going to get it before they came to our final audit.

6. Confirmation of Minutes

6.1. Audit and Risk Management Committee Meeting held on 13 November 2024

Minutes of the Audit and Risk Management Committee Meeting held 13 November 2024 are attached as Attachment 6.1(1).

EXECUTIVE RECOMMENDATION

That the Minutes from the Audit and Risk Management Committee Meeting held 13 November 2024 be confirmed as a true and accurate record.

COMMITTEE RESOLUTION:	ARM14/11-24		
MOVED BY:	Angelo Loguidice	**SECONDED BY:**	Cr Alexis Davy

That the Minutes from the Audit and Risk Management Committee Meeting held 13 November 2024 be confirmed as a true and accurate record.

For: Cr MacCarthy, Cr Bailey, Cr Davy, Mr Loguidice, Mr Telfer
Against: Nil.
Carried: 5/0

7. Reports of Officers

7.1. Director Finance and Corporate

7.1.1. 2023/2024 Annual Financial Statements, Audit Report (Opinion) and Management Letter

Report Details:

Prepared by: Acting Director Finance and Corporate, Loren Clifford

Manager: Chief Executive Officer, Nick O'Connor

File Reference: FNC 02A **Voting Requirement:** Simple Majority

Attachment(s):

7.1.1(1) AOG's Signed 2023/2024 Annual Financial Report and Audit's Report (Opinion).
7.1.1(2) Audit Management Letter (confidential)

Executive Recommendation

That the Audit and Risk Management Committee:

1. **Receives and endorses the 2023/2024 Annual Financial Statements including Auditors Report (Opinion)** (Attachment 7.1.1(1)) **and Audit Management Letter** (confidential Attachment 7.1.1(2)) **for Councils receipt; and**
2. **Confirms that it has fulfilled the requirements of section 7.12AD(2) of the *Local Government Act 1995,* to meet with a representative from the Office of the Auditor General on 13 November 2024; and**
3. **Note that a report on significant findings in accordance with Section 7.12A(4) of the *Local Government Act 1995*, for the year ending 30 June 2024, is not required.**

Strategic Alignment

The following outcomes from the Council Plan relate to this proposal:

Outcome: 12 - A well respected, professionally run organisation.

Objective: 12.1 - Deliver effective and efficient operations and service provision.

Item: Nil.

Executive Summary

AMD, on behalf of the Office of the Auditor General (OAG), completed the Shire's Interim Audit in June 2024 and the final audit in October 2024 for the year ending 30 June 2024. The signed Independent Auditor's Report (Opinion), along with the 2023/2024 Annual Financial Statements (Attachment 7.1.1(1)) and the Audit Management Letter (Confidential Attachment 7.1.1(2)), was received from the OAG on 21 November 2024.

In accordance with its Terms of Reference, it is requested that the Audit and Risk Management Committee review and receive the 2023/2024 Annual Financial Statements, Auditor's Report

(Opinion), and Management Letter. Where appropriate, the committee should make recommendations regarding these documents and endorse them for Council's receipt. In addition, the committee is requested to confirm that it has met with the auditor, as required by Section 7.12A(2) of the *Local Government Act 1995*.

Background

In June 2024, AMD Charted Accountants, on behalf of the Office of the Auditor General (OAG), conducted the Interim Audit for the year ending 30 June 2024. The final audit commenced in mid-August 2024, with Shire officers uploading requested documents to the online portal. The Auditor's were on-site from 2-4 October 2024.

Pursuant to Section 7.9 of the *Local Government Act 1995*, the Auditor is required to examine the accounts and annual financial report submitted by a local government and prepare a report by December 31 following the financial year. This report must be forwarded to:

a. The Mayor or President,
b. The Chief Executive Officer, and
c. The Minister.

The signed and stamped 2023/2024 Annual Financial Statements, Auditor's Report (Opinion), and Management Letter were received on 21 November 2024 for the local government's examination.

In accordance with Regulation 10(4) of the *Local Government (Audit) Regulations 1996*, the Auditor may also prepare a Management Letter to accompany the Independent Auditor's Report, which is forwarded to the persons specified in Section 7.9 of the Act above. The Management Letter provides an overview of the audit process and outcomes, identifying any matters relevant to the Shire's day-to-day operations. These areas of improvement have been listed under the Officers Comment below.

Pursuant to Section 7.12A(2) of the *Local Government Act 1995*, a local government is required to meet with its auditor annually. The Audit Exit meeting was held on November 13, 2024, with the OAG's Director Financial Audit and AMD's Director leading the meeting. The Audit and Risk Management Committee, CEO, and relevant officers attended, with all elected members invited. At this meeting, the OAG outlined the audit process, provided an overview of the draft Auditor's Report (Opinion) discussing areas of improvement and management comments, allowing for questions from attendees. This requirement has been met due to the meeting taking place.

The OAG has since provided their signed Auditor's Report (Opinion) and Management Letter, which is now presented for receipt.

Risk Management

Risk:	Likelihood:	Consequence:	Risk Rating:
Compliance	Unlikely	Moderate	Moderate (6)
Risk Description:	Non-compliance with the *Local Government Act 1995* and associated regulations.		
Mitigation:	Adhering to statutory requirements, such as meeting with the auditor and endorsing the financial statements, ensures compliance.		

Risk:	Likelihood:	Consequence:	Risk Rating:
Financial Impact	Unlikely	Moderate	Moderate (6)
Risk Description:	Inaccurate financial statements could lead to financial mismanagement or undetected fraud.		
Mitigation:	The audit process, including the review and endorsement of the financial statements and auditor's report, ensures accuracy and transparency.		

Financial Implications

Nil.

Policy Compliance

Nil.

Statutory Compliance

Local Government Act 1995 - Section 7.9 and Section 7.12A.
Local Government (Financial Management) Regulations 1996.
Local Government (Audit) Regulations 1996 – Regulation 16

Consultation

The audited financial statements must be included in the Shire's Annual Report. This report will be made available to the public after it is reviewed by the Council in December 2024.

Officer Comment

The audit process for the year ending 30 June 2024 was thorough and involved multiple stages, including an Interim Audit in June and a final audit in October. The collaboration between Shire officers and the auditors ensured that all necessary documents were provided in a timely manner.
The Audit Exit meeting on November 13, 2024, was a key component in fulfilling the statutory requirement to meet with the auditor annually. The presence of the OAG's Director Financial Audit

and AMD's Director provided valuable insights into the audit findings and allowed for a comprehensive discussion with the Audit and Risk Management Committee and other attendees.

The auditors commended the Shire's staff for their diligence and professionalism throughout the audit process, especially considering the recent changes in staff. This recognition highlights the team's commitment to maintaining high standards and effective internal controls despite challenges.

The receipt of the signed and stamped 2023/2024 Annual Financial Statements, Auditor's Report (Opinion), and Management Letter marks the completion of the audit process. These documents are now presented for the committee's review and subsequent endorsement by the Council.

The Management Letter, in particular, highlights areas for improvement and provides actionable recommendations to enhance the Shire's day-to-day operations. Addressing these findings will be crucial in maintaining robust governance and financial management practices.

These areas of improvements are listed as follows:

Index of findings		Potential impact on audit opinion	Rating			Prior year finding
			Significant	Moderate	Minor	
1	Non-Compliance with LG Regulations	No	X			N/A
2	Lack of Review of Masterfile Changes	No	X			N/A
3	Lack of IT Policies, Strategic Plan, IT Risk Register	No	X			N/A
4	Lack of Independent Review of Daily Receipting Listings	No		X		N/A
5	Inadequate Credit Card Policies/Procedures	No		X		N/A
6	Missing Credit Note Request form	No			X	N/A

Auditors key to ratings: The Ratings are based on the audit team's assessment of risks and concerns with respect to the probability and/or consequence of adverse outcomes if action is not taken. They give consideration to these potential adverse outcomes in the context of both quantitative impact (for example financial loss) and qualitative impact (for example inefficiency, non-compliance, poor service to the public or loss of public confidence).

Significant	*Those findings where there is potentially a significant risk to the entity should the finding not be addressed by the entity promptly. A significant rating could indicate the need for a modified audit opinion in the current year, or in a subsequent reporting period if not addressed. However, even if the issue is not likely to impact the audit opinion, it should be addressed promptly.*
Moderate	*Those findings which are of sufficient concern to warrant action being taken by the entity as soon as practicable.*

Minor	*Those findings that are not of primary concern but still warrant action being taken.*

Officers provided management comments on each of the six (6) matters listed above outlining the actions it intends to take or has undertaken on each matter. This information was shared with the auditors prior to their presentation at the Audit Exit meeting, during which the management comments were evaluated for appropriateness.

Each of the six (6) matters listed above have been assigned to a responsible officer, given an achievable completion date, and the Audit and Risk Management Committee (ARMC) will be provided with status updates by way of the Audit Findings Progress Report that is tabled for consideration at each scheduled ARMC meeting.

The Shire has received an unqualified audit opinion, which means that the auditors found the financial statements to be free of material misstatements and in accordance with the applicable financial reporting framework. Therefor it should be noted that a report on significant findings in accordance with Section 7.12A(4) of the *Local Government Act 1995*, for the year ending 30 June 2024, is not required. This is a positive outcome, indicating that the Shire's financial records are accurate and reliable.

COMMITTEE RESOLUTION:	ARM15/11-24		
MOVED BY:	Cr Alexis Davy	**SECONDED BY:**	Cr John Bailey

That the Audit and Risk Management Committee:

1. **Receives and endorses the 2023/2024 Annual Financial Statements including Auditors Report (Opinion)** (Attachment 7.1.1(1)) **and Audit Management Letter** (confidential Attachment 7.1.1(2)) **for Councils receipt; and**
2. **Confirms that it has fulfilled the requirements of section 7.12AD(2) of the *Local Government Act 1995,* to meet with a representative from the Office of the Auditor General on 13 November 2024; and**
3. **Note that a report on significant findings in accordance with Section 7.12A(4) of the *Local Government Act 1995*, for the year ending 30 June 2024, is not required.**

For: Cr MacCarthy, Cr Bailey, Cr Davy, Mr Loguidice, Mr Telfer
Against: Nil.
Carried: 5/0

8. Meetings Closed to the Public

8.1. Matters for which the Meeting may be closed

Nil.

8.2. Public reading of Resolutions that may be made public

Nil.

9. Closure

The Chairperson advised that the next Audit and Risk Management Committee Meeting is to be advised.

The Chairperson declared the meeting closed at 4.45pm.

These minutes were confirmed as a true and accurate record at the Ordinary Council meeting held 18 December 2024.

Vivienne MacCarthy

President – Shire of Donnybrook Balingup

Department of
Local Government, Sport and Cultural Industries
GOVERNMENT OF WESTERN AUSTRALIA

Donnybrook-Balingup – Compliance Audit Return

Commercial Enterprises by Local Governments				
No	**Reference**	**Question**	**Response**	**Comments**
1	s3.59(2)(a) F&G Regs 7,9,10	Has the local government prepared a business plan for each major trading undertaking that was not exempt in 2024?	Yes	
2	s3.59(2)(b) F&G Regs 7,8A, 8, 10	Has the local government prepared a business plan for each major land transaction that was not exempt in 2024?	Yes	A Business Case (Business Plan) for the VC Mitchell Park redevelopment project was prepared during 2024 and endorsed by Council for advertising for public comment at the Special Council Meeting held on 4 December 2024 (Council Resolution 219/12-24). DLGSC instructed the Council via letter dated 29 November 2023 (DLGSC reference E23152870) to prepare a Business Plan for the VC Mitchell Park project.
3	s3.59(2)(c) F&G Regs 7,8A, 8,10	Has the local government prepared a business plan before entering into each land transaction that was preparatory to entry into a major land transaction in 2024?	Yes	
4	s3.59(4)	Has the local government complied with public notice and publishing requirements for each proposal to commence a major trading undertaking or enter into a major land transaction or a land transaction that is preparatory to a major land transaction for 2024?	Yes	
5	s3.59(5)	During 2024, did the council resolve to proceed with each major land transaction or trading undertaking by absolute majority?	Yes	

Delegation of Power/Duty				
No	**Reference**	**Question**	**Response**	**Comments**

Department of
Local Government, Sport and Cultural Industries
GOVERNMENT OF WESTERN AUSTRALIA

1	s5.16 (1)	Were all delegations to committees resolved by absolute majority?	Yes	Delegations Register Review presented to Council at the Ordinary Council Meeting held 26 June 2024, Council Resolution 102/24.
2	s5.16 (2)	Were all delegations to committees in writing?	Yes	
3	s5.17	Were all delegations to committees within the limits specified in section 5.17 of the Local Government Act 1995?	Yes	
4	s5.18	Were all delegations to committees recorded in a register of delegations?	Yes	Delegations Register Review presented to Council at the Ordinary Council Meeting held 26 June 2024, Council Resolution 102/24
5	s5.18	Has council reviewed delegations to its committees in the 2023/2024 financial year?	Yes	Delegations Register Review presented to Council at the Ordinary Council Meeting held 26 June 2024, Council Resolution 102/24
6	s5.42(1) & s5.43 Admin Reg 18G	Did the powers and duties delegated to the CEO exclude those listed in section 5.43 of the Local Government Act 1995?	Yes	
7	s5.42(1)	Were all delegations to the CEO resolved by an absolute majority?	Yes	Delegations Register Review presented to Council at the Ordinary Council Meeting held 26 June 2024, Council Resolution 102/24
8	s5.42(2)	Were all delegations to the CEO in writing?	Yes	
9	s5.44(2)	Were all delegations by the CEO to any employee in writing?	Yes	
10	s5.16(3)(b) & s5.45(1)(b)	Were all decisions by the Council to amend or revoke a delegation made by absolute majority?	Yes	Delegations Register Review presented to Council at the Ordinary Council Meeting held 26 June 2024, Council Resolution 102/24
11	s5.46(1)	Has the CEO kept a register of all delegations made under Division 4 of the Act to the CEO and to employees?	Yes	Delegations Register Review presented to Council at the Ordinary Council Meeting held 26 June 2024, Council Resolution 102/24
12	s5.46(2)	Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2023/2024 financial year?	Yes	Delegations Register Review presented to Council at the Ordinary Council Meeting held 26 June 2024, Council Resolution 102/24
13	s5.46(3) Admin Reg 19	Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Local Government (Administration) Regulations 1996, regulation 19?	Yes	

Department of
Local Government, Sport and Cultural Industries
GOVERNMENT OF WESTERN AUSTRALIA

Disclosure of Interest				
No	**Reference**	**Question**	**Response**	**Comments**
1	s5.67	Where a council member disclosed an interest in a matter and did not have participation approval under sections 5.68 or 5.69 of the Local Government Act 1995, did the council member ensure that they did not remain present to participate in discussion or decision making relating to the matter?	Yes	
2	s5.68(2) & s5.69(5) Admin Reg 21A	Were all decisions regarding participation approval, including the extent of participation allowed and, where relevant, the information required by the Local Government (Administration) Regulations 1996 regulation 21A, recorded in the minutes of the relevant council or committee meeting?	Yes	
3	s5.73	Were disclosures under sections 5.65, 5.70 or 5.71A(3) of the Local Government Act 1995 recorded in the minutes of the meeting at which the disclosures were made?	Yes	
4	s5.75 Admin Reg 22, Form 2	Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?	No	One (1) Primary Return was not received by the required due date from an Elected Member (relevant person). The CEO acted on this non-compliance as specified in the relevant legislation. The Shire provides training to Elected Members, which includes an overview of the statutory environment relating to declarations of interest and clarification of the personal responsibilities of Elected Members to comply with their legislative obligations. Further to this, compliance management software specifically designed for local governments is being implemented to improve processes and manage compliance requirements.
5	s5.76 Admin Reg 23, Form 3	Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2024?	Yes	
6	s5.77	On receipt of a primary or annual return, did the CEO, or the Mayor/President, give written acknowledgment of having received the return?	Yes	

Department of
Local Government, Sport and Cultural Industries
GOVERNMENT OF WESTERN AUSTRALIA

7	s5.88(1) & (2)(a)	Did the CEO keep a register of financial interests which contained the returns lodged under sections 5.75 and 5.76 of the Local Government Act 1995?	Yes	
8	s5.88(1) & (2)(b) Admin Reg 28	Did the CEO keep a register of financial interests which contained a record of disclosures made under sections 5.65, 5.70, 5.71 and 5.71A of the Local Government Act 1995, in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28?	Yes	
9	s5.88(3)	When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76 of the Local Government Act 1995, did the CEO remove from the register all returns relating to that person?	Yes	
10	s5.88(4)	Have all returns removed from the register in accordance with section 5.88(3) of the Local Government Act 1995 been kept for a period of at least five years after the person who lodged the return(s) ceased to be a person required to lodge a return?	Yes	
11	s5.89A(1), (2) & (3) Admin Reg 28A	Did the CEO keep a register of gifts which contained a record of disclosures made under sections 5.87A and 5.87B of the Local Government Act 1995, in the form prescribed in the Local Government (Administration) Regulations 1996, regulation 28A?	Yes	
12	s5.89A(5) & (5A)	Did the CEO publish an up-to-date version of the gift register on the local government's website?	Yes	
13	s5.89A(6)	When people cease to be a person who is required to make a disclosure under section 5.87A or 5.87B of the Local Government Act 1995, did the CEO remove from the register all records relating to those people?	Yes	
14	s5.89A(7)	Have copies of all records removed from the register under section 5.89A(6) of the Local Government Act 1995 been kept for a period of at least five years after the person ceases to be a person required to make a disclosure?	Yes	
15	s5.70(2) & (3)	Where an employee had an interest in any matter in respect of which the employee provided advice or a report directly to council or a committee, did that person disclose the nature and extent of that interest when giving the advice or report?	Yes	
16	s5.71A & s5.71B(5)	Where council applied to the Minister to allow the CEO to provide advice or a report to which a disclosure under section 5.71A(1) of the Local Government Act 1995 relates, did the application include details of the nature of the interest disclosed and any other information required by the Minister for the purposes of the application?	N/A	

Department of
Local Government, Sport and Cultural Industries
GOVERNMENT OF WESTERN AUSTRALIA

17	s5.71B(6) & s5.71B(7)	Was any decision made by the Minister under section 5.71B(6) of the Local Government Act 1995, recorded in the minutes of the council meeting at which the decision was considered?	N/A	
18	s5.104(1)	Did the local government prepare and adopt, by absolute majority, a code of conduct to be observed by council members, committee members candidates that incorporates the model code of conduct?	N/A	
19	s5.104(3) & (4)	Did the local government adopt additional requirements in addition to the model code of conduct? If yes, does it comply with section 5.104(3) and (4) of the Local Government Act 1995?	N/A	
20	s5.104(7)	Has the CEO published an up-to-date version of the code of conduct for council members, committee members and candidates on the local government's website?	Yes	
21	s5.51A(1) & (3)	Has the CEO prepared and implemented a code of conduct to be observed by employees of the local government? If yes, has the CEO published an up-to-date version of the code of conduct for employees on the local government's website?	Yes	

Disposal of Property

No	Reference	Question	Response	Comments
1	s3.58(3)	Where the local government disposed of property other than by public auction or tender, did it dispose of the property in accordance with section 3.58(3) of the Local Government Act 1995 (unless section 3.58(5) applies)?	No	Disposal of aged assets, comprising one plant item and playground equipment, did not meet all requirements. As a result, staff have reviewed and updated processes, with additional plans for improving procurement and disposal compliance.
2	s3.58(4)	Where the local government disposed of property under section 3.58(3) of the Local Government Act 1995, did it provide details, as prescribed by section 3.58(4), in the required local public notice for each disposal of property?	No	Disposal of aged assets, comprising one plant item and playground equipment, did not meet all requirements. As a result, staff have reviewed and updated processes, with additional plans for improving procurement and disposal compliance.

Department of
Local Government, Sport and Cultural Industries
GOVERNMENT OF WESTERN AUSTRALIA

Elections				
No	**Reference**	**Question**	**Response**	**Comments**
1	Elect Regs 30G(1) & (2)	Did the CEO establish and maintain an electoral gift register and ensure that all disclosure of gifts forms completed by candidates and donors and received by the CEO were placed on the electoral gift register at the time of receipt by the CEO and in a manner that clearly identifies and distinguishes the forms relating to each candidate in accordance with regulations 30G(1) and 30G(2) of the Local Government (Elections) Regulations 1997?	Yes	
2	Elect Regs 30G(3) & (4)	Did the CEO remove any disclosure of gifts forms relating to an unsuccessful candidate, or a successful candidate that completed their term of office, from the electoral gift register, and retain those forms separately for a period of at least two years in accordance with regulation 30G(4) of the Local Government (Elections) Regulations 1997?	N/A	
3	Elect Regs 30G(5) & (6)	Did the CEO publish an up-to-date version of the electoral gift register on the local government's official website in accordance with regulation 30G(5) of the Local Government (Elections) Regulations 1997?	No	An Electoral Gift Register was not published on the Shire website. No 'Disclosure of Gifts' forms were received for the Ordinary Local Government Election held during 2023. An Electoral Gift Register will be published for the 2025 Ordinary Local Government Election, even if no disclosures are made. Compliance management software specifically designed for local governments is being implemented to improve processes and manage compliance requirements.

Department of
Local Government, Sport and Cultural Industries
GOVERNMENT OF WESTERN AUSTRALIA

Finance				
No	**Reference**	**Question**	**Response**	**Comments**
1	s7.1A	Has the local government established an audit committee and appointed members by absolute majority in accordance with section 7.1A of the Local Government Act 1995?	Yes	
2	s7.1B	Where the council delegated to its audit committee any powers or duties under Part 7 of the Local Government Act 1995, did it do so by absolute majority?	Yes	
3	s7.9(1)	Was the auditor's report for the financial year ended 30 June 2024 received by the local government by 31 December 2024?	Yes	
4	s7.12A(3)	Where the local government determined that matters raised in the auditor's report prepared under section 7.9(1) of the Local Government Act 1995 required action to be taken, did the local government ensure that appropriate action was undertaken in respect of those matters?	Yes	
5	s7.12A(4)(a) & (4)(b)	Where matters identified as significant were reported in the auditor's report, did the local government prepare a report that stated what action the local government had taken or intended to take with respect to each of those matters? Was a copy of the report given to the Minister within three months of the audit report being received by the local government?	N/A	
6	s7.12A(5)	Within 14 days after the local government gave a report to the Minister under section 7.12A(4)(b) of the Local Government Act 1995, did the CEO publish a copy of the report on the local government's official website?	N/A	
7	Audit Reg 10(1)	Was the auditor's report for the financial year ending 30 June 2024 received by the local government within 30 days of completion of the audit?	Yes	

Local Government Employees				
No	**Reference**	**Question**	**Response**	**Comments**
1	s5.36(4) & s5.37(3) Admin Reg 18A	Were all CEO and/or senior employee vacancies advertised in accordance with Local Government (Administration) Regulations 1996, regulation 18A?	Yes	

Department of
Local Government, Sport and Cultural Industries
GOVERNMENT OF WESTERN AUSTRALIA

2	Admin Reg 18E	Was all information provided in applications for the position of CEO true and accurate?	Yes	
3	Admin Reg 18F	Was the remuneration and other benefits paid to a CEO on appointment the same remuneration and benefits advertised for the position under section 5.36(4) of the Local Government Act 1995?	Yes	
4	s5.37(2)	Did the CEO inform council of each proposal to employ or dismiss senior employee?	Yes	
5	s5.37(2)	Where council rejected a CEO's recommendation to employ or dismiss a senior employee, did it inform the CEO of the reasons for doing so?	N/A	

Official Conduct

No	Reference	Question	Response	Comments
1	s5.120	Has the local government designated an employee to be its complaints officer?	Yes	Chief Executive Officer
2	s5.121(1) & (2)	Has the complaints officer for the local government maintained a register of complaints which records all complaints that resulted in a finding under section 5.110(2)(a) of the Local Government Act 1995?	Yes	
3	S5.121(2)	Does the complaints register include all information required by section 5.121(2) of the Local Government Act 1995?	Yes	
4	s5.121(3)	Has the CEO published an up-to-date version of the register of the complaints on the local government's official website?	Yes	

Tenders for Providing Goods and Services

No	Reference	Question	Response	Comments
1	F&G Reg 11A(1) & (3)	Did the local government comply with its current purchasing policy, adopted under the Local Government (Functions and General) Regulations 1996, regulations 11A(1) and (3) in relation to the supply of goods or services where the consideration under the contract was, or was expected to be, $250,000 or less or worth $250,000 or less?	Yes	

Department of
Local Government, Sport and Cultural Industries
GOVERNMENT OF WESTERN AUSTRALIA

2	s3.57 F&G Reg 11	Subject to Local Government (Functions and General) Regulations 1996, regulation 11(2), did the local government invite tenders for all contracts for the supply of goods or services where the consideration under the contract was, or was expected to be, worth more than the consideration stated in regulation 11(1) of the Regulations?	Yes	
3	F&G Regs 11(1), 12(2), 13, & 14(1), (3), and (4)	When regulations 11(1), 12(2) or 13 of the Local Government Functions and General) Regulations 1996, required tenders to be publicly invited, did the local government invite tenders via Statewide public notice in accordance with Regulation 14(3) and (4)?	Yes	
4	F&G Reg 12	Did the local government comply with Local Government (Functions and General) Regulations 1996, Regulation 12 when deciding to enter into multiple contracts rather than a single contract?	N/A	
5	F&G Reg 14(5)	If the local government sought to vary the information supplied to tenderers, was every reasonable step taken to give each person who sought copies of the tender documents, or each acceptable tenderer notice of the variation?	Yes	
6	F&G Regs 15 & 16	Did the local government's procedure for receiving and opening tenders comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 15 and 16?	Yes	
7	F&G Reg 17	Did the information recorded in the local government's tender register comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulation 17 and did the CEO make the tenders register available for public inspection and publish it on the local government's official website?	Yes	
8	F&G Reg 18(1)	Did the local government reject any tenders that were not submitted at the place, and within the time, specified in the invitation to tender?	N/A	
9	F&G Reg 18(4)	Were all tenders that were not rejected assessed by the local government via a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept?	Yes	
10	F&G Reg 19	Did the CEO give each tenderer written notice containing particulars of the successful tender or advising that no tender was accepted?	Yes	

Department of
Local Government, Sport and Cultural Industries
GOVERNMENT OF WESTERN AUSTRALIA

11	F&G Regs 21 & 22	Did the local government's advertising and expression of interest processes comply with the requirements of the Local Government (Functions and General) Regulations 1996, Regulations 21 and 22?	Yes	
12	F&G Reg 23(1) & (2)	Did the local government reject any expressions of interest that were not submitted at the place, and within the time, specified in the notice or that failed to comply with any other requirement specified in the notice?	N/A	
13	F&G Reg 23(3) & (4)	Were all expressions of interest that were not rejected under the Local Government (Functions and General) Regulations 1996, Regulation 23(1) & (2) assessed by the local government? Did the CEO list each person as an acceptable tenderer?	Yes	
14	F&G Reg 24	Did the CEO give each person who submitted an expression of interest a notice in writing of the outcome in accordance with Local Government (Functions and General) Regulations 1996, Regulation 24?	Yes	
15	F&G Regs 24AD(2) & (4) and 24AE	Did the local government invite applicants for a panel of pre-qualified suppliers via Statewide public notice in accordance with Local Government (Functions & General) Regulations 1996 regulations 24AD(4) and 24AE?	N/A	
16	F&G Reg 24AD(6)	If the local government sought to vary the information supplied to the panel, was every reasonable step taken to give each person who sought detailed information about the proposed panel or each person who submitted an application notice of the variation?	N/A	
17	F&G Reg 24AF	Did the local government's procedure for receiving and opening applications to join a panel of pre-qualified suppliers comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 16, as if the reference in that regulation to a tender were a reference to a pre-qualified supplier panel application?	N/A	
18	F&G Reg 24AG	Did the information recorded in the local government's tender register about panels of pre-qualified suppliers comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24AG?	N/A	
19	F&G Reg 24AH(1)	Did the local government reject any applications to join a panel of pre-qualified suppliers that were not submitted at the place, and within the time, specified in the invitation for applications?	N/A	

Department of
Local Government, Sport and Cultural Industries
GOVERNMENT OF WESTERN AUSTRALIA

20	F&G Reg 24AH(3)	Were all applications that were not rejected assessed by the local government via a written evaluation of the extent to which each application satisfies the criteria for deciding which application to accept?	N/A	
21	F&G Reg 24AI	Did the CEO send each applicant written notice advising them of the outcome of their application?	N/A	
22	F&G Regs 24E & 24F	Where the local government gave regional price preference, did the local government comply with the requirements of Local Government (Functions and General) Regulations 1996, Regulation 24E and 24F?	N/A	

Integrated Planning and Reporting

No	Reference	Question	Response	Comments
1	Admin Reg 19C	Has the local government adopted by absolute majority a strategic community plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	25/08/2021 Strategic Community Plan 2032 adopted by Council 25 August 2021, Council Resolution 138/21.
2	Admin Reg 19DA(1) & (4)	Has the local government adopted by absolute majority a corporate business plan? If Yes, please provide the adoption date or the date of the most recent review in the Comments section?	Yes	25/05/2022 Council Plan 2022-2032 adopted by Council 25 May 2022, Council Resolution 70/22.
3	Admin Reg 19DA(2) & (3)	Does the corporate business plan comply with the requirements of Local Government (Administration) Regulations 1996 19DA(2) & (3)?	Yes	

Optional Questions

No	Reference	Question	Response	Comments
1	Financial Management Reg 5(2)(c)	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with the Local Government (Financial Management) Regulations 1996 regulations 5(2)(c) within the three financial years prior to 31 December	No	The review was undertaken by 31 December 2024. However, the report will be provided to the Shire's Audit and Risk Management Committee and Council in March 2025.

Department of
Local Government, Sport and Cultural Industries
GOVERNMENT OF WESTERN AUSTRALIA

		2024? If yes, please provide the date of council's resolution to accept the report.		Compliance management software specifically designed for local governments is being implemented to improve processes and manage compliance requirements.
2	Audit Reg 17	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Local Government (Audit) Regulations 1996 regulation 17 within the three financial years prior to 31 December 2024? If yes, please provide date of council's resolution to accept the report.	No	The review was undertaken by 31 December 2024. However, the report will be provided to the Shire's Audit and Risk Management Committee and Council in March 2025. Compliance management software specifically designed for local governments is being implemented to improve processes and manage compliance requirements.
3	s5.87C	Where a disclosure was made under sections 5.87A or 5.87B of the Local Government Act 1995, were the disclosures made within 10 days after receipt of the gift? Did the disclosure include the information required by section 5.87C of the Act?	Yes	
4	s5.90A(2) & (5)	Did the local government prepare, adopt by absolute majority and publish an up-to-date version on the local government's website, a policy dealing with the attendance of council members and the CEO at events?	Yes	
5	s5.96A(1), (2), (3) & (4)	Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4) of the Local Government Act 1995?	Yes	
6	s5.128(1)	Did the local government prepare and adopt (by absolute majority) a policy in relation to the continuing professional development of council members?	Yes	
7	s5.127	Did the local government prepare a report on the training completed by council members in the 2023/2024 financial year and publish it on the local government's official website by 31 July 2024?	Yes	
8	s6.4(3)	By 30 September 2024, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2024?	No	The Shire applied for an extension of time from the Minster for Local Government. The granted extension date of 31 October 2024 was complied with (DLGSC Reference E24143797).

Department of
Local Government, Sport and Cultural Industries
GOVERNMENT OF WESTERN AUSTRALIA

9	s.6.2(3)	When adopting the annual budget, did the local government take into account all its expenditure, revenue and income?	Yes	

_____ _____

Chief Executive Officer Date

_____ _____

Mayor/President Date

MOORE

COMMERCIAL IN CONFIDENCE

Review of Financial Management, Risk Management, Legislative Compliance and Internal Controls

Summary Report - Final

Shire of Donnybrook-Balingup

February 2025

Contents

1.0 Engagement Overview 3
2.0 Review Context 5
3.0 Review Summary 6
4.0 Methodology 11
5.0 Appropriate Framework 13
6.0 Other Matters 14
Appendix A - Financial Management Systems Review 15
Appendix B - Council Policies Examined 17
Appendix C - Plans Examined 19
Appendix D - Strategic and Operational Registers Examined 20
Appendix E - Operational Guidelines 21

1.0 Engagement Overview

1.1 Scope of Services

The Shire of Donnybrook-Balingup (the shire) engaged Moore Australia (WA) to provide consultancy and advisory services with a dual purpose, firstly to provide a report to assist the CEO to perform select reviews required by legislation. This engagement set out to assist the CEO to report to the Audit Committee on the appropriateness and effectiveness of the shire's risk management, internal controls and legislative compliance systems and procedures as required by the *Local Government (Audit) Regulations 1996 regulation 17*. Secondly, to examine financial management systems to highlight the appropriateness and effectiveness of these systems and procedures to assist the CEO in undertaking a review as required by *Local Government (Financial Management) Regulations 1996 regulation 5(2)(c)*.

For efficiency, these services were undertaken simultaneously, and the results contained in this single report. Financial management systems and procedures are considered a subset of broader overall risk management, legislative compliance and internal controls. The matters examined in respect of financial management systems are detailed in Appendix A. Where opportunities for improvement were identified, they are reported within the relevant section of the risk management, legislative compliance and internal controls framework design, implementation and evaluation sections of this report.

The results of the examination of risk management, legislative compliance and internal controls review are to be reviewed by the CEO and reported by the CEO to the Audit Committee. The Audit Committee is required to review the CEO's report and on-report to Council. The report from the Audit Committee to Council is required to have attached a copy of the CEO's initial report to the Audit Committee.

1.1.1 Procedures – Financial Management Review

Our procedures for the Financial Management Review encompassed a review of the shire's financial systems including, but not necessarily limited to:

- Custody and security of money and investments held;
- Rates;
- Maintenance and security of financial records;
- Accounting and controls for revenue and expenses;
- Accounting and controls for assets and liabilities;
- Accounting and controls for trust transactions;
- Authorisation of purchases;
- Authorisation of payments;
- Borrowings;
- Maintenance and processing of payroll;
- Stock controls and costing records;
- Record keeping for financial records;
- Preparation of budgets and budget reviews; and
- Preparation of financial reports.

Our procedures and approach have been developed over a number of years, taking into account our extensive local government background and seeks to examine both financial systems and procedures in use.

The consulting services to assist the CEO to undertake the financial management review does not examine systems and procedures which are non-financial in nature and did not specifically test for legislative breaches. These were examined as part of the analysis of risk management, legislative compliance and internal control systems and processes.

1.0 Engagement Overview (continued)

1.1.1 Procedures – Risk Management, Legislative Compliance and Internal Controls Review

Our procedures to assist the CEO to perform their systems and procedures review, as required by regulation 17 of the *Local Government (Audit) Regulations 1996*, encompassed the following services:

- A review of the risk management systems policies, procedures and plans in place at the Shire;
- Evaluate the non-financial/operational internal control systems and procedures at the Shire;
- Assess systems and procedures for maintaining legislative compliance; and
- Prepare a report of matters identified during our engagement to assist the CEO to assess the appropriateness and effectiveness of the relevant systems and procedures in accordance with regulation 17 of the *Local Government (Audit) Regulations 1996*.

To undertake these procedures, we applied the following methodology:

- Conduct interviews with key personnel involved in risk management, financial management and the shire's adherence to legislative requirements;
- Identify the extent of commitment and mandate to risk management principles, using AS/NZS ISO 31000:2018 as the framework, within the overall risk management framework;
- Review each component of risk management, legislative compliance and internal controls after considering the overall risk environment, governance structure and internal control environment;
- Assess the gaps, if any, between the current processes and the expected risk management, internal controls and legislative compliance systems and procedures and recommend suggested improvements; and
- Report to the CEO to assist their assessment on the appropriateness and the effectiveness of current systems and procedures.

The service was undertaken through a high level review given the scale, variety and breadth of non-financial activities and considered, as a minimum, the issues identified by the Department of Local Government, Sport and Cultural Industries to Local Government Operational Guideline Number 09 – Audit in Local Government (listed in Appendix E).

2.0 Review Context

2.1 Review Context - Shire of Donnybrook-Balingup

Understanding the external and internal context in which the shire operates, relevant to financial management, risk, the internal control environment and legislative compliance obligations, as it seeks to achieve its overall strategic objectives is important to the review of the related systems and procedures.

The external and internal environmental influences identified during the review are set out below:

External Influences	Internal Influences
Increasing community expectations in relation to service levels and delivery.	The objectives and strategies contained in the current Plan for the Future.
Rapid changes in information technology, changing the service delivery environment.	The timing and actions contained in the current Plan for the Future.
Increased compliance requirements due to government policy and legislation.	Organisational size, structure, activities and location.
Cost shifting by the Federal and State governments.	Human resourcing levels and staff retention.
Climate change and subsequent response.	The financial capacity of the shire.
Reducing external funding for infrastructure and operations.	Maintenance of corporate records.
Increasing risk of cyber attack resulting in compromised or lost data.	Allocation of resources to achieve strategic outcomes.
Changing regulatory requirements.	
Changing global economic environment.	

3.0 Review Summary

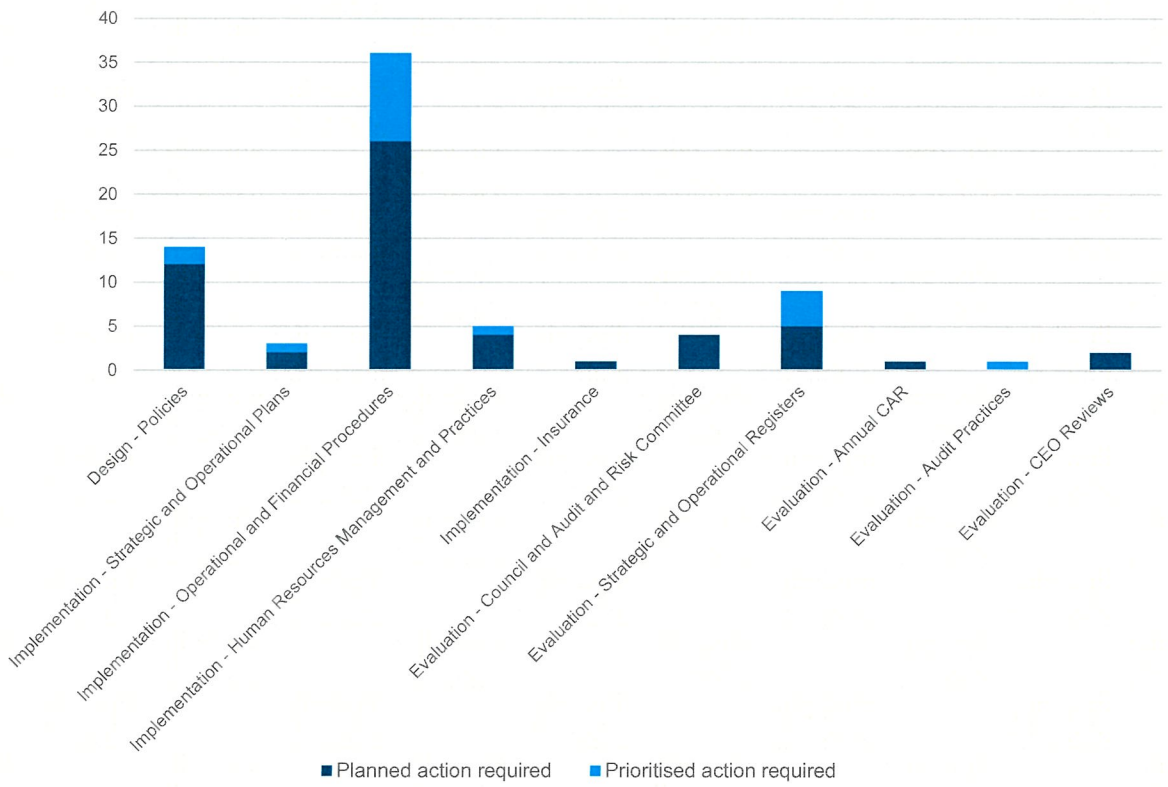
3.1 Overall

Operations of a regional local government seek to provide numerous services across multiple business areas to deliver the objectives and aspirations of the community. This involves commitment and dedication from staff, and while local government operations are diverse, they are also complex and involve a number of people making decisions across a large number of areas of operations. The Shire of Donnybrook-Balingup is highly reliant on a small team of senior decision makers to govern its operations whilst trying to ensure sound financial and risk management through internal controls and seeking to achieve a high level of compliance. These efforts were highlighted throughout our review with management noting planned action across a number of matters raised. The maintenance of continued and sustained efforts toward improvements, high levels of compliance and effective controls is encouraged into the future.

The onsite component of our services was undertaken (performed in December 2024) by first determining an appropriate framework for the shire against which current policies, procedures and actions could be assessed and is described further in section 5.0. A number of areas for improvement were identified during the review. As the shire has limited resources the areas identified for improvement have been split between those requiring prioritised action and those requiring planned action as it will require resources and time to address a number of the matters raised.

The chart below reflects the number of improvements identified within each area of the framework examined.

3.1.1 Number of Improvements Identified by Framework Element



Details of each matter and improvement identified under the framework elements has been provided to the CEO and management within a separate document. Key improvements are provided for each of the examined areas, financial management, risk management, internal control and legislative compliance within the report provided to the CEO.

3.0 Review Summary (continued)

3.2 Financial Management

The shire has a number of financial management system controls to cover the wide variety of operations undertaken. Council has responsibility for the adoption of the annual budget and annual report, review of the monthly statement of financial activity and review of the monthly list of payments. Responsibility for the financial management of the shire rests with the CEO, as detailed under *Local Government (Financial Management) Regulations 1996* regulation 5(1).

3.2.1 Appropriateness

Considering the size, resources, variety of operations and the context in which the shire operates, documented internal control procedures relating to financial management systems, are considered largely appropriate as a means of maintaining a high level of control over the financial management of the Shire, subject to control weaknesses being addressed.

Weaknesses were identified with some current financial controls and procedures. These are explained within a separate report provided to the CEO. Our assessment as to appropriateness is subject to identified weaknesses being addressed, and provided internal control procedures are routinely and consistently applied.

3.2.2 Effectiveness

Considering the results of other elements of financial management systems and processes where documented and routinely tested, the current practices undertaken by the Shire of Donnybrook-Balingup may be considered generally effective. Our assessment as to effectiveness is subject to the implementation of the improvements detailed in the report provided to the CEO.

Whilst generally considered effective, weaknesses were identified where internal controls for financial management systems are not considered effective. These are explained in the report provided to the CEO.

3.2.3 Improvements

Key improvements to the appropriateness and effectiveness of these procedures and internal controls include:

- IT general controls;
- General journal controls;
- Revenue controls;
- Asset disposals;
- Procurement controls;
- Stock controls;
- Corporate transaction cards;
- Security controls for cash handling;
- Payroll controls;
- Debtor management procedures;
- Bank reconciliations; and
- Management accounting reporting.

3.0 Review Summary (continued)

3.3 Risk Management

Risk management activities in local government should aim to facilitate an integrated and organisation wide approach to risk management practices. These activities would generally include routine and consistent consideration of risks (existing, new and emerging), as well as mitigations available to minimise risk levels, from both a 'top down' perspective as well as 'bottom up' perspective. These activities should be consistently applied through operational systems, processes and controls.

The shire updated its Risk Management Policy, aligned to ISO 31000:2018 in December 2022. Draft accompanying procedures to support the policy and formalise risk management processes are currently being reviewed by management and the Audit and Risk Committee. The risk management policy and supporting procedures form the basis for risk management activities within the shire.

3.3.1 Appropriateness

Currently, a documented entity wide Risk Management Policy is in existence to guide the implementation of risk management throughout the shire. The policy refers to the current Risk Management Standard, AS/NZ ISO 31000:2018, with accompanying procedures currently being developed, intended to support execution of the policy requirements. Update of the procedures for alignment to the current standard and policy is encouraged to help ensure the appropriateness of risk management practices.

Considering the size, resources, operations and the context in which the shire operates, a documented risk management policy and procedures aligned to ISO 31000:2018 is considered an appropriate means of uniformly supporting decision making and documenting the organisation's response to risks.

3.3.2 Effectiveness

The risk management framework and policy have been developed to reflect the shire's commitment to organisation wide risk management principles, systems and processes aimed at optimising the achievement of objectives, embedding controls to mitigate risk, improving corporate governance and planning for continuity of critical operations. To assist with the delivery and application of these processes, updates and further development of risk management systems and processes are required to be implemented throughout the organisation in order for risk management processes and procedures to be considered effective.

3.3.3 Improvements

Key matters for improvements to risk management practices and policies are summarised as follows:

- Progress the routine application of risk management activities to existing practices in accordance with the adopted risk management policy and procedures. Ensure procedures correctly reflect the context of the organisation and current practices, and align to the Risk Management Standard, ISO 31000:2018, and adopted Council policy;
- Develop and maintain an ICT strategic plan;
- Review contractor insurance to ensure contractors have appropriate insurance;
- Undertake a comprehensive ICT security review;
- Maintain reporting of risks as required by adopted policy and framework; and
- Ensure appropriate management of operational risks for high risk areas.

3.0 Review Summary (continued)

3.4 Internal Control

The principles of internal controls are not limited to administrative and financial control activities as they extend to all facets of operations. While the CEO is generally responsible for developing and maintaining internal control frameworks, all levels of the organisation should be accountable for the documentation and implementation of systems, controls, processes and procedures in their own area of responsibility. They all perform a function in the internal control framework.

Internal controls are of critical importance to operations and should provide for appropriate segregation of duties, experienced and qualified staff, risk management, documented procedures and effective monitoring and adherence. However inherent limitations will always be present in internal control frameworks and mechanisms where routine review and regular updates occur and may assist to ensure control environments are suitable.

We observed officers are aware a number of improvements to internal controls are required to be reviewed or developed with the objective of improving the existing framework and reducing gaps where weaknesses have been identified.

3.4.1 Appropriateness

Considering the size, resources, operations and the internal/external context in which the shire operates, the internal control framework, procedures and systems as described to us are considered appropriate for most areas of operations, subject to the identified improvements being in place. We identified internal controls where further improvements may be implemented, as described within the report provided to the CEO.

3.4.2 Effectiveness

Considering the overall results of monitoring and compliance practices undertaken by the Shire of Donnybrook-Balingup, the current internal control framework, procedures and systems (where documented and routinely tested) may be considered effective. Our assessment as to effectiveness is subject to the implementation of the improvements provided in the report to the CEO addressing weaknesses where breakdown in controls have contributed to non compliance matters and other risks.

3.4.3 Improvements

Detail of the recommended improvements to the current internal control framework, procedures and systems are provided in detail to the CEO with selected key improvements to internal controls summarised as follows:

- Development of an internal controls policy, promoting a risk-based approach to the further development and maintenance of documented internal controls and procedures. Continual risk based assessment of appropriate controls throughout the organisation will assist to identify the need for new controls and identify existing outdated and unnecessary controls to be discontinued;
- Test and maintain the Business Continuity Response Plan;
- Update / develop and maintain a number of registers to improve existing internal controls;
- Undertake appropriate training at induction and at regular intervals to ensure staff are fully aware of, and understand, relevant internal controls;
- Develop documented key internal control procedures, checklists or workflow diagrams;
- Define procedures to manage changes to internal controls; and
- Implement financial management control recommendations.

3.0 Review Summary (continued)

3.5 Legislative Compliance

General principles of good governance often refer to the application of appropriate policies and procedures to assist with ensuring appropriate measures are in place to uphold high levels of legislative compliance. The resources allocated to these structures will vary according to the context of individual local government operations. Formalised processes are designed to provide a consistent structure to guide the prioritisation of resources toward achieving compliance requirements and integration into the operations of the local government.

A legislative compliance policy has not been implemented to date to communicate expectations of Council in relation to legislative breaches and regulatory compliance. Legislative compliance at the Shire of Donnybrook-Balingup is currently largely dependent upon the knowledge and experience of senior staff and their individual desire to achieve high levels of legislative and regulatory compliance.

3.5.1 Appropriateness

Considering local governments generally maintain a low risk appetite for breaches of legislation, the current legislative compliance policy may be considered appropriate for good governance and should be adhered to. While reliance on experienced senior staff for legislative compliance may be considered appropriate in some instances, it also carries high risk where the number of experienced senior staff is low. A number of areas were noted where improvements for managing compliance may be made, these are detailed in a separate report provided to the CEO.

3.5.2 Effectiveness

Maintaining legislative compliance is instead heavily reliant on the knowledge, experience and commitment of senior staff, to identify and prevent breaches of legislation. As a consequence, staff turnover, competing priorities and variations in workloads may have a significant negative impact on legislative compliance. Therefore, one of the most effective controls in maintaining legislative compliance is a motivated, stable, experienced and knowledgeable senior management group in addition to a compliance framework to ensure required compliance tasks are considered and actioned.

Some instances of non-compliance with legislative requirements were identified during our review. Apart from the identified breaches of legislation, and in the instances where effectiveness was able to be assessed, the current legislative compliance framework may be considered effective. Our assessment as to effectiveness is subject to the implementation of the improvements detailed in the report provided to the CEO.

3.5.3 Improvements

Improvements to the current legislative compliance framework, including ongoing development of processes to monitor and report on legislative compliance have been identified and are summarised as follows:

- Development of a legislative compliance policy to consider current strategic objectives and practicalities of policy requirements in relation to legislative compliance and management of compliance breaches;
- Maintain statutory registers as required by legislation;
- Maintain record keeping in accordance with approved plans and implement improvements advised by the State Records Office;
- Further development and approval of authorised checklists for functions which require a high level of legislative compliance; and
- Update and maintain a staff training matrix and coordinate training across the shire. A risk based training matrix should help ensure staff with the responsibility for preventing, identifying and reporting breaches of legislation, are offered relevant training to ensure their knowledge of legislative requirements is maintained and qualifications are maintained and up to date where required.

4.0 Methodology

4.1 Review Methodology – Financial Management Review

The objective of this review is to assist the CEO of the Shire of Donnybrook-Balingup to discharge responsibilities in respect to regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996 (as amended)*.

In performing this consulting service, we examined documented policies / procedures, undertook walkthroughs of key systems and procedures and performed limited detailed testing procedures to identify weaknesses and identify opportunities for improvement in the financial management system and report to the CEO on the appropriateness and effectiveness of the control environment within the shire, as required by regulation 5(2)(c) of the *Local Government (Financial Management) Regulations 1996*.

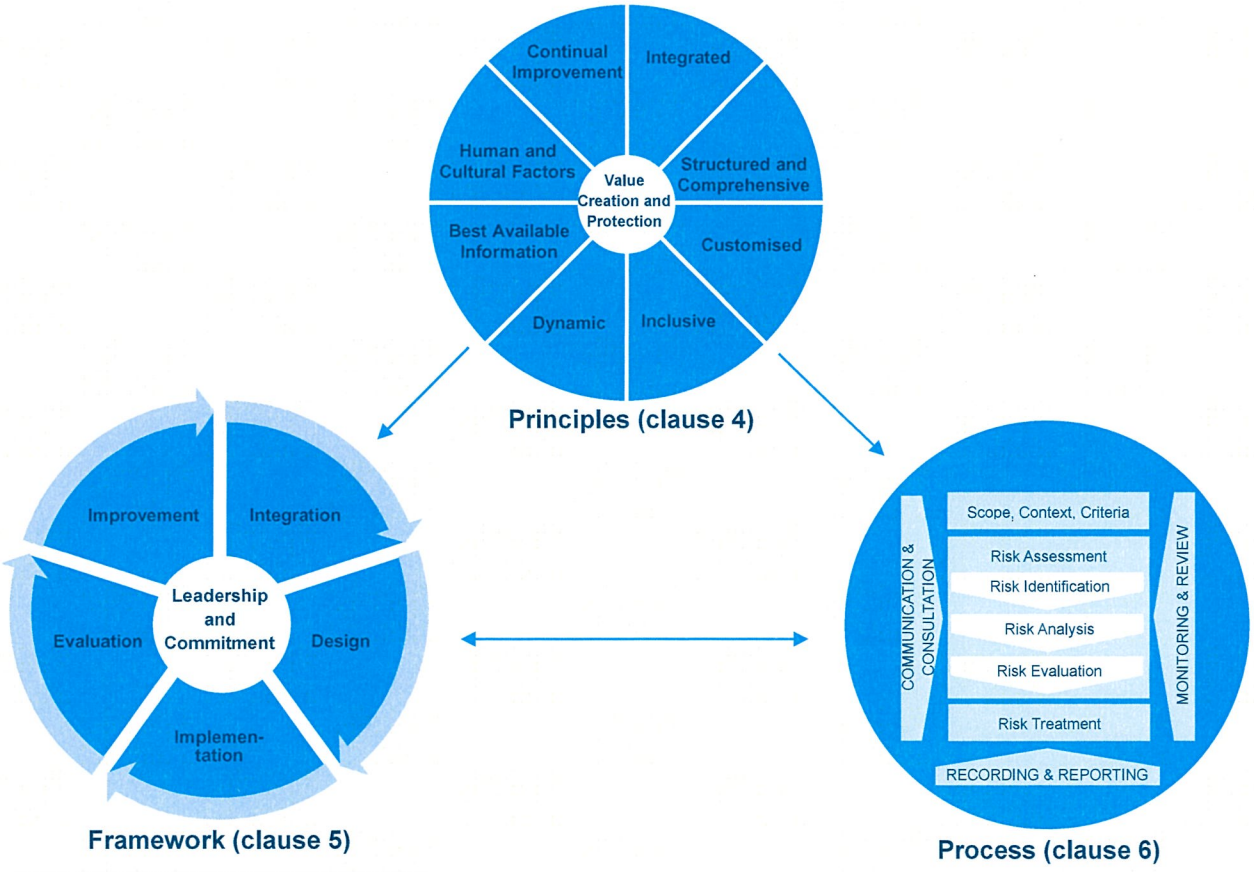
4.2 Review Methodology – Risk Management, Legislative Compliance and Internal Controls

The primary goal of this service is to assist the CEO in their assessment as to the appropriateness and effectiveness of the shire systems and procedures in relation to risk management, legislative compliance and internal controls.

Internal controls are designed to treat risks and form part of the risk management process. Non-compliance with legislation is one of the risks that would usually be identified as a consequence of applying a risk management process.

The Australian Standard for Risk Management, ISO 31000:2018(E), identifies three components in the application of risk management, being Principles, Framework and Process, as set out in Diagram 1 below.

Diagram 1. Risk Management Principles, Framework and Process



Source: Australia/New Zealand Standard ISO 31000:2018

4.0 Methodology (continued)

4.2 Review Methodology – Risk Management, Legislative Compliance and Internal Controls (continued)

In undertaking this consulting engagement, we have applied the three ISO 31000:2018 framework components, as set out on the previous page, to the review topics (risk management, internal controls and legislative compliance). This involves a process incorporating the five risk management framework components, Integration, Design, Implementation, Evaluation and Improvement, into the review of systems and processes:

- Identify the extent of leadership and commitment to the principles;
- Assess the extent of integration of risk management within the shire;
- Assess the design of the current framework through an understanding of the shire and the context within which it operates (risk management, legislative compliance and internal controls) after considering the overall context in which the review occurs;
- Assess the implementation of the current framework;
- Assess the extent of evaluation of the current framework and its effectiveness in supporting the shire's objectives;
- Assess the current framework and improvements to the suitability, adequacy and effectiveness of the framework;
- Examine the current process for the shire's systematic application of policies, procedures and practices to the activities of communicating and consulting, establishing context, assessing, treating, monitoring, reviewing, recording and reporting risk, internal controls and legislative compliance; and
- Report to the CEO to assist their assessment on the appropriateness and effectiveness of current systems and procedures.

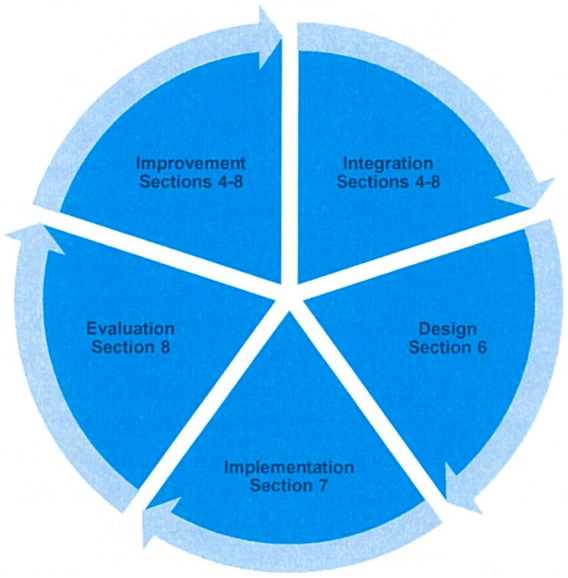
This evaluation is based on interviews with key staff, examination of requested documentation listed in the Appendices and reference to any external audit reports or reviews previously conducted.

5.0 Appropriate Framework

5.1 Risk Management, Internal Control and Legislative Compliance

The following framework was identified as being appropriate for risk management, internal control and legislative compliance for the Shire of Donnybrook-Balingup, after consideration of the current internal and external influences, detailed in section 2.1.

Diagram 2. Risk Management, Internal Control and Legislative Compliance Framework



Source: Australia/New Zealand Standard ISO 31000:2018

A high-level analysis of risk management systems, internal controls and legislative compliance was undertaken which precluded detailed testing in all areas.

The results of our service, as outlined and detailed within the report to the CEO for implementation of improvements, are set out with reference to the structure of the above framework. We assessed the following areas:

Design	Implementation	Evaluation
6.1 Strategic Plans	7.1 Strategic and Operational Plans	8.1 Council and Audit and Risk Committee
6.2 Council Policies	7.2 Operational and Financial Procedures	8.2 Strategic and Operational Registers
	7.3 Human Resource Management and Practices	8.3 Annual Compliance Audit Returns
	7.4 Insurance	8.4 Complaint Handling
		8.5 Audit Practices
		8.6 Reviews required by the CEO

Integration along with Leadership and Commitment were assessed within each of the elements of the framework.

6.0 Other Matters

Disclaimer

Since the service provided in terms of this engagement comprise an advisory engagement and is not an assurance engagement, we are not required to verify the reliability, accuracy or completeness of the information provided to us by management in undertaking the consulting engagement. Accordingly, we do not express an audit opinion or a review conclusion to convey assurance for the service/s performed within our report.

Moore Australia (WA), a Perth based partnership of trusts ("the firm"), carries on business separately and independently from other Moore Australia member firms around Australia and Moore Global firms worldwide.

Sole Recourse

Services provided under this engagement are between the Shire of Donnybrook-Balingup and Moore Australia (WA) Pty Ltd. Throughout this document, a reference to Moore Australia refers to Moore Australia (WA) Pty Ltd trading as agent ABN 99 433 544 961. The relationship is solely with Moore Australia (WA) Pty Ltd in respect of our appointment as professional advisors.

Moore Australia (WA) Pty Ltd is an independent member of the Moore Global Network Limited network. Neither the other member firms nor the correspondent firms of the network nor Moore Global Network Limited is responsible or accepts liability for the work or advice which Moore Australia (WA) Pty Ltd provides to its clients and in engaging our services you acknowledge and accepted that such other member and correspondent firms and Moore Global Network Limited do not owe you any duty in relation to the work or advice which we will from time to time provide to you or are required to provide to you and agree to hold such firms harmless from any actions, claims, suits, proceeding or damages which may arise from the services provided pursuant to our engagement.

Liability limited by a scheme approved under Professional Standards Legislation.

Copyright

© Moore Australia (WA) Pty Ltd

All rights reserved.

This work is subject to the Copyright Act 1968 which permits fair dealing for study, research, news reporting, criticism or review. Selected passages, tables or diagrams may be reproduced for such purposes provided acknowledgement of the source is included.

Any report, plan, presentation or document prepared and/or spreadsheet supplied will be prepared solely for the purpose set out in the engagement agreement and is not to be used for any other purpose or distributed to any other party without Moore Australia (WA) prior consent. Any reliance placed by a third party on the report is that party's responsibility.

Document Management

Version: 1
Status: Final
Date: 14 February 2025

Appendix A - Financial Management Systems Review

The following assessments were undertaken to evaluate the appropriateness and effectiveness of financial management system controls. Where we were unable to examine systems and procedures, comment has been provided throughout our report.

System	Description of Assessment
Bank reconciliation and petty cash management	Examination of procedures and review of maintenance and management practices undertaken by staff.
Trust funds	Examination of trust funds to determine proper accountability in the shire's financial management system and compliance with regulatory requirements.
Receipts and receivables	Examination of end of day banking procedures to determine if they were adequate in ensuring cash collection is being recorded and allocated properly to the general ledger. The receivables system including raising of invoices was also reviewed with limited testing in respect to allocation/posting.
Rates	The shire's rating procedures were examined to determine if they were adequate in ensuring rates were being imposed or raised correctly. This also included inspection of the rate record, rate notices, instalment notices, valuation reconciliations and general ledger. We randomly selected and tested rate notices which included: • sighting the notices; • re-performing the calculations; • ascertaining whether the valuations applied agree to Landgate's valuation roll/report and rate levies imposed are as per adopted budget; • ensuring the rate system is properly updated; and • checking proper posting to the general ledger.
Purchases, payments and payables (including purchase orders)	Random selection of payment transactions to determine whether purchases were authorised/budgeted and payments were supported, certified/authorised and correctly allocated. The shire's purchases, payments and payables system was also examined to determine if adequate controls were in place in ensuring liabilities are properly recorded and payments are properly controlled.
Payroll	A sample of employees were randomly selected from pay runs during the reporting period and detailed testing of each employee's pay was performed to help ensure: • the employee existed; • the correct rate of pay was used; • non-statutory deduction authorities are on hand; • time sheets were properly completed and authorised; • hours worked were properly authorised; and • allocations were reasonable and correctly posted. The shire's payroll system was also reviewed to determine if adequate controls were in place to help ensure wages and salaries are properly processed and payments are properly controlled.

6.0Appendix A - Financial Management Systems Review (continued)

System	Description of Assessment
Transaction card procedures	A review of the shire's transaction card procedures was performed to determine if adequate controls were in place. We randomly selected and tested credit card transactions to determine whether they are legitimate and usual in the context of the shire's operations. This included: • sighting tax invoices; • ascertaining whether the transaction is for bona fide shire business; and • determining whether transactions are in line with the shire's policy.
Fixed assets (including depreciation, acquisition, and disposal of property)	The fixed assets system including controls over acquisition and disposal of assets, updating of the fixed assets register, depreciation of fixed assets and reconciliation of the fixed assets register to the general ledger was examined. A sample of asset additions and disposals were judgmentally selected, and testing performed to ensure: • the tax invoices existed; • correct posting to the general ledger; • fixed assets register was promptly updated; and • classification of assets was correct. In addition, a sample of assets were judgmentally selected and testing performed to ensure the depreciation rates used are in line with the shire's policy.
Cost and administration allocation	The shire's cost and administration allocation system was examined to determine if indirect costs have been properly reallocated to various jobs/programs. This included review of the allocation basis and rates used to ensure they are appropriate and regularly reviewed.
Financial reports controls	The format of the annual report, annual financial report and monthly financial reports were reviewed for compliance with legislative requirements.
Budget and budget review	The 2024-25 budget document and documents surrounding budget adoption were reviewed to ensure compliance with regulatory requirements. The 2023-24 budget review was examined for statutory compliance.
Borrowings	Reconciliation of borrowings to the WATC loan schedules were examined.
Inventory	Inventory reconciliations and stock take procedures were examined.

Appendix B - Council Policies Examined

The Council Policies examined as part of the review were as follows:

Elected Member
EMCP-1 Council Member Induction Training and Professional Development
EMCP-2 Live Streaming and Recording of Council Meetings
EMCP-3 Legal Representation for Elected Members and Employees
EMCP-4 Honorary Freeman Shire of Donnybrook Balingup
EMCP-5 Elected Members Allowances and Entitlements
EMCP-6 Caretaker
Finance
FINCP-2 Investments
FINCP-3 Debt
FINCP-4 Purchasing
FINCP-5 Regional Price Preference
FINCP-7 Credit Card
FINCP-8 Building Insurance
FINCP-9 Related Party Disclosure
FINCP-10 Group Valuation of Land Policy (Option 1 Identical Ownership)
Administration
ADMCP-1 Records Management
Community Development
COMDCP-1 Community Grants and Donations
COMDCP-3 Community Engagement Framework
COMDCP-4 Community Townscape Activities
COMDCP-5 Tourism in Donnybrook Balingup
Executive
EXECP-1 Commercial Lease
EXECP-2 Document Execution and Application of Common Seal
EXECP-4 Welcome to and Acknowledgement of Country
EXECP-5 Attendance at Events and Functions
EXECP-6 Organisational Risk Management
EXECP-7 Work Health and Safety
EXECP-8 Policy Framework
EXECP-9 Communication and Social Media
EXECP-11 Property Management

6.0Appendix B - Council Policies Examined (continued)

Works
WRKSCP-1 Land Resumption Compensation
WRKSCP-2 Rural Verge Management
WRKSCP-3 Urban Verge Management
WRKSCP-4 Road Use Approval for Restricted Access Vehicles (RAVs) on Councils Road Network
Human Resources
HRCP-2 Gratuity Policy
HRCP-3 Employee Recreation Centre Subsidy
HRCP-4 Temporary Employment or Appointment of CEO
Local Planning
LPP-93 Private Tree Plantations Agroforestry
LPP-94 Outbuilding Control
LPP-96 Signage Advertisement
LPP-98 Stocking Rates
LPP-99 Road Closure
LPP-911 Relocation and Use of Second Hand Dwellings
LPP-915 Commercial Vehicle Parking
LPP-916 Transportable Structures
LPP-917 Industrial and Commercial Development Control
LPP-918 Residential Development Guidelines
LPP-919 Memorials and Public Art
LPP-920 Ancillary Accommodation Agricultural Rural Small Holdings and Rural Residential
LPP-921 Balingup Village Centre Special Character Area
LPP-923 Animal Husbandry Intensive
Assets
ASSCP-1 Infrastructure Asset Management
Emergency Services
EMERGCP-1 Fireworks Event
EMERGCP-2 Permits for Road Verge Burning

Appendix C - Plans Examined

The Plans examined as part of the review were as follows:

Plan	Status
Strategic Community Plan	2032
Council Plan	2022-2032
Long Term Financial Plan	2024-2039
Asset Management Plan (Consolidated)	2024-25
Asset Management Plan Parks & Reserves	2024-25
Asset Management Plan Buildings	2024-25
Asset Management Plan Vehicles	2024-25
Asset Management Plan Roads and Transport Infrastructure	2024-25
Reserve Fund Plan	2024-25
Borrowings Plan	2024-25
Rating Objectives Strategy	
Workforce Plan	2022-2026
Code of Conduct Elected Members, Committees and Candidates	April 2021
Code of Conduct Staff, Volunteers	2022
Incident Management and Business Continuity Response Plan	February 2022
Facility Emergency Plan	2023
Record Keeping Plan	2023
Disaster Management Recovery Plan	2023
Annual Budget	2024-25
Annual Report	2022-23

Appendix D - Strategic and Operational Registers Examined

The registers examined as part of the review were as follows:

Registers
Tender Register
Delegations Register
Financial Interest Register
Lease Register
Credit Card Register
Register of Investments
Insurance Claims, Litigation Register
Declaration of Gifts and Travel Contributions Register
Grant Register
Draft Risk Register
Completed Development Application Register
Pool Register
Register of Primary & Annual Returns
Portable and Attractive Items Register
Caravan Park and Camping Grounds Register
Lodging House Register
Food Business Register
Councillor Training Register
Complaints Register

Appendix E - Operational Guidelines

Risk Management

The internal control and risk management systems and programs are a key expression of a local government's attitude to effective controls. Good audit committee practices in monitoring internal control and risk management programs typically include:

Reviewing whether the local government has an effective risk management system and material operating risks to the local government are appropriately considered;

Reviewing whether the local government has a current and effective Business Continuity Plan (including disaster recovery) which is tested from time to time;

Assessing the internal processes for determining and managing material operating risks in accordance with the local government's identified tolerance for risk, particularly in the following areas:

- *potential non-compliance with legislation, regulations and standards and local government's policies*
- *important accounting judgements or estimates prove to be wrong*
- *litigation and claims*
- *misconduct, fraud and theft*
- *significant business risks, recognising responsibility for general or specific risk areas, for example, environmental risk, occupational health and safety, and how they are managed by the local government*

Obtaining regular risk reports, which identify key risks, the status and the effectiveness of the risk management systems, to ensure identified risks are monitored and new risks are identified, mitigated and reported;

Assessing the adequacy of local government processes to manage insurable risks and ensure the adequacy of insurance cover, and if applicable, the level of self-insurance;

Reviewing the effectiveness of the local government's internal control system with management and the internal and external auditors;

Assessing whether management has controls in place for unusual types of transactions and/or any potential transactions that might carry more than an acceptable degree of risk;

Assessing the local government's procurement framework with a focus on the probity and transparency of policies and procedures/processes and whether these are being applied;

Should the need arise, meeting periodically with key management, internal and external auditors, and compliance staff, to understand and discuss any changes in the local government's control environment; and

Ascertaining whether fraud and misconduct risks have been identified, analysed, evaluated, have an appropriate treatment plan which has been implemented, communicated, monitored and there is regular reporting and ongoing management of fraud and misconduct risks.

Legislative Compliance

'The compliance programs of a local government are a strong indication of attitude towards meeting legislative requirements. Audit committee practices in regard to monitoring compliance programs typically include:

a) *Monitoring compliance with legislation and regulations*

b) *Reviewing the annual Compliance Audit Return and reporting to Council the results of that review*

6.0Appendix E - Operational Procedures (continued)

Legislative Compliance (continued)

c) *Staying informed about how management is monitoring the effectiveness of its compliance and making recommendations for change as necessary*

d) *Reviewing whether the local government has procedures for it to receive, retain and treat complaints, including confidential and anonymous employee complaints*

e) *Obtaining assurance that adverse trends are identified and review management's Plans to deal with these*

f) *Reviewing management disclosures in financial reports of the effect of significant compliance issues*

g) *Reviewing whether the internal and / or external auditors have regard to compliance and ethics risks in the development of their Audit Plan and in the conduct of audit projects, and report compliance and ethics issues to the audit committee*

h) *Considering the internal auditor's role in assessing compliance and ethics risks in their Plan;*

i) *Monitoring the local government's compliance frameworks dealing with relevant external legislation and regulatory requirements*

j) *Complying with legislative and regulatory requirements imposed on audit committee members, including not misusing their position to gain an advantage for themselves or another or to cause detriment to the local government and disclosing conflicts of interest*

Internal Controls

'Internal control is a key component of a sound governance framework, in addition to leadership, long-term planning, compliance, resource allocation, accountability and transparency. Strategies to maintain sound internal controls are based on risk analysis of the internal operations of a local government.

An effective and transparent internal control environment is built on the following key areas:

a) *integrity and ethics;*

b) *policies and delegated authority;*

c) *levels of responsibilities and authorities;*

d) *audit practices;*

e) *information system access and security;*

f) *management operating style; and*

g) *human resource management and practices.*

Internal control systems involve policies and procedures that safeguard assets, ensure accurate and reliable financial reporting, promote compliance with legislation and achieve effective and efficient operations and may vary depending on the size and nature of the local government.

6.0Appendix E - Operational Procedures (continued)

Internal Controls (continued)

Aspects of an effective control framework will include:

a) *delegation of authority;*
b) *documented policies and procedures;*
c) *trained and qualified employees;*
d) *system controls;*
e) *effective Policy and process review;*
f) *regular internal audits*
g) *documentation of risk identification and assessment; and*
h) *regular liaison with auditor and legal advisors.*

The following are examples of controls that are typically reviewed:

a) *separation of roles and functions, processing and authorisation;*
b) *control of approval of documents, letters and financial records;*
c) *comparison of internal data with other or external sources of information;*
d) *limit of direct physical access to assets and records;*
e) *control of computer applications and information system standards;*
f) *limit access to make changes in data files and systems;*
g) *regular maintenance and review of financial control accounts and trial balances;*
h) *comparison and analysis of financial results with budgeted amounts;*
i) *the arithmetical accuracy and content of records;*
j) *report, review and approval of financial payments and reconciliations; and*
k) *comparison of the result of physical cash and inventory counts with accounting records.*

CONTACT US

Level 15, 2 The Esplanade,
Perth WA 6000
T 08 9225 5355
E localgov-wa@moore-australia.com.au
www.moore-australia.com.au

MOORE

Western Australian
Auditor General's Report

Western Australian Public Sector Audit Committees – Better Practice Guide

Report 26: 2019-20
25 June 2020

Office of the Auditor General
Western Australia

Report team:
Jordan Langford-Smith
Mona Loo
Jo Stapley
Vanessa Kar
Financial Audit Directors

National Relay Service TTY: 13 36 77
(to assist people with hearing and voice impairment)

We can deliver this report in an alternative format for
those with visual impairment.

© 2020 Office of the Auditor General Western Australia.
All rights reserved. This material may be reproduced in
whole or in part provided the source is acknowledged.

ISSN: 2200-1913 (Print)
ISSN: 2200-1921 (Online)

The Office of the Auditor General acknowledges the traditional custodians throughout Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures, and to Elders both past and present.

WESTERN AUSTRALIAN AUDITOR GENERAL'S REPORT

Western Australian Public Sector Audit Committees – Better Practice Guide

Report 26: 2019-20
June 2020

THE PRESIDENT
LEGISLATIVE COUNCIL

THE SPEAKER
LEGISLATIVE ASSEMBLY

WESTERN AUSTRALIAN PUBLIC SECTOR AUDIT COMMITTEES – BETTER PRACTICE GUIDE

This report has been prepared for submission to Parliament under sections 23(2) and 24(1) of the *Auditor General Act 2006*.

Better practice checklists regularly feature in my Office's performance audit reports as a means of providing guidance to help the Western Australian public sector perform efficiently and effectively. This is the first comprehensive stand-alone better practice guide we have produced.

While prepared primarily as a resource for audit committees in State and local government entities, it also provides Parliament with further insight on the significant role public sector audit committees play in supporting quality public administration.

CAROLINE SPENCER
AUDITOR GENERAL
25 June 2020

Contents

Auditor General's overview 4

Part 1: Introduction 5

1.1 About this guide 5

1.2 Who should use this guide 6

1.3 Lines of defence model 7

1.4 Acknowledgements 8

Part 2: Key challenges to building effective audit committees 9

2.1 Establishing and maintaining effective relationships between the three governance parties 9

2.2 Getting the right balance of skills and experience 11

2.3 Enabling robust discussions at audit committee meetings 13

2.4 Being aware of all assurance activities 14

2.5 Seeking assurance on organisational culture 15

Part 3: Principles for better practice audit committees 18

Part 4: Guidance for audit committee fees 24

Part 5: Guidance for smaller entities 25

Part 6: Toolkit 27

Tool 1 Example audit committee charter 28

Tool 2 Audit committee member induction checklist 37

Tool 3 Meeting preparation checklist 39

Tool 4 Meeting agenda template 41

Tool 5 Characteristics of effective meetings 43

Tool 6 Annual work plan template 44

Tool 7 Audit recommendations progress report template 49

Tool 8 Review of OAG audit reports template 50

Auditor General's overview

Audit committees play a fundamental role in assisting directors general, councils and boards to fulfil their governance and oversight responsibilities. They are not a substitute for good management and controls. Instead, they help provide advice and independent assurance to the accountable authority on how effective these controls are.

The purpose of this guide is to provide better practice principles and guidance to accountable authorities, audit committee members and senior managers with responsibility for audit committee activities. We have drawn from our experience in interacting with audit committees at State and local government entities, as well as guidance from the Institute of Internal Auditors and other jurisdictions.

WA public sector entities range in size and complexity. Service delivery, rigorous compliance requirements and the ability to attract and retain skilled, qualified and experienced staff can be a challenge. To assist smaller entities to address these challenges, we have included some specific guidance to help them implement simple, yet effective practices to strengthen the effectiveness of their audit committees. There is also a toolkit in part 6 of the guide with useful resources for all entities.

Maintaining a strong ethical organisational culture is important in promoting excellence and efficiency in public service delivery, as well as minimising the risk of fraud and corruption. Failures in governance and integrity are all too common across sectors and jurisdictions, and recent inquiries into the finance sector have highlighted the important role that audit committees play in challenging management and holding them accountable. Poorly governed entities often have common characteristics, including a lack of an accountability culture that can be evident in such areas as long overdue internal and external audit recommendations. By ensuring that management promptly address weaknesses identified in internal and external audits, and by rigorously overseeing internal audit, risk management and compliance functions, audit committees can help to establish the right tone and culture within entities.

The guide provides principle-based guidance for State and local government entities in Western Australia. We recognise that the specific legislative and regulatory requirements for State and local government entities are different, and it is therefore difficult to have a 'one-size-fits-all' approach for better practice guidance. Entities need to consider their relevant legal and regulatory requirements as well as operating environment when using this guide.

It has been pleasing that the importance of public sector audit committees has been elevated recently, which included the introduction of a revised Treasurer's instruction for audit committees in State government entities. While our guide is not mandatory or intended to be a prescriptive list of requirements, I hope that it serves as a useful resource for entities in assessing and improving their audit committees for the benefit of the Western Australian community.

Part 1: Introduction

Audit committees are an essential part of an entity's governance framework. They provide independent advice and assurance to accountable authorities on systems of risk management and internal control, and financial and performance reporting. (Figure 1).

All State and local government entities in Western Australia are required to establish an audit committee that is independent from management influence, a fundamental element of effective audit committees. If they are not independent, objectivity may be compromised, making it difficult for them to perform their oversight roles.

Source: OAG

Figure 1: Scope of audit committee oversight responsibilities

1.1 About this guide

This guide provides better practice principles and guidance on common key challenges that audit committees face.

The guide consists of six parts:

Part 1: Introduction outlines the purpose of the guide and explains the lines of defence model.

Part 2: Key challenges to building effective audit committees provides insight into the key challenges faced by audit committees based on our observations from attending a wide range of Western Australian public sector audit committees.

Part 3: Principles for better practice audit committees outlines core better practice principles for our State public sector audit committees based on guidance from the Institute of Internal Auditors Australia (the IIA). These principles are as follows:

Principles for Better Practice Audit Committees	
1.	**Membership**: Members have the right experience and leadership skills to be trusted independent advisors.
2.	**Role and Responsibilities:** The roles and responsibilities of the audit committee allow for wholesome oversight of internal audit, governance, risk management and internal control practices.
3.	**Professional Practices**: The audit committee conducts itself professionally to provide independent, sound and valuable advice to the accountable authority.
4.	**Performance and Accountability:** The audit committee is aligned with the entity's strategic outcomes and is accountable for its performance.
5.	**Entity Relationships:** The audit committee is a trusted, independent partner.
6.	**Governance and Reporting:** The audit committee is governed effectively to enable transparent, objective and timely reporting.

Part 4: Guidance for audit committee fees outlines information to guide fee arrangements for external audit committee members.

Part 5: Guidance for smaller entities provides practical measures that smaller entities could apply to build effective audit committees with limited resources.

Part 6: Toolkit includes a comprehensive compilation of templates and checklists which can be used to help develop effective audit committees.

Throughout the guide, we have used the term 'accountable authority' to collectively represent:

- for State government entities, the Director General, Commissioner, Board, or other person responsible for the direction and control of the entity as defined in the *Financial Management Act 2006* or relevant legislation
- for local government entities, Councils. This reflects the direct reporting relationship between the audit committee and Council under the *Local Government Act 1995*. However, it is important to note that the Chief Executive Officer (CEO) has some responsibilities under the Act, including financial reporting, which instead rests with the accountable authority in State government entities.

We have also used the term 'audit committee' to represent all public sector audit-related committees. Within the public sector, there is a wide range of names for audit committees, such as, Audit and Risk Committees.

1.2 Who should use this guide

While we have tailored this guide for public sector entities in Western Australia, the principles and practices outlined in this guide generally apply to all audit committees.

This guide is suitable for members of audit committees, accountable authorities, CEOs, chief audit executives and senior managers with responsibility for audit committee activities, as well as those who are accountable to an audit committee.

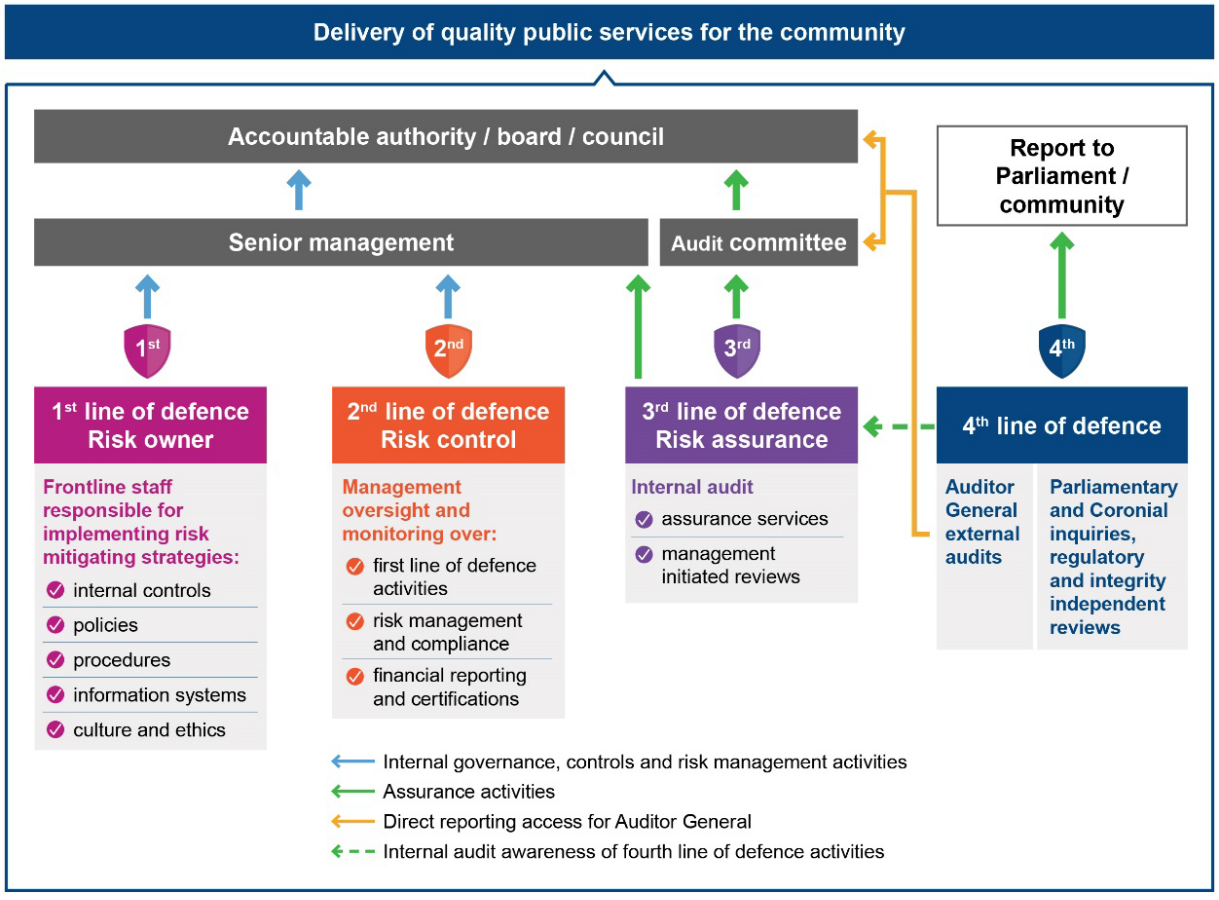
1.3 Lines of defence model

The lines of defence model is a visual representation of the different mechanisms (defences) which all work together to manage risks and ensure that controls are implemented and effective. It helps to provide a coordinated approach for managing entities' risks.

All entities regardless of their size and complexity should establish a good understanding of their risks and four lines of defence.

The lines of defence model typically identifies the 3 lines of defence within the entity. However, external auditors, regulators, parliamentary committees and other integrity bodies also provide important information and assurance on the implementation of controls within an entity. We have referred to these entities as the fourth line of defence.

Figure 2 below illustrates the activities for each line of defence and the general flow of communication between each of the bodies.



Source: OAG

Figure 2: WA public sector four lines of defence model

To apply the model, entities need to understand and assess business activities performed by each line of defence. This is often referred to as 'assurance mapping'. This mapping helps the accountable authority, audit committee and management to understand whether there are any gaps in assurance activities that manage key risks or whether there is duplication of effort. This can help inform the internal audit program, improve efficiency and assist the audit committee in their oversight responsibilities.

1.4 Acknowledgements

We would like to express our appreciation to the public sector entities and their staff and individual audit committee members and Chairs for sharing their valuable insights. In particular, a number of stakeholders, experienced in governance and accountability roles, willingly shared their views and suggestions for this guide. We highly valued and appreciated their input, guidance, advice and time.

In addition, we would like to thank the Institute of Internal Auditors - Australia (and Global) and the Australian National Audit Office who allowed us to use their resources to inform our guide.

Part 2: Key challenges to building effective audit committees

2.1 Establishing and maintaining effective relationships between the three governance parties

High functioning audit committees rely on strong working relationships between the accountable authority, the head of internal audit (the chief audit executive) and the audit committee (Figure 3). To support effective governance of an entity, the communication between them needs to be open, transparent and built on a relationship of trust.

Source: OAG

Figure 3: Relationships between the three governance parties

Roles and responsibilities of governance parties

Accountable Authority is responsible for establishing an effective audit committee and internal audit function[1] which is suitable for the entity. The accountable authority relies on the audit committee to provide independent oversight over the governance of financial and non-financial activities.

Chief Audit Executive is the head of internal audit within an entity. To maintain their independence, the Chief Audit Executive (CAE) should not perform key management duties. For example, the Chief Finance Officer should not take on the role of CAE.

For local government entities, responsibility for the internal audit function rests with the CEO, who also reports to the audit committee and council. Given that it is important for internal audit to be independent from management, it is good practice for the CAE to also have a direct line of communication to the audit committee (a functional reporting relationship).

To be effective, the Chief Audit Executive needs to be of a sufficiently senior level and respected by management as a key contributor to good governance and entity outcomes. This means that they need to be aware of current initiatives and activities within the entity, be suitably qualified, have open access to senior management and the accountable authority and adequate resources to carry out internal audits and support the audit committee.

While entities can use different models for their internal audit services (in-house, co-sourced or fully outsourced), it is critical that the entity appoint a CAE who is responsible for the internal audit function. This role should be performed by a capable and respected professional internal to the entity, even if all internal audit services are outsourced. The roles and responsibilities of the CAE should be documented and formally approved in the Internal Audit Charter.

Audit Committee provides independent advice and assurance to the accountable authority over the entity's systems of risk management and internal control, and financial and performance reporting. It consists of a group of members who support the accountable authority to instil strong control and risk practices within the entity by overseeing and probing

[1] For State entities only, refer to section 53(1)(d) of the *Financial Management Act 2006*.

activities relating to governance, control, risk management and compliance. The audit committee does not, and should not, hold formal decision-making powers. Rather, it relies on the skills and expertise of members to obtain sufficient appropriate information, through the CAE and internal auditors as their "eyes and ears", as well as reports from management and external auditors and advisers.

For local government entities, the role of audit committee is prescribed by the *Local Government Act 1995* and Local Government (Audit) Regulations 1996. They do not have powers or authority to implement actions in areas over which the CEO has legislated responsibility and they do not have any delegated financial responsibility. The committee does not have management functions and cannot involve itself in management processes or procedures.

Key aspects for effective relationships between the governance parties

Supporting the independence of the CAE

The accountable authority and audit committee must take an active role in promoting the independence of internal audit and protect them from pressure from senior management. There are some cases where the accountable authority and audit committee need to increase their support for the CAE. For example, if management seeks to limit internal audit activities and scope, takes an overly defensive attitude towards audit findings, attacks the credibility of the CAE or fails to respond to audit enquiries and recommendations.

The audit committee needs to receive and request the right information

The audit committee may struggle to effectively perform its duties if it does not receive or request the right information. The committee needs to know what information to "pull" from internal audit and the CAE needs to know what information to "push" forward to the audit committee. To establish this flow of information, there must be strong working relationships between the audit committee and CAE and an understanding of what information both parties need.

It is important that the audit committee and CAE are clear about the expectations of internal audit. Having clear expectations about the content, format and frequency of internal audit reports and other reporting is crucial to having an effective relationship.

A good example of this is the CAE and audit committee Chair working effectively together, where possible, to establish an agenda for the audit committee meeting. The agenda should not be set by one party in isolation. Instead, the Chair needs to be comfortable obtaining information from the CAE to inform and direct the meeting. Similarly, the CAE needs to be confident in raising matters or concerns with the Chair and helping to guide the agenda and discussions.

Figure 4 provides some practical examples of common challenges faced by entities and how the 3 governance parties can work together to overcome the challenge.

Better practice activity	Example scenario
Timely and open engagement with the audit committee on an emerging issue	The entity is subject to a cybersecurity attack and activates its incident response plan. As part of the response, senior management writes to the Chair of the audit committee to inform them of the breach and to seek their input on management's planned response. At the next audit committee meeting, management provides an update on the incident and key decisions and outcomes agreed by management as part of their regular reporting on cybersecurity incidents. The audit committee evaluates risk management actions and internal audit plans based on this information.

Better practice activity	Example scenario
	The timely and open discussion at the audit committee meeting provides additional independent assurance to the accountable authority that the measures the entity took to address the major incident are sound and based on informed decisions.
Treating the CAE as a trusted partner	A senior executive decided not to implement recommendations from an internal audit on project management because the project was completed. The senior executive sought the accountable authority's approval to close the recommendations, without seeking input from the CAE. The accountable authority then checked whether the CAE was consulted on the decision. When the accountable authority became aware that the CAE was not consulted, the accountable authority sought advice from the CAE prior to deciding on the matter. The accountable authority reminded senior executives of the need to engage with the CAE when considering internal audit recommendations.
CAE reporting directly to the audit committee and accountable authority	The CAE administratively reported to a senior executive who was trying to limit the scope of an internal audit in the executive's area, without informing the audit committee. The CAE reminded the senior executive that they also need to report to the accountable authority and audit committee. The CAE raised the matter with the Chair of the audit committee and accountable authority and sought their advice. The accountable authority informed the executive team about the independence of internal audit, and allowed the CAE and audit committee to determine the scope of the internal audit to obtain the necessary assurance on priority risks.

Source: OAG

Figure 4: Examples of effective relationships between the governance parties

2.2 Getting the right balance of skills and experience

It is essential that audit committee members have the right experience, personal qualities and independence to effectively perform their duties.

Independence is key

Having independent audit committee members who are free from management oversight and responsibility will help to bring an objective perspective and fresh insights to audit committee discussions. Audit committees that fully or predominately consist of senior management members will have difficulties in setting aside their management responsibilities to perform their oversight role. While local government entities and statutory authorities have a natural division between those charged with governance and management, this is not the case for State government departments.

Changes to Treasurer's Instruction 1201: 'Internal Audit' (TI 1201), in 2019 have strengthened the independence of audit committees. All State government entities subject to the Treasurer's instructions are required to have an audit committee Chair who is not employed by the entity and is suitably qualified. The guidelines in TI 1201 also recommend having a majority of members who are free of management responsibility and oversight.

For local government entities and statutory authorities whose audit committee members comprise of selected

The audit committee Chair plays an important role in leading and guiding discussions at audit committee meetings. The Chair should be independent, and have the right interpersonal skills to guide discussions on complex and sensitive matters.

board or council members, having at least 1 appropriately skilled audit committee member who is completely independent of the board or council can bring fresh insight or bridge gaps in the experience needed by the audit committee to perform their duties.

While the Director General or CEO should not be a member of the audit committee, it is important that they can attend meetings as an observer to provide context on important issues impacting the entity where useful or necessary, preferably meeting with the committee at least annually.

Collective expertise that is relevant to the entity

The audit committee must collectively have the knowledge, skills, qualifications and experience to perform its functions. As a minimum, the committee should comprise members with financial, risk management and relevant public sector or industry experience. Having a broad range of members from differing backgrounds helps to bring diverse perspectives to important issues and minimises group-think. Members should have senior governance and leadership experience in operating environments similar in complexity to that of the entity the audit committee is overseeing. Familiarity with the public sector environment of heightened probity, transparency and accountability is essential. If a new member does not have demonstrated experience working in or with the public sector, they must at all times fully inform themselves of their obligations and those of the entity. In these circumstances, induction and ongoing mentoring by the CAE, Chair and other members is important to support their contribution to committee effectiveness.

The skills and capabilities needed can vary over time, and will vary depending on the nature of the entity's activities. For example, if the entity is undergoing significant changes to information systems, the accountable authority may wish to consider appointing a member with IT operations or project leadership experience. Alternatively, audit committees can also use specialists or experts to help in the discussion of complex matters.

Leadership and interpersonal skills

Members, and in particular the Chair, need the right leadership and interpersonal skills to make committee meetings effective. Members need to feel confident to respectfully and, where necessary, persistently probe management, and to make useful contributions throughout the meeting. Much has been written on the qualities that make an effective committee member and these are relevant to public sector audit committees, recognising that public sector audit committees do not have decision-making authority or formal governance responsibility.

The committee needs at least three members

There is no specific number of members for a strong effective audit committee. However, audit committees should have at least 3 members[2]. In determining the appropriate number of members, the accountable authority should consider what skills and experience is required based on the nature of the entity and its operations. Too few members may mean the committee does not have the extent of experience and knowledge to make informed decisions, and too many members may hinder robust discussion and debate.

Large complex State entities may choose to consider whether it is appropriate to establish the role of special advisers to the audit committee, within their charter. Senior managers appointed as special advisers participate like other audit committee members, but do not have formal membership status or 'voting' rights. They are there to provide operational context and detail to the committee. This is particularly important for audit committees

[2] For State entities refer to Treasurer's instruction 1201: 'Internal Audit' guidelines. For local government entities refer to section 7.1A of the *Local Government Act 1995*.

comprising mainly external members. These senior executives gain a valuable professional development opportunity from working closely with the committee, who are often senior governance professionals, and the opportunity to view their organisation from an oversight perspective.

2.3 Enabling robust discussions at audit committee meetings

Robust and respectful discussions between the audit committee, management and auditors are essential to good audit committee outcomes. It is important that the secretariat and CAE spend sufficient time planning audit committee meetings to facilitate these important discussions and achieve required outcomes.

Merely providing data/information versus delivering clear messages

Overwhelming the committee with data or information is unlikely to result in effective meetings and discussions. Information must be meaningful and fit for purpose. The CAE role in the audit committee meeting is more than simply gathering and transmitting information between management and the audit committee. The CAE should apply their professional expertise to deliver clear messages for audit committee deliberations. This is particularly important when the internal audit function is outsourced, as the CAE needs to ensure that the information meets the needs of the entity. Summary papers, which succinctly explain the issue and actions for the audit committee, are a good way to achieve this.

Having the courage to challenge

A good indicator of an effective audit committee is whether management feel that they have been appropriately challenged during audit committee discussions. This requires courage from members to question and probe management when necessary. Members should not take management assertions at face value, they should ask probing questions to ensure that the issue is not more significant than they are led to believe, or to make sure that a management action has actually been performed.

> When management attend audit committee meetings, they should be prepared to answer challenging and difficult questions from audit committee members.

“Show me, don’t tell me”

Audit committees will need a level of evidence for assertions made by management, particularly around implementation of audit and review recommendations. They should be prepared to request from management all documentary information that the committee reasonably requires to satisfy themselves that key risks have been appropriately managed. The rigour and openness around evidencing management actions provides the audit committee insight into organisational culture and the commitment to accountability and transparency.

Having open discussions

Due to the advisory nature of the audit committee, they need capacity to discuss other matters which may not be included in the formal agenda. The agenda should allow for open discussion on other matters, as well as closed sessions with the CAE, internal audit teams or Office of the Auditor General (OAG). This will provide an opportunity for members to consider other matters which they would like to discuss and clarify.

2.4 Being aware of all assurance activities

It is vital that the audit committee has a sound understanding of the entity's assurance activities overall, as this provides valuable insights and direction to internal audit for its work program.

Assurance mapping can help to identify all assurance activities to ensure that the proposed internal audit plan focuses on areas where assurance is most needed.

When developing an internal audit plan, the committee should consider the following question:

'Is internal audit providing assurance on high risk activities, and considering where there are gaps in assurance?'

Using the fourth line of defence

Entities that use the fourth line of defence (external assurance) will be in a better position to coordinate their assurance activities. Having a complete picture of other assurance activities performed by the OAG, regulators or oversight committees, can help to identify gaps in assurance or potential risk exposures.

The audit committee should be aware of all external assurance activities, including OAG performance and focus audits and reports by other regulators or committees. Some examples of good practice behaviours we have observed at audit committees include:

- tracking and following-up the implementation of findings from OAG performance audits conducted within the entity
- performing self-assessments using the better practice information included in OAG focus and performance audits, and reporting the results back to the audit committee
- including the OAG audit committee briefing paper as part of meeting papers. This paper provides a regular snapshot of recently completed audits and audits in progress
- having a standing agenda item on fraud which provides a summary of relevant points from recently tabled Corruption and Crime Commission, Public Sector Commission or Parliamentary reports, or recent media coverage on fraud.

Understanding important financial reporting matters

Audit committees have an important role in overseeing financial and performance reporting within the entity. To perform this role effectively, it is critical that the audit committee has at least one member with a sound level of organisational-scale financial literacy.

Audit committee responsibilities for financial and performance reporting include reviewing financial statements and key performance indicators (State government entities) and recommending them for signature by the accountable authority, engaging with the OAG auditors during the financial audit, and reviewing and overseeing key controls related to financial reporting. It is a good idea to incorporate these reviews into the audit committee's annual work plan.

Best practice audit committees typically receive briefings on important matters or issues impacting risks, controls, financial and non-financial reporting. Figure 5 provides an example of how to report important control matters to the audit committee.

In order to review and endorse financial statements, audit committees need complete and accurate information about changes in accounting standards, accounting policies, judgements, estimates and errors.

Reporting a significant control matter to the audit committee

If an entity became aware that there was a significant payroll error or inappropriate use of a purchasing card, even if the amount in question was immaterial in value for the financial statements, such a matter would always be considered material in nature due to it representing a significant control breakdown or fraudulent activity.

In addition to reporting the matter to the Director General or CEO, the chief finance officer (CFO) would discuss the matter with the CAE and initially advise the Chair of the audit committee of the error and the actions taken or proposed to resolve it. The CFO should also raise the matter with the OAG financial audit team.

For the next audit committee meeting, the CFO and CAE should prepare a briefing for the committee on the matter, the likely impact and the actions taken or needed to correct the issue. The audit committee would consider the impact of the matter on risk assessments, external reporting and planned assurance activities. The committee would invite the CFO and representatives from human resources to the meeting to discuss the matter and obtain confidence around actions and improvements.

The committee would follow up to make sure control weaknesses were appropriately addressed and outcomes of any relevant investigations, disciplinary processes or referrals to integrity agencies.

Source: OAG

Figure 5: Advising the audit committee of significant control matters

Sharing information between the lines of defence

A central register for management reviews is useful to provide timely and collective information of past and current activities to improve controls and business performance.

Management, in both the first and second lines of defence, frequently organise reviews and audits to assess maturity of their environment and identify business improvement opportunities. It is important that these activities are captured and shared with the CAE to help inform assurance mapping and allow for consolidated reporting of assurance activities to the audit committee. Visibility by the audit committee on management-initiated reviews helps to understand areas of risk management concern for management, systemic issues requiring improvement, and allows monitoring to ensure that internal auditors are not being used excessively by management and thus impairing their independence.

2.5 Seeking assurance on organisational culture

Even though the culture of an entity cannot be seen, it is a fundamental part of strong governance (Figure 6).

Forward thinking accountable authorities and audit committees strive to maintain a sound culture within the entity to protect it from breakdowns in controls or fraud.

Source: OAG

Figure 6: Factors that contribute to a healthy organisational culture

Internal audit is in a good position to assess culture

Despite culture being a complex area to audit, internal audit is in a good position to provide assurance to the audit committee on it.

Culture auditing involves evaluating factors that influence behaviour and attitudes (soft controls) and examining hard evidence such as policies and employee surveys. Internal audit can assess culture in many ways. They can perform a specific audit covering culture, embed consideration in all potential internal audits, provide a general observation on culture in all audit reports or use it in root cause analysis for audit findings.

Do you know your culture indicators? They include:

- trust
- openness
- honesty
- values
- behaviours
- leadership
- ethics.

To embed culture into assurance practices, the 3 governance parties should:[3]

- give internal audit a clear mandate to audit entity culture and include the requirement in the internal audit charter
- set the right tone and demonstrate expected behaviours among others by practicing, measuring and assessing the culture of compliance with policies, procedures and controls
- understand the entity's culture risks including signs of negative leadership styles (autocratic, narcissistic, secretive, hypocritical, deflecting)
- observe culture indicators while performing internal audits
- have candid discussions on culture matters, e.g. being comfortable to talk about 'gut feel' and subjective judgements
- use a mapping tool to understand and assess the entity's culture and identify improvement opportunities. An example of such a tool is The Cultural Web[4].

Reporting culture to audit committees

Reporting to the audit committee about culture can be daunting for CAEs. Auditors typically like using hard, objective evidence to support findings. However, auditing organisational

[3] *Organisational Culture: Evolving Approaches to Embedding and Assurance,* the Chartered Institute of Internal Auditors UK.
[4] *The Cultural Web* is a tool used to map the culture of organisation, developed by Gerry Johnson and Kevan Scholes.

culture involves looking at soft indicators based on subjective judgements. To assist with this, internal audit can use metrics to support culture reporting. These are included in Figure 7[5].

Objective metrics

Employee survey results, complaints, frequency and nature of legal issues, turnover statistics, frequency of repeat audit findings, frequency of large projects failing, timeliness and effectiveness of corrective actions, whistleblowing reports, loss events, compensation claims.

Subjective metrics

Lack of open communication (caused by fear, lack of trust, or information hoarding), excessive focus on short-term results, chronic grumbling by employees, gossip and rumours that lead to repercussions, 'my way or the highway' management approach that inhibits input and healthy debate, competition to get ahead rather than cooperation, lack of accountability from senior management.

Source: Institute of Internal Auditors Australia

Figure 7: Metrics for auditing culture

Audit committees and internal auditors should feel comfortable discussing aspects of culture. These include receptiveness by managers to scrutiny, the extent to which line areas view audit as a continuous improvement opportunity and management's general understanding of accountability and probity obligations in the public sector. Discussions of this nature may be more constructive during the routine closed-door sessions between independent committee members and auditors, without management present.

[5] The Institute Internal Auditors *Auditing Culture: Observation and Data,* article by James Roth.

Part 3: Principles for better practice audit committees

The following section outlines better practice principles for public sector entity audit committees. These principles are based on the IIA's six key elements of effective audit committees which they use in their maturity model. The requirements for State and local government entities can be different, and entities should adapt these principles accordingly.

1. Membership: Members have the right experience and leadership skills to be trusted independent advisors.

1.1 Members are independent:

- The audit committee has an independent external Chair.
- Members are independent from the day-to-day management of the entity. This may not always be possible, but we recommend that the majority of members are independent of management.
- The Director General, CFO or CEO are not members of the audit committee. However, they may attend meetings as observers or advisors.

1.2 The Committee has the right number of members:

- The committee consists of at least 3 members.
- For entities with boards/councils, the audit committee acts as a sub-committee and is not the entire board/council. We recommend a maximum of 5 members.

1.3 Members have the right skills and experience:

- All audit committee members and the CAE are formally appointed by the accountable authority.
- As a collective group, members have the right skills, experience and knowledge to competently perform their duties. At a minimum, the committee should comprise of members with financial, risk management and relevant industry or public sector experience.
- The independent Chair should have the right interpersonal and leadership skills to effectively run the committee. An understanding of financial and other reporting requirements is also important. For State entities, the Chair should have membership in a professional accounting body or the IIA, or appropriate financial experience.

1.4 Membership terms are appropriate:

- Members are appointed for a minimum term of at least 3 years. To ensure that the committee has fresh insight and perspective, we would not recommend exceeding a term of around 6 years.
- The accountable authority can terminate committee members for poor performance.
- Appointments are staggered where possible to ensure continuity and clear succession for the audit committee Chair.

1.5 Members receive a formal induction:

- The entity has a formal induction process for members that includes an information briefing, site visits (where relevant) and discussions with the CAE and accountable authority, including around the applicable legislative framework, probity, transparency and accountability obligations and expectations.
- The Chair meets with new members to provide an overview of the committee and outline member expectations.

1.6 The committee has access to external auditors:

- The committee requests an external auditor to attend meetings as an observer.

1.7 The Committee can seek advice when needed:

- The audit committee charter allows the committee to obtain expert advice when needed.
- The committee uses existing expertise within the entity to provide briefings on emerging risks, issues or matters which can help improve the member's understanding of the entity.

2. Roles and responsibilities: The roles and responsibilities of the audit committee allow for wholesome oversight of internal audit, governance, risk management and internal control practices.

2.1 Roles and responsibilities are clearly documented in the audit committee charter:

- The audit committee charter clearly defines the independence, accountability, role and responsibilities and reporting arrangements for the committee.
- The roles and responsibilities of the committee are consistent with legislated power and duties.
- The internal audit charter aligns with the audit committee charter.

2.2 Audit committee roles and responsibilities allow for comprehensive oversight:

- The charter clearly outlines the committee's responsibility for overseeing governance, risk management, internal controls and compliance.
- The audit committee functions include overseeing activities that help entities achieve their strategic objectives.
- The charter allows the audit committee to consider innovation and improvement ideas.
- The committee's charter allows it to monitor emerging risks and business practices.
- Where controls are managed by another entity under a shared service arrangement, the audit committee has a process to obtain comfort from the service provider that the controls are operating effectively. For example, the service level agreement or memorandum of understanding for the arrangement allows the entity's audit committee to request appropriate assurance from the service provider.
- Arrangements for shared audit committees or internal audit functions are clearly documented in the audit committee charter (if applicable).

2.3 The audit committee charter is appropriately approved and regularly updated:

- The audit committee and accountable authority formally approve the audit committee charter.
- The audit committee review and update the audit committee charter annually.
- The CAE monitors changes in practice (e.g. changes in the Institute of Internal Auditors' Professional Practice Framework (IPPF)) or other legislative or regulatory changes and suggest amendments to the committee as appropriate.

2.4 Audit committee members seek to continuously improve their skills and understanding:

- The CAE provides the committee with regular information on trends and emerging issues relating to governance, risk and compliance.
- Audit committee members endeavour to maintain current and relevant knowledge by seeking additional information where required. For example, requesting information from management about a particular function performed by an entity or by attending staff training on governance matters.

2.5 Members are aware of legislative and regulatory requirements, standards and guidance:

- Members are aware of all regulatory requirements, standards and guidance relevant to the entity. Four important requirements include:
  - State Financial Framework - Financial Administration Bookcase, including Treasurer's instruction 1201: 'Internal Audit' for State government entities
  - *Local Government Act 1995* and associated regulations
  - Requirements of effective internal audit functions as prescribed by the IPPF
  - Entity-specific legislation and regulatory compliance obligations. This can be found in the entity's annual report.

2.6 The committee does not make management decisions:

- The Audit Committee does not, and cannot, get involved in the day-to-day decision making by the entity. The committee can provide advice on important matters, but the responsibility for approving decisions must rest with the accountable authority or the CEO.

3. Professional practices: The audit committee conducts itself professionally to provide independent, sound and valuable advice to the accountable authority.	
3.1 Conflicts of interest are considered and managed: • Potential new members are required to declare any actual or perceived conflicts of interest. • Processes for declaring and managing conflicts of interest are included in the audit committee charter and the service agreement (where relevant) for audit committee members. • Members declare any conflicts of interest at the start of each meeting. **3.2 Meetings are regularly scheduled and include private sessions with important stakeholders:** • The audit committee meets at least four times a year, with capacity to meet at other times when necessary to perform a function (such as reviewing the financial statements and key performance indicators). • The CAE regularly meets with the audit committee privately to discuss issues, management attitudes and risks. • During the financial audit exit meeting with the OAG, the audit committee has a closed-door session with the auditors without management present. This provides a frank and open opportunity for the auditors to discuss how the audit went, whether they received the information they needed and whether there are any concerns with management behaviour that the committee should be aware of. • The audit committee schedules private meetings with the accountable authority from time to time.	**3.3 Key activities are scheduled in a forward work plan:** • Key activities of the audit committee are planned and scheduled in a forward work plan. • CAEs monitor the forward work plan to determine what information and support the audit committee might need. **3.4 Members attend all meetings where possible:** • Meetings are scheduled in advance to facilitate 100% attendance of audit committee members. **3.5 Members share responsibility and act independently:** • Audit committee members function as a collective advisory group and share responsibilities equally. • All members maintain their independent stance at all times, even if they are not independent of management.

4. Performance and accountability: The audit committee is aligned with the entity's strategic outcomes and is accountable for its performance.

4.1 The audit committee has mechanisms to assess its performance:

- The charter outlines expectations of the audit committee and includes processes to monitor and measure performance. These can include an annual self-assessment and regular independent reviews of the audit committee.

4.2 Meeting minutes are prepared and distributed to members quickly:

- Meeting minutes are distributed to members within the agreed timeline in the audit committee charter. A 2-week timeframe is commonly used in practice.

4.3 Attendance is monitored:

- The CAE or secretariat monitors attendance by audit committee members and implements alternative measures (e.g. virtual meetings) where necessary.
- The charter clearly outlines the minimum number of members for a quorum. The CAE or secretariat actively monitor whether there will be a quorum and reschedule the meeting if necessary.

4.4 Action items are followed-up and addressed promptly:

- Any action items arising from audit committee meetings are recorded and promptly distributed to the responsible officer for actioning.
- The implementation of action items is monitored and evidenced.
- The audit committee papers include a standing agenda item on the status of action items. There should be enough information in the papers to allow the audit committee to understand the nature of actions taken to date and the real reasons for any delays.

4.5 The committee has unrestricted access to the governing body and senior management:

- The audit committee charter allows the audit committee to access the Board, Council, CEO and senior management where necessary to discuss important matters.

4.6 Annual self-assessment by members:

- The audit committee performs an annual self-assessment to ensure it is operating effectively.
- The committee seeks feedback from observers from time-to-time to inform this assessment.

4.7 Periodic, independent assessment of committee performance:

- There is an independent assessment of the audit committee periodically (e.g. every 3 to 5 years) in conjunction with the independent assessment of the internal audit function.

4.8 The committee models the values and desired culture of the entity:

- The audit committee demonstrates the right tone and culture for the entity. For example, holding management to account for delays in implementing actions is one way to set a good tone within the entity.
- Committee members adhere to the entity's code of conduct. For example, members keep information confidential and conduct themselves in a professional and respectful manner.

4.9 Activities are aligned to the strategic mission of the entity:

- The committee understands the entity's strategic plan and direction and reflects on this when discussing the internal audit plan or risks.

5. Entity relationships: The audit committee is a trusted, independent partner.	
5.1 There are regular meetings to build and maintain effective relationships: • The audit committee Chair regularly meets with the accountable authority. • The accountable authority sees the audit committee as a strategic partner and communicates with the Chair openly. • The accountable authority shares important information about issues or risks openly with the audit committee, and meets with the committee at least annually. **5.2 The committee obtains information from executive management:** • The audit committee receives regular briefings from executive management on key matters related to their operations. For example, information on significant projects, long outstanding audit recommendations or emerging risks. • Senior management use the collective experience and wisdom of the audit committee to guide their actions on important matters.	**5.3 The committee uses expert advice where necessary:** • The audit committee accesses external expert advice when needed to support their deliberations. For example, the audit committee may wish to obtain independent legal advice to help them understand a significant issue raised in an internal audit report. **5.4 Entity staff are aware of the audit committee and internal audit:** • Information on the audit committee's role, functions and responsibilities, as well as the services offered by internal audit, is available on the entity's intranet. • The induction process for senior executives includes a meeting with the CAE and the Chair of the audit committee.

6. Governance and reporting: The audit committee is governed effectively to enable transparent, objective and timely reporting.	
6.1 There are dedicated secretariat resources: • The committee has sufficient secretariat support to plan and document meetings. • The CAE oversees the secretariat in preparing agendas, meeting papers and reviewing minutes and discusses these with the Chair for approval. **6.2 The committee maintains independence safeguards:** • The audit committee always acts to protect the independence of the internal audit function and the CAE. **6.3 Conflict of interest procedures are adhered to:** • Members declare all actual, perceived and potential conflicts of interest at the start of each meeting. • Other conflict of interest processes, such as annual declarations, are adhered to and monitored by the audit committee and CAE.	**6.4 Audit recommendations are recorded and monitored:** • A log of outstanding audit recommendations is prepared for each audit committee meeting. This log should include the recommendations from all internal, financial and performance audits conducted within the entity. • Agreed actions to address the recommendations are clearly articulated and reported accurately to the audit committee in the log. • Internal audit has a framework to review and close-out audit recommendations that suits the entity's needs. This framework should be approved by the audit committee. • Audit committee members monitor the implementation of recommendations and challenge management to ensure that actions are actually implemented. **6.5 The accountable authority is adequately briefed:** • The audit committee, with the assistance of the CAE, provides a briefing to the accountable authority after each meeting on key issues or risks. **6.6 The Audit committee regularly reports on its performance:** • The entity's annual report includes information about the audit committee and outcomes delivered during the period.

Part 4: Guidance for audit committee fees

The appointment of independent audit committee members, who are external to the entity, will raise consideration of whether they are entitled to be reimbursed for their services.

There is some guidance in the *Premier's Circular 2019/07 - State Government Boards and Committees* regarding the payment of fees to committee members. Generally, fees cannot be paid to people who are full time State, Commonwealth and local government employees, Members of Parliament, current and retired judicial officers (except Magistrates) and current non-academic employees of public academic institutions. Entities should be aware of the requirements of this circular, and other legislation and regulations, when determining whether a fee can be paid to an external member.

Guidance for determining fees

Any fees paid to external audit committee members should reflect their role on the committee and associated responsibilities and expertise. For example, the audit committee Chair may need a different level of remuneration to other external members as they perform additional duties, such as having regular discussions with key governance parties, including the CAE and accountable authority.

Some items which entities may wish to reimburse members for include:

- meeting attendance and preparation time (this could be a fixed amount per meeting or an hourly rate)
- travelling expenses
- accommodation expenses.

When determining fees paid to external members, the entity and the member need to clearly agree on the hourly rates, generally with an upper limit of the amount of hours required to perform their duties, or a fixed annual fee, and the extent of reimbursements allowed. Entities should clearly document these arrangements in a services agreement. TI 1201 includes a template services agreement for engaging an independent external Chair. The template includes set terms and conditions relating to payment of fees. While this is not compulsory, entities should consider using it to help develop service agreements.

State entities can use the Common Use Agreement on Audit and Financial Advisory Services as a guide or benchmark for remuneration.

Entities should ensure that they comply with relevant procurement policies or requirements when obtaining external members.

Part 5: Guidance for smaller entities

We recognise that it is difficult for smaller entities, particularly those located in regional or remote locations, to establish audit committees that meet all of the better practice principles outlined in this guide. However, the risks to good governance remain very real in these entities too. This section provides guidance for smaller entities to help them improve the effectiveness of their audit committee.

Financial risk expertise is essential

While the functions of the audit committee are diverse, overseeing financial and performance reporting processes, and their associated internal controls, are incredibly important. Audit committees can help to prevent fraud by:

- understanding and challenging management about the accounting treatments, judgements and estimates used to prepare financial statements
- engaging with the OAG and management about deficiencies in internal controls and the actions needed to remediate these.

To do this effectively, at least one audit committee member needs to have an understanding of financial reporting and accounting standards, and the role of internal and external audit.

When trying to find members with financial reporting experience, smaller entities may wish to consider sharing resources with similarly sized entities. For example, a local government entity could consider the suitability of an accountant from a neighbouring shire as an independent audit committee member, or a suitably experienced person from a larger local government entity could be an audit committee member if they can perform their role remotely.

Smaller size does not mean smaller risk

Smaller entities are often exposed to unique inherent risks such as limited segregation of duties and potential conflicts of interest issues associated with a limited number of suppliers in regional areas. Not managing these risks properly can increase the risk of fraud or error.

The meeting agenda and annual work plan templates, provide additional guidance on the matters which should be considered in audit committee meetings. These templates are included in the toolkit.

Audit committees need to be aware of these risks and ensure that there is independent oversight of the processes to manage them. For example, regular internal audits on procurement which look at the processes for managing conflicts of interest can help provide assurance to the committee. In addition, risk management training for audit committee members can help them understand and assess risks relevant to smaller entities.

Sharing resources may help bridge gaps

Smaller entities, who deliver similar services to the community, may benefit from sharing resources to help build the capability of their internal audit function and audit committee. This could be achieved by using a shared internal audit service. State government entities have the option to consider sharing their audit committee with another entity, provided that committee members have a sound understanding of both entities' operations, culture and goals and devote adequate time to oversee each entity.

Roles and responsibilities must be clearly communicated during induction

The audit committee may include members with varied experience that bring valuable insights to entities. However, there is a chance that members may not have any previous

audit committee experience. This means that having an effective induction process, which clearly explains roles, responsibilities and expectations is vital. Smaller entities may wish to consider additional training or guidance to help them understand their important role.

To assist smaller entities with their induction processes, we have included an induction checklist in the Toolkit.

Getting the most from the fourth line of defence

Smaller entities should use information and guidance from external sources, such as the OAG, parliamentary committees, Public Sector Commission and Corruption and Crime Commission as much as possible to assess their systems of risk management and internal controls. For example, information from OAG audit reports can help entities understand common risks in the sector, and frequently contain better practice guidance which smaller entities can self-assess against.

External auditors can provide valuable perspective

The OAG, and their contracted auditors are independent, and can provide information on whether controls are operating effectively. To facilitate good discussions between the OAG, management and the audit committee, it is essential that all parties discuss issues openly and frankly. For example, local government entities may wish to consider suspending standing orders at audit entrance and exit meetings to allow the audit committee, management and the auditors to have robust discussions.

Seeking independent assurance when one person performs many roles

Smaller entities may have one person (such as the CEO or executive manager of corporate services) responsible for multiple functions such as risk management, compliance and internal audit. This can create a self-review risk, if they are being asked to report on the effectiveness of all of these processes to the audit committee.

Audit committees need to be aware of these risks and put strategies in place to provide a level of independent assurance about these important functions.

Audit recommendations need prompt action

Smaller size entities have fewer staff and this may make it more difficult to resolve audit recommendations quickly. Given the inherent risks associated with smaller entities mentioned above, it is vital that the audit committee insists that control deficiencies, particularly those that could result in the misappropriation of assets, are prioritised and actioned and documented promptly.

Audit committees need good support

Timely and succinct reporting is important to demonstrate that the audit committee is accountable for its governance role. This means that it is important that minutes of meetings and any action items, or requests for further information are actioned and documented promptly.

Part 6: Toolkit

The toolkit contains a number of templates that public sector entities may find useful to help establish and maintain an effective audit committee. The templates help to promote the better practice principles included in the guide and are designed to be easily tailored to meet the entity's specific circumstances.

Entities should take care to modify the tools to reflect their legal or regulatory requirements. For example, local government entities will need to adapt these templates to address the specific requirements of the *Local Government Act 1995* and relevant regulations.

These tools may be updated from time to time. Please check our website for the latest version.

List of tools

1 Example audit committee charter

2 Audit committee member induction checklist

3 Meeting preparation checklist

4 Meeting agenda template

5 Characteristics of effective meetings

6 Annual work plan template

7 Audit recommendations progress report template

8 Review of the OAG audit reports template

Tool 1 Example audit committee charter

The following example is designed to assist accountable authorities and audit committees develop an audit committee charter that reflects our better practice principles.

Source: OAG using information from the Institute of Internal Auditors Australia and Australian National Audit Office

---

ENTITY NAME

AUDIT [AND RISK ASSURANCE[6]] COMMITTEE CHARTER

Role

The accountable authority has established the audit committee under [Insert the related legislative/regulatory reference].

The audit committee assists the accountable authority in fulfilling their oversight responsibilities in relation to systems of risk management and internal control, the entity's processes for monitoring compliance with laws and regulations, including the code of conduct, financial and performance reporting and external and internal audit. The audit committee is not responsible for the management of these functions.

The audit committee will engage with management in a constructive and professional manner to perform its oversight responsibilities. The Chair of the audit committee is responsible to, and reports to the accountable authority.

Members of the audit committee are expected to:

- understand the legal and regulatory obligations of the accountable authority for governing the entity
- understand the department's/statutory authority's/council's governance arrangements that support achievement of the department's/statutory authority's/council's strategies and objectives
- exercise due care, diligence and skill when performing their duties
- adhere to the entities code of conduct and the code of ethics of any professional body which they are a member of
- help to set the right tone in the entity by demonstrating behaviours which reflect the entity's desired culture
- be aware of contemporary and relevant issues impacting the public sector
- only use information provided to the audit committee to carry out their responsibilities, unless expressly agreed by the accountable authority.

To help support the audit committee's role in overseeing the internal audit function, the Chief Audit Executive will functionally report to the audit committee.

The audit committee will prepare an annual work plan that outlines when it will perform key activities, in consultation with the accountable authority.

[6] Most public sector entities do not have a separate sub-committee for overseeing risk management in the entity. It is therefore common for the audit committee to take on this role.

Authority

The accountable authority authorises the audit committee, in accordance with this Charter, to:

- obtain any information it requires from any official or external party (subject to any legal obligation to protect information)
- discuss any matters with the internal auditors, Office of the Auditor General (OAG), or other external parties (subject to confidentiality considerations)
- request the attendance of any official, including the accountable authority, at audit committee meetings
- obtain legal or other professional advice when necessary to fulfil its role, at the entity's expense, subject to approval by the accountable authority or delegate
- provide advice to the accountable authority on the appointment and replacement of the chief audit executive of the department/statutory authority/council.

The audit committee may undertake other activities as requested by the accountable authority.

Membership

The audit committee comprises [insert number/up to] members of whom [insert number/at least] must be independent, appointed by the accountable authority. The committee will be led by an independent Chair, appointed by the accountable authority. The Chair will be appointed for an initial period of [insert number of years] and may be extended or reappointed for further periods as determined by the accountable authority.

Audit committee members will be appointed for an initial period of [insert number of years] as determined by the accountable authority.

The accountable authority will review the membership of the committee every [insert number of years] to ensure that there is an appropriate balance between continuity of membership, the contribution of fresh perspectives and a suitable mix of qualifications, knowledge, skills and experience. The accountable authority may choose to re-appoint members based on their ability to contribute to the work of the audit committee. However, the total length of time a member can sit on the committee will not exceed [insert number of years].

The accountable authority may remove an audit committee member at any time before their term expires, or a member may resign.

Audit committee members will collectively have a broad range of skills and experience relevant to the operations of the department/statutory authority/council. At least one member of the audit committee will have accounting or related financial management experience, with an understanding of accounting and auditing requirements in the public sector. To support the skills and experience of committee members, the committee will implement an induction and training program for new members.

The audit committee may invite the accountable authority, chief executive officer, chief financial officer, chief information officer, chief audit executive, or other management representatives to present information and participate in the meeting. An officer from the OAG will be invited to attend audit committee meetings as an observer.

The audit committee will be administratively supported by a secretary who is appointed by management.

Responsibilities

The audit committee will be responsible for the following:

> The following part of the model charter provides an extensive list of many functions that the audit committee can perform. It is not intended that entities copy all of the functions in these lists. Instead, the accountable authority should review and modify the functions to suit the entity. It is important that the accountability authority and the audit committee agree on these functions.

Risk management, fraud and internal control

The audit committee oversees the entity's system of risk management and internal controls. Its responsibilities include, but are not limited to:

- providing oversight on significant risk exposures and control issues, including fraud risks, governance issues and other matters as necessary or requested by senior management and the accountable authority
- considering the impact of department's/statutory authority's/council's culture on risk management and internal controls
- annually reviewing the department's/statutory authority's/council's assurance map to ensure that risk and control activities are coordinated, communicated and managed effectively
- annually reviewing the department's/statutory authority's/council's risk management framework
- monitoring changes in government strategies, the economic and business environment and other trends and factors related to the department/statutory authority/council's risk profile. This includes meeting periodically with key management, internal auditors, the OAG, and compliance staff, to understand and discuss the impact of these changes or trends on the risk profile
- reviewing whether the department/statutory authority/council has an effective risk management framework, and, based on knowledge and understanding of the entity's risks, that material business risks are appropriately reflected in the risk profile and reported to the accountable authority
- reviewing and assessing the effectiveness of processes for identifying, managing, treating and mitigating the department/statutory authority/council's risks and ensuring that remaining risks align with the entity's risk appetite. The committee should prioritise risks involving:
    - significant business risks, including environmental and occupational health and safety risks
    - potential non-compliance with laws, regulations and standards
    - fraud and theft
    - litigation and claims.
- considering the adequacy and effectiveness of internal controls and the risk management framework by:
    - reviewing reports from management, internal audit, consultants, regulators and the OAG

- ensuring risk registers consider risks that may impact whether the entity will achieve its strategic objectives
- reviewing management's response to IT risks, including cyber risks
- monitoring management responses and ensuring timely correction actions are taken by management
- understanding the process of managing insurable risks and assessing whether the department/statutory authority/council has adequate insurance cover for these risks
- assessing the effectiveness of, and compliance with, the entity's code of conduct
- assessing whether management has controls in place for non-routine types of transactions and/or any potential transactions that might carry an unacceptable degree of risk
- enquiring with management and the OAG regarding their assessment of the risk of material misstatement in the financial report due to fraud
- enquiring with management, internal auditors and the OAG about whether they are aware of any actual, suspected or alleged fraud or corruption affecting the department/statutory authority/council including the entity's response to the matters
- reviewing the department/statutory authority/council's processes and systems to detect, capture and respond to fraud risks, including preventative measures
- reviewing the business continuity planning process and be assured that material risks are identified and appropriate business continuity plans, including disaster recovery plans, are in place.

- reviewing summary reports from management on all suspected, alleged and actual frauds, thefts and breaches of laws and ensuring these are reported to the accountable authority and/or relevant authorities
- reviewing summary reports from management on communication from external parties including regulators that indicate problems in the internal control system or inappropriate management actions
- liaising with other subcommittees on matters relating to risk management, fraud and internal control
- [for entities who use a shared service arrangement] reviewing comfort letters and other assurance reports regarding the effectiveness of controls managed by shared service providers on behalf of the entity.

Internal audit

The audit committee is responsible for guiding and overseeing the activities, resources and structure of the internal audit function. The audit committee's responsibilities include, but are not limited to:

- annually reviewing internal audit's mission, resources and budget and protecting internal audit's independence from management
- reviewing the internal audit structure, composition, skills and experience, service delivery model, independence and access to the accountable authority/board of directors

- advising the accountable authority on the appointment and replacement of the chief audit executive
- advising the accountable authority on the adequacy of internal audit resources or budget to perform the approved internal audit plan
- ensuring that the internal audit function, through the chief audit executive, has a direct reporting relationship with the audit committee and accountable authority (functional reporting relationship) and has access to all levels of management needed to perform their duties
- monitoring internal audit's participation in non-assurance roles to assess whether it impacts their independence or interferes with the delivery of the internal audit program
- assessing the internal audit plan to ensure that it comprehensively covers material business risks that may threaten the achievement of strategic objectives and allows internal audit to assess culture
- reviewing and recommending the approval of the internal audit plan and work program by the accountable authority
- communicating the audit committee's expectations to the chief audit executive in writing through the internal audit charter
- reviewing the internal audit charter annually for the accountable authority's approval
- reviewing the quality and timeliness of internal audit reports
- considering the implications of internal audit findings on the business, its risks and controls
- monitoring management's implementation of internal audit recommendations
- monitoring the progress of the internal audit plan and work program
- monitoring the quality of internal audit services delivered and compliance with the Institute of Internal Auditors' International Professional Practices Framework
- overseeing the coordination of planned activities between the 4 lines of defence
- reviewing the annual report from the chief audit executive or the internal audit service provider on the overall state of the department/statutory authority/council's internal controls
- ensuring that internal audit has complete and timely access to all accounts, information, documents and records of the entity as needed to effectively perform their duties. This also includes discussing whether management was cooperative and provided timely responses to internal audit requests
- meeting privately with the chief audit executive at least once per year.

Compliance and ethics

The audit committee oversees the department/statutory authority/council's processes to ensure compliance with relevant laws and regulations and for promoting a strong governance culture within the entity. This includes, but is not limited to:

- understanding the department/statutory authority/council's compliance framework including its obligations, the officers responsible for compliance activities and management oversight and review of these processes

- considering the impact of department/statutory authority/council's culture on compliance processes
- overseeing compliance by reviewing arrangements that monitor the impact of changes in key laws, regulations, internal policies and accounting standards affecting the department/statutory authority/council's operations
- reviewing management's investigation of non-compliance matters and obtaining assurance from management that appropriate follow-up action was taken
- obtaining updates from management on matters of compliance and ethical matters that may have material impact on the department/statutory authority/council's financial statements, strategy, operations, health and safety or reputation
- reviewing and monitoring related party transactions and conflicts of interest
- enquiring with management, internal audit and the OAG on their assessment of the compliance culture, the risk of non-compliance, or whether they have any knowledge of any actual, suspected or alleged non-compliance affecting the entity
- overseeing complaints management and whistleblowing policies to ensure that they are recorded and actioned effectively
- reviewing the department's/statutory authority's/council's processes for communicating, and assessing the effectiveness of, the entity's code of conduct
- meeting with management to discuss regulatory compliance matters the department/statutory authority/council has considered in the preparation of the financial statements, such as compliance with accounting standards.

Financial and performance reporting

The audit committee oversees the integrity of financial and performance reporting processes within the entity. The committee's responsibilities include:

- reviewing the financial statements and providing advice to the accountable authority about whether they should be signed by the accountable authority. The review includes assessing:
    - whether the financial statements are consistent with the knowledge of the audit committee members
    - whether the financial statements comply with [Insert the related legislative/regulatory reference]
    - whether the financial statements accurately reflects the entity's financial position and performance, and if not, whether additional disclosures are required
    - the appropriateness of accounting policies and disclosures, including changes to accounting policies
    - areas of significant judgement, estimation and significant or non-routine transactions
    - whether appropriate management action has been taken in response to any issues raised by the OAG, including financial statement adjustments or revised disclosures
    - the quality of the entity's processes for preparing the financial statements, including how management has checked that they comply with relevant requirements

- significant issues, errors or discrepancies in the draft financial statements and ensuring members understand the reasons why these occurred
- the representation letter to be provided to the OAG to confirm that the assertions, including any immaterial errors collated during the audit, are appropriate.

- acting as a forum for communication between management and the OAG
- reviewing the entity's process to ensure the financial information included in the annual report is consistent with the audited financial statements
- [For State government entities only] reviewing the entity's systems and procedures for assessing and reporting on the department's/statutory authority's performance through key performance indicators. This includes determining whether:
  - the key performance indicators are relevant and appropriate to assess the entity's performance and take into account guidance issued by the Department of Treasury
  - the department/statutory authority has sound processes and controls for measuring and reporting on key performance indicators in its annual report
  - the key performance indicators are consistent with the entity's financial information, including its financial statements, that it proposes to include in its annual report
  - there are reasonable disclosures to explain why there is a significant variation in performance.

External audit

The audit committee is responsible for communicating and liaising with the OAG. This includes understanding the results of financial and performance audits conducted within the entity and overseeing whether recommendations are implemented by management. The committee's responsibilities include, but are not limited to:

- meeting with the OAG to discuss the audit plan (audit entrance meeting) and the results of the financial audit (audit exit meeting)
- discussing with the OAG any significant resolved or unresolved disagreements with management
- monitoring and critiquing management's response to OAG findings and recommendations
- reviewing reports from the OAG including auditor's reports, closing reports and management letters
- reviewing all representation letters signed by management to assess whether the information appears complete and appropriate
- meeting with the OAG at least once per year without management presence. At this meeting, the committee will discuss matters relating to the conduct of the audit, including any difficulties encountered, restrictions on scope of activities or access to information, significant disagreements with management and adequacy of management responses
- reviewing performance audits conducted at the entity and ensuring that agreed recommendations are implemented
- monitoring the relationship between internal auditors and the OAG

- reviewing results of relevant OAG audit reports and better practice publications for guidance on good practices, including any self-assessment by management
- reviewing the form and content of the proposed auditor's report on the entity's financial and performance report. This may include any proposed modification, emphasis of matter, key audit matters, other matters and uncorrected misstatements in other information.

Other responsibilities

Perform other activities related to the role of this charter as requested by the accountable authority.

Administrative responsibilities

Meetings

The audit committee will meet at least 4 times a year or more frequently as necessary, depending on the size and complexity of the entity.

The Chair is required to call a meeting if asked to do so by the accountable authority. If a meeting is requested by another audit committee member, OAG or chief audit executive, the Chair will decide whether the meeting is necessary.

The Chair will oversee the planning and conduct of meetings including the approval of the agenda and draft minutes, and reporting to the accountable authority.

A quorum will consist of a majority of committee members. Where there is more than 1 external member on the audit committee, a quorum will include at least 1 external member. The quorum must be in place at all times during the meeting.

Secretariat

The accountable authority, in consultation with the audit committee, will formally appoint an officer to provide secretariat services to the committee. The secretariat will provide services as required by the audit committee that includes:

- preparing a meeting agenda for each meeting that is approved by the Chair
- circulating the meeting agenda and supporting papers at least 1 week before the meeting
- preparing minutes of the meetings and circulating them no later than 2 weeks after the meeting
- maintaining final meeting papers and minutes in accordance with the recordkeeping requirements of the department/statutory authority/council.

Independence and conflicts of interest

The audit committee must be independent from management of the department/statutory authority/council. Once a year, audit committee members will provide written declarations of any actual or perceived conflicts of interest to the accountable authority.

External members should consider past employment, consultancy arrangements and related party issues when making these declarations to the accountable authority. In consultation with the Chair, the accountable authority should be satisfied that there are sufficient processes in place to manage any actual, perceived or potential conflicts of interest.

At the start of each audit committee meeting, members are required to declare any personal interests that may apply to specific matters on the meeting agenda. The Chair, in consultation with the accountable authority where appropriate, is responsible for deciding if the members should excuse themselves from the meeting or from the audit committee's consideration of the relevant agenda item(s).

Details of any personal interests declared by the Chair and other audit committee members, and actions taken to manage the conflicts, should be appropriately recorded in the meeting minutes and the department/statutory authority/council register of conflicts of interest in accordance with its policy.

Audit committee performance assessment arrangements

The Chair of the audit committee, in consultation with the accountable authority, will review the performance of the audit committee annually, together with the annual review of this charter.

The review is performed using the approved assessment tool with appropriate input from the accountable authority, committee members, senior management, chief audit executive, and any other relevant stakeholders.

The Chair will provide advice to the accountable authority on the members' performance, particularly for external members, or members where an extension of tenure is being considered.

The Chair will always consider the costs and benefits of the activities that the audit committee performs.

Reporting

The audit committee will, as often as necessary, and at least once a year, report to the accountable authority on its operations and activities during the year and confirm to the accountable authority that all functions outlined in this charter have been satisfactorily addressed.

The audit committee may at any time, report to the accountable authority on any other matters it deems to be sufficiently important. In addition, any individual audit committee members may request a meeting with the accountable authority at any time.

Review of charter

The audit committee will ensure that this charter complies with relevant legislative and regulatory requirements and will propose amendments when necessary to ensure that it accurately reflects the committee's current role and responsibilities.

The audit committee will review this charter once a year and more frequently if required. The review will include consultation with the accountable authority. Any substantive changes to the charter will be recommended by the audit committee and formally approved by the accountable authority.

Endorsed:	Approved:
Audit committee Chair	Accountable Authority
[Signature]	[Signature]
[Date]	[Date]

Tool 2 Audit committee member induction checklist

This checklist includes a list of activities the Chief Audit Executive can use for inducting new audit committee members.

Source: OAG using information from the Institute of Internal Auditors Australia

Activity	Completed
Authority, composition and meetings	
Meet with all members of executive management.	
Read and understand the audit committee and internal audit charters.	
Read audit committee minutes for the last 3 years.	
External reporting	
Read and understand the entity's summary of significant accounting policies and significant judgements made in preparing the financial statements.	
Read and understand management's summary of processes for monitoring compliance with laws, regulations and other requirements.	
Read and understand the entity's processes for reporting to regulatory or oversight bodies (if any).	
Read and understand the entity's main corporate governance practices reported in its annual report for the last 3 years.	
Read the financial reports and any associated non-financial disclosures for the past 3 years.	
External audit	
Meet with the senior members of the OAG financial audit team.	
Read and understand the OAG's findings and recommendations, and management's response, for the last 3 years. This includes performance audits conducted at the entity.	
Internal audit	
Meet with the Chief Audit Executive (head of internal audit) and key audit team members (in-house, or outsourced firm partners and managers).	
Read and understand internal audit's mission, including its resources and budget structure.	
Read and understand the internal audit plan for the last 3 years.	
Understand the audit committee's expectations of the Chief Audit Executive.	
Read and understand all internal audit's findings and recommendations which remain unresolved.	

Activity	Completed
Read a sample of audit reports prepared by the internal audit area during the last 3 years.	
Read and understand the process the entity has in place for monitoring and assessing the effectiveness of the internal audit function.	
Read and understand the process for coordinating the planned activities of internal audit and the OAG, and risk and compliance management.	
System of internal control and risk management	
Meet with the Chief Risk Officer.	
Read and understand the risk management framework, assurance mapping and strategic plan.	
Meet with the Chief Information Officer to discuss information security processes and controls.	
Read and understand information related to the entity's identified tolerance for risk.	
Read and understand entity processes for identifying and managing material risks including business, financial, legal and compliance risks.	
Read summary reports from management on all suspected, alleged and actual frauds, thefts and material breaches of laws for the last 3 years.	
Compliance and ethics	
Read and understand the entity's processes for managing complaints and whistleblowing.	
Read significant issues, independent investigations and disciplinary action as reported to the accountable authority in the last 3 years.	
Attend a briefing or training on public sector probity and accountability requirements, including ethical considerations.	
Fraud	
Read and understand the entity's fraud prevention and detection framework and monitor suspected, alleged and actual instances of fraud.	
Read any instances of fraud reported during the last 3 years.	
Related-party transactions	
Read and understand processes for related-party transactions.	
Read related-party transaction reporting for the last 3 years.	
Governance framework	
Read and understand the governance framework and charter of the entity's other committees.	
Read and understand the organisational structure.	
Read and understand the entity's delegation schedule/register.	

Tool 3 Meeting preparation checklist

This checklist is to assist the secretariat in planning audit committee meetings. It's important to plan the date for each activity, working backwards from the meeting date, to ensure timely distribution of meeting papers to members and attendees.
Source: Australian National Audit Office

[Entity's name] Audit committee meeting

Meeting preparation checklist

Meeting Date: [insert date]

Audit Committee meeting	Planned Date	Completed Date
Members and observers' attendance confirmed.		
Room and required equipment booked (including 'members only' session).		
Chair and Chief Audit Executive discuss draft agenda based on committee work program and priority risks and issues		
Draft agenda circulated to Chair and members.		
Agenda confirmed with Chair		
Required papers collated. This includes, as appropriate:		
• list of attendees and apologies		
• minutes of previous meeting for review and confirmation		
• updated audit committee action item list with the status of actions arising from the previous meeting minutes		
• relevant information/papers from management		
• reports from internal audit		
• status report on implementation of previous internal and external audit, consultant and regulator report recommendations		
• reports from the OAG		
• compliance audit return (for local government entities)		
• report from the Chief Executive Officer under Regulation 17 of the Local Government (Audit) Regulations 1996 (local government entities)		
• reports prepared under section 7.12A of the *Local Government Act 1995* (local government entities)		
• other papers/information as reflected in the audit committee annual work plan.		
All papers marked with appropriate security classification.		

Audit Committee meeting	Planned Date	Completed Date
Agenda and papers distributed to members and attendees at least 7 days prior to meeting.		
Draft minutes prepared and circulated to members within 14 days of meeting.		
Revised minutes, reflecting changes made by committee members, sent out for final review.		

Tool 4 Meeting agenda template

This tool provides an example agenda for an audit committee meeting. The agenda should be based on the committee's annual work program, with flexibility for additional emerging risks and issues.

Source: OAG

[Entity's Letterhead]

[Entity's name] Audit Committee Meeting

[Date and time]

[Venue]

Attendees

Name		Role / Position
Committee members:		
1.	[List attendees and apologies – include name, state if Chair or secretary and if external or internal member]	
Observers		
2.	[List attendees and apologies – include name and position]	
Apologies		
3.	[List attendees and apologies – include name and position]	

Agenda		Owner (Insert name)	Action (Noting, Discussion, Approval)
1.	Welcome and apologies		
2.	Confirmation of minutes		
3.	Declaration of conflicts of interest by audit committee members and observers		
4.	Issues brought forward from previous meeting		
5.	Action items from previous meeting		
6.	Reports to be tabled (refer to annual work plan) • Risk management • Internal control • Internal audit • Compliance • Financial reporting • Performance reporting • External audit		

Agenda		Owner (Insert name)	Action (Noting, Discussion, Approval)
	• [name other items].		
7.	Status of recommendations from internal audit, OAG and consultant or regulator reports		
8.	Review of audit committee charter (annual item)		
9.	Assessment of audit committee performance (annual item)		
10.	Review of annual work plan (to identify issues and prepare for next meeting)		
11.	Other business		
12.	Next meeting		
13.	Meeting close		

Tool 5 Characteristics of effective meetings

This tool contains guidance on how to conduct an effective meeting. Audit committees can use this guidance to assess how well the meeting was run.

Source: OAG

Characteristics of an effective meeting include a combination of the following:

Pre-meeting

- the audit committee Chair discusses key issues with the chief audit executive and approves the agenda before it is issued and members agree on key discussion points for each agenda item at the beginning of each meeting ('starring' of key items)
- meeting papers are presented in an agreed form and provided to audit committee members at least 1 week prior to the meeting. Meeting papers may need to be distributed to members earlier when there are complex matters to be discussed or approved
- each member is briefed before each meeting by the audit committee secretariat on major issues
- agenda items clearly indicate what action is required from the audit committee members, such as discussion, noting, endorsement, approval, presentation. This ensures that audit committee members know what is required at the meeting
- the Chair and Chief Audit Executive meet before each meeting to discuss the agenda and any priority issues they wish to discuss with management.

Meeting

- the audit committee meets privately before each meeting to discuss issues without management and other observers present
- meetings facilitate open and robust discussions
- all members are responsible for effective meetings and raising continuous improvement opportunities to the Chair, when identified
- meetings are not used to edit documents received by the committee for approval or endorsement. Minor edits should be provided to the Secretariat before or after the meeting
- at the start of each meeting, members declare any actual, potential or perceived conflicts of interest that they have with any agenda item
- any private meetings (i.e. with internal auditors or the OAG) should be held at the start or end of the meeting
- all audit committee members have read, and engaged with the meeting papers prior to the meeting
- important or contentious agenda items are first on the agenda to ensure that they are addressed in the meeting
- members reflect on what went well, or what needs improvement.

Tool 6 Annual work plan template

The following tool is an example of an annual work plan for audit committees to help schedule activities across the year. A minimum of four meetings per annum is recommended, often with a fifth focussed meeting for the financial statements.

Source: OAG using information from the Australian National Audit Office

---

[Entity Name] Audit Committee Annual Work Plan 202X- 202X[7],

Functions, responsibilities and associated activities	Mar	Jun	Aug	Sept	Dec
1. Governance arrangements					
If required by the accountable authority, review the entity's governance arrangements or elements of the arrangements and suggest improvements where appropriate.		X			
Ensure that appropriate mechanisms are in place to review and implement relevant parliamentary committee reports, external reviews and evaluations of the entity, and recommendations arising from these reports and reviews.	X				
2. Risk management					
Review the risk management framework, risk register and fraud and corruption control plans to see that the risks represent and address the current environment and strategic direction of the entity, and meet legislative compliance and better practice principles.	X				
Consider the findings of the entity's occupational work health and safety reviews and enquire of management the arrangements to address these.				X	
Consider emerging risks and current issues arising from major projects.	X	X		X	X
Determine whether the entity has a sound and effective approach for business continuity planning arrangements, including whether business continuity and disaster recovery plans have been periodically reviewed and tested.					X
Review reports on fraud that outline any identified allegations of fraud, the status of any ongoing investigations and any changes to identified fraud risk.	X	X	X	X	X

[7] The marking of 'X' is an example only.

Functions, responsibilities and associated activities	Mar	Jun	Aug	Sept	Dec
3. System of internal control					
Review management's approach to maintaining an effective system of internal control. This should include internal controls in relation to functions performed by external parties such as shared services providers, contractors and advisers.	X				
Obtain management assurances on the adequacy of internal controls and compliance by staff.		X			
Review advice from work areas e.g. human resources, finance and information technology on incidents where there was a breakdown in internal controls. Consider standing reports from CFO, CIO and HR on key risks, issues and incidents at each meeting except the financial statement meeting.	X				X
Consider how findings in internal audit and OAG audit reports impact on the entity's internal controls.		X	X		
Satisfy itself that management periodically assesses the adequacy of information security arrangements.		X			
Review whether appropriate policies and procedures are in place for the management and exercise of delegations.		X			
Review the assurance map.	X				X
Review whether management has taken steps to embed a culture which is committed to ethical and lawful behaviour.	X				
4. Compliance and ethics					
Review the effectiveness of processes to monitor compliance with relevant laws and regulations.	X				X
5. Internal audit					
Review the proposed internal audit plan for the next financial year, ensuring the coverage is aligned with key risks and recommend approval of the internal audit plan by the accountable authority.		X			
Review progress of the internal audit plan.	X	X		X	X
Review internal audit reports and provide advice to the accountable authority on significant issues identified and actions required.	X	X	X	X	X
Review the implementation status of internal audit recommendations.	X	X	X	X	X

Functions, responsibilities and associated activities	Mar	Jun	Aug	Sept	Dec
Review the *Internal Audit Charter* to ensure appropriate authority, access and reporting arrangements are in place.	X				
Review the performance of internal audit.				X	
Advise the accountable authority on the adequacy of internal audit resources and budget to carry out responsibilities, including completion of the audit work plan.	X				
Meet privately with the Chief Audit Executive.	X				
Provide advice to the accountable authority on the appointment of internal audit service providers (if applicable).		X			
6. Financial reporting					
Receive advice on changes in accounting standards, legislation, and regulations.	X	X		X	X
Review progress in preparing the financial statements against the preparation plan/timetable.	X	X			
Review briefing from management on significant emerging issues, judgements and estimates impacting the financial statements. Review accounting policy papers on key matters prior to management's provision to OAG.		X			X
Review financial management reports, where required.	X		X		X
Review of financial statements including:			X		
• consistency with members' understanding and knowledge of the entity			X		
• review compliance with accounting standards, *Financial Management Act 2006*, Treasurer's Instructions, *Local Government Act 1995* and relevant regulations			X		
• review the appropriateness of accounting policies including any significant changes in policies			X		
• review areas subject to significant judgement and/or estimates			X		
• review significant or non-routine transactions			X		
• review the CFO certification in relation to the quality of the financial statements, internal controls and compliance (State government entities)			X		

Functions, responsibilities and associated activities	Mar	Jun	Aug	Sept	Dec
• review draft management representation letter			X		
• review whether management has addressed issues raised by the OAG including financial statement adjustments or revised disclosures	X	X	X	X	X
• discuss the adequacy of the entity's accounting policies and quality of processes for preparing the financial statements with the OAG			X		
• draft the advice to the accountable authority recommending the signing of the financial statements and management representation letter.			X		
Discuss lessons learned from the current year financial statement process and the proposed strategy and timetable for next year.					X
Review the processes for ensuring that financial information included in the annual report is consistent with the audited financial statements.			X		
7. Performance reporting (mainly State government entities)					
Review systems and procedures for developing, measuring and reporting the entity's key performance indicators.		X	X		
Review the key performance indicator results and associated disclosures to ensure they are reasonable, clearly disclosed and consistent with financial and other information about the entity's performance.			X		
Review whether key performance indicators are consistent with members' understanding and knowledge of the entity.					
Ensure that there are adequate documentation and records to support the measurement of key performance indicators.		X	X		
8. External audit (OAG)					
Discuss OAG audit planning summary for financial audits.	X				
Receive OAG updates on issues arising from financial or performance audits.	X	X	X	X	X
Review the OAG interim management letter for the financial audit and assess the appropriateness of management's responses to recommendations.			X		
Discuss OAG exit brief and final management letter for				X	

Functions, responsibilities and associated activities	Mar	Jun	Aug	Sept	Dec
the financial audit and assess the appropriateness of management's responses to recommendations.					
Review the status of implementation of OAG financial and performance audit recommendations.	X	X	X	X	X
Review form and content of the OAG draft audit report.			X		
Satisfy itself that the appropriate mechanisms are in place to review and implement, where appropriate, issues raised in OAG better practice guides and performance audits of other State and local government entities.	X				
Meet annually with OAG without management present.				X	
9. Committee operations					
Provide a report to the accountable authority on audit committee operations and activities.					X
Conduct an assessment of the performance of the audit committee and ensure that the committee complies with its charter.					X
Agree on the annual work plan; and set priority areas for the coming year.	X				
Review the audit committee charter and recommend any substantive changes to the accountable authority.	X				

Tool 7 Audit recommendations progress report template

This template is designed to assist audit committees with monitoring the implementation of recommendations from the OAG, internal audit and external reviews, including consultant and regulator reports. Audit committees should review this report at every audit committee meeting.

Source: OAG

(Name of Entity)

Objective

This report is to provide the audit committee with an update on the progress of actions taken by management to implement audit recommendations. The information is to help the audit committee monitor the timeliness of agreed actions and understand the reasons for any delay.

Source and year (Internal audit/ the OAG / other external reviewer's name)	Report date	Recommendation [record details]	Risk rating	Manager responsible	Original completion date	Revised completion date	Status	Management Comments on action taken

Tool 8 Review of OAG audit reports template

Entities can use the following template to capture information from OAG published audit reports to help self-assess their performance.

Source: OAG

Objective

This table is to inform the audit committee about audit recommendations from the OAG audits that may be relevant and beneficial for the entity to help identify risks and improvement opportunities.

Name of the audit report (include link to the report)	Finding or recommendation	Impact to the entity (describe if this applies to your entity)	Entity's existing policy, framework, procedures that manage the related risk	Action taken (describe the action taken by the entity or if no action required, provide justification)

Auditor General's reports

Report number	2019-20 reports	Date tabled
25	WA's Transition to the NDIS	18 June 2020
24	Opinion on Ministerial Notification	16 June 2020
23	Opinion on Ministerial Notification	29 May 2020
22	Regulation of Asbestos Removal	21 May 2020
21	Audit Results Report – Annual 2019 Financial Audits	12 May 2020
20	Local Government Contract Extensions and Variations and Ministerial Notice Not Required	4 May 2020
19	Control of Monies Held for Specific Purposes	30 April 2020
18	Information Systems Audit Report 2020 – State Government Entities	6 April 2020
17	Controls Over Purchasing Cards	27 March 2020
16	Audit Results Report – Annual 2018-19 Financial Audit of Local Government Entities	11 March 2020
15	Opinion on Ministerial Notification	28 February 2020
14	Opinion on Ministerial Notification	31 January 2020
13	Fee-setting by the Department of Primary Industries and Regional Development and Western Australia Police Force	4 December 2019
12	Audit Results Report – Annual 2018-19 Financial Audits of State Government Entities	14 November 2019
11	Opinion on Ministerial Notification	30 October 2019
10	Working with Children Checks – Follow-up	23 October 2019
9	An Analysis of the Department of Health's Data Relating to State-Managed Adult Mental Health Services from 2013 to 2017	9 October 2019
8	Opinions on Ministerial Notifications	8 October 2019
7	Opinion on Ministerial Notification	26 September 2019
6	Opinions on Ministerial Notifications	18 September 2019
5	Fraud Prevention in Local Government	15 August 2019

Report number	2019-20 reports	Date tabled
4	Access to State-Managed Adult Mental Health Services	14 August 2019
3	Delivering Western Australia's Ambulance Services – Follow-up Audit	31 July 2019
2	Opinion on Ministerial Notification	26 July 2019
1	Opinions on Ministerial Notifications	19 July 2019

Office of the Auditor General
Serving the Public Interest

Office of the Auditor General
Western Australia

7th Floor Albert Facey House
469 Wellington Street, Perth

Perth BC, PO Box 8489
PERTH WA 6849

T: 08 6557 7500
F: 08 6557 7600
E: info@audit.wa.gov.au
W: www.audit.wa.gov.au

@OAG_WA

Office of the Auditor General for
Western Australia

Shire of
Donnybrook Balingup

Audit Findings Progress Report

1 OCTOBER - 28 FEBRUARY

Internal Audit Findings Update 1 October 2024 - 28 February 2025

Ref	Issue	Risk Rating	Auditors Comments	Implication/Risk	Auditors Recommendation	Status Update (May'24)	Administration Update (May'24)	Status Update Sep'24	Update September 24	Status Update Feb'25	Update February 2025
Lease Management											
3.2.1.	**Risk Management Procedures**	High	From our review and inquiries we note there are currently no risk management procedures with respect to lease management.	Increased likelihood of leases being entered in to without inherent risks considered.	Risk management procedures are introduced by the Shire, including risk analysis with respect to prospective tenants.	75	As part of the Property Management Framework (PMF), changes were implemented in the Delegations Register and the decision-making process for new and existing lease commitments. The PMF mandates that lessees complete an Annual Health Check, which will mitigate numerous risk areas for the Shire.	75	A Risk Management framework is being drafted, as part of this process, the controls in place with regards to risks relating to lease management will be reviewed as part of this process.	75	The Risk Management Framework has been endorsed by the Audit and Risk Managment Committee and Adopted by Council in December 2024. Staff are drafting an implementation plan to roll it out. As part of the roll-out staff will review the current controls in place to reduce the risk of leases being entered in to without inherent risks being considered.
Security and Emergency Procedures											
2.3.4.	**Security Policy**	Moderate	During our review, we identified that the Shire does not have any formal policies surrounding Security.	Security threats that arise may go unnoticed or untreated. Furthermore, employees and other key stakeholders may not know the correct response or lines of communication in relation to security threats.	A security policy is introduced by the Shire, covering at a minimum; physical; information and cyber security.	25	A Security policy is being drafted, noting the new Privacy and Responsible Information Sharing (PRIS) requirements.	25	A Security policy is being drafted, noting the new Privacy and Responsible Information Sharing (PRIS) requirements. This update has not progressed due to other organisational priorities and resource constraints	25	The ICT security policy has been delayed until the ICT strategy has been completed to ensure alignment with strategic goals, comprehensive coverage of critical assets, efficient resource allocation, and effective risk management. This approach also helps gain stakeholder buy-in, future-proofs the policy, ensures compliance with standards, and promotes an integrated approach to physical, information, and cyber security, leading to a more cohesive, effective, and adaptable security policy.
2.3.5	**Records Management**	Moderate	During our review and from discussions with management, it was noted that the Shire's centralised filing system is currently not underpinned by standard protocols, making it difficult to find key documentation. In many instances, the "task owner" will be relied upon	Time and money cost to the Shire as a result of time spent locating documentation. Furthermore, where "task owners" leave employment at the Shire, critical documentation and	•The Shire develops a set of naming principles/rules, by which critical documentation (i.e. policies/procedures, finalised agreements, compliance documents) are named and filed.	25	A Business Case has been completed by an external consultant outlining a Systems Improvement Plan for the Shire's Information Systems. With Electric Document Management System (EDMS) planned to be rolled out first. RFQ to be issued for a new EDMS.	25	The budget for the "New EDRMS Software (including email integration and tracking)" has been approved for the 2024/2025 financial year. We are currently awaiting the arrival of the new CEO to provide clarity on the project management and implementation of this significant project, which will require substantial resource allocation.	50	An RFQ for a new EDRMS has been sent out and applications close on 9am, 21 March 2025.
2.3.1.	**Risk Register**	Extreme	During review and from discussions with management we noted that an organisational wide risk register is not formally maintained by the Shire.	By not maintaining a risk register; the Shire may be unaware of risks facing the Shire, risks may not have an owner and therefore go untreated or the Shire may be underprepared for major/catastrophic risks when they do occur.	•A formal risk register is established, which at a minimum covers the following categories; financial, health, reputation, operation, environment, compliance and project. •The risk register should be reviewed on a rolling basis, with meetings held with risk owners on a	25	A Risk Register does exist but requires review. This review is proposed to be undertaken internally with assistance from LGIS, specifically its risk services division. Upon completion of the review, the Risk Register will be presented to the Audit and Risk Management Committee for consideration and recommendation to Council.	50	The ARMC workshopped the Risk Management Policy in early September. Staff have since started drafting a Risk Management Framework consisting of a framework document, overarching policy, procedures and risk register. Staff are aiming to present the draft framework to the ARMC in October for preliminary feedback.	75	The Risk Management Framework has been endorsed by the Audit and Risk Managment Committee and Adopted by Council in December 2024. Staff are drafting an implementation plan to roll it out.
2.3.6	**Remote Access**	Moderate	From discussions with management, it was noted that the "Working from Home Self-Assessment Survey" aids the Shire in complying with Occupational Safety and Health Standards, while the "Remote Working Agreement" is a record of the employee confirming their understanding of the requirements while working from home, therefore where these documents are not completed, the Shire is	The "Working from Home Self-Assessment Survey" aids the Shire in complying with Occupational Safety and Health Standards, while the "Remote Working Agreement" is a record of the employee confirming their understanding of the requirements while working from home, therefore where these documents are not completed, the Shire is	•A review is undertaken of current employees who work from home, to ensure documentation is on file or is completed where appropriate. •All future employees who work from home, should complete the documentation as specified in the Shire's working remotely procedure.	50	A review of the completed documentation will be undertaken to ensure compliance. The Shire maintains a register of assets issued to staff; it identifies those assets regularly removed from the office.	75	A review of the current Work From Home (WFH) policy has been progressed. The review found that due to its extensive scope and enforcement challenges major amendments are required. Particularly relevant to cl.4.12 on Performance and the Home Self-Assessment Survey. Further collaboration with the Senior HR Officer, Leadership Team, and Work Health and Safety Officer will be conducted to achieve a balanced approach to the scope and enforcement issues.	75	Collaboration with the Senior HR Officer, Leadership Team, and Work Health and Safety Officer have been delayed due to staff vacancies in key positions.
2.3.7.	**Policies and Procedures**	Low	From review of policies and procedures relevant to this year's internal audit, it was noted that the majority were past their review date.	Risk that policies/procedures are outdated and do not reflect the current circumstances of the Shire and its control environment.	Policies and procedures are reviewed on a regular and rolling basis, with each policy/procedure specifying when adopted, when the next review is to occur and the Shire ensuring the specified dates are adhered to.	25	It was noted that several policies were scheduled for review in 2023; however, it was deemed prudent to postpone this process until after the elections. A plan has been established to ensure that policies are brought to Council for review in a timely manner, based on priority topics and workshops.	50	All Shire Policies and Procedures have been assessed to determine review due dates. From this, Management have been provided with a list of documents due for review, relevant to their area of responsibility. All approved documents provided to Governance have been finalised and communicated to staff, including changes to existing and adoption of new. The Policy and Procedure templates have been updated to include adoption date, review due date and department area of responsibility information. It is proposed to present a monthly Status List to the Leadership Team towards ensuring review due dates are monitored and adhered to.	100	All policies were thoroughly reviewed as part of the Regulation 17 Audit and Financial Managment Review. The improvements noted by the auditors will be incorporated into future policy reviews.

Internal Audit Findings Update 1 October 2024 - 28 February 2025

Ref	Issue	Risk Rating	Auditors Comments	Implication/Risk	Auditors Recommendation	Status Update (May'24)	Administration Update (May'24)	Status Update Sep'24	Update September 24	Status Update Feb'25	Update February 2025
2.3.8.	**Compliance Calendar**	Low	From discussion with relevant staff members, it was noted that whilst the Shire is compliant with reporting requirements associated with LEMA, it was evident the Shire could benefit from maintaining an organisational wide compliance calendar to ensure legislative requirements are met.	Risk that important compliance deadlines could be overlooked or missed.	The Shire to introduce and maintain a compliance calendar to track and centralise important dates and deadlines associated with critical regulations and reporting obligations.	50	Calendar created, needs a robust review by all service units to ensure inclusion of important dates and requirements (not just legislative requirements). This information then needs to be embedded into the organisation. its recommended it be a regular agenda item for the leadership team meetings and staff meetings.	50	Staff will present the calendar to Council at a workshop for discussions on relevant information required. Staff are to work on procedures to embed this information into its everyday processes.	100	Staff presented the compliance/Governance calendar to Council at its workshop in November 2024. Staff have since incorporated fortnightly check in, with progress updates and incorporated the information into a live reporting dashboard for Councillors.

Compliance Adudit Return Findings Update

Year	Topic	Item#	Question	Non-Compliance Response Comment	Actions Status (Sept 24)	Administration Update Sept 24	Actions Status (Feb 25)	Administration Update Feb 25
2023	Finance - Optional Questions	1	Did the CEO review the appropriateness and effectiveness of the local government's financial management systems and procedures in accordance with the Local Government (Financial Management) Regulations 1996 Regulations 5(2)(c) within the three years prior to 31 December 2023? If yes, please provide the date of council's resolution to accept the report.	The Shire engaged AMD Accountants in 2023 to prepare an Internal Audit Proposal, towards the future development and implementation of a Strategic Internal Audit Plan. However, AMD opted to suspend the Internal Audit initiative due to potential conflict of interest concerns, stemming from their potential engagement by the Office of the Auditor General (OAG) to conduct the Annual Audit.	50	RFQ 325 & 330 for the Reg 17 Audit Review and Financial Management Systems Review, closed on 19 June 2024, an evaluation was completed, and Moore Australia were awarded the contracts for both reviews. Moore Australia will commence in December 2024.	100	The Financial Management Systems Review was completed by Moore Pty Ltd in December 2025.
2023	Finance - Optional Questions	2	Did the CEO review the appropriateness and effectiveness of the local government's systems and procedures in relation to risk management, internal control and legislative compliance in accordance with Local Government (Audit) Regulations 1996 Regulation 17 within the three financial years prior to 31 December 2023? If yes, please provide date of council's resolution to accept the report.	The Shire engaged AMD Accountants in 2023 to prepare an Internal Audit Proposal, towards the future development and implementation of a Strategic Internal Audit Plan. However, AMD opted to suspend the Internal Audit initiative due to potential conflict of interest concerns, stemming from their potential engagement by the Office of the Auditor General (OAG) to conduct the Annual Audit.	50	RFQ 325 & 330 for the Reg 17 Audit Review and Financial Management Systems Review, closed on 19 June 2024, an evaluation was completed, and Moore Australia were awarded the contracts for both reviews. Moore Australia will commence in December 2024.	100	The Audit Reg 17 Review was completed by Moore Pty Ltd in December 2025.

Shire of
Donnybrook Balingup

Minutes of Local Emergency Management Committee Meeting

Held on 4 February 2025 and commenced at 9:00am
Held at the Donnybrook SES
(80 Bentley Street, Donnybrook)

Authorised:

Ross Marshall, Director Operations

Prepared: 6 March 2025

Disclaimer:

Please note the items and recommendations in this document are not final and are subject to change or withdrawal.

Contents

1. Declaration of Opening / Announcement of Visitors 3
2. Attendance 3
   2.1. Apologies 4
3. Declarations from the Presiding Member 4
4. Declarations of Interest 4
5. Confirmation of Minutes 5
   5.1. Local Emergency Committee Meeting held on 12 November 2024 5
6. Contact List Review 5
7. Business Arising from Previous Meetings 5
8. Committee Member Reports 5
9. Correspondence 6
   9.1. Correspondence In 6
   9.2. Correspondence Out 6
   9.3. Information Tabled 6
10. Post Incident Reports 6
11. Post Exercise Reports 6
12. Funding Nominations and Application Progress 7
13. Emergency Risk Management / Treatment Strategies Progress 7
14. LEMA Updates / Review 7
15. Key Achievements 7
16. Guest Presentations 7
17. Emerging Issues 7
18. Information for Public Distribution 7
19. Closure 7

1. Declaration of Opening / Announcement of Visitors

Acknowledgement of Country:

The Chairperson acknowledged the continuing connection of Aboriginal people to Country, culture and community, including traditional custodians of this land, the Wardandi and Kaneang People of the Noongar Nation, paying respects to Elders, past and present.

The Chairperson declared the meeting open at 9:04am and welcomed the attendees.

2. Attendance

Committee Members Present:

Shire of Donnybrook Balingup	Cr Vivienne MacCarthy (Chairperson)
Shire of Donnybrook Balingup	Jess Cooper (CESM, LEMC Executive)
Balingup Progress Association	Wendy Trow
Bushfire Service	Mick Zwart
Department of Biodiversity, Conservation and Attractions (Wellington)	Jewell Crossberg
Department of Communities	Renee Flaxman
Dept Fire and Emergency Services	Chris Sousa
Dept. Primary Industries & Regional Development	Tyler Hall
DEMA	Erin Hutchins
Donnybrook SES	Julie Carrick
Fire and Rescue Service	Ben Anderson
Main Roads WA	Bruce Hancock
Shire of Donnybrook Balingup	Nicholas O'Connor (Chief Executive Officer)
Shire of Donnybrook Balingup	Ross Marshall (Director Operations)
Shire of Donnybrook Balingup	Susie Delaporte (Local Recovery Coordinator, SCEO)
Shire of Donnybrook Balingup	Ange Browne (Ranger Services)
St John Ambulance	Garry Davis (Proxy)
Tuia Lodge	Iona Dix
WA Country Health Service	Paige Weaver (Proxy)
Water Corporation	Steve Collins
Western Power	Andy Smith (Proxy)

2.1. Apologies

WA Police	Terry Townsend
Bushfire Service	Max Walker
Community Home Care	Jess Rudolf
Community Home Care	Susy Glenister
Department of Biodiversity, Conservation and Attractions (Blackwood)	Steve Ward
Department of Fire and Emergency Services	Richard Bothe
Donnybrook Hospital	Sally Shaw
Red Cross	Karen Edmeades
Shire of Donnybrook Balingup	Loren Clifford (Acting Director Finance & Corporate)
Shire of Donnybrook Balingup	Claire Palmer (Environmental Officer)
Shire of Donnybrook Balingup	Jarrad Ramsden (Principal Environmental Health Officer)
St John Ambulance	Gary Halliday
Telstra	TBA
Water Corporation	Mel Robertson

3. Declarations from the Presiding Member

The Chairperson read the Shire of Donnybrook Balingup LEMC Terms of Reference and delivered the Committee's functions as per S.39 of the *Emergency Management Act 2005*:

a) *To advise and assist the local government in ensuring that local emergency management arrangements are established for its district*
b) *To liaise with public authorities and persons in the development, review and testing of local emergency management arrangements; and*
c) *To carry out other emergency management activities as direct by SEMC or prescribed by the regulations.*

4. Declarations of Interest

Nil.

5. Confirmation of Minutes

5.1. Local Emergency Committee Meeting held on 12 November 2024

Minutes from the previous meeting of the Local Emergency Management Committee held on 12 November 2024 are attached (Attachment 5.1).

That the Minutes from the Local Emergency Management Committee Meeting held 12 November 2024 be confirmed as a true and accurate record.

MOVED BY:	Garry Davis	**SECONDED BY:**	Bruce Hancock

Carried: 20/0

6. Contact List Review

Absent Committee members will be contacted prior to the next LEMC meeting to ensure details are current.

7. Business Arising from Previous Meetings

Nil

8. Committee Member Reports

Committee members are invited to provide an update on their organisation, regarding issues, threats, amendments to plans, events and learnings to assist in the overall preparedness of the Committee in relation to Local Emergency Management Arrangements.

1. Shire of Donnybrook Balingup	Cr Vivienne MacCarthy (Verbal)
2. Shire of Donnybrook Balingup	Jess Cooper (Attachment 8.2)
3. Bushfire Service	Mick Zwart (Verbal)
4. Department of Biodiversity, Conservation & Attractions (Blackwood)	Attachment 8.4
5. Department of Biodiversity, Conservation & Attractions (Wellington)	Jewell Crossberg (Verbal)
6. Department of Communities	Renee Flaxman (Attachment 8.6)
7. Dept Fire and Emergency Services	Chris Sousa (Attachment 8.7)
8. Dept. Primary Industries & Regional Development	Tyler Hall (Attachment 8.8)
9. DEMA	Erin Hutchins (Attachment 8.9)
10. Donnybrook SES	Julie Carrick (Verbal)
11. Fire and Rescue Service	Ben Anderson (Attachment 8.11)
12. Main Roads WA	Bruce Hancock (Verbal)
13. Shire of Donnybrook Balingup	Nicholas O'Connor (Verbal)

14. Shire of Donnybrook Balingup	Ross Marshall (Verbal)
15. Shire of Donnybrook Balingup	Susie Delaporte (Verbal)
16. Shire of Donnybrook Balingup	Ange Browne (Verbal)
17. St John Ambulance	Garry Davis (Proxy) (Attachment 8.17)
18. Tuia Lodge	Iona Dix (Verbal)
19. WA Country Health Service	Paige Weaver (Verbal)
20. Water Corporation	Steve Collins (Verbal)
21. Western Power	Andy Smith (Verbal)

9. Correspondence

9.1. Correspondence In

From	To	Topic	Date
DEMA	CESM	Shot Hole Borer Webinar Recording Link	13/11/2024
DEMA	CESM, Director	Drought Funding information	18/11/2024
DEMA	CESM	Telstra LEMC Contact Process	4/12/2024

9.2. Correspondence Out

From	To	Topic	Date
CESM	SoDB LEMC	Shot Hole Borer Information	14/11/2024
CESM	Shire Works Staff	Shot Hole Borer Webinar Recording Link	14/11/2024
CESM	DEMA, CESM SoBG	LEMC Telstra Contact Request	4/12/2024

9.3. Information Tabled

Poor Mobile Communications Coverage Affecting Bushfire Response: Telstra 3G helpline contact information (Attachment 9.3.1)

10. Post Incident Reports

Lowden and Argyle Bushfires

A debrief with volunteers was conducted on Sunday 2/2/2025. CESM provided a brief summary.

A staff debrief was conducted on 3/2/2025. CESM and CEO provided a brief summary.

11. Post Exercise Reports

Nil.

12. Funding Nominations and Application Progress

Nil

13. Emergency Risk Management / Treatment Strategies Progress

Shire of Donnybrook Balingup Bush Fire Risk Management Plan (BRMP)

A draft version of the Shire's updated BRMP is tabled for noting.

14. LEMA Updates / Review

Presentation: Balingup Progress Association, Community Information and Social Centre. W Trow.

15. Key Achievements

DFES Fuel management Activities Report - 2023-24
Case Study: Shire of Donnybrook Balingup

Following a Mitigation Assurance review in 2024, the Shire was approached to take part in a case study regarding its approach to mitigation and the inclusion of volunteers.

The Shire provided information relating to how mitigation activities benefit the wider community, including upskilling volunteers in a practical and realistic environment.

16. Guest Presentations

Nil.

17. Emerging Issues

LEMC Committee members are encouraged to raise emerging issues or concerns in relation to Emergency Management within the Shire of Donnybrook Balingup.

Nil items were raised.

18. Information for Public Distribution

LEMC Committee Members are invited to provide information that the Shire of Donnybrook Balingup can share on their behalf, via social media or the Shire's Website.

Nil information was provided.

19. Closure

The Chairperson declared the meeting closed at 10:36 am and advised that the next Local Emergency Management Committee Meeting will be held on Tuesday 6 May 2025 at 09:00AM, at VC Mitchell Park.

Local Emergency Management Committee Meeting (4 February 2025)

ATTACHMENTS

Number	Title
5.1	Previous LEMC Minutes – 12 November 2024
8.2	CESM Report
8.4	DBCA Report/Powerpoint Presentation
8.6	Dept. Communities Report
8.7	DFES LSW Report
8.8	DPIRD Report
8.9	DEMA Report
8.11	Donnybrook VFRS Report
8.17	Donnybrook St John's Report
9.3.1	Email, Mobile Communications Affecting Bushfire response

Shire of
Donnybrook Balingup

Minutes of Local Emergency Management Committee Meeting

Held on 12 November 2024 and commenced at 9:03am
Held at the Donnybrook SES
(80 Bentley Street, Donnybrook)

Authorised:

Ross Marshall, Director Operations

Prepared: 15 November 2024

Disclaimer:

Please note the items and recommendations in this document are not final and are subject to change or withdrawal.

Contents

1. Declaration of Opening / Announcement of Visitors 3
2. Attendance 3
   2.1. Apologies 4
3. Declarations from the Presiding Member 4
4. Declarations of Interest 5
5. Confirmation of Minutes 5
   5.1. Local Emergency Committee Meeting held on 14 May 2024 5
6. Contact List Review 5
7. Business Arising from Previous Meetings 5
8. 2024/2025 Proposed LEMC Meeting Schedule ..... Error! Bookmark not defined.
9. Committee Member Reports 6
11. Correspondence ..... Error! Bookmark not defined.
   11.1. Correspondence In 7
   11.2. Correspondence Out 7
   11.3. Information Tabled 7
12. Post Incident Reports 7
13. Post Exercise Reports 9
14. Funding Nominations and Application Progress 9
15. Emergency Risk Management / Treatment Strategies Progress 9
16. LEMA Updates / Review 11
17. Key Achievements 11
18. Guest Presentations 11
19. Closure ..... Error! Bookmark not defined.

1. Declaration of Opening / Announcement of Visitors

Acknowledgement of Country:

The Chairperson acknowledged the continuing connection of Aboriginal people to Country, culture and community, including traditional custodians of this land, the Wardandi and Kaneang People of the Noongar Nation, paying respects to Elders, past and present.

The Chairperson declared the meeting open at 9:04am and welcomed the attendees.

2. Attendance

Committee Members Present:

Shire of Donnybrook Balingup	Cr Vivienne MacCarthy (Chairperson)
WA Police	Terry Townsend (Deputy Chairperson)
Shire of Donnybrook Balingup	Jess Cooper (CESM, LEMC Executive)
Balingup Progress Association	Wendy Trow
Dept Fire and Emergency Services	Chris Sousa
Dept. Primary Industries & Regional Development	Tyler Hall
DEMC	Erin Hutchins
Donnybrook SES	Julie Carrick
Donnybrook Hospital	Sally Shaw
Fire and Rescue Service	Ben Anderson
Main Roads WA	Bruce Hancock
Shire of Donnybrook Balingup	Nicholas O'Connor (Chief Executive Officer)
Shire of Donnybrook Balingup	Ross Marshall (Director Operations)
Shire of Donnybrook Balingup	Susie Delaporte (Local Recovery Coordinator, SCEO)
St John Ambulance	Garry Davis (Proxy)

2.1. Apologies

Bushfire Service	Max Walker
Bushfire Service	Mick Zwart
Community Home Care	Jess Rudolf
Community Home Care	Susy Glenister
Department of Biodiversity, Conservation and Attractions (Blackwood)	Steve Ward
Department of Biodiversity, Conservation and Attractions (Blackwood)	Ed Hatherley
Department of Biodiversity, Conservation and Attractions (Wellington)	Darren Harvey
Department of Communities	Renee Flaxman
Dept Fire and Emergency Services	Phil Bresser
Donnybrook SES	Sue Tooke
Red Cross	Karen Edmeades
Shire of Donnybrook Balingup	Loren Clifford (Acting Director Finance & Corporate)
Shire of Donnybrook Balingup	Claire Palmer (Environmental Officer)
Shire of Donnybrook Balingup	Jarrad Ramsden (Principal Environmental Health Officer)
Shire of Donnybrook Balingup	Kyle Yoko/Greg Stover (Ranger Services)
St John Ambulance	Gary Halliday
Tuia Lodge	Iona Dix
WA Country Health Service	Barry Moroney
Water Corporation	Mel Robertson
Western Power	Gary Smith

3. Declarations from the Presiding Member

The Chairperson delivered the Committee's functions as per S.39 of the *Emergency Management Act 2005*:

a) *To advise and assist the local government in ensuring that local emergency management arrangements are established for its district*
b) *To liaise with public authorities and persons in the development, review and testing of local emergency management arrangements; and*
c) *To carry out other emergency management activities as direct by SEMC or prescribed by the regulations.*

4. Declarations of Interest

Nil.

5. Confirmation of Minutes

5.1. Local Emergency Committee Meeting held on 14 May 2024

Minutes from the previous meeting of the Local Emergency Management Committee held on 20 August 2024 are attached (Attachment 5.1).

That the Minutes from the Local Emergency Management Committee Meeting held 14 May 2024 be confirmed as a true and accurate record.

MOVED BY:	Ross Marshall	**SECONDED BY:**	Ben Anderson

Carried: 15/0

6. Contact List Review

A current copy of the Shire of Donnybrook Balingup Local Emergency Management Committee Contact list is to be circulated for review.

Absent Committee members will be contacted prior to the next LEMC meeting to ensure details are current.

7. Business Arising from Previous Meetings

Item	Responsible Officer	Status
Establish proposed meeting schedule for 2024/25	CESM / DEMA / Chairperson	Complete
Recovery Plan Interim Review	CESM	Ongoing

8. Committee Member Reports

Committee members are invited to provide an update on their organisation, regarding issues, threats, amendments to plans, events and learnings to assist in the overall preparedness of the Committee in relation to Local Emergency Management Arrangements.

1. Shire of Donnybrook Balingup	Cr Vivienne MacCarthy (Attachment 8.1.1)
2. WA Police	Terry Townsend (Verbal)
3. Shire of Donnybrook Balingup	Jess Cooper (Attachment 8.3.1)
4. Dept Fire and Emergency Services	Chris Sousa (Attachment 8.4.1)
5. Dept. Primary Industries & Regional Development	Tyler Hall (Attachment 8.5.1)
6. DEMC	Erin Hutchins (Attachment 8.6.1)
7. Donnybrook SES	Julie Carrick (Verbal)
8. Fire and Rescue Service	Ben Anderson (Attachment 8.8.1)
9. Main Roads WA	Bruce Hancock (Verbal)
10. Shire of Donnybrook Balingup	Ross Marshall (Verbal)
11. Shire of Donnybrook Balingup	Susie Delaporte (Verbal)
12. St John Ambulance	Garry Davis (Proxy) (Attachment 8.12.1)

11. Correspondence

11.1. Correspondence In

From	To	Topic	Date
W Trow	R Marshall	CISCO Activation process	Various
W Trow	Cr MacCarthy	Drought, LEMC Suggestions	31/10/2024
DEMA	CESM	South West Emergency Management Calendar 2024/25	30/10/2024
J Goff	CESM	Notification of change of LEMC Membership	28/10/2024
T Stevens	CESM	Notification of change of LEMC Membership	24/10/2024
R Armstrong (WALGA)	CESM	WALGA State Hazard Plan Fire Consultation Draft	23/10/2024
R Armstrong (WALGA)	CESM	DBCA Infosheet – Vegetation die-off and Fire	11/10/2024
R Armstrong (WALGA)	CESM	Funding – Mobile Network Resilience	8/10/2024
R Armstong (WALGA)	CESM	2024/25 LG Weather Briefing	30/9/2024
R Armstong (WALGA)	CESM	Webinar – Building Resilience in Disasters	27/9/2024
R Armstong (WALGA)	CESM	Bushfires and Spontaneous Volunteers	3/9/2024

11.2. Correspondence Out

From	To	Topic	Date
CESM	DEMA/Supt LSW	SoDB CEO Contact details	30/10/2024
CESM	SoDB LEMC	Notification of LEMC Meeting	24/10/2024
CESM/R Marshall	W Trow	CISCO Activation Process	Various

11.3. Information Tabled

South West Emergency Management Calendar 2024-25 (attachment 11.3.1)

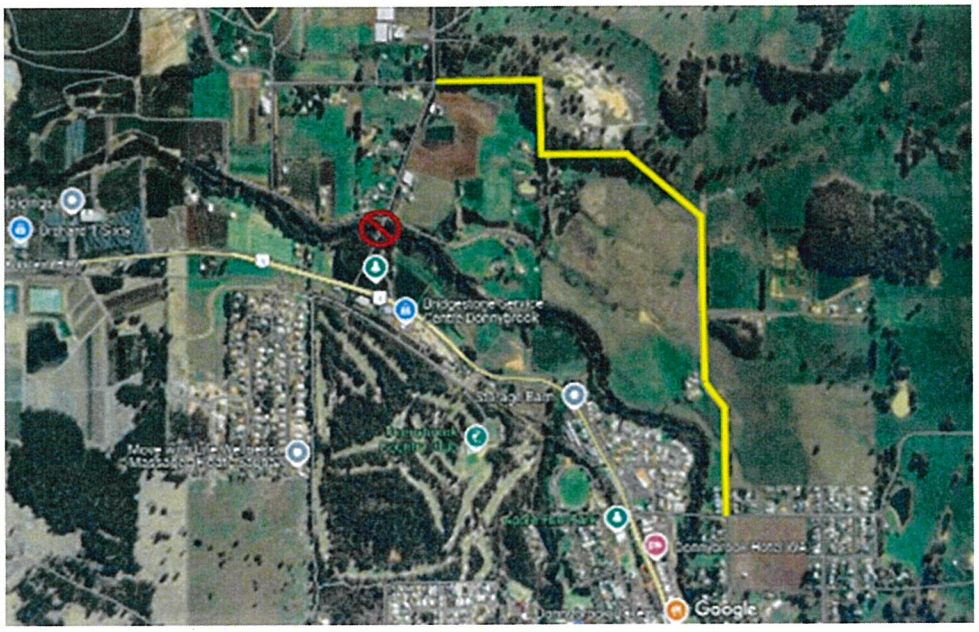
12. Post Incident Reports

On Wednesday 2 October 2024, the Irishtown Bridge was impacted by fire, causing it to be unsafe for vehicular use.

This bridge provides primary access to the locality of Irishtown, with the community now using a pre-established fire escape route to access their properties.

The Shire as been working to maintain this fire escape whilst bridge repairs are facilitated. A full restoration date is not yet known.

The cause of the fire is undetermined.



Map showing alternate route into the locality of Irishtown

A timeline of events is as follows:

2 October 2024

- Fire incident, DFES & Local Government Respond
- Bridge closed
- Access track works initiated
- Initial Main Roads inspection Conducted
- Preliminary Main Roads design inspection conducted
- Pedestrian access established
- Community meeting held

4 October 2024

- Access track works continue
- Second community meeting held

9 October 2024

- Dept. Water & Environmental Regulations Permit
- Engagement with Gnaala Karla Boodja (Aboriginal Cultural Heritage)
- Insurance Assessor inspection
- Special Council meeting to release budget for works

16 – 30 October 2024

- 15% design development

November 2024

- Final Construction Design to be completed
- Request for Tender to be released

December 2024

- Council to award tender
- Prefabrication and mobilisation works expected to commence

13. Post Exercise Reports

Nil.

14. Funding Nominations and Application Progress

AWARE 2024/25

Following the 2023 Donnybrook Complex Bushfires, it was identified that The Shire of Donnybrook Balingup would benefit from developing an *Animal Welfare in Emergencies Plan.* Ranger Services were unsuccessful in their recent application for funding consideration.

15. Emergency Risk Management / Treatment Strategies Progress

Mitigation Activity Funding

The Shire of Donnybrook Balingup was awarded $315,180 via the Mitigation Activity Fund to perform 19 treatments of 'very high' or above risk rating.

To date, 14 of these treatments have been completed as summarised:

Treatment Address	Treatment Type	Treatment Objective	Status
Hetherington Rd, Argyle	Fire Access Track	Construct fire access track for emergency vehicles, divide reserve into smaller sections	Ongoing
Campbell St, Balingup	Mechanical Works	Maintain asset protection zone for dwellings and agricultural assets	Complete
Bovell St, Balingup	Mechanical Works	Maintain asset protection zone for dwellings and agricultural assets	Complete
Grimwade Rd, Balingup	Mechanical Works	Maintain asset protection zone for dwellings and agricultural assets	Complete
Langridge Rd, Brookhampton	Mechanical Works	Create asset protection zone for dwellings and agricultural assets	Complete
Noggerup Townsite	Mechanical Works	Reduce fuel loads on Shire-managed reserved to less than 8 tonnes per hectare, buffer zone creation	Complete
Wade Rd, Brookhampton	Chemical Works	Follow up treatment to target non-native species that may contribute to spread of fire	Complete
Wade Rd, Brookhampton	Mechanical Works	Create asset protection zone for dwellings	Complete
Airstrip Rd, Balingup	Fire Access Track	Upgrade access and create buffer zone for dwellings. Bridge asset protection zone creation.	Complete
Mullalyup Townsite	Mechanical Works	Create asset protection zone for dwellings and critical infrastructure (fire station).	Complete
Castle St, Kirup	Mechanical Works	Create Hazard separation and buffer zone for assets	Complete
SW Highway, Newlands	Mechanical Works	Maintain asset protection zone near infrastructure (Newlands Hall)	Complete
Cherrydale Way, Beelerup	Fire Access Track	Maintain/create fire access tracks for emergency vehicles, divide reserve into smaller sections in preparation for future prescribed burning	Complete
Cherrydale Way, Beelerup	Planned Burning	Reduce fuel loads in Shire-managed reserves adjacent to commercial businesses, asset protection	Ongoing
Wattle Court, Donnybrook	Planned Burning	Reduce fuel loads in Shire-managed reserve (old trotting track), asset protection for dwellings and critical infrastructure (SES Building)	Complete
Balingup Transfer Station	Mechanical Works	Create buffer zone for critical infrastructure – Transfer Station, Highway & Cemetery	Complete
Balingup Transfer Station	Planned Burning	Reduce fuel loads to protect critical infrastructure – Transfer Station, Highway & Cemetery	90% Complete
Lowden Fire Station	Mechanical Works	Create asset protection zone for Lowden Fire Station (Critical Infrastructure)	Ongoing
Russells Rd, Balingup	Planned Burning	Reduce fuel loads in shire-managed reserves to protect dwellings and critical infrastructure	Ongoing

16. LEMA Updates / Review

The Shire of Donnybrook Balingup has completed its interim review of its Recovery Plan. As the changes were minimal and did not affect any arrangements or the documents intent, it was not required to be noted by DEMC

17. Key Achievements

Nil.

18. Guest Presentations

Nil.

19. Emerging Issues

LEMC Committee members are encouraged to raise emerging issues or concerns in relation to Emergency Management within the Shire of Donnybrook Balingup.

19.1. Drought Preparedness

The following suggestions have been raised via email with the Shire:

"Communities may WANT to prepare better for drought, it will only be effective if done with the blessing and full cooperation of local government and, as a minimum, the Local Emergency Management Committee. Both of whom are often constrained by inflexible meeting procedures and concerns for risk management.

- *LEMCs should be encouraged to have a permanent community sub-committee that is free to work on issues that the community considers important .....with no constraints.*

- *The Shire would help a community group to become incorporated and obtain insurance (providing funding and assistance with applications) and the Community Emergency Services Managers would work with the group as an advisor. The CESM role would be to tell the LEMC what is going on and follow up on ideas for improvement (like the showers, laundry problems)"*

The Shire of Donnybrook Balingup LEMC is requested to consider these suggestions and discuss/provide information as appropriate.

20. Information for Public Distribution

LEMC Committee Members are invited to provide information that the Shire of Donnybrook Balingup can share on their behalf, via social media or the Shire's Website.

21. Closure

The Chairperson declared the meeting closed at 10:38 am and advised that the next Local Emergency Management Committee Meeting will be held on Tuesday 4 February 2025 at 09:00AM, at the Donnybrook SES.

Committee members were invited to participate in an Incident Situation Report exercise, using the PESTLE Analysis guide. Agencies were invited to share Political, Economic, Social, Technological, Legal and Environmental considerations in a bushfire context for the 2024/25 bushfire season.

LEMC February 2025 Activity Report

Community Emergency Services Manager

A/CESM Position	The Shire of Donnybrook Balingup has offered a 12-month A/CESM position to the preferred candidate. An announcement to be made once recruitment has been formalised.
Mitigation	**Bushfire Risk Management Plan**: Final draft is complete following a 8-month review process. Document to be forwarded to Council for endorsement. BRMP enables eligibility for future Mitigation Activity Funding from DFES. Planning for next year's mitigation works to be included for funding consideration are underway.
Bushfire Service	2025 training plan to commence in coming weeks, dependent on A/CESM availability throughout 2025. Developed improved PPE Ordering processes (less reliance on CESM) Arson events in Balingup. Person of interest identified and reported to Police. Significant drop in incidents.
Event Approvals Process	Event approvals for larger events are no longer approved under delegation as was done previously. Larger events are now presented to Council for consideration. An event has contested a council decision via the State Administrative Tribunal. This has proved to be a lengthy and resource-intensive process.

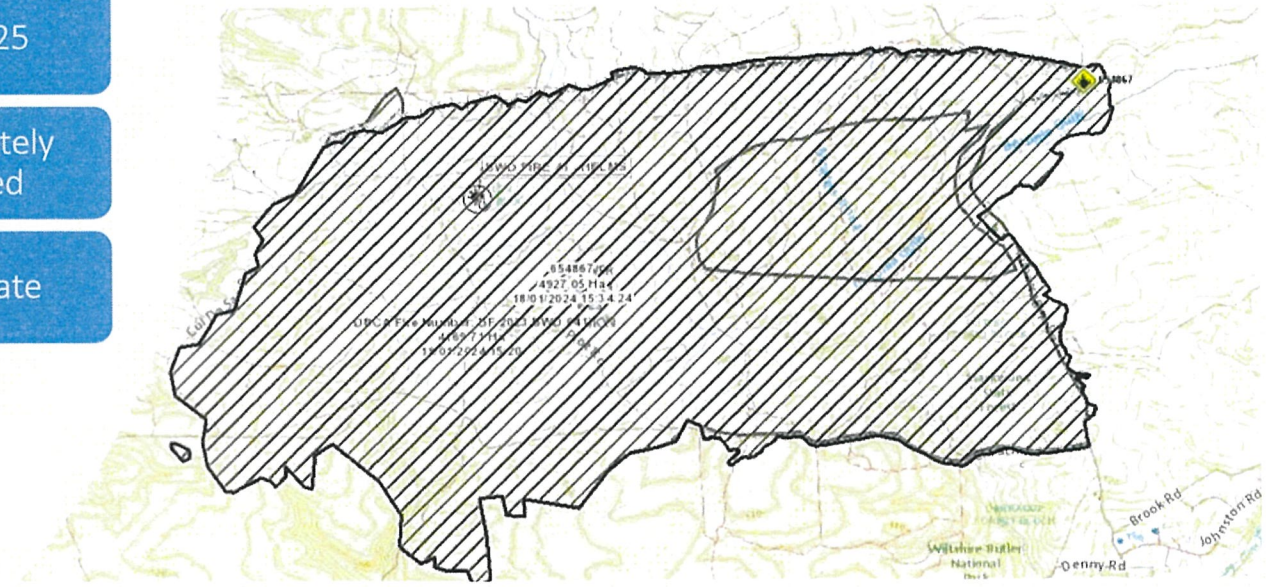
Summer 2024/25

Donnybrook LEMC

Attachment 8.4

Fire Season

- **Season** had a mild start within ongoing rain into late Spring
- **Rapid aerial and ground response by DBCA and Brigade crews** has kept **fires small**
- Currently at 67 fires for Blackwood District 2024/25
- Arsonist in Balingup has accounted for approximately 20 fires extinguished while small and POI identified
- Only 3 DBCA managed fires larger than 10ha to date

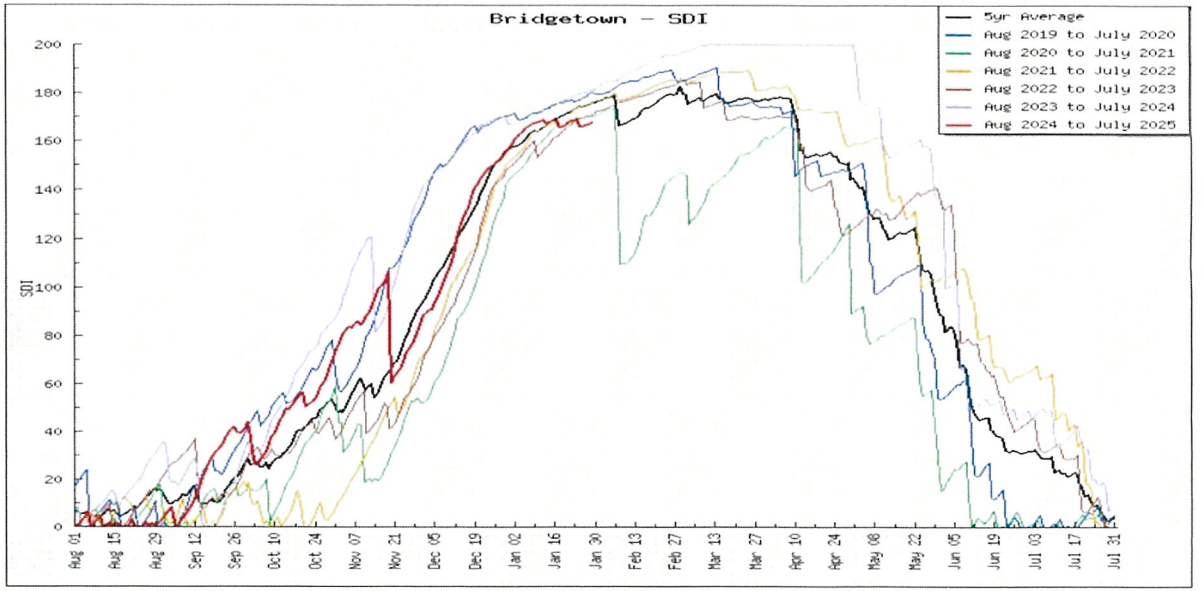


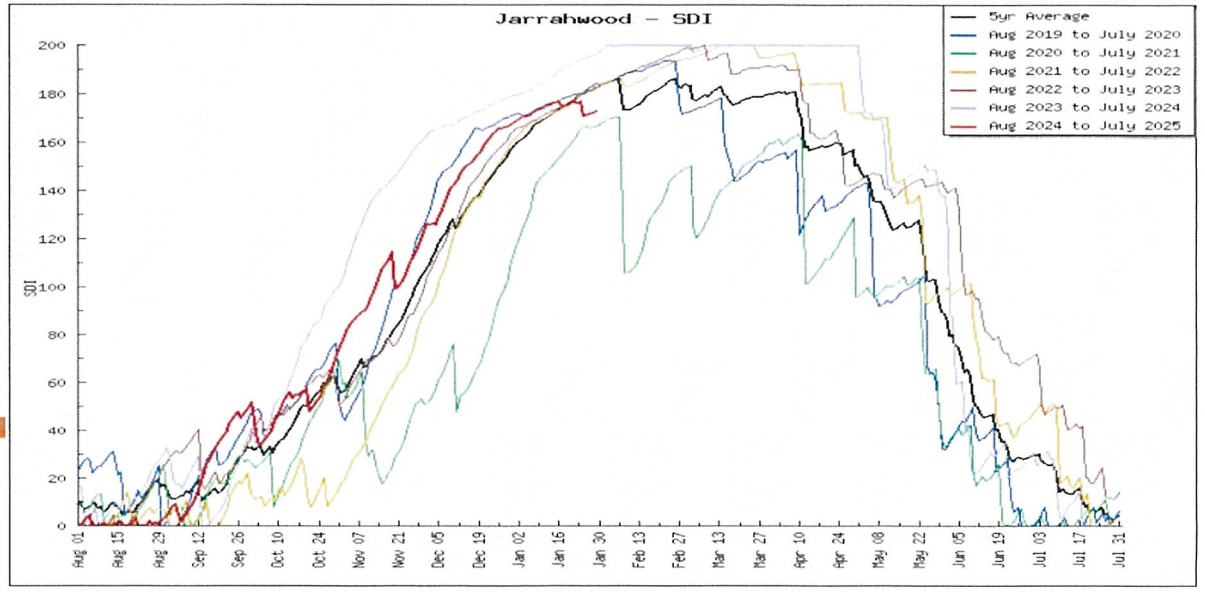
Summer conditions

Good winter rains with follow up into late Spring kept early summer fire behaviour limited

Soil moisture is currently below historical average

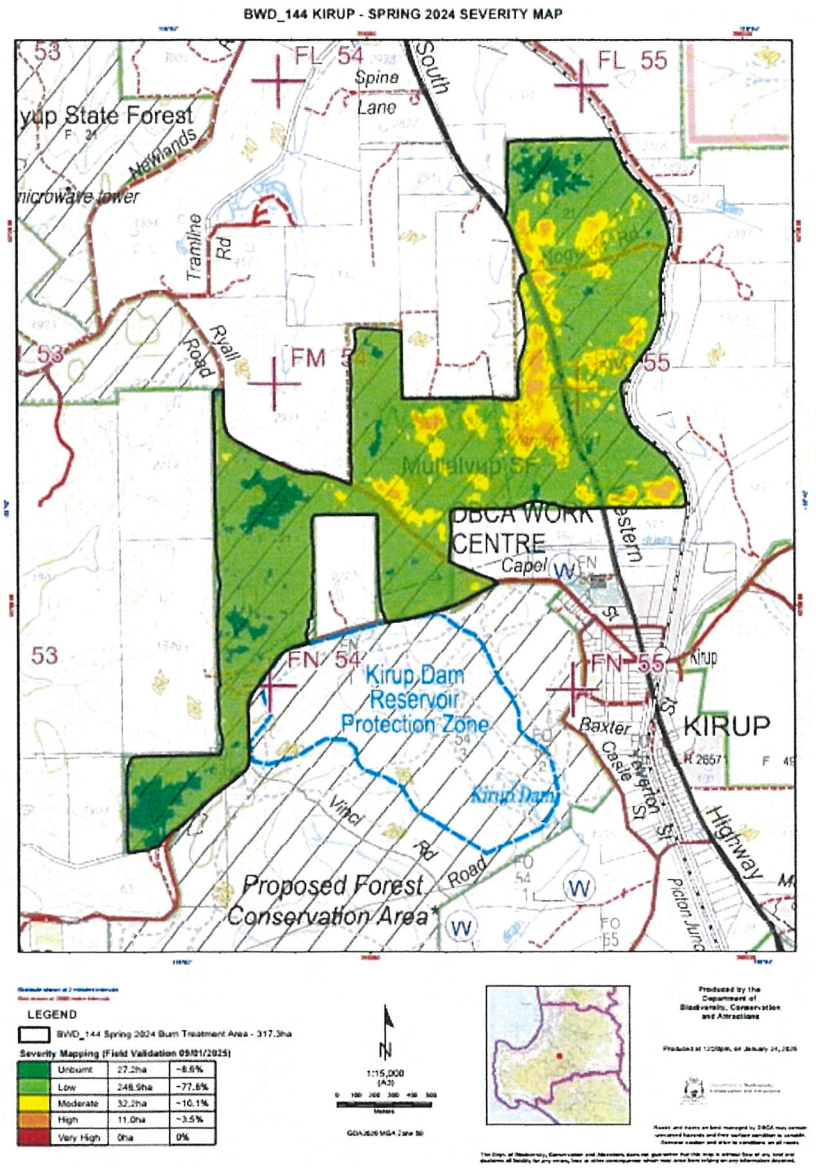
Experiencing normal enhanced fire behaviour conditions during west coast trough with associated lightning but this has come with some rainfall





Burning Season- Spring 2024

- 4 broadscale burns completed in the Shire. Kirup now surrounded by low fuels
- Kirup (317ha)
- Warner (1924ha)
- Warner Kelly (160ha)
- Maryvale (3069ha)
- Good burning season but unstable winds limited the number of larger aerial burns



Autumn 2025 Burn Options

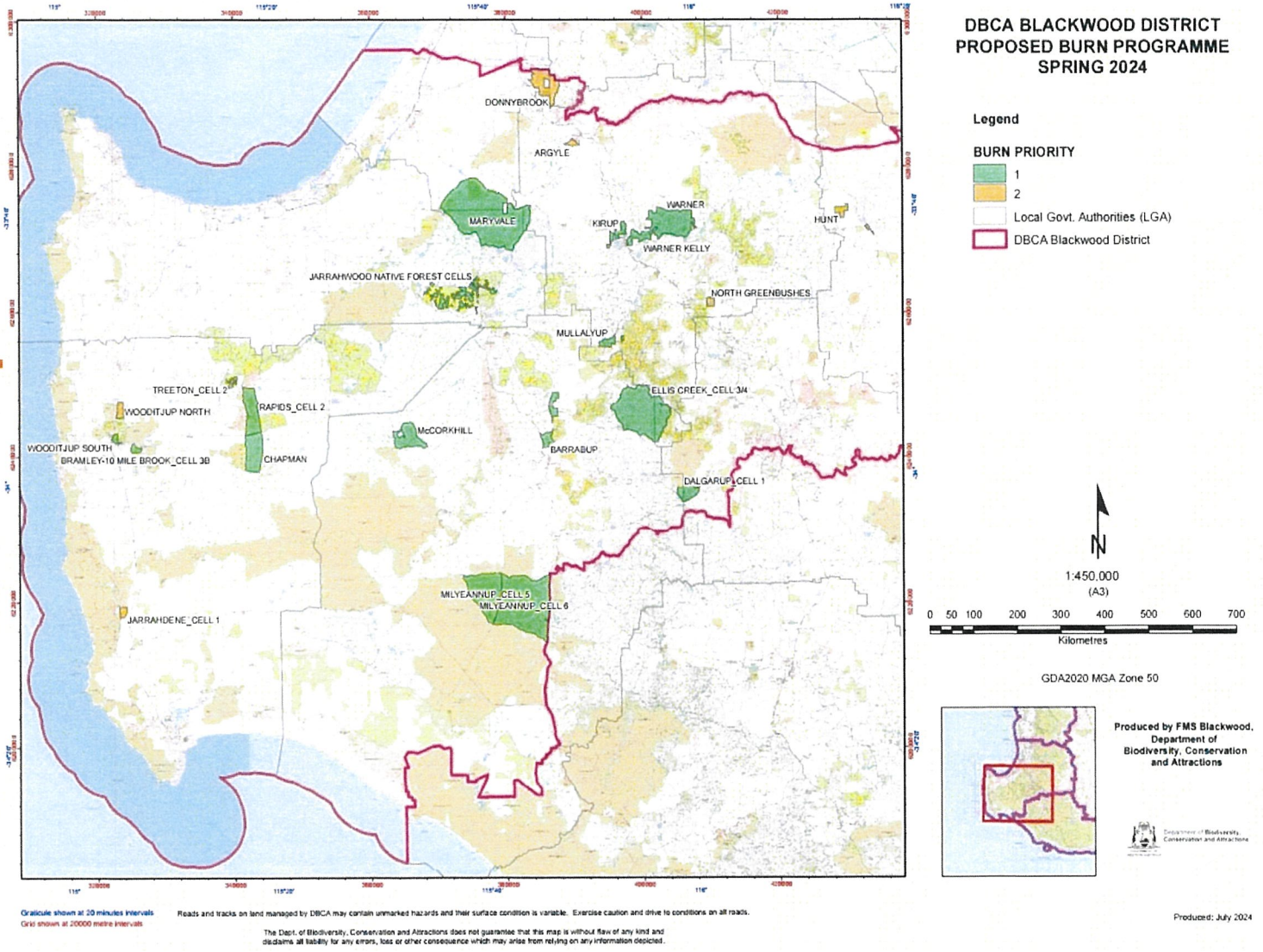
- Carry over of burns currently on the programme with the addition of new burns
- Approximately 20 priority burns across the District
- 3 burns possible within the Donnybrook Shire this Autumn

BWD_126 Warner Prescribed Burn-Spring 2024

Burn Options- Autumn 25

(Donnybrook-Balingup Shire)

- Warner Kelly (remaining)
- Argyle
- Donnybrook



Other issues

- Styles tower has reached the end of operational life – DBCA management currently considering funding for replacement
- Respirators provided to all DBCA crews and staff with fire related role

Questions

Government of **Western Australia**
Department of **Communities**

Emergency Relief and Support

LEMC REPORT FOR DISTRIBUTION

3rd quarter 2024 - 2025

Local ERS contacts

Activation via Communities Emergency Operations Coordinator
M: 0418 943 835 and Email: emergencyservices@communities.wa.gov.au

Regional Manager:	Mark Schorer
Regional Coordinator:	Renee Flaxman
Regional Officer:	Jo Spadaccini
Local Government:	Shire of Donnybrook-Balingup

Preparedness

- ERS is continuing to monitor the risks of the high threat season, combined with ongoing preparedness activities that support the event activation process.
    - As part of ERS seasonal preparedness, we have identified new locations for the pre-positioning of ERS equipment trailers to support rapid ERS deployment and response capabilities.
    - ERS continues to review local support services, such as accommodation providers and well-being services, that can be called on to support the needs of those people impacted by an emergency
    - The team will re-commence ERS Evacuation Centre training from Quarter 4 (April) across most regions. LEMC members are asked to identify staff or partners that may benefit from this training.
- The Local Emergency Response and Support Plan LERSP details the operational management and coordination of ERS under the Western Australian (WA) Local Emergency Management Arrangements (LEMAs).
    - The LERSP has been revised to ensure the content is more concise, and the structure more aligned to the State Support Plan.
    - All local governments will / have been asked for feedback and inputs to the LERSP prior to being tabled at the LEMC for endorsement.
- Preparedness lessons learnt and future opportunities

Local ERS contacts

- Continued monitoring of high risk weather conditions particularly in those seasonal high tourism locations and the impact on availability of accommodation providers.
- Development of a variety of opportunities for the pre-positioning of ERS equipment across LEMC areas taking into consideration LGA or commercial options.
- Evacuation Centre Audits – with a view to supporting LGAs with DRF applications. DRF can be utilised to upgrade Evacuation centres with work such as:
  - Improvements to local evacuations centres including support to improved electrical connectivity for power sources and the purchasing of generators.
  - Upgrades to kitchens, bathrooms and ablutions to support capacity requirements.
  - Installation of NBN satellite connection devices and;
  - Cyclone rated upgrades.
- Exercising with LEMC partners more in 2025 and leading discussions around the utilisation of evacuation centres by mining companies, schools, aged care facilities.

Response

Activations Quarter 3 November to 23 January 2025

- Pilbara Storm –Tom Price | November
- Wedge Island Bushfire – Jurien Bay | November
- Mount Adams Bushfire – Port Denison | December
- Carter Road Bushfire - Northam | January
- Green Range Bushfire - Albany | January
- Donnybrook Bushfire - Capel | January
- Myrup Bushfire - Esperance | January
- Karrakup Bushfire – Serpentine Jarrahdale | January

The **State Support Plan – Emergency Relief and Support** (SSP ERS) was approved by the State Emergency Management Committee at their meeting on 4 December 2024 with Statement of Fact changes.

This change includes information on Plan Activation for Level 1 Incidents.

For Level 1 Incidents: "Communities may be tasked by a HMA and/or Controlling Agency to provide ERS services to people impacted by this level of event within a single government or district area".

Local ERS contacts

Aerodrome Learnings

- The use of regional airports for in flight responses and diversions is becoming more frequent.
- The Department of Communities Emergency Relief and Support can be activated by the HMA, WA Police in the case of an air crash (State Hazard Plan Crash Emergency 4.2.1).
- The welfare of the passengers is the responsibility of the Airline unless the crash is declared by the HMA to be a level 2 or 3 incident.
- Aircraft mechanical faults, diversions, extended delays, and cancellations that affect passengers remain outside of Department of Communities ERS remit.
- Further information on ERS activation, deployment responsibilities and remit within the State Hazard Plan Crash Emergency is available from the Regional Coordinator.

Recovery

Kimberley Floods Recovery Program

- During Quarter 3 and 4 of the final year of the Kimberley Floods Recovery Program, Communities' key focus remains on supporting the Return to Home Journey for impacted community members.
- In addition to the Return to Home Journey, we continue to support impacted community members with financial assistance claims and practical, personal and wellbeing supports that have been sourced from local providers.
- ERS continues to deliver consistent messaging to impacted community members and referrals to support services.

Bunbury Storms Recovery Program

- During Quarter 3 and 4 of the final year of the Bunbury Storms Recovery Program, Communities' remains focused on delivering financial assistance to allow impacted persons to replace essential household goods that were damaged during the storms.
- The Recovery Team also continues to support ongoing referrals for personal and wellbeing support services.

Western Australian Post-Disaster Cultural Outcomes Framework.

- The Framework includes a list of specific indicators that can be used to measure whether cultural outcomes are being achieved through the recovery process and can be used to support early recovery planning, as well as the evaluation of recovery programs.
- The Framework includes outcomes that are applicable across different communities, and can be adapted to the circumstances, needs and priorities of individual communities.

Recovery

- It can be used by anyone working in an Aboriginal community after a disaster, and can be implemented by local and State government, as well as non-government organisations.

Government of **Western Australia**
Department of **Fire & Emergency Services**

DFES
Department of Fire & Emergency Services

Shire of Donnybrook Balingup LEMC
DFES Report – February 2025

The DFES Lower South West Region has been fortunate to date with below average fire occurrences to date with no incident escalating beyond local control. This has been an excellent result by all fire agencies to quickly attend to fires when they have started. With at least another 3 months of the declared bush fire season still to run its course, we look forward to continuing working with Local Shires and Brigades with the same vigilance in protecting the community.

Unfortunately, there continues to be an increase in injuries and accidents by firefighting personnel attending incidents across the state. Those attending incidents must continue to ensure their own safety is paramount when responding.

DFES Community Preparedness are promoting the "***Got 15 Minutes to Burn***" campaign, encouraging all residents to take 15 minutes to prepare a plan in the event of a bush fire via https://mybushfireplan.wa.gov.au/

The new ***Emergency WA App*** was launched in December 2024 and is available for both Apple and Android devices. The App offers the fastest, most reliable access to alerts and warnings for hazards across Western Australia and allows users to set custom watch zones, tailor notifications and listen to emergency broadcasts.

Mechanical and chemical mitigation works on Unallocated Crown Land (UCL) within townsites has been undertaken throughout the Shire by contractors. Burns planned for the Autumn season are being finalised by DFES Bush Fire Risk Management Officers.

Finally, I wish to convey our congratulations to Garry Davies for receiving the Shire's Community Citizen of the Year Award for his dedication and commitment to the town's emergency services. A very deserving recipient.

Chris Sousa
District Officer Nelson
0447 362 006

Department of
Primary Industries and
Regional Development
GOVERNMENT OF WESTERN AUSTRALIA

Protect
Grow
Innovate

AGENCY REPORT

Local Emergency Management Committee

Agency	Department of Primary Industries and Regional Development
Prepared by	Tyler Hall
Position	DPIRD LEMC Representative – Shire of Donnybrook-Balingup
Date	9th January 2025

List of emergency management prevention and preparedness activities your agency has completed since the last meeting?

- DPIRD is monitoring the Avian Influenza outbreaks in the eastern states. A huge amount of work has been conducted Nationally and with industries and other state agencies to ensure we are prepared to respond to a potential outbreak in WA.
- Incident and Emergency Management Branch actively advertising 2025 training calendar for improved response and larger DPIRD pool of capable responders.

Any emergency management response (level 2 or 3) activities conducted or supported since the last LEMC meeting?

DPIRD is continuing its management of 5x level 2 incidents:

- Polyphagous Shot-Hole Border (PSHB) (LINK: PSHB)
- African Black Sugar Ant (LINK: ABSA)
- Browsing Ant (LINK: Browsing Ants)
- Red Dwarf Honey Bee (RDHB) (LINK: RDHB)
- Queensland Fruit Fly (Qfly) (LINK: Qfly)

Note: none have been detected in the south-west.

Any emergency management recovery activities conducted or supported since the last LEMC meeting?

Disaster Recovery Funding Arrangements offered to those affected by:

- Category D: Ex-Tropical Cyclone Ellie across LGAs of Broome, Derby, Kimberley, Halls Creek, Wyndham
- Category B: Heavy rainfall across the Geraldton region

Any other notable activities/information?

As the executor of the State Support Plan for Animal Welfare in Emergencies (AWiE), DPIRD encourages all LG's to have a Plan for Animal Welfare in Emergencies (PAWE) in place.

It is an important part of all-hazard planning as research has shown that animals will influence people's decision-making and behaviour during emergencies.

LG's can reach out to our Incident and Emergency Management Branch if they require advice and support for the development of their PAWE (contact emergencymanagement@dpird.wa.gov.au).

Visit www.agric.wa.gov.au/animalwelfare/animal-welfare-emergencies for resources, support, and contacts.

DISTRICT EMERGENCY MANAGEMENT ADVISOR REPORT
3rd Quarter 2024-2025

STATE NEWS

The last meeting of the **State Emergency Management Committee (SEMC)** was held on the 4 December 2024. SEMC Communiques can be found here.

2025 SEMC MEETING SCHEDULE

- 13 March 2025
- 8 May 2025
- 7 August 2025
- 9 October 2025
- 4 December 2025

CONSULTATION REQUESTS

- State Recovery Arrangements – public consultation period to be announced in 2025

You can view all current and past consultations on the Engage WA EM consultation homepage

SEMC STRATEGIC PLAN UPDATE

It is expected that a draft Strategic Plan will be presented to SEMC for consideration in 2025.

LEMA IMPROVEMENT PLAN UPDATE

- The LEMA Improvement Program is a sector-led reform to address the findings and recommendations of the LEMA Review Project.
- The aim of the Program is to design and develop new processes and tools to streamline and enhance the efficiency of preparing LEMA, ensuring they are more suitable for local governments.
- The LEMA Improvement Program Board provides strategic oversight and consists of representation from across State government and the WA Local Government Association (WALGA).
- The project team comprises a Project Officer employed by WALGA and a Director, Project Manager and supporting staff from DFES.
- The Local Emergency Management Arrangements (LEMA) Guideline was recently updated to comply with State guidelines for publishing accessible digital documents. This update does not reflect the work of the LEMA Improvement Program and will be further updated when the Program is complete.
- Local governments are not required to take action due to the LEMA Guideline update.
- WALGA will commence piloting newly proposed LEMA tools and templates in 2025, via an expression of interest.
- Work has also commenced to develop a LEMA maturity assessment model to provide local governments with a pathway to develop and improve their emergency management capability and maturity.
- It is anticipated that new resources will be available in the first half of 2026.
- Until the reform of LEMA, if your local government's LEMA is scheduled for review, proceed as planned to maintain your obligations under the *Emergency Management Act 2005*.
- Keep up to date by visiting the SEMC website or the WALGA website.

- WALGA has received valuable feedback from Local Governments, which has informed the LEMA Improvement Program. WALGA extends their gratitude to all members for their contributions.
- WALGA is facilitating a LEMA Working Group with representatives from 10 local governments who are providing advice to the project team and will co-design new templates and supporting resources.
- The project teams and local government LEMA working group have been working collaboratively to design and develop new LEMA tools to streamline and enhance the efficiency of preparing LEMA, ensuring they are more suitable for local governments.

Pilot Program for LEMA Tools:

The proposed tools for LEMA approaches will be piloted with the broader Local Government sector. This will help inform the SEMC's rollout of a more fit-for-purpose LEMA model.

Expression of Interest for Pilot Participation:

- The pilot will be advertised as an expression of interest via WALGA communications
- Initial selection criteria will include:
  1. One Local Government from each band.
  2. LEMAs that are overdue or due for renewal.
  3. Local Governments that have not received AWARE funding for LEMA review.
  4. Local Government commitment and capacity to support the pilot and progress to council endorsement.
- Keep an eye on the WALGA webpage and their network links for updates. The trial is expected to last 3 to 4 months.
- For additional information, please contact Catherine Feeney in the Emergency Management Policy team at WALGA or via the DEMAs.

DISTRICT NEWS

The next **District Emergency Management Committee** (DEMC) will be held on Tuesday **18 March 2025**.

LOCAL NEWS

LOCAL OPERATIONAL RECOVERY PLAN (LORP) EXERCISE

A Local Operational Recovery Plan (LORP) is an action plan developed by local governments after an emergency, which identifies the outcomes and activities required to effect recovery in an impacted community.

A LORP is:

- Unique to each incident.
- Operational in nature.
- Flexible, based on changing recovery needs.

A LORP can assist local governments with their coordination of recovery activities by:

- Providing a process for considering known impacts and planning activities.
- Ensuring that recovery efforts are not duplicated across recovery partners/agencies.
- Fostering collaboration across internal local government teams and externally with community members/groups and recovery partners/agencies.

If you would like the opportunity to draft a LORP with relevant Local Emergency Management Committee (LEMC) members and Local Government staff, as well as meet your annual exercising responsibilities, please reach out to me to schedule it in in 2025.

SECTOR UPDATES

EMERGENCY WA MOBILE APP

The State Government and Department of Fire and Emergency Services has now launched the new Emergency WA mobile app. The Emergency WA app will deliver faster, personalised emergency information, empowering you to make decisions to protect yourself, your property and your family. With the app, you can:

- Create customised watch zones to receive notifications about relevant alerts and warnings straight to your devices.
- Access and listen live to ABC emergency broadcasts.
- Use a read aloud tool to listen to warnings.
- Upload and store documents in one place, such as your Bushfire Plan.

The app will be the fastest and most accurate way for the Western Australian community to get trusted alerts and warnings for hazards across the State. A toolkit is available with shareable resources.

Below are some helpful resources to help you understand the app and its features:

- Introduction to Emergency WA
- Creating a Watch Zone
- FAQs located in the app, under 'More information'

If you have any questions, feel free to reach out to statepublicinfo@dfes.wa.gov.au.

UPCOMING DISASTER READY FUND – ROUND THREE

The Disaster Ready Fund (DRF) Round Three is now open for applications. Project Proposals must be submitted via the online **application portal** on the DFES website by 5 pm (AWST) on **2 April 2025. Late submissions will not be accepted.**

The DRF is offering $200 million in funding nationwide and is currently the most significant funding source for Local Government disaster resilience and risk reduction projects. The DRF will focus on building community resilience through disaster prevention, rather than response and recovery. It will support the planning and construction of infrastructure and systemic disaster risk reduction projects.

WA Local Governments were successful in securing funding for 26 projects in Round 2 of the DRF, ranging from community safety Australian Fire Danger Rating signs to supporting community connectivity in times of disaster and evacuation centre upgrades and redevelopments.

As part of DRF Round Three, NEMA introduced a number of changes. Please read the Round Three Guidelines in their entirety to ensure you are familiar with all the requirements before submitting a Project Proposal. For further information and examples of previously successful projects please visit the DFES website.

PREMIERS NATURAL DISASTER RECOVERY FUND

- In partnership with Lotterywest, the new Premier's Natural Disaster Recovery Fund aims to provide timely relief for communities impacted by emergencies

- Up to $20,000 available for households, community groups and local businesses following an emergency and will bridge the gap between immediate emergency assistance and insurance payouts, which are often provided at a later stage.
- In addition to the existing Premier's Relief Payments

Funds will be distributed by partners Australian Red Cross and the Western Australian Council of Social Service.

Information on the *Premier's Natural Disaster Recovery Fund* is available at WA.gov.au/premiersrecoveryfund.

VIDEO GUIDES FOR DISASTER RECOVERY FUNDING ARRANGEMENTS FOR WESTERN AUSTRALIA

DFES has produced videos to help Local Governments and State agencies understand how Disaster Recovery Funding Arrangements for Western Australia (DRFAWA) work and the different types of assistance available. Access the video modules by filling out this registration form.

If you are already a MobiliseME account, email DFES to have the module assigned to your profile.

Contact the DFES Recovery Team on drfawa@dfes.wa.gov.au or 1800 920 659 for DRFA assistance.

Compiled by:
District Emergency Management Advisor – South West
Department of Fire and Emergency Services
As at 24 January 2025.

State Emergency Management Policy Communique

The purpose of this communique is to provide an update on the comprehensive review and publication of State emergency management (EM) documents in Western Australia.

The key messages below may be used to brief relevant stakeholders. Emergency Management Agencies and supporting organisations are responsible for providing information and awareness of these key policy changes to their own internal staff and advisory groups. All current State EM documents can be found on the State Emergency Management Committee website.

Key Messages

Accessibility review of the LEMA Guideline

- On 7 May 2021, the State Emergency Management Committee (SEMC) approved amendments to improve the inclusivity and accessibility of the State EM documents (resolution number 32/2021). At the time, the accessible redesign of the Local Emergency Management Arrangements (LEMA) Guideline was put on hold to align with an ongoing LEMA review project.
- The State EM Policy Branch prioritised an accessibility review of the LEMA and Model following stakeholder notification that the Word template of the Model LEMA published on the SEMC webpage was significantly out of date. The existing guideline and template did not comply with State guidelines for publishing accessible digital documents.
- The publication of the revised LEMA Guideline and Model in an accessible format allows for these documents to comply with existing guidelines for accessible digital documents aims to assist with the ongoing review and consultation of the LEMA. The accessibility review was progressed following consultation with members of the LEMA Program Advisory Group.
- Local governments do not need to amend current LEMAs to match the revised LEMA Guideline and Model template.
- On 22 January 2025, the Deputy SEMC Executive Officer approved minor amendments to the LEMA Guideline to reflect the accessibility review.
- Amendments were issued to correct errors, provide consistency with other State EM documents and to provide clarity through the simplification of language and document structure. Substantive information and prescriptive directions were not reviewed or amended.
- A detailed list of amendments to the documents can be found on the emergency management review schedule and document amendments page of the State Emergency Management Committee website.

Comprehensive review of the LEMA Guideline

- The accessibility review does not aim to replace the comprehensive review of the document, which remains on hold to align with the ongoing LEMA Improvement Program Management Plan and LEMA Pilot Program.

The State EM Policy Branch of the Department of Fire and Emergency Services (DFES) administers the review and consultation of the State EM documents. Please contact the State EM Policy Branch at semc.policylegislation@dfes.wa.gov.au if you have any questions regarding this accessibility review.

GOVERNMENT OF WESTERN AUSTRALIA

SEMC STATE EMERGENCY MANAGEMENT COMMITTEE

DFES Department of Fire & Emergency Services

Proposed New Model for State Involvement in Recovery

The State Emergency Management Policy includes a proposed new *Model for State Involvement in Recovery*, which details the coordination arrangements and the roles and responsibilities of local and state governments, depending on the complexity of the recovery process and the capacity and capability of local government.

	R1	R2	R3	R4
Complexity of Recovery	Low to medium	Medium to high	Very high	Extraordinary
Government Capacity	Recovery is within capacity of local government.	Local government requires some support to manage recovery.	Local government needs significant State support to manage recovery.	Recovery exceeds capacity of local government and requires additional arrangements for the State.
Recovery Coordination Arrangements	Recovery is managed and coordinated by the local government.	Local government manages and coordinates recovery with State support.	The State leads recovery coordination. Local government manages local activities.	The State directs and coordinates recovery. Local government manages local activities.
Recovery Lead	Local Recovery Coordinator	Local Recovery Coordinator	*[Event]* Recovery Coordinator	*[Event]* Recovery Controller

Please note: there is no relationship between recovery levels (R1 - R4) and incident response levels.

Published February 2025

Published February 2025

State Emergency Management Framework

Overview of proposed revised recovery arrangements

This summary provides an overview of the proposed revisions of recovery arrangements in the recovery chapters of the State Emergency Management (State EM) Policy, Plan and Procedure.

Topic	Description
State Strategic Recovery Priorities Reference: • Policy section 6.1.9	The amendments introduce four State Strategic Recovery Priorities in the State EM Policy, to replace the recovery objectives in State EM Plan s6.1. The Priorities contemporise the former recovery objectives and incorporate the principle of 'build back better'. The Priorities provide guidance to government about what is important when making decisions about the planning and delivery of recovery operations in WA. The approach of using Strategic Priorities is consistent with the approach adopted in the State EM Policy for Response operations (Chapter 5) which provides for State Strategic Control Priorities. The Priorities have been informed by the National Principles for Disaster Recovery outlined in the Australian Disaster Recovery Framework (October 2022).
Model for State Involvement in Recovery Reference: • Policy sections 6.1.4, 6.4 & Appendix 1 • Plan section 6.2.2	The new model introduces a four-tiered framework to guide State involvement in recovery. As the complexity of recovery increases the level of State involvement will escalate. To avoid confusion with the Response Operations categorisation of incidents (Level 1-3), the Recovery Levels are referred to as R1-R4.

Policy Plan Procedure

Topic	Description
	The model is supported by the Recovery Level Assessment Support Tool (see below) which together, replace the Escalation Factors for Recovery in Appendix G of the current State EM Plan. The State Recovery Coordinator will use the model and tool when assessing recovery complexity and providing advice to the Fire and Emergency Services Commissioner on the level of State involvement required for a recovery. The model was successfully trialled in recent recoveries following the Mariginiup Bushfire 2024 and Bunbury Storms 2024 and is similar in principle to approaches used in Tasmania, South Australia and New South Wales.
Recovery Level Assessment Support Tool Reference: • Plan section 6.2.2 • Procedure section 5.6	The Recovery Level Assessment Support Tool has been developed to support the Model for State Involvement in Recovery and assist the State Recovery Coordinator to assess recovery complexity and advise the Fire and Emergency Services Commissioner on the State support arrangements required. The tool considers the scale of disruption to community function from the emergency, level of coordination effort required for recovery efforts and capacity and capability of affected local government(s) to manage recovery. The tool will replace the Escalation Factors for Recovery in Appendix G of the current State EM Plan.

Topic	Description
Minister for Emergency Services is lead minister for Recovery Reference: · Policy section 6.1.5 **and** **Department of Fire and Emergency Services is the lead agency for recovery** Reference: · Policy section 6.1.6 & Appendix A	During the Machinery of Government changes in 2017, the State recovery team was transferred to the Department of Fire and Emergency Services, including the function of State recovery coordination and administration of the Disaster Recovery Funding Arrangements Western Australia (DRFAWA). State recovery as a function, role or responsibility is not defined in the existing State EM Policy however Government has some clear expectations of the function. The proposed amendments will recognise the Minister for Emergency Services as the lead minister and the Department of Fire and Emergency Services as the lead agency for recovery. The Minister for Emergency Services is responsible for overseeing recovery preparedness and operations and providing coordinated cross-government advice on recovery to the Premier and State Government. The Department of Fire and Emergency Services responsibilities include: · maintaining a standing State Recovery Coordinator; · provide coordinated cross-government reporting and strategic advice to government about recovery including strategic risks and issues; · host an Event Recovery Coordinator/Controller and supporting taskforce / business unit as required; and · coordinate monitoring, evaluation and learning activities for recovery. A provision is also included to enable the delegation of some of responsibilities of the Department of Fire and Emergency Services to another agency in a specific recovery, where that agency has specific expertise, resources, knowledge or stakeholder networks. For example, the Department of Premier and Cabinet hosted the Covid-19 Controller and Taskforce.

Topic	Description
Greater emphasis on engaging community Reference: · Policy section 6.1 (State Strategic Recovery Priorities) · Plan section 6.2.2	A new provision has been included that specifically requires local and state governments to engage communities to understand community needs and priorities, and in the planning, design and governance of recovery. This provision is intended to ensure the State Strategic Recovery Priority to 'enable community-centred recovery' is achieved. The amendments do not prescribe a specific engagement model, rather enabling a model to be developed that suits the specific recovery needs of community and local government. Possible options could include convening a community working or advisory group. A similar model, the Fitzroy Valley Flood Recovery Working Group was self-formed by the Fitzroy Valley community themselves during the Kimberley Floods Recovery and was (and continues to be) a powerful voice for the community.
Three phases of Recovery Reference: · Plan sections Introduction, 6.1, 6.2 & 6.3	The three phases of recovery have been introduced to assist with structuring recovery planning, operations and delivery. This approach is similar to other jurisdictions including NSW and QLD and aligns with the four aspects of emergency management – prevention, preparedness, response and recovery (PPRR). The Preparing for Recovery phase occurs before an emergency to improve capacity and capability for recovery. It involves preparing for recovery through the development and maintenance of policies, planning, systems, training and exercising.

Topic	Description
	The Response and Early Recovery phase covers the period during and immediately after an emergency (usually days to weeks but may extend longer depending on the nature of the hazard). As per the current arrangements, early recovery activities are initiated and coordinated by the Hazard Management Agency and then transitioned to the local government (or State Government depending on the circumstances). Activities in this phase focus on mitigating the immediate impacts and alleviating suffering and distress, determining the level of state support required and establishing recovery governance structures. The Recovery Operations phase commences when responsibility for recovery has transferred from the Hazard Management Agency. This aim of this phase is to address recovery needs and assist the community restore a stable level of function across the four functional areas of social, built, environment and economy. Activities in this phase include recovery needs assessment, community engagement, planning and implementation of recovery programs, as well as monitoring and evaluation.
Responsibilities of Hazard Management Agency Reference: · Policy section 6.2 & 6.6 · Plan section 6.2.1	Hazard Management Agencies have an existing legislative function to initiate and support recovery. The proposed amendments provide more clarity as to these responsibilities which include planning and preparing for recovery, ensuring early recovery activities are commenced and planning the transition between response-led and recovery-led operations. In some circumstances, the Hazard Management Agency may delegate some responsibilities to another Controlling Agency. Hazard Management Agencies should update the recovery arrangements in State Hazard Plans to better reflect these responsibilities and other amendments to the framework.

Topic	Description
Transition between response and recovery Reference: · Policy section 6.2 · Plan section 6.2.1	The proposed amendments will reduce the emphasis on an Impact Statement as a 'trigger' for transition of responsibility for coordinating recovery from the Hazard Management Agency to the local or State Government. The new process will better accommodate complex emergencies where there is no 'hard finish' of response and prolonged emergencies where response and recovery occur concurrently for extended periods of time. In a R1 and R2 recovery, the transition arrangements must be agreed with the local government(s) before responsibility of recovery coordination is passed from the Hazard Management Agency to local government. In a R3 and R4 recovery the Hazard Management Agency, local government(s), State Recovery Coordinator and where appointed an Event Recovery Coordinator / Controller, must jointly prepare a written transition plan.
Requirement for an Impact Statement Reference: · Policy section 6.2.2 · Plan section 6.2.1 · Procedure section 5.3	The current wording setting out the requirements for an Impact Statement requires amendment to improve clarity and avoid confusion. The amendments will clarify that an Impact Statement is required in all Level 2 and 3 incidents, unless an exemption has been granted by the State Recovery Coordinator. The State Recovery Coordinator may grant an exemption if there are no impacts to the social, built, environment or economic functional areas which require recovery activities. When deciding whether or not an Impact Statement is required, the State Recovery Coordinator must consult the local government(s). An Impact Statement will not be required per se following a Level 1 incident. However, if there are impacts that are expected to result in recovery activities then the State Recovery Coordinator may direct that one is completed. This may occur following a request from the local government.

Topic	Description
New State-level coordinator position – Event Recovery Coordinator **and** **Clarified responsibilities, powers and accountability of the three state-level coordinator positions** Reference: · Policy section 6.5 · Procedure section 5.5 (appointment)	The updated arrangements clarify the responsibilities and reporting arrangements for the State Recovery Coordinator and for a Recovery Controller or Coordinator where one has been appointed for a specific recovery event. Under the new Model for State Involvement in Recovery, the State Recovery Coordinator will provide overall coordination of state-level recovery activities in R1 and R2 level recoveries, including setting the strategic direction and coordinating funding proposals. In more complex R3 and R4 recoveries, an event-specific Recovery Coordinator (R3) or Controller (R4) will be appointed. These positions will assume responsibility for coordinating state-level recovery activities from the State Recovery Coordinator and have greater 'powers' than the State Recovery Coordinator to advise/recommend the priorities, approach and resources of state agencies. Unless the Minister or Premier determines otherwise, these positions will generally report to the Minister for Emergency Services via the Fire and Emergency Services Commissioner. Similar event-specific coordinator positions were successfully trialled in recent recoveries with the appointment of the Kimberley Floods Recovery Coordinator and Covid-19 Recovery Controller.
State Agencies – general duty and functional recovery roles Reference: · Policy section 6.7 & Appendix 2	The updated arrangements confirm the responsibility of all state agencies to support recovery activities based on their portfolio areas of responsibility and/or expertise. The State Recovery Coordinator and *[Event]* Recovery Coordinator/Controller may also request agencies to assist with information, data and expertise. All state agencies involved in the delivery of recovery programs will be also required to facilitate data sharing and contribute to whole of government recovery reporting. The amendments will also assign some agencies with specific functional roles on the State Recovery Coordination Group, State Recovery Domains and to assist with specific recovery activities such as clean up and temporary accommodation.

Topic	Description
Membership and responsibilities of State Recovery Domains and State Recovery Coordination Group Reference: · Policy section 6.8 · Procedure section 5.1 & 5.2	The amendments clarify the responsibilities of the State Recovery Coordination Group and State Recovery Domains and assigns some agencies with specific functional roles on these groups. These arrangements are already in place informally and worked successfully in recent recoveries. Having these arrangements in place will facilitate faster activation of the groups and enable early recovery planning. The Departments of Primary Industries and Regional Development, Water and Environmental Regulation and Communities will be assigned as Chairs of the State Economic, Environment and Social Recovery Domains respectively. The Department of Fire and Emergency Services will chair the Built Domain. These agencies will also form the core membership of the State Recovery Coordination Group along with Department of Treasury, Department of Finance and Department of Premier and Cabinet.
Executive Government Forum Reference: · Policy section 6.8.8	Where there are complex policy issues or matters in a recovery event that require additional strategic oversight and direction by the executive level of government, the Fire and Emergency Services Commissioner may refer an issue or matter to an existing cross-government executive forum (e.g. the Public Sector Leadership Council) or convene a Chief Executive Officer-level forum. A similar forum was utilised successfully in the Kimberley Floods Recovery and is also used by Queensland.

Topic	Description
Public information and communications Reference: · Policy section 6.11	The proposed amendments will update public information and communications arrangements to match current practice - coordinated by DFES in capacity as the lead agency for state recovery and not the State Emergency Public Information Coordinator. All state agencies are required to consult with the Department of Fire and Emergency Services before releasing information. This is similar to the arrangements in place during response operations where public information and communications is managed by the Incident Controller and will ensure that it is managed and disseminated in a timely, accurate and credible manner and in accordance with requirements under the joint WA – Commonwealth Disaster Recovery Funding Arrangements.
Transition from recovery arrangements to business-as-usual service delivery Reference: · Policy section 6.13 · Plan section 6.3.3	Local and State Government recovery arrangements should be de-escalated or stood down when recovery services can be delivered through business-as-usual operations of the local and state government and extra-arrangements are no longer required. It is important the transition process is planned and managed in a coordinated and orderly fashion to ensure there are no gaps in service delivery for the community. The State Recovery Coordinator is responsible for planning and coordinating the de-escalation of state involvement from R3/R4 to R1/R2 as the need for state recovery coordination arrangements diminishes.

Topic	Description
Amendment to terminology from 'recovery environments' to 'functional areas' Reference: · Plan – introduction	The current arrangements refer to 'recovery environments of social, built, natural and economic' to assist with organising planning and design of recovery activities. To avoid confusion with the terminology for the State Environment Recovery Domain, the four areas have been renamed as 'functional areas': · The **social functional area** focuses on the health and wellbeing of individuals, families and communities, including safety, security and shelter, health and psychosocial wellbeing. · The **built functional area** focuses on physical infrastructure, including essential services, commercial and industrial facilities, public buildings, assets and housing. · The **environment functional area** focuses on land-based, aquatic, coastal and marine ecosystems, and environmental values that are of cultural, local and/or national significance. This area includes the management and disposal of waste and management of environmental health issues. · The **economic functional area** focuses on the economy (local and state-level), including jobs, businesses and industries. The scope of the four standing State Recovery Domains aligns with the scope of the four functional areas.

3 February 2025

Review of State Recovery Arrangements
Emergency Management Framework
Update for Local and District Emergency Management Committees (LEMC and DEMC)

PUBLIC CONSULTATION NOW OPEN

Public consultation on proposed changes to the State Recovery Arrangements in the State Emergency Management Framework is open from **3 February to 2 May 2025**. Visit the State Emergency Management Committee website www.engagewaem.com.au/recovery to find out more information, download the proposed amendments and register for an information session.

Since 2020, WA has faced an increasing number of large and complex disasters requiring higher levels of State Government support for recovery. Our current recovery practices have evolved and the recovery arrangements in the existing State Emergency Management (EM) Framework no longer reflect the needs of WA communities or our recovery capabilities.

The State Emergency Management Committee (SEMC) asked the Department of Fire and Emergency Services (DFES) to review the recovery arrangements in the EM Framework. As a result of this review, DFES has recommended comprehensive amendments to contemporise the recovery chapters in the EM Policy, Plan and Procedure.

The proposed amendments more clearly define the recovery arrangements, roles and responsibilities of State government, and provide greater clarity for local government about when and how the State Government will become involved in a recovery. The amendments:

- introduce a four-tiered (R1-R4) model where State involvement in recovery increases depending on the complexity of recovery and capacity and capability of local government;
- enable the State Government to appoint a recovery coordinator for a R3 recovery, and a controller for a R4 recovery;
- establish a mechanism for the State to provide support to a local government where a recovery coordinator or controller is not appointed but the local government needs some additional support (an R2 recovery);
- clarify the role of Hazard Management Agencies to initiate and coordinate early recovery activities during the response and early recovery phase;

- require the transition of recovery coordination from Hazard Management Agency to local (or State) government to be agreed and planned, with reduced emphasis on the Impact Statement as a 'trigger for handover';
- require local and State government to engage Community members to understand community needs and priorities, and in the planning, design and governance of recovery; and
- require the de-escalation of State involvement and transition back to 'business-as-usual' service arrangements to be planned and agreed between State and local government.

The proposed amendments do not alter the roles and responsibilities of local government under the Emergency Management Act 2005 or the arrangements for funding provided by the Disaster Recovery Funding Arrangements Western Australia (DRFAWA).

Public consultation on the proposed amendments to the State Emergency Management Framework is being undertaken from **3 February to 5pm on 2 May 2025**.

The Department of Fire and Emergency Services is offering information sessions and briefings to local governments and state government agencies. To register for an event visit www.engagewaem.com.au/recovery or contact DFES at recoverypolicy@dfes.wa.gov.au.

For further information, or to provide feedback on the proposed amendments, visit the SEMC website at www.engagewaem.com.au/recovery.

Local Emergency Management Committee (LEMC)

Donnybrook Fire & Rescue Report

Meeting Date: 4th February 2025 Meeting Location: Donnybrook SES

Jobs since last meeting: (November 2024) - **22 Jobs**

Mobile Property Crash – Vehicle Accident	8	36%
Tree - Grass - Scrub Fire	5	23%
Direct Brigade Alarm (DBA)	4	18%
Structure Fire	2	9%
Called off En-Route	2	9%
Rubbish fire - Green Waste	1	5%

Activities:

- Trail of the new Light Rescue Tender went well & it will replace the rescue trailer in about 12 to 18 months.
- Been a busy 6 months. Brigade has done 50 jobs so far.
- Assisting the local BFB brigades at the larger jobs.
- Dual response zone is up & running for the hi threat period.
- Area Officer's visit in January
- Visted blue moon packing shed in Kirup with Kirup BFB to do a pre plan of the building plus training on how the booster system works.

On the Horizon:

- Possible deployment of 2 crew to assist in Victoria.
- Preparing for the upcoming mitigation burns.
- Monthly training
- Argyle BFB training on the hydrant booster system at IGA

Report By: Ben Anderson – Captain Donnybrook VFRS

LEMC Report St John Ambulance Donnybrook Sub Centre

4 2 2025

Members
14 Emergency Medical Technicians
6 Emergency Medical Assistants

St John now have further paramedic support coming in to support local Priority 1 cases.

A new management structure is also in place for the sub centre and district.

We crewed for a night shift at the recent Argyle fire.

Training begins for 2025 Wednesday 5 2

Cross-training with Donnybrook Volunteer Fire and Rescue will continue in 2025. In 2024 we had cross-training in CPR, Severe Trauma in road Rescue as well as a Motor Bike Trauma session.

We have also purchased a RaiZer Lift chair cable of lifting patients unable to get up. A common call we have. This is very efficient and is working well.

A visit to the Men in Sheds is being organised for a CPR and Defibrillation session.

Garry Davis proxy for Ian Telfer

Jess Cooper

From: Ross (Rosco) Marshall
Sent: Monday, 3 February 2025 8:54 AM
To: Jess Cooper
Cc: Executive
Subject: Poor Mobile Communications Coverage Affecting Bushfire Response

Hi Jess
Could you please forward this message to all concerned and request proactive engagement with Telstra using this new portal. It would also be good to know who has made submissions so that we can keep track of Telstra's response.

Starting from today, we're launching a new 3G helpline for customers to get more support so they can make the most of the network. Customers can call 1800 990 853 between 8am to 7pm Monday to Friday AEDT. https://www.telstra.com.au/exchange/telstra-3g-network-shutdown--accessing-support-and-transitioning

Regards,

Ross (Rosco) Marshall - Director Operations

P: (08) 9780 4200 / 0419 947 460
E: ross.marshall@donnybrook.wa.gov.au
W: www.donnybrook-balingup.wa.gov.au
A: Mon - Fri, 8:30am - 4:00pm

Keep Australia Beautiful - Tidy Towns Awards 2021 Category Winner

Our Vision: *A proud community enjoying our rural lifestyle, cultural heritage, and natural environment.*

BUNBURY GEOGRAPHE GROUP OF COUNCILS

MINUTES

for the

BUNBURY GEOGRAPHE GROUP OF COUNCILS

to be held on

FRIDAY, 7 FEBRUARY 2025
Commenced at 9:00am

9:00am to 12:00pm – Shire of Capel, Chambers,
31 Forrest Road, Capel

1. OPENING

The Chair (Shire of Capel) opened the meeting at 9:05am

2. ACKNOWLEDGEMENT OF COUNTRY

We wish to acknowledge the traditional custodians of the land we are meeting on, the Wadandi people. We wish to acknowledge and respect their continuing connection to the land, waters and community.

We pay our respects to all members of the Aboriginal communities and their culture; and to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.

3. ATTENDANCE AND APOLOGIES

Attendance

Doug Kitchen	Shire of Capel (via Teams)
Gordon MacMile	Shire of Capel (Chair)
Tresslyn Smith	City of Bunbury (Proxy)
Andrew McRobert	City of Bunbury (Proxy)
Tyrrell Gardiner	Shire of Dardanup
Andre Schönfeldt	Shire of Dardanup
Michelle Campbell	Shire of Harvey
Annie Riordan	Shire of Harvey
Vivienne MacCarthy	Shire of Donnybrook Balingup (via Teams)
Nick O'Connor	Shire of Donnybrook Balingup (via Teams)
Ian Miffling	Shire of Collie
Phil Anastasakis	Shire of Collie

Guests

Catrin Allsop	Australia's South West (ASW)
Donyale MacKrill	Lumenesse & Co
Joe Italiano	Shire of Collie

Apologies

Jason Miguel	City of Bunbury
Alan Ferris	City of Bunbury

4. OUTSTANDING ACTIONS

Item	Meeting Raised	Action	Responsibility	Status
Sport & Recreation Strategy – Consultant Engagement	25 October 2024	Each LG to send nominated staff member to Shire of Dardanup ASAP so Inception Meeting can proceed	Each Local Government	Shire of Dardanup provided an update

5. BUSINESS ARISING

5.1 BG Tourism Partnership Presentation

Presentation from ASW and Lumenesse

5.2 Bunbury Geographe Tourism Partnership & SLA – Discussion

Discussion on BGTP focus to 30 June 2025. Further discussion and agreement needed at next BGGC meeting (March 2025) regarding BGTP from 1 July 2025 onwards.

5.3 Agreed Priorities

- **Offshore Wind Farms -** Shire of Harvey had some interest but have since withdrawn.

- **Community Partnerships -** Shire of Collie expressed the need to be aware of mine sites for rehabilitation. It's a big concern for Collie and the cost to the community.

- **Waste –** see 5.4

- **Essential Servicing (Water, Power) -** Major issues with Western Power.

- **Land and Housing** – Capel has submitted business case and liaising with Treasury Housing Support Unit regarding Housing Infrastructure Enabling Fund. More information in late March 2025 and post State Election.

- **Intermodal Hub (Dardanup) -** Shire of Dardanup (Andre) gave an update re new site: 7km from Bunbury Port.

- **Agribusiness Precinct (Capel) -** Shire of Capel (Gordon) discussed the Prospectus.

Actions:

Shire of Capel working alongside Hatch Consultants and produced a Prospectus that is on the shire website. GM will attach a copy with the minutes. (**Attachment 5.3.1)**

- Bunbury Port – City of Bunbury (Tresslyn) provided an update.

5.4 FOGO / Regional Waste

Dardanup went to OCM in December 2024. Capel going to OCM in March 2025 (confidential report). AS would like other LG's to have consistent message.

Actions:

Please send details to AS before Friday if interested with tonnage details.

5.5 BGGC Governance and MOU

DK suggested a working group (around 5 people) from the BGGC group re Executive Officer? AS has a copy of a PD and need to discuss which LG's will (**Attachment 5.5.1) and (Attachment 5.5.2)**

Actions:

Register interest (EOI – back to the Shire of Capel) in participating in working group by **4 March 2025. (Attachment 5.5.3)**

5.6 Election Commitment Status

AS discussed setup commitments re audit. GM to follow up.

5.7 Next Steps

Response from LG on Governance. AS reached out and happy to discuss on LG Act and explain regulations. AS discussed, arranging a Presentation (after caretaker mode). Let's discuss at the next meeting and suggested early May for the Presentation.

6. WRAP UP / NEXT STEPS / WAY FORWARD

Items for Discussion

DLGSC presentation - (March 2025 meeting),

ACTION ITEMS FROM THIS MEETING

Item	Action	Responsibility
Agribusiness Precinct (Capel)	Prospectus to be emailed out	Gordon MacMile
FOGO/Regional Waste	Other LG's to contribute – email Andre before Friday, 14 February 2025	Each Local Government
Election Commitments	Setup commitments re audit	Gordon MacMile

7. CLOSE

The Chair closed the meeting at 11:15am

WALGA

South West Country Zone

Minutes

21 February 2025

Hosted by the Shire of Augusta Margaret River

TABLE OF CONTENTS

1 OPENING, ATTENDANCE AND APOLOGIES 5
1.1 Opening 5
1.2 Attendance 5
1.3 Apologies 6
2 ACKNOWLEDGEMENT OF COUNTRY 7
3 DECLARATIONS OF INTEREST 7
4 DEPUTATIONS 7
4.1 Shire of Augusta Margaret River 7
4.2 Sustainability 7
4.3 Walking Together Strategy 7
5 AGENCY REPORTS 8
5.1 South West Development Commission 8
5.2 Regional Development Australia – South West 8
5.3 Department of Local Government, Sport and Cultural Industries 8
5.4 Australia's South West 8
5.5 Australian Government Department of Employment and Workplace Relations 8
6 CONFIRMATION OF MINUTES 9
7 BUSINESS ARISING 9
7.1 Status Report 9
8 ZONE BUSINESS 11
8.1 2025 Local Government Honours Awards 11
8.2 Draft Operational Procedure 113: Operational Boundaries and Asset Maintenance 12
8.3 Consultation on Regulations for CEO KPI's and Public Registers 14
9 STATE COUNCIL AGENDA – MATTERS FOR DECISION AND NOTING 15
9.1 STATE COUNCIL MATTERS FOR DECISION 15
9.1.1 CLIMATE CHANGE ADVOCACY POSITION (STATE COUNCIL AGENDA ITEM 8.1) 15
9.1.2 WASTE MANAGEMENT LEGISLATION ADVOCACY POSITION (STATE COUNCIL AGENDA ITEM 8.2) 20
9.2 POLICY TEAM AND COMMITTEE REPORTS 22
9.2.1 INFRASTRUCTURE POLICY TEAM REPORT (STATE COUNCIL AGENDA ITEM 9.1) 22
9.2.2 PEOPLE AND PLACE POLICY TEAM REPORT (STATE COUNCIL AGENDA ITEM 9.2) 23
9.2.3 GOVERNANCE POLICY TEAM REPORT (STATE COUNCIL AGENDA ITEM 9.3) 23
9.2.4 ENVIRONMENT POLICY TEAM REPORT (STATE COUNCIL AGENDA ITEM 9.4) 24
9.2.5 MUNICIPAL WASTE ADVISORY COUNCIL (MWAC) REPORT (STATE COUNCIL AGENDA ITEM 9.5) 25
9.3 MATTERS FOR NOTING / INFORMATION 26
9.4 KEY ACTIVITY REPORTS 27
9.4.1 REPORT ON KEY ACTIVITIES, ADVOCACY PORTFOLIO (STATE COUNCIL AGENDA ITEM 11.1.1) 27
9.4.2 REPORT ON KEY ACTIVITIES, INFRASTRUCTURE PORTFOLIO REPORT (STATE COUNCIL AGENDA ITEM 11.1.2) 32

9.4.3 REPORT ON KEY ACTIVITIES, MEMBER SERVICES PORTFOLIO (STATE COUNCIL AGENDA ITEM 11.1.3) 35
9.4.4 REPORT ON KEY ACTIVITIES, POLICY PORTFOLIO (STATE COUNCIL AGENDA ITEM 11.1.4) 40
10 OTHER BUSINESS 44
11 EXECUTIVE REPORTS 44
11.1 WALGA President's Report 44
11.2 WALGA State Councillor Report 44
12 FINANCIAL REPORT 44
12.1 South West Country Zone Financial Report 44
13 EMERGING ISSUES 45
14 2025 MEETING DATES AND LOCATIONS 45
15 NEXT MEETING 45
16 CLOSURE 45

PRIORITISATION FRAMEWORK

The below Prioritisation Framework was endorsed at the April 2024 South West Country Zone meeting.

Zone Delegates when drafting Agenda items and motions on policy or advocacy issues, using the below criteria as prompts for what kind of information to include. The Prioritisation Framework does not remove the need for judgements to be made and is intended to guide, not replace, decision-making.

How to use the Framework:

- If the majority of the factors are towards the left column, the issue is a high priority.
- If the majority of the factors are towards the middle, the issue requires action, but is not a high priority.
- If the majority of the factors are towards the right column, the issue is a low priority.

Impact on Local Government Sector Impact on Local Government sector without intervention	High	Medium	Low
Reach Number of member Local Governments affected	Sector-wide	Significant (multiple regions, Zones, or bands)	Few
Influence Capacity to influence decision makers	High	Medium	Low
Principles Alignment to core principles such as autonomy, funding, general competence	Strong	Partial	Peripheral
Clarity Policy change needed is clear and well-defined	Clear	Partial	Unclear
Decision-maker support Level of support among decision-makers (political and administrative)	High	Medium	Low
Public support Level of support among the public or other stakeholders	High	Medium	Low
Positive consequences for WALGA Prospect of positive consequences for WALGA. E.g. enhanced standing among members or leverage for other issues.	High	Medium	Low

Negative consequences for WALGA Prospect of negative consequences for WALGA for not undertaking the advocacy effort. E.g. diminished standing among members or other stakeholders.	High	Medium	Low
Partnerships Potential for partnerships with other stakeholders	Yes (3+)	Possibly (1-2)	No (0)

ANNOUNCEMENTS

Zone Delegates were requested to provide sufficient written notice, wherever possible, on amendments to recommendations within the State Council or Zone agenda to the Zone Chair and Secretariat prior to the Zone meeting.

Agenda Papers were emailed 7 days prior to the meeting date.

Confirmation of Attendance An attendance sheet was circulated prior to the commencement of the meeting.

ATTACHMENTS

1. Draft Minutes of previous meeting
2. President's Report

1 OPENING, ATTENDANCE AND APOLOGIES

1.1 OPENING

Chair, President Cr Tony Dean opened the meeting at 9:10am.

1.2 ATTENDANCE

MEMBERS	**1 Voting Delegates from each Member Council**
Shire of August Margaret River	President Cr Julia Meldrum Ms Andrea Selvey, Chief Executive Officer, non-voting delegate
Shire of Boyup Brook	President Cr Richard Walker Mr Leonard Long, Chief Executive Officer, non-voting delegate
Shire of Bridgetown-Greenbushes	President Cr Tracy Lansdell Mr Arthur Kyron, Chief Executive Officer (Temporary), non-voting delegate
City of Busselton	Cr Mikayla Love (Deputy) Mr Tony Nottle, Chief Executive Officer, non-voting delegate

Shire of Capel	President Cr Doug Kitchen Mr Gordon MacMile, Chief Executive Officer, non-voting delegate
Shire of Collie	President Cr Ian Miffling Cr Joe Italiano (Observer)
Shire of Dardanup	President Cr Tyrrell Gardiner Mr André Schönfeldt, Chief Executive Officer, non-voting delegate
Shire of Manjimup	Cr Steve Miolin (Deputy) Mr Ben Rose, Chief Executive Officer, non-voting delegate
Shire of Nannup	President Cr Tony Dean (**Chair**) Mr David Taylor, Chief Executive Officer, non-voting delegate
WA Local Government Association Secretariat	Mr Chris Hossen, Policy Manager Planning and Building Mr Max Bushell, Senior Policy Advisory Road Safety and Infrastructure
South West Development Commission	Ms Cate Brooks, Chief Executive Officer
RDA South West	Mr Charles Jenkinson, Director Regional Development
Guest Speakers Shire of Augusta Margaret River	Ms Katie Biggs, Sustainability Planning Officer Ms Katie Taylor, Manager Community Development and Resilience

1.3 APOLOGIES

City of Bunbury	Mayor Jaysen De San Miguel Mr Alan Ferris, Chief Executive Officer, non-voting delegate
Shire of Collie	Mr Phil Anastasakis, Chief Executive Officer, non-voting delegate
Shire of Donnybrook Balingup	President Cr Vivienne McCarthy Mr Nick O'Connor, Chief Executive Officer, non-voting delegate
Shire of Harvey	President Cr Michelle Campbell Ms Annie Riordan, Chief Executive Officer, non-voting delegate

Shire of Manjimup	President Cr Donnelle Buegge
Department of Employment and Workplace Relations	Ms Tanya Scudamore, Regional Workforce Transition Officer
Australia's South West	Ms Catrin Allsop, Chief Executive Officer
Department of Employment and Workplace Relations	Mr Matthew Beahan, Program Officer

2 ACKNOWLEDGEMENT OF COUNTRY

We, the South West Country Zone of WALGA, acknowledge the Nyoongar people, the Traditional Custodians of this land, and pay our respects to their Elders past, present and future.

Whadjuk Noongar People, where WALGA is located, and we acknowledge and pay respect to Elders past and present.

3 DECLARATIONS OF INTEREST

Nil.

4 DEPUTATIONS

4.1 SHIRE OF AUGUSTA MARGARET RIVER

President Julia Meldrum and Ms Andrea Selvey Chief Executive Officer

Shire of Augusta Margaret River President Julia Meldrum provided an update to the Zone on current priorities and key projects.

Noted

4.2 SUSTAINABILITY

Ms Katie Biggs, Sustainability Planning Officer provided a deputation on Local Governments as climate leaders – aspiration, inspiration and resilience.

Noted

4.3 WALKING TOGETHER STRATEGY

Ms Katie Taylor, Manager Community Development and Resilience, provided a deputation on Jenna Yen Mundamung, the Walking Together Strategy.

Noted

5 AGENCY REPORTS

5.1 SOUTH WEST DEVELOPMENT COMMISSION

Cate Brooks, Chief Executive Officer, provided an update to the Zone.

Noted

5.2 REGIONAL DEVELOPMENT AUSTRALIA – SOUTH WEST

Charles Jenkinson, Director Regional Development, provided a brief update to the Zone.

Noted

5.3 DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL INDUSTRIES

No report from DLGSC was provided.

Noted

5.4 AUSTRALIA'S SOUTH WEST

Chief Executive Officer at Australia's South West, Catrin Allsop, was an apology for this meeting.

Noted

5.5 AUSTRALIAN GOVERNMENT DEPARTMENT OF EMPLOYMENT AND WORKPLACE RELATIONS

Mr Matthew Beahan, Program Officer was an apology for this meeting.

Noted

6 CONFIRMATION OF MINUTES

The Minutes of the South West Country Zone meeting held on Friday, 22 November 2024 have previously been circulated to Member Councils and were provided as an attachment in the Agenda.

RESOLUTION

Moved: **President Cr Doug Kitchen**
Seconded: **President Cr Julia Meldrum**

That the Minutes of the meeting of the South West Country Zone held on Friday, 22 November 2024 be confirmed as a true and accurate record of the proceedings.

CARRIED

7 BUSINESS ARISING

7.1 STATUS REPORT

By Chantelle O'Brien, Zone Executive Officer

BACKGROUND

Status Report for February 2025 which contains WALGA's responses to the resolutions of previous Zone Meetings.

Agenda Item	Zone Resolution	WALGA Response	Update	WALGA Contact
22 November 2024 Zone Agenda Item **8.1 Cessation of Custom Kill Services in South West**	1. That the South West Country Zone advocate to the Minister for Agriculture for the Western Australian Government to support local, small-scale farmers in their efforts to locate or develop an alternative custom kill service provider in the South-West Region 2. Reaffirm the South West Country Zone's commitment to a Regional Agribusiness Precinct in the South West as a regionally significant outcome, as adopted February 2024.	Letter to the Minister is currently being drafted to be ready to send following the State Election.	**February 2025**	**Chris Hossen** **Policy Manager Planning and Building** **chossen@walga.asn.au** **92132056**
22 November 2024 Zone Agenda Item **8.7 Proposal to Increase Pensioners and Seniors Rebates**	That the South West Country Zone advocate to the State Government and Federal Government for increased rebates to eligible Pensioners and Seniors in relation to their local government rates charges, water service charges, emergency services levy and underground electricity connection charges, as suggested in the three tables above.	Letter to the Premier and Minister is currently being drafted to be ready to send following the State Election.	**February 2025**	**Chris Hossen** **Policy Manager Planning and Building** **chossen@walga.asn.au** **92132056**
22 November 2024 Zone Agenda **Item 8.7 Proposal to Increase Pensioners and Seniors Rebates**	That the South West WALGA Zone write to Premier Hon. Roger Cook, requesting the expansion of a Breast Cancer Diagnostic Clinic in Bunbury to enhance breast cancer diagnostic services for women in the South West.	Letter to the Premier is currently being drafted to be ready to send following the State Election.	**February 2025**	**Chris Hossen** **Policy Manager Planning and Building** **chossen@walga.asn.au** **92132056**

23 August 2024 Zone Agenda Item **8.4 Telco Communication Coverage in Rural Areas**	That WALGA: 1. advocate through the State Government for an independent investigation into mobile phone coverage in rural Western Australia particularly the Lower South West land division and 2. advocate via both the State and Federal Government for a greater and more reliable mobile coverage network throughout the rural areas of Western Australia.	The Association met with senior representatives from Telstra and is documenting specific areas where reduced coverage has been identified.	**February 2025**	**Ian Duncan** **Executive Manager Infrastructure** **iduncan@walga.asn.au** **9213 2031**
6 December 2024 State Council Agenda Item **8.7 Submission on the Draft State Hazard Plan - Fire**	That the South West Country Zone supports the item, subject to the Recommendations 2 and 3 being amended to read: 2. Implement a new, integrated funding model that consolidates various funding streams into a single, transparent, risk based, equitable system which ensures consistent and adequate funding for all aspects of bush fire emergency management responsibilities the State has delegated to local governments including, prevention, preparedness, response, and recovery 3. Provide additional resources, support and education materials specifically for community capacity and resilience building activities, ensuring communities are better prepared and more resilient to preparing, responding and recovering from bushfire disasters.	**SECRETARIAT COMMENT** Recommendation 2 was based on feedback from Local Government emergency management personnel that the process to recoup incident costs from DFES, once bushfires had escalated to a level 2 and beyond, was administratively onerous and confusing. This warrants specific mention in the recommendations. However, it is acknowledged that this recommendation could be reworded to include that Loal Governments be provided adequate funding for all of their bushfire emergency management responsibilities. It is a WALGA 2025 Election Priority *that funding for the MAF Program should be increased and the scope expanded to support activities that support physical mitigation works such as educating private property owners about risk and responsibility, building community resilience, developing and implementing BRMPs, and supporting the purchase of assets needed for mitigation works.* **State Council Resolution** That State Council endorse the Submission on the State Hazard Plan – Fire with wording amendments to Recommendations 2 and 3 as follows: *2. Provide a single, streamlined process for Local Governments to recoup costs for bushfire incidents and adequate funding for all aspects of bushfire emergency management responsibilities the State has delegated to Local Governments across, prevention, preparedness, response, and recovery.* *3. Provide additional resources, support, and educational materials for Local Governments to engage their communities in bushfire risk*	**February 2025**	**Nicole Matthews** **Executive Manager Policy** **nmatthews@walga.asn.au** **9213 2039**

		reduction, preparedness, and resilience building through the Mitigation Activity Fund Grant Program and/or other mechanisms. RESOLUTION 097.5/2024 CARRIED COMPLETE		
23 June 2023 Zone Agenda Item **7.2 - Mining Tenements Applications – DMIRS Procedural Review**	That the South West Country Zone request the WALGA State Council to adopt an advocacy position that seeks the Department of Mines, Industry Regulation and Safety to undertake: 1. A formal review of the current statutory consultation procedures as they relate to mining tenements; and 2. Improved public consultation for mining tenement applications, particularly for private landowners, regardless of the depth of land applicable.	WALGA Secretariat has sent correspondence to the Director General of DEMIRS and will provide a response once one has been received from the DG. WALGA have received a response letter back from Director General Sellers. A copy of the letter is attached with the February 2025 Agenda referring to this status report item. Zone Delegates were also previously provided with a copy of this letter with the Minutes of the November meeting.	**February 2025**	**Tony Brown, Executive Director Member Services, tbrown@walga.asn.au 9213 2051**

RESOLUTION

Moved: **President Cr Julia Meldrum**
Seconded: **President Cr Richard Walker**

That the South West Country Zone WALGA February 2025 Status Report be noted.

CARRIED

8 ZONE BUSINESS

8.1 2025 LOCAL GOVERNMENT HONOURS AWARDS

The Honours Program recognises and celebrates the outstanding achievements and lasting contributions made by Elected Members and officers to their respective Local Government, the Local Government sector, WALGA and the wider community.

There are five awards in the 2025 Program:
1. Local Government Medal
2. Life Membership
3. Eminent Service Award
4. Merit Award
5. Young Achievers Award

All Local Government Elected Members and officers are eligible for nomination for each award.

Nominations opened on Tuesday, 4 February and will close at **5:00pm on Friday, 18 April 2025.**

Details on the 2025 Honours Program, including the nomination form and guidelines for preparing nominations, are available on the WALGA website.

All awards will be presented at the WALGA Local Government Awards event, to occur on 19 July (venue to be announced).

For more information contact Meghan Dwyer, Executive Officer Governance, on 9213 2050 or via email at honours@walga.asn.au.

Noted

8.2 DRAFT OPERATIONAL PROCEDURE 113: OPERATIONAL BOUNDARIES AND ASSET MAINTENANCE

By Mark Bondietti, Policy Manager, Transport and Roads and Max Bushell, Senior Policy Advisor, Road Safety and Infrastructure

A copy of Operational Procedure 113 is provided to Zone Members with this Agenda.

BACKGROUND

WALGA has received a draft copy of the MRWA *Operational Procedure 113: Operational Boundaries and Asset Maintenance Responsibilities, Rural Regions* (OP 113) for review and comment. The purpose of OP 113 is to provide principles and practical guidance for determining how the responsibility for maintaining the different parts of highways and main roads is to be allocated between Main Roads and Local Governments. As such, the document provides essential guidance for the limits of maintenance responsibilities for Local Governments and will be relied on to resolve disputes between the parties. **It is therefore of high importance and careful scrutiny is encouraged.**

OP 113 will effectively supersede the *Operational Responsibility for Public Roads in Western Australia, 2009* (OP 2009) which was the result of extensive negotiations between Main Roads WA, IPWEA and WALGA and covered both Metropolitan and Regional scenarios. This document was never formally adopted but has nevertheless guided decision making over the years.

In 2019, *Operational Procedure 112: Operational Boundaries and Asset Responsibilities, Metropolitan Region* was published by Main Roads after consultation with Metropolitan Regional Road Groups and WALGA. Operational Procedure 112 and 113 draw heavily on the content of the 2009 document and will effectively supersede it.

The document outlines the limits of responsibilities in the following situations:

- Highways in Built Up Areas
- Highways in Rural Areas
- Bridges, Pathways, and Drainage Structures
- Stormwater Infrastructure
- Lighting
- Public Transport Facilities
- Roadside Facilities
- Signs & Traffic Control Devices
- Fences
- Graffiti

- Vegetation Control in Built Up Areas
- Vegetation Control in Rural Areas.

Indicative drawings are also provided, indicating limits of responsibility.

COMMENT

The principles set out OP 2009 were broadly agreed by all parties at the time and WALGA has therefore reviewed OP 113 relative to OP 2009. Much of the text in OP 113 has been drawn directly from OP 2009 and the documents are in general alignment. However, WALGA has noted some discrepancies and concerns summarised below:

1. Introduction

Refers to additional works to be funded from the SRFLGA. Additional works are not defined, and any funding changes would be for SAC approval. WALGA recommends this principle be removed.

1.7 Maintenance Responsibility Guidelines

The draft OP 113 states that the "tangent point area" of a Local / State Road intersection will remain the responsibility of the LG. This principle was previously disputed and has not been tested. If the parties agree that Main Roads will maintain this area in accordance OP 113, then there is no necessity to include this statement.

Point (3) refers to funding for reseal works of the tangent area to be provided from the SRFLGA. Any changes to funding arrangements would be for SAC approval. For certain specified projects, funding could be allocated through Strategic Initiatives.

2.1.4 & 2.2.5 Driveways

States that Main Roads is not responsible for the maintenance of private driveways. Main Roads is responsible for approvals and the private owner is responsible for maintenance. In built up areas Local Governments may be responsible to issue work permits. This clause needs to be expanded to confirm the role of Local Government.

2.5 Lighting

Add an additional section stating the costing arrangements as per OP 2009. In particular the principle that Main Roads will subsidise 50% of the installation, maintenance and operating cost when Local Governments install lighting on ordinary highways in built up areas.

2.6.2 Bus Passenger Facilities

Part (2) add "in accordance with the partnership agreement between WALGA and the PTA"

Figures 6,7,8,9,10,11,12 &13

The key to these figures states, "Main Roads Responsibility (resurfacing)", resurfacing to be replaced with "maintenance". According to the text and definitions, maintenance is defined as all works of any description required to keep the road serviceable, not just resurfacing.

NEXT STEPS

Zones are requested to scrutinise OP 113 and provide feedback to WALGA in the following areas.

- Does current and desirable practice correspond to the principles outlined in the OP 113?
- Are there any areas of responsibility or principles not addressed in the OP 113?
- Do any of the proposed allocations of responsibility entail substantial budgetary impacts to Local Governments?
- Any additional concerns or comments.

Discussion at the Zone meeting is encouraged. Any written feedback should be provided by Friday, 28 February, to infrastructure@walga.asn.au.

This document and draft OP 113 have also been provided to all regional CEOs and Infrastructure Directors providing opportunity for feedback directly to WALGA.

Following the February 2025 round of Zone meetings, WALGA will collate all feedback and provide a consolidated submission back to Main Roads WA.

RESOLUTION

Moved: **President Cr Doug Kitchen**
Seconded: **President Cr Julia Meldrum**

That the South West Country Zone:

1. **Notes Operational Procedure 113: Operational Boundaries and Asset Management Responsibilities, Rural Regions.**
2. **Notes that Local Governments may submit written feedback directly to WALGA for consideration by 28 February 2025.**

CARRIED

8.3 CONSULTATION ON REGULATIONS FOR CEO KPI'S AND PUBLIC REGISTERS

By Tony Brown, Executive Director Member Services

The *Local Government Amendment Act 2023* (Tranche 1) was assented to in May 2023. A number of the Tranche 1 provisions are yet to commence.

The Department of Local Government, Sport and Cultural Industries recently commenced a consultation process on the introduction of Tranche 1 amendments relating to CEO Matters and Online Registers. In addition to the Consultation document, the Department released the *Local Government Regulations Amendment Regulations 2024* that will give effect to the amendments.

The Department's Consultation process includes commentary on CEO Matters and Online Registers, which are summarised below.

CEO Matters include:

- CEO Selection Panel
- CEO Recruitment, Termination and Certification
- CEO KPIs

Online Registers include:

- Leasing Register

- Grants and Sponsorship Register
- Development / Applicant Contributions Register
- Goods and Services Contracts Register

WALGA seeks feedback from Local Governments to assist in the composition of a sector-wide response to the Department's Consultation. WALGA circulated an Infopage to CEOs on 29 January, including brief Discussion Paper summarising the proposed regulatory amendments, together with commentary for each Local Government's consideration.

To inform an item for the May 2025 meeting of State Council, feedback is requested by **19 March 2025**. Local Governments will also be able to provide feedback through the April round of Zone meetings.

For more information, please contact Tony Brown on 9213 2051 or Felicity Morris on 9213 2093 and responses to governance@walga.asn.au

Submissions may also be made direct to the Department of Local Government, Sport and Cultural Industries until 21 March 2025 to actreview@dlgsc.wa.gov.au, with Departmental information visit the Department's website

Noted

9 STATE COUNCIL AGENDA – MATTERS FOR DECISION AND NOTING

Zone delegates to read and consider the March 2025 WALGA State Council Agenda, which has been provided as an attachment with this Agenda.

The Zone can provide comment or submit an alternative recommendation that will then be presented to the State Council for consideration.

9.1 STATE COUNCIL MATTERS FOR DECISION

9.1.1 CLIMATE CHANGE ADVOCACY POSITION (STATE COUNCIL AGENDA ITEM 8.1)

By Jade Mains, Senior Policy Advisor Environment

WALGA RECOMMENDATION

That State Council replace the 2018 Climate Change Policy Statement Advocacy Position 4.1 Climate Change with the following advocacy position:

> *Climate Change significantly impacts Local Governments' operations and responsibilities, as well as their communities.*
>
> *Local Government is committed to taking climate action, including by:*
> - *reducing operational emissions in line with Australian and Western Australian Government 2050 net zero targets*

- *providing leadership and support to their communities to reduce carbon emissions*
- *embedding climate risk management into their operations to enhance adaptation and build community resilience to the impacts of climate change*
- *working with other levels of Government and key stakeholders to ensure policy and on-ground programs are effective, equitable and targeted.*

WALGA calls on the Australian and Western Australian Governments to provide the necessary climate leadership, coordination, and action to:

1. *Ensure Australia and Western Australia meet net zero emissions targets through:*
   a. *enacting legislation which sets clear, measurable targets for emission reduction*
   b. *developing and funding coordinated emissions reduction policies, guidance and programs*
   c. *acknowledging the role of Local Government as an implementation partner in emissions reduction policy and planning.*
2. *Empower Local Government to accelerate adaptation and build resilience in their communities through:*
   a. *ensuring the roles and responsibilities set out under the Council of Australian Governments Roles and Responsibilities for Climate Change Adaptation in Australia are implemented and adequately resourced*
   b. *providing up to date, consistent and accessible data to enable evidence-based decision making and investment*
   c. *developing national guidance on adaptation responses to facilitate coordinated and equitable planning and implementation.*
3. *Provide funding and resources and support to Local Government to enable on-ground implementation, including for:*
   a. *the implementation of the Regional Climate Alliance Program across Western Australia*
   b. *the establishment and maintenance of corporate emission inventories and action plans*
   c. *providing transformational investment to facilitate emission reduction activities*
   d. *undertaking climate risk assessments and the development of adaptation action plans*
   e. *a dedicated adaptation fund to address localised climate risks and build climate resilience.*

EXECUTIVE SUMMARY

- WALGA's current climate change Policy Statement and Advocacy Position were endorsed by State Council in 2018.
- There have been significant legislative and policy changes at both the Australian and State Government level since that time. The impacts of climate change are also being increasingly felt across Western Australia, putting Local Government in a challenging position with limited resources and support to mitigate emissions and adapt.
- Feedback from the sector through climate surveys, undertaken every two years, and targeted consultation confirms that significant resourcing and funding gaps exist for Local Government to effectively respond to climate change.

- The updated Advocacy Position focuses on the urgency and scale of climate impacts and calls for a comprehensive framework, and action, to enable Local Government to manage the impacts of climate change and build resilient communities.
- The Environment Policy Team endorsed the Advocacy Position at their 11 December 2024 meeting.

ATTACHMENT
- Climate Change Legislative and Policy Context

POLICY IMPLICATIONS
The revised advocacy position is intended to be an overarching sector position on climate change. Other advocacy positions, including Urban Forest (4.5), Renewable Energy (6.16, 6.17, 6.18), Emergency Management (8.1, 8.2, 8.11) and Coastal Planning (6.8) provide a sector position on specific climate related matters.

The **existing** Policy Statement and Advocacy Position is:

4.1 Climate Change
Local Government acknowledges:
1. *The science is clear: climate change is occurring and greenhouse gas emissions from human activities are the dominant cause.*
2. *Climate change threatens human societies and the Earth's ecosystems.*
3. *Urgent action is required to reduce emissions, and to adapt to the impacts from climate change that are now unavoidable.*
4. *A failure to adequately address this climate change emergency places an unacceptable burden on future generations.*

Local Government is committed to addressing climate change. Local Government is calling for:
1. *Strong climate change action, leadership and coordination at all levels of government.*
2. *Effective and adequately funded Commonwealth and State Government climate change policies and programs.*

It is proposed that the current advocacy positions be **replaced** with:

Climate Change
Climate Change significantly impacts Local Governments' operations and responsibilities, as well as their communities.
Local Government is committed to taking climate action, including by:
- *reducing operational emissions in line with Australian and Western Australian Government 2050 net zero targets*
- *providing leadership and support to their communities to reduce carbon emissions*
- *embedding climate risk management into their operations to enhance adaptation and build community resilience to the impacts of climate change*
- *working with other levels of Government and key stakeholders to ensure policy and on-ground programs are effective, equitable and targeted.*

WALGA calls on the Australian and Western Australian Governments to provide the necessary climate leadership, coordination, and action to:
1. *Ensure Australia and Western Australia meet net zero emissions targets through:*
    a. *enacting legislation which sets clear, measurable targets for emission reduction*

   b. *developing and funding coordinated emissions reduction policies, guidance and programs*
   c. *acknowledging the role of Local Government as an implementation partner in emissions reduction policy and planning.*
2. *Empower Local Government to accelerate adaptation and build resilience in their communities through:*
   a. *ensuring the roles and responsibilities set out under the Council of Australian Governments Roles and Responsibilities for Climate Change Adaptation in Australia are implemented and adequately resourced*
   b. *providing up to date, consistent and accessible data to enable evidence-based decision making and investment*
   c. *developing national guidance on adaptation responses to facilitate coordinated and equitable planning and implementation.*
3. *Provide funding and resources and support to Local Government to enable on-ground implementation, including for:*
   a. *the implementation of the Regional Climate Alliance Program across Western Australia*
   b. *the establishment and maintenance of corporate emission inventories and action plans*
   c. *providing transformational investment to facilitate emission reduction activities*
   d. *undertaking climate risk assessments and the development of adaptation action plans*
   e. *a dedicated adaptation fund to address localised climate risks and build climate resilience.*

BACKGROUND

There have been significant legislative and policy changes since WALGA's 2018 Climate Change Policy Statement and Advocacy Position were endorsed. The Australian Government enacted the *Climate Change Act 2022*, setting targets for greenhouse gas emissions: a 43% reduction below 2005 levels by 2030 and net zero by 2050. The WA Government introduced the Climate Bill 2023, aiming for an 80% reduction in WA Government emissions by 2030 and a state target of net zero by 2050. The State and Australian Governments have also released a suite of policies addressing mitigation and adaptation action.

Climate science and projections are also becoming clearer about the risks posed by climate change and the need for action. The Intergovernmental Panel on Climate Change (IPCC) 2023 Report states that climate change poses a significant threat to human well-being and planetary health, emphasising the need for urgent action to secure a sustainable future and an integrated adaptation and mitigation effort.

Local Governments and their communities are on the frontline of dealing with increasing climate risks and the associated impacts. 60 WA Local Governments are signatories to the WALGA Climate Change Declaration which represents over 87% of the State's population. Making a declaration demonstrates a Local Government's ongoing commitment to locally appropriate climate action to both mitigate and adapt to the impacts of climate change.

However, Local Government continues to face substantial challenges in addressing climate change due to limited funding and support from the Australian and State Governments. Funding and capacity constraints can make undertaking emissions reduction and adaption actions particularly challenging for smaller regional Local Governments, whose assets and

communities may be more vulnerable to the impacts of climate change, such as extreme weather events.

In 2021-23, WALGA was successful in securing State Government funding to deliver a Regional Climate Alliance (RCA) Pilot Program, an initiative under the Western Australian Climate Policy. Modelled on successful programs in other jurisdictions, two groups of Local Governments, the South Coast Alliance and Goldfields Voluntary Regional Organisation of Councils focused on accelerating climate action at the regional scale. WALGA continues to advocate to the State Government to reinstate the program and expand it statewide.

To develop the updated Advocacy Position, WALGA ran a workshop with Local Government officers to establish the parameters for the review. Climate Change survey data, collected in 2020, 2022 and 2024, also informed the development of the updated Advocacy Position. WALGA also participated in an evaluation of the RCA Pilot Program with State Government. The themes from the survey data, consultations and Pilot evaluation, were:

- in addition to signing WALGA's Climate Change Declaration, many Local Governments are embedding climate change considerations into their strategic community plans, policies and operations
- of the 139 WA Local Governments, 110 (80% of Local Governments) are taking at least one significant action relating to climate change
- the biggest barrier to accelerating action at the local level is the lack of targeted funding and support. This is particularly significant for regional Local Governments.

The draft updated Advocacy Position was provided to relevant Local Government officers for comment and their feedback was incorporated.

COMMENT

The updated Advocacy Position builds on the 2018 position, acknowledging the substantial shift in policy development and public sentiment on climate change. The updated Position therefore focuses on the practical actions that will enable a coordinated and strategic framework to reduce emissions and respond to the impacts of climate change.

Local Governments continue to demonstrate leadership in climate action by responding and managing impacts at a local scale, however, the position reflects the need for greater funding and support from the Australian and State Governments.

The updated Advocacy Position, together with climate change-related advocacy positions in the areas of emergency management, urban forests, renewable energy, coastal planning, and water resources (upcoming), will provide a sound basis for WALGA's ongoing climate change advocacy and policy development.

9.1.2 WASTE MANAGEMENT LEGISLATION ADVOCACY POSITION (STATE COUNCIL AGENDA ITEM 8.2)

By Rebecca Brown, Policy Manager Environment and Waste

WALGA RECOMMENDATION

That State Council replace the Waste Management Legislation Policy Statement and Advocacy Position 7.1 Waste Management Legislation with the following advocacy position:

1. *Local Government supports Australian and State Government waste management legislation which:*
   a. *includes requirements for national and state waste strategies which support Local Governments to implement the strategies and achieve targets*
   b. *focuses on coordinated action and clear roles and responsibilities*
   c. *establishes a lead agency for waste management*
   d. *establishes and maintains a regulated product stewardship framework for all products entering the Australian market*
   e. *includes provisions to optimise market development and participation in waste processing.*
2. *Local Government calls for the Waste Avoidance and Resource Recovery Act 2007 to be amended to include:*
   a. *Waste education in the definition of Waste Services*
   b. *Circular Economy principles.*

EXECUTIVE SUMMARY

- WALGA's current Waste Management Legislation Policy Statement and Advocacy Position were adopted in 2004.
- The Policy Statement outlines Local Government's position on waste management legislation in Western Australia and sets out the key objectives waste management legislation should achieve.
- WALGA used the Waste Management Policy Statement to inform advocacy on the development, and reviews, of the *Waste Avoidance and Resource Recovery Act 2007* (WARR Act).
- The current Advocacy Position, and many of the elements in the policy statement, are no longer relevant as they have been achieved.
- The revised Advocacy Position focuses on both Australian and State Government legislation and reflects the shift in focus from traditional waste management towards a circular economy approach.
- The Municipal Waste Advisory Council endorsed the new Advocacy Position at its meeting on 11 December 2024.

POLICY IMPLICATIONS

The existing Policy Statement and Advocacy Position is:

> *Local Government supports waste management legislation that references the principles of Sustainability and the Waste Hierarchy.*

To be effective, waste management legislation should include the following primary objectives:

1. *Protection of human health and the natural environment;*
2. *Minimise resource consumption;*
3. *Minimise waste; and*
4. *Effect the transition to a waste-free society.*

It is proposed that the current advocacy positions be **replaced** with:

1. *Local Government supports Australian and State Government Waste Management Legislation which:*
   a. *includes requirements for national and state waste strategies which support Local Governments to implement the strategies and achieve targets*
   b. *focuses on coordinated action and clear roles and responsibilities*
   c. *establishes a lead agency for waste management*
   d. *establishes and maintains a regulated product stewardship framework for all products entering the Australian market*
   e. *includes provisions to optimise market development and participation in waste processing.*
2. *Local Government calls for the Waste Avoidance and Resource Recovery Act 2007 to be amended to include:*
   a. *Waste education in the definition of Waste Services*
   b. *Circular economy principles.*

BACKGROUND

WALGA used the Waste Management Legislation Policy Statement as a reference point in the development, and both reviews, of the *Waste Avoidance and Resource Recovery Act 2007* (WARR Act). There have not been any significant changes to the WARR Act since it was enacted.

The national waste legislation, the *Recycling and Waste Reduction Act 2020* (RaWR Act), is being reviewed currently. The development of an updated Advocacy Position will assist in providing input to the review.

The Municipal Waste Advisory Council endorsed the new Advocacy Position at their meeting on 11 December 2024.

COMMENT

Local Government feedback, through both reviews of the WARR Act and in the development of this Advocacy Position, identified key areas to include in the revised position. These areas reflect the changes in approach to waste management since 2007, when the WARR Act was introduced, including a shift of thinking in relation to waste management, particularly with the advent of circular economy principles, and the increased understanding of the importance of waste education and behaviour change.

The Advocacy Position focuses on the importance of waste strategies (at the national and state level), coordinated action, clear roles and responsibilities, a lead agency for waste management and effective product stewardship provisions. Specifically, for the WARR Act, amendments are suggested to include waste education and circular economy principles.

RESOLUTION

Moved: **President Cr Julia Meldrum**
Seconded: **President Cr Richard Walker**

That the South West Country Zone supports all WALGA recommendations in the Matters for Decision as contained in the March 2025 State Council Agenda and as listed above.

CARRIED

9.2 POLICY TEAM AND COMMITTEE REPORTS

9.2.1 INFRASTRUCTURE POLICY TEAM REPORT (STATE COUNCIL AGENDA ITEM 9.1)

By Ian Duncan, Executive Manager, Infrastructure

WALGA RECOMMENDATION

That State Council:
1. Note the report from the Infrastructure Policy Team for the 5 March 2025 meeting.
2. Determine to:
    a. Delete Advocacy Position 5.2.8 (Towards Zero Road Safety Strategy 2008 – 2020).
    b. Amend the title of Advocacy Position 5.2.7 from Road Safety Strategy (Imagine Zero) to Driving Change Road Safety Strategy 2020-2030.
    c. Delete the fourth dot point in Advocacy Position 5.2.7 "...the retention of WA's Default Open Speed Limit at 110 km per hour and opposes the proposed reduction to 100 km per hour..."

The Infrastructure Policy Team includes the following subject areas:
- *Transport*
- *Infrastructure*
- *Road Safety*
- *Underground power*
- *Street lighting*

This Report provides an update on matters considered, since the last State Council meeting, by the Infrastructure Policy Team at its meeting held on 27 November 2024.

1. MATTERS FOR STATE COUNCIL DECISION
WALGA's advocacy positions are reviewed and updated to ensure that they remain contemporary. The Towards Zero Road Safety Strategy 2008 – 2020 was superseded with "Driving Change, Road Safety Strategy for Western Australia 2020 – 2030". Advocacy Position 5.2.7 refers to this, the current strategy.

Advocacy Position 5.2.7 was endorsed by State Council during the consultation phase of the current road safety strategy. At that time the name of the strategy had not been determined. The proposed title change reflects the final name of the strategy.

In May 2023 WALGA's State Council adopted advocacy position 5.2.3 Speed Management Reform which provides a set of principles for guiding WALGA's advocacy on the many and varied aspects of the complex topic of travel speeds in the context of the road networks managed by the 139 Local Governments in WA. It is proposed that this May 2023 advocacy position replaces the previous position in scope, currency and utility.

The previous position was established on the basis of consultation and feedback (by a consultant on behalf of the WA Government) from some Local Governments in the early 2000s. Both the consultation question and the position are narrow and specific in scope.

2. MATTERS FOR STATE COUNCIL NOTING

The Policy Team progressed actions and advocacy in relation to:

- Regional telecommunications service levels, including impact of closure of the 3G network.
- Development of contemporary advocacy positions relating to active transport.

9.2.2 PEOPLE AND PLACE POLICY TEAM REPORT (STATE COUNCIL AGENDA ITEM 9.2)

By Nicole Matthew, Executive Manager Policy

WALGA RECOMMENDATION

That State Council note the People and Place Policy Team meeting report for the 5 March 2025 meeting.

The People and Place Policy Team includes the following subject areas:

- *Community*
- *Emergency Management*

The People and Place Policy Team have not had a meeting since the last State Council meeting in December 2024.

9.2.3 GOVERNANCE POLICY TEAM REPORT (STATE COUNCIL AGENDA ITEM 9.3)

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

That State Council note the Governance Policy Team meeting report for the 5 March 2025 meeting.

The Governance Policy Team includes the following subject areas:

- *Governance (Local Government legislation)*
- *Local Government Reform/Regional Service Delivery*
- *Local Government Revenue*

- *Local Government Elections*
- *Employee Relations/Industrial Relations*
- *Training*

The Governance Policy Team have not had a meeting since the last State Council meeting in December 2024.

The next meeting is scheduled for March.

9.2.4 ENVIRONMENT POLICY TEAM REPORT (STATE COUNCIL AGENDA ITEM 9.4)

By Nicole Matthews, Executive Manager Policy

WALGA RECOMMENDATION

That State Council note the Environment Policy Team meeting report to the 5 March 2025 meeting.

The Environment Policy Team includes the following subject areas:

- *Climate change*
- *Native vegetation and biodiversity*
- *Biosecurity*
- *Water resources*
- *Sustainability*
- *Planning and building*

This Report provides an update on matters considered, since the last State Council meeting, by the Environment Policy Team at its meeting held on 11 December 2024.

1. MATTERS FOR STATE COUNCIL DECISION

The Environment Policy Team agreed to recommend that State Council replace WALGA's existing Advocacy Position 4.1 Climate Change (see item 8.1).

2. MATTERS FOR STATE COUNCIL NOTING

Item 10.5: Polyphagous shot-hole borer Update

The Policy Team discussed the following matters referred by Zones:

- Whale carcass management: Goldfields Esperance Country Zone requests that WALGA advocate for a government policy change to allow towing of whale carcasses before they wash ashore. WALGA notes the feedback and will investigate if there is further action on the issue.
- Service Stations / Sensitive Land uses: South Metropolitan Zone requests that WALGA supports the review of the EPA and advocates for the review of the GS3. WALGA will raise the need for a review of this Guideline through its representation on the EPA Stakeholder Reference Group, then consider further advocacy on this matter.
- State Planning Policy 3.6 - Infrastructure Contributions (Community Infrastructure Cap): North Metropolitan Zone recommends that WALGA advocate to the State Government for indexation of the community infrastructure cap defined in the State Planning Policy. WALGA made a submission strongly opposing the introduction of a

contribution cap. WALGA is also working with the Growth Alliance Perth and Peel Local Governments to develop a set of advocacy positions in relation to the development contribution plan arrangements.

3. PORTFOLIO UPDATES

WALGA staff provided the Policy Team with updates on:

- Polyphagous shot-hole borer
- Review of the DAP advocacy position
- Avian Influenza (H5 Clade 2.3.4.4b)
- National Water Agreement.

The Policy Team also noted that the development of an updated Water Advocacy Position is underway.

9.2.5 MUNICIPAL WASTE ADVISORY COUNCIL (MWAC) REPORT (STATE COUNCIL AGENDA ITEM 9.5)

By Rebecca Brown, Policy Manager, Environment and Waste

WALGA RECOMMENDATION

That State Council note the Municipal Waste Advisory Council report to the 5 March 2025 meeting.

This report provides an update on matters considered since the last State Council meeting by the Municipal Waste Advisory Council (MWAC), at a meeting held on 11 December 2024.

1. MATTERS FOR STATE COUNCIL DECISION

MWAC agreed to replace the Waste Management Legislation Policy Statement and Advocacy Position 7.1 Waste Management Legislation (see item 8.2).

2. MATTERS FOR STATE COUNCIL NOTING

MWAC considered the following matters:

- Circular Economy Advocacy Position: WALGA's advocacy in relation to circular economy has identified that action is required from all levels of Government. The development of an advocacy position on Circular Economy is far broader than the waste management considerations. Comprehensive consultation on the advocacy position is planned for 2025.
- E-Cigarette Collection Study: Following the successful completion of the Collection Study, MWAC discussed advocacy options to ensure the community access to safe disposal/recycling avenues for e-cigarettes, with a focus on minimising risks to waste management collection and processing infrastructure.
- Waste Processing Contingency Planning: WALGA has consistently advocated for effective contingency planning for waste management, most recently as part of the review of the State Waste Strategy. Several recent issues have highlighted the challenges facing the sector and the limited options for processing of some materials. MWAC discussed governance models and contingency planning options for Western Australia.

3. UPDATES

MWAC noted the following updates:

- Policy Statement Review Update
- Better Practice Document Review Update
- Review of DWER Waste Education
- Review of Recycling and Waste Reduction Act
- Review of Local Government Waste Reporting Requirements
- Queensland Fruit Fly (Qfly) Outbreak
- MWAC 30 Year Anniversary.

RESOLUTION

Moved: **President Cr Julia Meldrum**
Seconded: **Cr Mikayla Love**

That the South West Country Zone:

1. **notes all Policy Team and Committee Reports as contained in the March 2025 State Council Agenda; and**
2. **supports the WALGA recommendations in the Infrastructure Policy Team Report as contained in the March 2025 State Council Agenda and as listed above.**

CARRIED

9.3 MATTERS FOR NOTING / INFORMATION

- 2025 Federal Election (State Council Agenda item 10.1)
- 2025 State Election (State Council Agenda item 10.2)
- Large Scale Renewable Energy Update (State Council Agenda item 10.3)
- 2024 CoastWA Local Government Survey (State Council Agenda item 10.4)
- Polyphagous Shot-Hole Borer Update (State Council Agenda item 10.5)
- December 2024 Economic Briefing (State Council Agenda item 10.6)
- Flying Minute Submission on the Productivity Commission Inquiry – Opportunities in the Circular Economy (State Council Agenda item 10.7)

RESOLUTION

Moved: **President Cr Julia Meldrum**
Seconded: **President Cr Doug Kitchen**

That the South West Zone notes all Matters for Noting/Information as contained in the March 2025 State Council Agenda.

CARRIED

9.4 KEY ACTIVITY REPORTS

9.4.1 REPORT ON KEY ACTIVITIES, ADVOCACY PORTFOLIO (STATE COUNCIL AGENDA ITEM 11.1.1)

By Rachel Horton, Executive Manager Advocacy

WALGA RECOMMENDATION

That State Council note the Key Activity Report from the Advocacy Portfolio to the March 2025 State Council meeting.

The Advocacy Portfolio comprises the following work units:

- *Marketing*
- *Communications*
- *Media*
- *Events*

The following outlines the activities of the Advocacy Portfolio since the December 2024 State Council meeting.

1. ADVOCACY

WALGA's combined State Election Campaign through paid and earned media and political engagements has been successful in securing commitments for a number of important initiatives aligned with WALGA's advocacy in The West at its Best policy platform.

Paid media has resulted in 4.6m impressions served across social, digital, out of home and outdoor media across WA.

The dedicated election campaign microsite has received 37,210 visits over the reporting period, driven from paid advertising and direct visits.

In terms of issues, the public has resonated strongly with four of the five issues that the paid campaign has focussed on (Connected and Inclusive Communities - with Sport & Recreation achieving the highest interest, Safer Roads, Climate Resilience and Disaster Ready). Low Carbon has received the least engagement across the social and programmatic campaign and are the least searched key words in Google.

WALGA's 2025 Federal Election Priorities has been developed and distributed to Members of Parliament, Elected Members and other key stakeholders.

Please see item 10.2 for more detail on the State Election Campaign and commitments made by major parties in line with WALGA's advocacy.

2. MARKETING

Brand

The internal graphic design resource is providing enormous value enhancing the quality of materials, increasing the speed of production and driving brand consistency. Over

50 documents and reports have been published in the reporting period including the Federal Election Priorities document, Road Safety reports and refreshed Western Councillor magazine.

All WALGA e-newsletters have been re-branded to be consistent with the main WALGA corporate news (the LG Direct), enhancing our brand narrative around our key pillars of Influence, Support and Expertise plus providing cross promotion opportunities between newsletters.

Website
The WALGA website has performed well over the reporting period. Comparing quarterly statistics there has been a 13% increase in active users and a 41% increase in direct traffic. As the only variable for direct traffic, this is likely due to the Election Campaign driving interest in the WALGA website.

Another highlight is the number of WALGA newsletter subscriptions. There was a 26% increase from 673 to 846 over the last quarter.

3. COMMUNICATIONS

Multiple internal and external communications were published throughout the reporting period including:

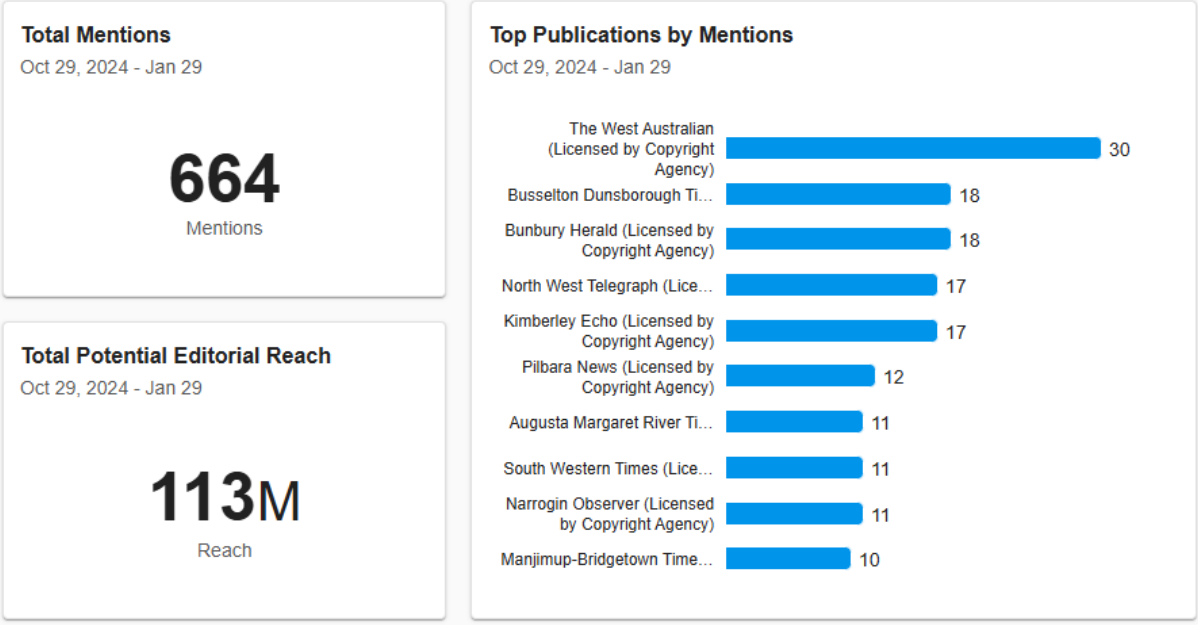
- Twelve LG Direct weekly newsletters distributed to over 2,000 Elected Members and senior staff
- The November 2024 edition of the Western Councillor Magazine
- Q4 Tailored Quarterly Report compiled and distributed to all Members
- WALGA's 2025 Federal Election Priorities.

EARNED MEDIA
WALGA has generated significant media activity throughout the reporting period with 664 mentions of WALGA and President Karen Chappel. This equates to seven mentions a day.

One of the online articles with the highest reach (5.6m) was WALGA's response to Premier Roger Cook's negative comments on the Local Government sector including the headline comment from the WALGA President, "Unbecoming of the Premier."

Items that gained publicity in response to WALGA press releases include Renewable Energy, the Polyphagous Shot-Hole Borer, plus Showcase in Pixels and Local Government Elections.

The media has sought comment from WALGA on sector issues over 30 times including on issues such as Population Growth, First Past the Post Voting, Coastal Management and the Polyphagous Shot Hole Borer.



Media Releases & Opinion piece

- Local heroes showcased through community art – 29 November 2024
- WALGA welcomes the Nationals commitment to Emergency Services funding – 13 December 2024
- Karen Chappel: Local must have input in renewable plans and the answer is blowing in the Wind (WALGA Renewable Op-ed) - 5 January
- WALGA welcomes Nationals' renewable energy announcement – 14 January
- Labor responds to WALGA's call to rebuild our urban forest – 15 January
- WALGA commends Labor's commitment to women's sport and urges long-term sporting investment – 17 January 2025
- WALGA welcomes Labor funding commitment to improve regional road safety – 24 January
- WALGAs response to Nationals CSRFF announcement – 30 January
- WALGA's advocacy reflected in new elected member superannuation provisions – 31 January

Social Media:

200 social media posts were placed in the reporting period across LinkedIn, Facebook and Instagram. (This is separate to paid campaign posts.) A decrease was seen in engagement across all channels so this will be monitored as it could indicate too many posts are being placed. Over 2,000 engagements were achieved on LinkedIn which is encouraging as the key professional platform, and despite lower engagement, brand awareness has benefited from serving 150,000+ impressions across the three major platforms.

LinkedIn:

- 71 posts
- 2,093 post reactions (8% increase)
- 118,177 post impressions (5% increase)
- 7.1% post engagement rate (18% decrease)

Facebook:

- 56 Posts
- 18,922 post reach (20% decrease)
- 20,116 post impressions (23% decrease)
- 5.89% post engagement rate (4% decrease)

Instagram:

- 11,224 post reach (16% decrease)
- 11,752 post impressions (13% decrease)
- 4.55% post engagement rate (8% increase)

PAID MEDIA

The 2025 State Election campaign is gaining strong engagement through targeted advertisement placements and messaging across social media, digital, out of home and outdoor media, generating a combined reach of 4.6 million.

Social Media

2.4m of the total 4.6m impressions have been served through carousels, stories and polls on social media. Carousels displaying the 'under stress' and swipe right to see 'at its best' messaging has the highest engagement with people commenting and 'liking' posts (56,000+).

Polls running on Safer roads and Urban Canopy have the highest Click Through Rate (CTR). In terms of engagement by issue, Climate Resilience and Safer Roads have gained the most interaction in terms of comments, but when voting for action from the State via the polls, 'Better sports facilities' has gained the highest votes from the public with 98% of respondents supportive, followed by 'More support for Volunteer firies' with a supporter rate of 92%.

Programmatic Display Advertising

The custom segments responding to display advertising are those classified as 'Green Living', 'Family Focussed' and 'interested in Local/Political news'. That said, all segments are outperforming benchmarks with a CTR of 0.7 compared to an average of 0.06 for

standard display advertising. (Display click through rates are typically much lower as the user isn't actively seeking the product/advert, it is being displayed in a passive manner.) The strongest results have been generated from the Safer Roads keywords at 0.9% CTR and Climate Resilience with a 0.74% CTR.

Google Search Engine Marketing
In terms of words actively searched in Google, the strongest results have been policy-searches related to the election, for example 'Regional Sporting Election' which achieved a CTR of 14.9% (benchmark 3%). The highest engagement in Google is from the 25-34 year old age group. From a geographic perspective, the highest volume of keyword searches is being generated in Belmont, Vincent, Victoria Park and Stirling.

Out Of Home Media (OOH)
Approximately 1.2m impressions have been served across OOH media (predominantly in the Perth Metropolitan area), including billboards in high traffic areas (e.g. Leach Highway). Other OOH placements include shopping centres, bus shelters and health care centres.

Campaign Microsite
There has been a relatively similar number of page visits to three of the issues sponsored through the paid campaign, with Disaster Ready, Climate Resilience and Safer Communities generating an average of 33% of traffic each. 'Connected and Inclusive' has seen the least microsite page visits at 1% of traffic. However, microsite page visits are not reflective of engagement with topics across the board, with issues under the 'Connected and Inclusive' category achieving significant engagement through polls and Google search engine marketing.

4. EVENTS

WALGA Wrap
The WALGA Wrap end of year function held at Perth City Farm on 18 December, provided an opportunity to highlight the successes of 2024 and thank the 150 stakeholders and suppliers in attendance for their partnership throughout the year.

A themed menu showcased local produce from around Western Australia, with dishes dedicated to The Goldfields, The Coral Coast, The Wheatbelt and The South West together with music from WAAPA Alumni Evan Ayers.

Urban Forest Conference
The 2025 Urban Forest Conference is sold out with 365 main registrations and 57 registrations for field tours.

The event will be hosted at the Boola Katitjin building at Murdoch University, creating a unique indoor/outdoor presentation for the main sessions and Sundowner. New initiatives this year include the 'Village Green' where key suppliers and stakeholders can exhibit in the greening space, plus a dedicated Field Tour program held the day prior to the main conference.

Planning is now also underway for the 2025 Aboriginal Engagement Forum on 10 April and the 2025 Local Government Awards.

9.4.2 REPORT ON KEY ACTIVITIES, INFRASTRUCTURE PORTFOLIO REPORT (STATE COUNCIL AGENDA ITEM 11.1.2)

By Ian Duncan, Executive Manager Infrastructure

WALGA RECOMMENDATION

That State Council note the Key Activity Report from the Infrastructure Portfolio for March 2025.

The Infrastructure Portfolio comprises the following work units:

- *Roads*
- *Funding*
- *Urban and Regional Transport*
- *Utilities*
- *Road Safety*

The following outlines the activities of the Infrastructure Portfolio since the last State Council meeting.

1. ROADS

Local Government Transport and Roads Research and Innovation Program
Guidelines for the use of crumbed rubber modified asphalts, sprayed seals, reclaimed asphalt pavement and a catalogue of standard pavement profiles are scheduled for publication in the next quarter. Work has commenced on an investigation into available technologies for best practice road condition assessments and data collection and the development of a road safety rating tool for intersections.

Condition Assessment of Roads of Regional Significance
The condition assessment survey of significant roads in the Pilbara and Gascoyne regions is nearing completion. The condition survey work for the Kimberley region will commence in March/April 2025, following the wet season in the Kimberley region.

Road Rail Interface Agreements
Rail Interface Agreements are a requirement under the *Rail Safety National Law (WA) Act 2015*. Each metropolitan Local Government with road/rail crossings with PTA electrified network was recently sent an Interface Agreement for review and execution. All nine Local Governments have now signed this updated agreement. For road/rail interfaces on the Arc Infrastructure network, a model *pro forma* agreement between Local Governments and Arc Infrastructure is nearing the end of negotiations and should be available for Local Government review and action soon. WALGA will begin a process to liaise with each relevant affected Local Government to provide advice around the new agreement, once the *pro forma* agreement has been finalised.

Update of User Guides for calculating the cost of road wear for defined freight tasks
Due to recent escalation in road construction costs, WALGA has initiated an update of the unit rates that are used to underpin the methodologies in the User Guides for calculating the cost of road wear for defined freight tasks on sealed and unsealed roads. NTRO have

been appointed to update the guides and to compile an online calculator and the project is scheduled for completion in February.

Operational Boundaries and Asset Responsibilities in Rural Regions

Main Roads have released a draft policy document that defines the operational and maintenance boundaries between State and Local Roads outside of the Metropolitan Region (a policy for the Metropolitan Region was published in 2020). WALGA has initiated a sector consultation process and will provide feedback to Main Roads.

2. ROAD FUNDING

Multi-Criteria Assessment (MCA) Model Revisions

The WALGA Infrastructure Team is working with the Regional Road Groups to harmonise the MCA models used by Regional Road Groups to prioritise projects for Road Project Grant funding. The proposed changes to the MCA models reflect the new focus areas of the State Roads Funds to Local Governments Agreement, while still allowing for flexibility to recognise the significant differences between regions. Six out of nine Regional Road Groups have commenced the MCA revision process, while the remaining three Regional Road Groups will begin the process in the upcoming months.

3. TRANSPORT

Bus Stop Infrastructure

WALGA State Council sought some amendments to the draft Bus Stop Infrastructure Partnership Agreement 2025 to 2029 at the December 2024 meeting. The Public Transport Authority has provided an initial response to these matters and further discussions are progressing.

Active Transport and Micromobility-Discussion Paper

The discussion paper has now been completed. WALGA proposes to host a forum and workshop with Elected Members and key stakeholders, followed by a workshop with the Local Government Active Transport Reference Group. The aim of these sessions is to engage high-level strategic stakeholders in shaping actionable and strategic policy positions for WALGA in active transport. This forum presents a valuable opportunity to collaboratively develop practical and effective policy outcomes that address Active Transport challenges at the local, state, and national levels.

4. ASSET MANAGEMENT

Road Assets and Expenditure Report Update Project

Tango IT has completed a final report detailing the current processes used to develop the RAE Report and identifying options for improvement in data collection, interpretation, and presentation. The consultant has also prepared final Request for Proposal documentation for WALGA to use in going to market to undertake the suggested improvement works.

5. UTILITIES

Underground Power

A template Co-funding Agreement between a Local Government and Western Power was completed and has been distributed to Local Governments with projects in the current Targeted Underground Power Program. This Agreement deals only with funding. Other project related matters such as consultation and communications protocols need to be

addressed using an MOU or exchange of letters. The diverse needs of Local Governments meant that this was too difficult to address in a common template.

Representatives from Local Governments with projects in the Targeted Underground Power Program met during December to provide feedback on the template and discuss a range of other matters arising during program development.

The Targeted Underground Power Program Steering Committee received a presentation on the modelled costs to the State Government, Western Power and property owners of options to reduce the risk of projects failing due to high costs. Currently costs of converting to underground power vary significantly between suburbs. The Committee is examining options including capping the property owner contribution. Work on a guide to the Pensioners and Seniors Rebate schemes is also progressing.

Streetlighting
Following publication of its Public Lighting Asset Management Strategy V1 in early July Western Power has now engaged with WALGA regarding the process to develop V2 for completion in mid-2025. The Association is seeking to ensure that the second version considers important issues raised by Local Governments during the consultation phase including environmental impacts (dark sky, native animals and humans), smart technology controls and response to cable faults.

Work is also progressing on identifying criteria and data to design the program of work to deliver the first tranche of 50,000 replacement LED luminaires over a 30-month period commencing in mid-2025. Both programs of work are at risk of delay as a result of caretaker provisions prior to the State Government election.

6. ROAD SAFETY

RoadWise Councils
As of 1 January, there were 74 Local Governments registered as a RoadWise Council. There is a spread of RoadWise Councils across all ten Regional Road Group regions. In terms of road safety activity, 81% (60) of registered RoadWise Councils recorded 237 local road safety activities in the period October and December 2024.

RoadWise Recognised
The RoadWise Recognised Advisory Committee last met in November 2024. Points, which signify road safety actions undertaken, were allocated to 62 RoadWise Councils. The Points that were allocated reflected actions delivered across the different areas of the RoadWise Framework. This then converted to Ribbons which were awarded in recognition of a holistic approach to road safety across governance, management, and operations. In this way, the allocation of Points and Ribbons is designed to encourage local road safety toward better and ultimately best practice.

9.4.3 REPORT ON KEY ACTIVITIES, MEMBER SERVICES PORTFOLIO (STATE COUNCIL AGENDA ITEM 11.1.3)

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

That State Council note the Key Activity Report from the Member Services Portfolio to the March 2025 State Council meeting.

The Member Services Portfolio comprises the following work units:

- *Association and Corporate Governance*
- *Commercial Contract Services*
- *Commercial Development*
- *Commercial Management*
- *Employee Relations*
- *Governance and Procurement*
- *Training*

The following outlines the activities of the Member Services Portfolio since the December 2024 State Council meeting.

1. ASSOCIATION AND CORPORATE GOVERNANCE

WALGA Strategic Plan 2025-2029

At the last meeting in December 2024, State Council endorsed a new organisational Strategic Plan for WALGA. State Council, as the governing body of WALGA, is responsible for setting the overall strategic direction of the Association, which includes endorsing the Strategic Plan.

Development of the Strategic Plan was an involved process of consultation and discussion over the course of the past year. Supported by Keogh Consulting, key inputs into the development of the Strategy included facilitated workshops with State Council and WALGA staff, targeted consultation with a sample of Members at the CEO and Mayor/President level and individual engagement with external stakeholders including Directors General and senior public sector decision makers.

The new Strategic Plan has been distributed to all Members and is available to view on the WALGA website here.

2. COMMERCIAL

Preferred Supplier Program (PSP) Development

Approximately 120 new Preferred Suppliers across all panels are being contracted to the program, to be completed by February. Member endorsements are assisting to pivot the PSP towards a more relevant and active supplier base. It is also resulting in more engagement with regional suppliers and Small to Medium Enterprise (SME). The next Preferred Supplier tender is currently scheduled for release in March.

New categories for Architectural Services (32 suppliers) and Aboriginal Heritage Surveys (7 suppliers) have been implemented.

Enhancements to PSP categories are being made for Recycled Construction & Demolition Materials, Project and Operations Management, and Leisure Centre Equipment Supplies.

New PSP category development and development research is being undertaken in the areas of:

- PSP008 - Facilities management
- PSP005 – Mobility and Accessibility Equipment supplies
- PSP005 – Swimming Pool inspection services
- PSP005 - Provision of HACC and social services
- PSP002 – Environmental Health consultants
- PSP003 – Building Inspection Services

A legal review of the current Member Conditions will be undertaken. A focus on enhancing the presence of Aboriginal business on the PSP panels will also be progressed.

With many Members currently engaged in Council Business System and ERP reviews and procurement, WALGA's PSP Panel for Business Systems Software and Services has contractual options available. Resources to raise awareness and support the use of the Panel are under development.

Phase two of the WALGA Sustainable Energy Project is currently being contracted for a new three year term commencing in April. The new term of the project involves 52 WALGA Members and incorporate a diversification strategy to further support sustainable energy infrastructure development. WALGA is also in the process of implementing a Carbon Reporting Tool to support the project analytics.

Preliminary research and scoping for an investment services project will progress duing 2025

ARENA Future Fuels Grant Project
WALGA has been working with 22 participating Members to complete delivery the final Electric Vehicles and charging infrastructure in line with contracted milestones. The project then moves into an evaluation and knowledge-sharing phase, extending for approximately 12 months. Work is also continuing to explore potential further opportunities for similar initiatives. WALGA has supply options available for EV charging infrastructure and related services.

3. EMPLOYEE RELATIONS

WALGA ER continues to represent the sector in a number of applications in the WA Industrial Relations Commission (WAIRC):

- Applications CICS 5, 8 and 9 of 2023 - Union demarcation dispute. In response to sector feedback, WALGA successfully applied to intervene in these applications. These applications relate to a dispute over coverage of Local Government employees between three unions, the Western Australian Municipal, Administrative, Clerical and Services Union of Employees (WASU), Local Government, Racing and Cemetries Employees Union (LGRCEU) and the Construction, Forestry, Mining and Energy Union of Workers (CFMEUW). Essentially the WASU is seeking an order that it cover Local Government outside employees to the exclusion of the CFMEUW. The matter is ongoing and has had 20 hearing days in July and October, with the CFMEUW

evidence still to be completed. During the hearing in October 2024 the CFMEUW made a number of applications. One application was to dismiss the matter, which the Commission rejected and dismissed. Another application was for discovery of documents from WALGA and the WASU, which the Commission ordered and WALGA and WASU complied with. The CFMEUW also made a second application for discovery of documents from WALGA, WASU and the LGRCEU. A directions hearing on this second application was held on 16 December 2024 and the parties were directed to file any formal applications to dismiss the CFMEUW's second application and written submissions by 14 February, with this matter to be determined on the papers (without oral argument). Following the Commission's decision with respect to the CFMEU's second application, the matter will be listed for a further directions hearing to determine next steps and list the substantive application for further hearing dates.

- Applications APPL 3 and 4 of 2023 – concerned award variations sort by the WASU to the Local Government Officers' (WA) Award 2021 (LGO Award) and the Municipal Employees Award (WA) 2021 (ME Award) as follows:
    - increase casual loading from 20% to 25%;
    - conversion of casual employees who have worked for more than 12 months to permanent employment;
    - increased regional redundancy entitlements for employees working outside Perth;
    - an additional week of entitlement to annual leave for shift workers;
    - preferential treatment of Aboriginal or Torres Strait Islander persons in Local Government employment processes;
    - up to 5 days of Cultural and Ceremonial Leave for Aboriginal or Torres Strait Islander persons in the LGO Award; and
    - inclusion of Flexible Working Arrangements.

  As a result of new State IR legislation, a consent position was reached in relation to the 25% casual loading and flexible working arrangements. The matter was heard over 6 days concluding on 29 November 2024 before Commissioner Walkington and the decision has been reserved.
- Application APPL 164 of 2024 has been made by the WASU through s80BH of the *Industrial Relations Act 1979* (WA) (IR Act) to be named to the Local Government Industrial Award – Industrial Agreement (LGIA-IA) which is an instrument that transitioned to the State Industrial Relations system. If WASU is named to the LGIA-IA it is then able to take action to enforce the instrument, but more importantly the WASU could 'retire' it under s. 41(7) of the IR Act and the state awards (LGO and ME Awards amongst others) would then apply. Sixty Local Governments have been named to APPL 164 of 2024 and WALGA will be directly representing the Shire of Dundas (lead Local Government) as their industrial agent in this matter and assisting other Local Governments with their responses to oppose the application on the ground that it does not correctly identify the LGIA-IA and that some Local Governments were incorrectly named to the Application because they do not apply the LGIA-IA. The decision for WALGA to only directly represent the lead Local Government was taken so that WALGA did not get 'conflicted out' of the proceedings as has occurred in other matters. The Commission granted an extension of time for filing of responses to 24 January, and most Local Governments have already filed their responses.

New IR Legislation

The Minister for Industrial Relations the Hon. Simone McGurk introduced the *Industrial Relations Legislation Amendment Bill 2024* into WA Parliament 18 September 2024.It was

passed by WA Parliament on 6 November 2024 and received Royal Assent on 13 November 2024 (IRLA Act)
IRLA Act is part of the Government's review of the State IR system that commenced with the 2018 Ministerial review. The IRLA Act will amend the:

- *Industrial Relations Act 1979* (IR Act)
- *Minimum Conditions of Employment Act 1993* (MCE Act)
- *Health Services Act 2016*
- *Public Sector Management Act 1994*

The IRLA Act:

- Redefines the terms "employee" and "employer" and "casual employee".
- Establishes a fit and proper person test for a union official to obtain a right of entry permit under the *Industrial Relations Act 1979* (IR Act).
- Amends the *Minimum Conditions of Employment Act 1993 (WA)* (MCE Act) to increase the statutory minimum casual loading from 20 to 25% and amend public holiday minimums.
- Establishes a new employee right to request a flexible working arrangement consistent with the *Fair Work Act 2009 (Cth)* (FW Act).
- Enables the *Local Government (Long Service Leave) Regulations 2024* to be enforced under the IR Act.
- Introduces a new prohibition on sexual harassment in connection with work, as contained in the FW Act.
- Increases the penalties for contravening State employment laws. The maximum penalties will increase from $65,000 to $93,000 for a body corporate and $13,000 to $18,000 for an individual.

Most of the changes came into effect 31 January. WALGA held a webinar for Local Governments on 3 December 2024 to prepare for the changes and will continue to provide resources and assistance.

4. GOVERNANCE AND PROCUREMENT

Local Government Legislative Reform
The Local Government Amendment Bill 2024 was Assented to on 6 December 2024.

Some of the items have come into effect immediately are:

- Clarified Roles and Responsibilities of Council, Council Members, Mayors and Presidents and CEOs
- Local Law Reforms
- Unreasonable / Vexatious Complaints
- Changes to Local Government Borrowing Powers.

Regulations relating to Superannuation for Elected Members have recently been gazetted. It is worth noting that Superannuation came into effect on 1 February 2025 as discretionary for Local Governments. Local Governments will need to make a decision by Absolute Majority if they wish to pay superannuation to Elected Members.

The regulation to mandate Bands 1 and 2 to pay superannuation to Elected Members will take effect from 19 October 2025.

Therefore, those Band 1 and 2 Local Governments that have not resolved to pay superannuation, will be required to pay superannuation from 19 October 2025.

Other items will require regulations and further work: including:

- Development Assessment Panel (DAP) Functions
- Office of the Local Government Inspector
- Local Government Monitors
- Independent Member and Chair of Audit, Risk and Improvement Committee
- Clarified Regional Subsidiaries Provisions

In addition, regulations relating to Tranche 1 amendments are still required:

Amendments yet to commence include:

- Council Plans
- Standardised Meeting Procedures
- Communications Agreement
- Community Engagement Charter and Surveys
- Publication of CEO Performance Review (consultation has commenced)
- New Lease and Contract Registers (consultation has commenced)

In respect to CEO Matters and Online Registers, WALGA circulated an Info Page and Discussion paper, seeking feedback on draft regulations. Responses are requested by 19 March and will inform a State Council Agenda item to go through the April round of Zone meetings.

5. TRAINING

The Training Team has recently undertaken the validation of our nationally recognised program. The team held validation meetings over 4 full days with relevant trainers/assessors and subject matter experts to ensure that all our training resources and assessment tools are up to date. Identified changes are then checked, improved and implemented throughout the relevant resources and assessments on our Student Portal. Accurate recording of those changes is a key RTO compliance requirement which has been overseen by the RTO Compliance team.

The February intake of the Certificate III in Local Government has received good enquiries so far and we are currently enrolling students for a 5 February start. We also prepare for the virtual Graduation ceremony on 25 February where we celebrate the achievement of six successful graduates.

2025 has started with a bang for on-site training with eight workshops confirmed for delivery across WA before April. Short course enrolments are starting to come in with the new Residential Design Codes (R – Codes) being very popular again followed by a range of Governance and Employee Relations workshops.

We are working to launch the Diploma of Local Government for Officers, including the specialisation for Planning with the first delivery starting in late April/ early May.

We are also working with our Training Council, the Financial, Administrative and Professional Services WA and the State Training Borad to have the Diploma of Local Government made available as an existing worker Traineeship.

9.4.4 REPORT ON KEY ACTIVITIES, POLICY PORTFOLIO (STATE COUNCIL AGENDA ITEM 11.1.4)

By Nicole Matthews, Executive Manager Policy

WALGA RECOMMENDATION

That State Council note the Key Activity Report from the Policy Portfolio to the March 2025 State Council meeting.

The Policy Portfolio comprises the following work units:

- *Economics*
- *Environment and Waste*
- *Planning and Building*
- *Emergency Management*
- *Community*

The following outlines the activities of the Policy Portfolio since the December 2024 State Council meeting.

1. ECONOMICS

Economic Briefing
In December, WALGA released its latest Economic Briefing (see item 10.6). The next Economic Briefing will be released in March.

Renewable Energy
WALGA is progressing its advocacy and initiatives to support Local Governments since State Council endorsed three energy transition advocacy positions in September 2024 (see item 10.3).

2. ENVIRONMENT AND WASTE

Native Vegetation
WALGA is progressing with actions identified in the Native Vegetation Issues Paper considered by Zones in December 2024, including the development of a range of capacity-building activities and advocacy to the Department of Water and Environmental Regulation regarding challenges impacting Local Government. Three more Field Days are being planned to assist Local Governments with managing native vegetation in road reserves.

E-waste Transport Rebates
Following the commencement of the e-waste landfill ban on 1 July 2024, WALGA has been successful in securing State Government funding to assist regional and remote Local Governments in the cost of e-waste transportation for recycling. The E-waste Regional Transportation Support Scheme, (ERTSS) administered by DWER, will provide rebates for eligible Local Governments of up to 50 per cent of transport costs. $766,000 has been allocated for the ERTSS, which will run until 30 June 2025.

Polyphagous Shot Hole Borer
WALGA having escalated PSHB advocacy and political engagement over the last year, is currently preparing a submission to the National Consultative Committee on key priorities for inclusion in the PSHB Response Plan (see item 10.5).

3. PLANNING AND BUILDING

Urban Forests
WALGA 2025 Urban Forest Conference
Tickets for the WALGA 2025 Urban Forest Conference being held on 14 February at Murdoch University have sold out, with more than 380 registered to attend. The theme of the Conference is **Raising Resilience**, focusing on the unprecedented threats to urban forests from clearing for development, climate change, pests and disease. The Minister for Energy; Environment; Climate Action, Hon Reece Whitby MLA and the Shadow Minster for the Environment Hon Neil Thomson MLC will address the Conference.

Urban Greening Grants
Round Three recipients of Urban Greening Grants were announced in December 2024. A total of $1.6 million was awarded to 16 Local Governments: Bayswater, Belmont, Cambridge, Canning, Cottesloe, Fremantle, Gosnells, Joondalup, Kalamunda, Kwinana, Melville, Mundaring, Murray, Rockingham, Serpentine Jarrahdale and Swan. These Local Governments will plant over 5,400 trees and 238,700 understorey species in winter 2025.

The Urban Greening Grant Program has now closed. A total of 26 Local Governments secured funding under the Program to plant over 33,000 trees and 260,000 understorey plants by winter 2025.

Labor Election Commitment
WALGA's 2025 State Election campaign, calls for an additional $40 million over the next decade for an expanded, statewide urban forest program.

WA Labor has committed to double Perth's tree canopy cover to 30% by 2040, including a new urban canopy growth program ($10 million) and 'treebates' to encourage Western Australians to plant native trees ($6.9 million) if re-elected.

While welcoming the announcement, WALGA stressed that these programs should be extended statewide and that the Government must take measures to address the loss of existing trees on private land as part of its promised Urban Greening Strategy (see WALGA's media statement here).

Coastwest Grants
Applications for the 2025-26 Coastwest grants opened in January. WALGA will host an information session for eligible Local Governments on 12 February in partnership with the Department of Planning, Lands and Heritage and the Department of Transport. Grant applications close on 14 April.

4. EMERGENCY MANAGEMENT

Disaster Ready Fund Round Three
$200 million is available under Round Three of the Australian Government's DRF which opened on 22 January. DRF is a significant funding opportunity for the sector, with 17 WA Local Government projects receiving more than $23 million in Round Two, including for fire

danger rating signage, community education, evacuation centre improvements and infrastructure projects.

Local Governments are encouraged to review the guideline changes for Round Three before submitting their project proposals. Proposals must be submitted to DFES via the online application portal by 5pm (AWST) on 2 April.

Emergency WA App
The State Government launched the Emergency WA App on 21 December 2024. The App, available in the App Store or Google Play, delivers instant notifications of warnings, incidents, Total Fire Bans and elevated Fire Danger Ratings on mobile devices. Users can set multiple custom watch zones for their homes and locations important to them and opt-in to receive push notifications relevant to them. This will be extremely helpful for both the community and visitors to stay in the know about hazards near them.

Local Emergency Management Arrangements Improvement Program
WALGA has submitted its LEMA Recommendations Report to DFES which will inform the development of new LEMA guidelines and resources. WALGA is leading a Local Government LEMA Working Group, with representatives from 10 diverse Local Governments co-designing fit-for-purpose LEMA templates and supporting resources to be tested in a 2025 pilot program.

Bushfire Risk Management Coordinators
WALGA will continue to host two Bushfire Risk Mitigation Coordinators (BRMCs) until June 2028 under a funding agreement with DFES. BRMCs work with WALGA, DFES and Local Governments to develop and implement Local Government bushfire mitigation programs, focusing on building capacity for Local Governments with limited capacity and expertise to manage their ongoing mitigation program using in-house resources.

State Emergency Management Committee
The SEMC met on 4 December 2024, attended by WALGA CEO, Nick Sloan. The meeting communique can be found here.

State Bushfire Advisory Committee
WALGA Executive Manager Policy, Nicole Matthews is a member of the State Bushfire Advisory Committee, which met on 3 December 2024. The meeting communique can be found here.

Election Commitments
The Nationals and Labor have made a number of election commitments aligned with WALGA's emergency management State election priorities (see item 10.2)

5. COMMUNITY

WALGA 2025 Aboriginal Engagement Forum
The WALGA 2025 Aboriginal Engagement Forum will be held on 9 April at the State Reception Centre in Kaarta Gar-up (Kings Park), with the theme ''Stepping Up: Taking local Aboriginal engagement and Reconciliation to the next level". Program planning is underway and being informed by a reference group of Elected Members and officers. State Council members are strongly encouraged to attend and promote the event within their zones.

Public Health Act
Consultation on the draft State Public Health Plan 2025-2030 was held in early February. WALGA made a submission aligned to previous submission relating to the implementation of Stage 5 of the Public Health Act. The submission emphasised the role Local Government provide in the protection and enhancement of health and well-being within their communities across various responsibilities and functions. The submission also stated the need to ensure sufficient support and expertise within State agencies to support the preparation of Local Public Health Plans, especially in relation to the new climate change priority. The development of the submission was guided by the WALGA Public Health Plans Reference Group.

Regional Primary Health Services
Following its tabling at the December 2024 State Council meeting, the Local Government Primary Healthcare Survey Report has been shared with Local Government CEOs. WALGA's advocacy on this issue is being informed by the survey results and additional feedback from Band 4 Local Governments who have collectively identified access to GP services as a key priority. Advocacy to the Australian and State governments is focussed on measures to increase access to GP services in areas of need and reduce the financial impost on Local Government, particularly in the context of the upcoming state and federal elections and the renegotiation of the National Health Reform Agreement and bilateral agreement between WA and the Commonwealth.

Access and Inclusion
Most Accessible Community Western Australia (MACWA) Awards
On 5 December, WALGA joined the Hon Don Punch MLA, Minister for Disability Services, the Department of Communities and the Department of Local Government, Sport and Cultural Industries (DLGSC) at the annual MACWA Awards celebrating Local Government's efforts to create accessible and inclusive communities. Award winners included the Shires of Augusta Margaret River and Pingelly and the cities of Kalamunda, Swan and Greater Geraldton.

WALGA Forum
On 20 February WALGA will host an Access and Inclusion Forum, a commitment under the *State Disability Strategy 2020 - 2030, Second Action Plan*. The Forum theme is 'Building on your Disability Access and Inclusion Plan - embedding awareness across Local Government functions to respond to emerging issues'. The Forum aims to support sector building capacity and increase collaboration across the broad remit of Local Government.

Child Safeguarding
WALGA hosted a Child Safeguarding CEO Breakfast on 12 December. The DLGSC session, facilitated by the Western Australian Council of Social Services (WACOSS), focused on the role of CEOs in managing child safeguarding risks and promoting child safety and wellbeing within Local Governments. The session forms part of DLGSC's commitment to delivering tailored child safeguarding resources and support for the Local Government sector over the coming year.

Arts and Culture Infrastructure Grants
The State Government launched Creative WA: A 10 year vision to grow and sustain our creative ecosystem in December which includes $30 million towards refurbishment and equipment needs for arts and culture centres. Local Governments can apply now through Lotterywest.

RESOLUTION

Moved: **President Cr Julia Meldrum**
Seconded: **President Cr Doug Kitchen**

That the South West Country Zone notes all Key Activity Reports as contained in the March 2025 State Council Agenda.

CARRIED

10 OTHER BUSINESS

Nil.

11 EXECUTIVE REPORTS

11.1 WALGA PRESIDENT'S REPORT

Chris Hossen, Zone Executive Officer provided a brief update to the Zone on behalf of the WALGA President. The report was provided as an attachment.

Noted

11.2 WALGA STATE COUNCILLOR REPORT

State Councillor President Cr Tony Dean presented on the previous State Council meeting.

Noted

12 FINANCIAL REPORT

12.1 SOUTH WEST COUNTRY ZONE FINANCIAL REPORT

Period Ending 31 Dec 2024 Report		
	Actual $	**Comments**
Opening Cash Balance	26,501	
Income		
Subscription Income	170	Shire of Manjimup
Total Income	**170**	
Expenses		
Bank Charges	33	

Meeting expenses	-	
Sponsorship	10,000	IIF sponsorship
Plaques	-	
Total Expenses	**10,033**	
Closing Cash Balance	**16,639**	

RESOLUTION

Moved: **President Cr Julia Meldrum**
Seconded: **Cr Mikayla Love**

That the South West Country Zone financial report for February 2025 be received.

CARRIED

13 EMERGING ISSUES

Nil.

14 2025 MEETING DATES AND LOCATIONS

Meeting dates for 2025 are listed below. Please note if any changes need to be made.

MEETING DATE	HOST LOCAL GOVERNMENT
Friday, **21 February** 2025	August-Margaret River
Thursday, 24 April 2025	Nannup
Friday, **20 June** 2025	Boyup Brook
Friday, **22 August** 2025	Bridgetown-Greenbushes
Friday, **21 November** 2025	Bunbury

15 NEXT MEETING

The next meeting of the South West Country Zone will be held on **Thursday, 24 April** at the Shire of Nannup commencing at 9:00am.

16 CLOSURE

There being no further business the Chair declared the meeting closed at 11:42am.

WALGA

State Council Full Minutes 5 March 2025

Ordinary meeting no. 1 of 2025 of the Western Australian Local Government Association State Council held at ONE70, LV3, 170 Railway Parade, West Leederville at 3:15pm.

TABLE OF CONTENTS

1 OPENING, ATTENDANCE AND APOLOGIES 4
1.1 Opening 4
1.2 Attendance 4
1.3 Apologies 5
2 ACKNOWLEDGEMENT OF COUNTRY 5
3 ANNOUNCEMENTS 5
4 MINUTES 5
4.1 Minutes of the State Council meeting held 6 December 2024 5
4.1.1 Business arising from the Minutes of the State Council meeting held 6 December 2024 5
4.2 Flying Minute - Submission on the Productivity Commission Inquiry - Opportunities in the Circular Economy 6
4.2.1 Business arising from the Flying Minute- Submission on the Productivity Commission Inquiry - Opportunities in the Circular Economy 6
5 DECLARATIONS OF INTEREST 6
6 EX OFFICIO REPORTS 6
6.1 City of Perth Report 6
6.2 LG Professionals Report 6
7 EMERGING ISSUES 6
8 MATTERS FOR DECISION 7
8.1 Climate Change Advocacy Position 7
8.2 Waste Management Legislation Advocacy Position 16
MATTERS FOR CONSIDERATION BY STATE COUNCILLORS (UNDER SEPARATE COVER) 21
8.3 Appointment to Finance and Services Committee 21
8.4 Finance and Services Committee Minutes – 19 February 2025 - CONFIDENTIAL 21
8.5 Local Government House Trust Board of Management Minutes – 19 February 2025 - CONFIDENTIAL 22
8.6 Honours Panel Minutes – 18 December 2024 - CONFIDENTIAL 22
8.7 Selection Committee Flying Minute – 18 February 2025 - CONFIDENTIAL 22
8.8 LGISWA Board Minutes - CONFIDENTIAL 23
8.9 LGIS Board Remuneration - CONFIDENTIAL 23
8.10 Use of the Association's Common Seal - CONFIDENTIAL 24
9 POLICY TEAM AND COMMITTEE REPORTS 25
9.1 Infrastructure Policy Team Report 25
9.2 People and Place Policy Team Report 28
9.3 Governance Policy Team Report 29
9.4 Environment Policy Team Report 31
9.5 Municipal Waste Advisory Council (MWAC) Report 34
10 MATTERS FOR NOTING / INFORMATION 36
10.1 2025 Federal Election 36
10.2 2025 State Election 39
10.3 Large Scale Renewable Energy Update 43
10.4 2024 CoastWA Local Government Survey 47
10.5 Polyphagous shot-hole borer Update 50
10.6 December 2024 Economic Briefing 54
10.7 Flying Minute Submission on the Productivity Commission Inquiry – Opportunities in the Circular Economy 57

11 ORGANISATION REPORTS 60
11.1 Key Activity Reports 60
11.1.1 Report on Key Activities, Advocacy Portfolio 60
11.1.2 Report on Key Activities, Infrastructure Portfolio 65
11.1.3 Report on Key Activities, Member Services Portfolio 68
11.1.4 Report on Key Activities, Policy Portfolio 73
11.2 President's Report 78
11.3 CEO's Report 78
12 ADDITIONAL ZONE RESOLUTIONS 78
13 DATE OF NEXT MEETING 80
14 CLOSURE 80
STATUS REPORT ON STATE COUNCIL RESOLUTIONS 81

1 OPENING, ATTENDANCE AND APOLOGIES

1.1 OPENING

The Chair declared the meeting open at 3:18pm.

1.2 ATTENDANCE

Members	WALGA President - **Chair**	President Cr Karen Chappel AM JP
	WALGA Deputy President	
	Central Metropolitan Zone	Cr Paul Kelly
	Avon-Midland Country Zone	President Chris Antonio
	Central Country Zone	President Cr Phillip Blight
	Central Metropolitan Zone	Cr Helen Sadler
	East Metropolitan Zone	Cr John Daw (Deputy)
	Gascoyne Country Zone	President Eddie Smith
	Goldfields Esperance Country Zone	President Cr Laurene Bonza
	Great Eastern Country Zone	Cr Stephen Strange
	Great Southern Country Zone	Cr Scott Crosby
	Kimberley Country Zone	President Chris Mitchell JP
	Murchison Country Zone	President Cr Les Price
	North Metropolitan Zone	Cr John Raftis (Deputy)
	North Metropolitan Zone	Cr Bronwyn Smith
	Northern Country Zone	President Cr Liz Sudlow (Deputy)
	Peel Country Zone	Mayor Caroline Knight
	Pilbara Country Zone	Cr Wendy McWhirter-Brooks
	South East Metropolitan Zone	Mayor Patrick Hall
	South East Metropolitan Zone	Mayor Terresa Lynes
	South Metropolitan Zone	Mayor Logan Howlett JP
	South Metropolitan Zone	Cr Karen Wheatland
	South Metropolitan Zone	Cr Barry Winmar
	South West Country Zone	President Cr Tony Dean
Ex Officio	Deputy Lord Mayor - City of Perth	Cr Bruce Reynolds
	Local Government Professionals WA President	Mr Anthony Vuleta
Secretariat	Chief Executive Officer	Mr Nick Sloan
	Executive Director Member Services	Mr Tony Brown
	Executive Manager Infrastructure	Mr Ian Duncan
	Executive Manager Policy	Ms Nicole Matthews
	Executive Manger Advocacy	Ms Rachel Horton
	Chief Financial Officer	Mr Rick Murray
	Policy Manager Environment and Waste	Ms Rebecca Brown
	Manager Commercial Services	Mr Sam McLeod
	Manager Governance and Procurement	Ms Felicity Morris
	Manager Association and Corporate Governance	Ms Kathy Robertson
	Principal Policy Advisor Economic Development	Ms Lisa Harwood
	Executive Officer Governance	Ms Meghan Dwyer

1.3 APOLOGIES

Members	East Metropolitan Zone	President Paige McNeil
	East Metropolitan Zone	Cr Haeden Miles
	North Metropolitan Zone	Cr Michael Dudek
	North Metropolitan Zone	Cr Lewis Hutton
	Northern Country Zone	President Cr Kirrilee Warr
Ex Officio	The Rt. Hon. Lord Mayor – City of Perth	Lord Mayor Basil Zempilas

2 ACKNOWLEDGEMENT OF COUNTRY

WALGA acknowledges the continuing connection of Aboriginal people to Country, culture and community. We embrace the vast Aboriginal cultural diversity throughout Western Australia, including Boorloo (Perth), on the land of the Whadjuk Noongar People, where WALGA is located and we acknowledge and pay respect to Elders past and present.

WALGA is committed to supporting the efforts of WA Local Governments to foster respectful partnerships and strengthen relationships with local Aboriginal communities.

3 ANNOUNCEMENTS

Welcome to Mayor Caroline Knight, newly elected State Councillor for the Peel Country Zone.

4 MINUTES

4.1 MINUTES OF THE STATE COUNCIL MEETING HELD 6 DECEMBER 2024

WALGA RECOMMENDATION

Moved: **President Chris Antonio**
Seconded: **Cr Scott Crosby**

That the Minutes of the WALGA State Council meeting held on 6 December 2024 be confirmed as a true and correct record of proceedings.

RESOLUTION 001.1/2025 **CARRIED**

4.1.1 BUSINESS ARISING FROM THE MINUTES OF THE STATE COUNCIL MEETING HELD 6 DECEMBER 2024

Nil

4.2 FLYING MINUTE - SUBMISSION ON THE PRODUCTIVITY COMMISSION INQUIRY - OPPORTUNITIES IN THE CIRCULAR ECONOMY

WALGA RECOMMENDATION

Moved: **Cr Paul Kelly**
Seconded: **President Cr Phillip Blight**

That the Flying Minute - Submission on the Productivity Commission Inquiry - Opportunities in the Circular Economy be confirmed as a true and correct record of proceedings.

RESOLUTION 002.1/2025 **CARRIED**

4.2.1 BUSINESS ARISING FROM THE FLYING MINUTE- SUBMISSION ON THE PRODUCTIVITY COMMISSION INQUIRY - OPPORTUNITIES IN THE CIRCULAR ECONOMY

Nil.

5 DECLARATIONS OF INTEREST

Pursuant to our Code of Conduct, State Councillors must declare to the Chair any potential conflict of interest they have in a matter before State Council as soon as they become aware of it.

- President Chris Antonio and Cr Paul Kelly declared an interest in item 8.9 LGIS Board Remuneration.

6 EX OFFICIO REPORTS

6.1 CITY OF PERTH REPORT

The Deputy Lord Mayor, Cr Bruce Reynolds, provided the City of Perth report to the meeting.

6.2 LG PROFESSIONALS REPORT

Mr Anthony Vuleta, President, LG Professionals WA, provided a report to the meeting.

Mr Anthony Vuleta left the meeting and did not return.

7 EMERGING ISSUES

Notification of emerging issues must be provided to the Chair no later than 24 hours prior to the meeting.

Nil.

8 MATTERS FOR DECISION

8.1 CLIMATE CHANGE ADVOCACY POSITION

By Jade Mains, Senior Policy Advisor Environment

WALGA RECOMMENDATION

That State Council replace the 2018 Climate Change Policy Statement Advocacy Position 4.1 Climate Change with the following advocacy position:

Climate Change significantly impacts Local Governments' operations and responsibilities, as well as their communities.

Local Government is committed to taking climate action, including by:

- ***reducing operational emissions in line with Australian and Western Australian Government 2050 net zero targets***
- ***providing leadership and support to their communities to reduce carbon emissions***
- ***embedding climate risk management into their operations to enhance adaptation and build community resilience to the impacts of climate change***
- ***working with other levels of Government and key stakeholders to ensure policy and on-ground programs are effective, equitable and targeted.***

WALGA calls on the Australian and Western Australian Governments to provide the necessary climate leadership, coordination, and action to:

1. ***Ensure Australia and Western Australia meet net zero emissions targets through:***
   a. ***enacting legislation which sets clear, measurable targets for emission reduction***
   b. ***developing and funding coordinated emissions reduction policies, guidance and programs***
   c. ***acknowledging the role of Local Government as an implementation partner in emissions reduction policy and planning.***
2. ***Empower Local Government to accelerate adaptation and build resilience in their communities through:***
   a. ***ensuring the roles and responsibilities set out under the Council of Australian Governments Roles and Responsibilities for Climate Change Adaptation in Australia are implemented and adequately resourced***
   b. ***providing up to date, consistent and accessible data to enable evidence-based decision making and investment***
   c. ***developing national guidance on adaptation responses to facilitate coordinated and equitable planning and implementation.***
3. ***Provide funding and resources and support to Local Government to enable on-ground implementation, including for:***
   a. ***the implementation of the Regional Climate Alliance Program across Western Australia***
   b. ***the establishment and maintenance of corporate emission inventories and action plans***
   c. ***providing transformational investment to facilitate emission reduction activities***

d. undertaking climate risk assessments and the development of adaptation action plans

e. a dedicated adaptation fund to address localised climate risks and build climate resilience.

EXECUTIVE SUMMARY

- WALGA's current climate change Policy Statement and Advocacy Position were endorsed by State Council in 2018.
- There have been significant legislative and policy changes at both the Australian and State Government level since that time. The impacts of climate change are also being increasingly felt across Western Australia, putting Local Government in a challenging position with limited resources and support to mitigate emissions and adapt.
- Feedback from the sector through climate surveys, undertaken every two years, and targeted consultation confirms that significant resourcing and funding gaps exist for Local Government to effectively respond to climate change.
- The updated Advocacy Position focuses on the urgency and scale of climate impacts and calls for a comprehensive framework, and action, to enable Local Government to manage the impacts of climate change and build resilient communities.
- The Environment Policy Team endorsed the Advocacy Position at their 11 December 2024 meeting.

ATTACHMENT

- Climate Change Legislative and Policy Context

POLICY IMPLICATIONS

The revised advocacy position is intended to be an overarching sector position on climate change. Other advocacy positions, including Urban Forest (4.5), Renewable Energy (6.16, 6.17, 6.18), Emergency Management (8.1, 8.2, 8.11) and Coastal Planning (6.8) provide a sector position on specific climate related matters.

The **existing** Policy Statement and Advocacy Position is:

4.1 Climate Change

Local Government acknowledges:

1. *The science is clear: climate change is occurring and greenhouse gas emissions from human activities are the dominant cause.*
2. *Climate change threatens human societies and the Earth's ecosystems.*
3. *Urgent action is required to reduce emissions, and to adapt to the impacts from climate change that are now unavoidable.*
4. *A failure to adequately address this climate change emergency places an unacceptable burden on future generations.*

Local Government is committed to addressing climate change. Local Government is calling for:

1. *Strong climate change action, leadership and coordination at all levels of government.*
2. *Effective and adequately funded Commonwealth and State Government climate change policies and programs.*

It is proposed that the current advocacy positions be **replaced** with:

Climate Change
Climate Change significantly impacts Local Governments' operations and responsibilities, as well as their communities.
Local Government is committed to taking climate action, including by:

- *reducing operational emissions in line with Australian and Western Australian Government 2050 net zero targets*
- *providing leadership and support to their communities to reduce carbon emissions*
- *embedding climate risk management into their operations to enhance adaptation and build community resilience to the impacts of climate change*
- *working with other levels of Government and key stakeholders to ensure policy and on-ground programs are effective, equitable and targeted.*

WALGA calls on the Australian and Western Australian Governments to provide the necessary climate leadership, coordination, and action to:

1. *Ensure Australia and Western Australia meet net zero emissions targets through:*
    a. *enacting legislation which sets clear, measurable targets for emission reduction*
    b. *developing and funding coordinated emissions reduction policies, guidance and programs*
    c. *acknowledging the role of Local Government as an implementation partner in emissions reduction policy and planning.*
2. *Empower Local Government to accelerate adaptation and build resilience in their communities through:*
    a. *ensuring the roles and responsibilities set out under the Council of Australian Governments Roles and Responsibilities for Climate Change Adaptation in Australia are implemented and adequately resourced*
    b. *providing up to date, consistent and accessible data to enable evidence-based decision making and investment*
    c. *developing national guidance on adaptation responses to facilitate coordinated and equitable planning and implementation.*
3. *Provide funding and resources and support to Local Government to enable on-ground implementation, including for:*
    a. *the implementation of the Regional Climate Alliance Program across Western Australia*
    b. *the establishment and maintenance of corporate emission inventories and action plans*
    c. *providing transformational investment to facilitate emission reduction activities*
    d. *undertaking climate risk assessments and the development of adaptation action plans*
    e. *a dedicated adaptation fund to address localised climate risks and build climate resilience.*

BACKGROUND
There have been significant legislative and policy changes since WALGA's 2018 Climate Change Policy Statement and Advocacy Position were endorsed. The Australian Government enacted the *Climate Change Act 2022*, setting targets for greenhouse gas emissions: a 43% reduction below 2005 levels by 2030 and net zero by 2050. The WA Government introduced the Climate Bill 2023, aiming for an 80% reduction in WA Government emissions by 2030 and a state target of net zero by 2050. The State and

Australian Governments have also released a suite of policies addressing mitigation and adaptation action.

Climate science and projections are also becoming clearer about the risks posed by climate change and the need for action. The Intergovernmental Panel on Climate Change (IPCC) 2023 Report states that climate change poses a significant threat to human well-being and planetary health, emphasising the need for urgent action to secure a sustainable future and an integrated adaptation and mitigation effort.

Local Governments and their communities are on the frontline of dealing with increasing climate risks and the associated impacts. 60 WA Local Governments are signatories to the WALGA Climate Change Declaration which represents over 87% of the State's population. Making a declaration demonstrates a Local Government's ongoing commitment to locally appropriate climate action to both mitigate and adapt to the impacts of climate change.

However, Local Government continues to face substantial challenges in addressing climate change due to limited funding and support from the Australian and State Governments. Funding and capacity constraints can make undertaking emissions reduction and adaption actions particularly challenging for smaller regional Local Governments, whose assets and communities may be more vulnerable to the impacts of climate change, such as extreme weather events.

In 2021-23, WALGA was successful in securing State Government funding to deliver a Regional Climate Alliance (RCA) Pilot Program, an initiative under the Western Australian Climate Policy. Modelled on successful programs in other jurisdictions, two groups of Local Governments, the South Coast Alliance and Goldfields Voluntary Regional Organisation of Councils focused on accelerating climate action at the regional scale. WALGA continues to advocate to the State Government to reinstate the program and expand it statewide.

To develop the updated Advocacy Position, WALGA ran a workshop with Local Government officers to establish the parameters for the review. Climate Change survey data, collected in 2020, 2022 and 2024, also informed the development of the updated Advocacy Position. WALGA also participated in an evaluation of the RCA Pilot Program with State Government. The themes from the survey data, consultations and Pilot evaluation, were:

- in addition to signing WALGA's Climate Change Declaration, many Local Governments are embedding climate change considerations into their strategic community plans, policies and operations
- of the 139 WA Local Governments, 110 (80% of Local Governments) are taking at least one significant action relating to climate change
- the biggest barrier to accelerating action at the local level is the lack of targeted funding and support. This is particularly significant for regional Local Governments.

The draft updated Advocacy Position was provided to relevant Local Government officers for comment and their feedback was incorporated.

COMMENT

The updated Advocacy Position builds on the 2018 position, acknowledging the substantial shift in policy development and public sentiment on climate change. The updated Position therefore focuses on the practical actions that will enable a coordinated and strategic framework to reduce emissions and respond to the impacts of climate change.

Local Governments continue to demonstrate leadership in climate action by responding and managing impacts at a local scale, however, the position reflects the need for greater funding and support from the Australian and State Governments.

The updated Advocacy Position, together with climate change-related advocacy positions in the areas of emergency management, urban forests, renewable energy, coastal planning, and water resources (upcoming), will provide a sound basis for WALGA's ongoing climate change advocacy and policy development.

ZONE CONSIDERATION

Avon Midland Country Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
Northern Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	No meeting held (no quorum)
South West Country Zone	WALGA recommendation supported

CENTRAL COUNTRY ZONE
That State Council replace the 2018 Climate Change Policy Statement Advocacy Position 4.1 Climate Change with the following advocacy position:

> *WALGA calls on the Australian and Western Australian Governments to:*
> 1. *provide the necessary climate leadership, coordination, and action to deliver a climate change response that improves and maintains the quality of life for all Western Australians for generations to come.*
> 2. *provides funding and resources and support to Local Government to enable local communities to respond to the effects of climate change*

CENTRAL METROPOLITAN ZONE
That the recommendation be endorsed with the following amendment to 1b:

> *developing and funding coordinated emissions reduction policies, guidance, programs and standards.*

GREAT EASTERN COUNTRY ZONE
The Zone supported the recommendation. However, the Zone also requests that WALGA remains open minded to further conversations on climate change.

GREAT SOUTHERN COUNTRY ZONE
The Zone's motion to support the recommendation was defeated and the following comment was noted:

> *The majority of Zone Delegates noted their Local Governments did not have adopted positions on climate change and those delegates considered they did not have a basis by which they could support the proposed WALGA advocacy position.*

GOLDFIELDS ESPERANCE COUNTRY ZONE
That the GVROC note the WALGA recommendation for the State Council to replace the 2018 Climate Change Policy Statement Advocacy Position 4.1 Climate Change with the advocacy position as presented and provide the following alternate simplified recommendation for consideration by WALGA and State Council:

> *That State Council replace the 2018 Climate Change Policy Statement Advocacy Position 4.1 Climate Change with the following advocacy position:*
>
> *WALGA calls on the Australian and Western Australian Governments to:*
> - *Prioritise and provide the necessary climate leadership, coordination, and action to deliver a climate change response that improves quality of life for all Western Australians for generations to come; and*
> - *Prioritise the provision of funding and resources and support to Local Government to enable local communities to respond to the effects of climate change.*

NORTH METROPOLITAN ZONE
1. That the following additional points be included in the Climate Change Advocacy Position:
   Section 2 – d. Australian and State Governments to lead on state-wide adaptation issues to ensure a cohesive strategic approach.
   Section 3 – f. Australian and State Governments to provide funding for community members to implement mitigation actions and reduce carbon emissions.
2. That WALGA undertake a formal consultation process with Local Governments regarding the latest version of the Climate Change Advocacy Position (as amended to include the above changes to sections 2 and 3) to ensure that all Local Governments have an opportunity to provide considered feedback.

PEEL COUNTRY ZONE
That the Peel Country Zone supports the WALGA Climate Change Advocacy Position (State Council Agenda Item 8.1) subject to the following amendments underlined:

Local Government is committed to taking climate action, including by:
- *reducing operational emissions in line with Australian and Western Australian Government 2050 net zero targets*
- *providing leadership and support to their communities to reduce carbon emissions*
- *embedding climate risk management into their operations to enhance adaptation and build community resilience to the impacts of climate change*
- *working with other levels of Government and key stakeholders to ensure policy and on-ground programs are effective, equitable and targeted.*

in a manner that does not compromise Western Australian productivity or impose an increased cost of living burden on Western Australians.

WALGA calls on the Australian and Western Australian Governments to provide the necessary climate leadership, coordination, and action to:

...

3. *Provide funding and resources and support to Local Government to enable on-ground implementation, including for:*
   a. the implementation of the Regional Climate Alliance Program across Western Australia

b. *the establishment and maintenance of corporate emission inventories and action plans*
c. *providing transformational investment to facilitate emission reduction activities*
d. *undertaking climate risk assessments and the development of adaptation action plans*
e. *a dedicated adaptation fund to address localised climate risks and build climate resilience.*

WALGA calls on the Australian and Western Australian Governments to undertake these actions in a manner that does not compromise Western Australian productivity or impose an increased cost of living burden on Western Australians.

SOUTH METROPOLITAN ZONE
That the South Metropolitan Zone supports State Council Agenda Item 8.1 with the first sentence of the updated Climate Change Policy Statement Advocacy Position to read:

> *Climate Change significantly impacts Local Governments' operations and responsibilities, as well as their communities.*
>
> *We recognise that we are now facing a climate emergency, and more action is needed.*

SECRETARIAT COMMENT
WALGA notes the substantial feedback from the sector on the proposed updated Climate Change Advocacy Position and appreciates the sectors engagement on this item.

The 2018 Climate Change position was endorsed by the sector following extensive consultation, including through the Climate Change Discussion Paper. In the development of the 2025 updated position, a significant body of research was considered including bi-annual sector wide survey data on climate change activity within each Local Government collected in 2020, 2022 and 2024. A comprehensive review of the Australian and State legislative and policy context since 2018 was also conducted. Two workshops with Local Government officers to inform the development of the position were held in 2024. The draft Advocacy Position was then consulted on with the same officer network in the second half of 2024 for informal sector feedback and provided to the WALGA Environment Policy Team in December 2024 for their consideration and endorsement to take through to State Council.

The circulation of the draft position through the Zones follows the standard process of WALGA for engagement in updating and refining existing advocacy positions. This process ensures that all Local Governments have the opportunity to provide considered comments. The updating of this position is part of a broader initiative within the Policy portfolio to review and revise existing positions, ensuring they remain relevant and effective in an evolving political and policy landscape.

The proposed updated position does not materially depart from the existing 2018 position or its underlying intent. Rather, it aims to recognise the significant legislative and policy changes that have occurred since that time and to emphasise the need for practical leadership, support, and resources by other levels of Government for Local Governments to address the impacts within their communities. Simplifying the position, as put foward by the Central County and Goldfields Esperance Country Zones, is not proposed as it is considered important that the position clearly and succinctly articulates the challenges and

needs of the sector to inform WALGA's climate change advocacy to government and policy development. The position outlines specific asks for mitigation and adaptation activities separately, aligning with the policy development approaches of both the Australian and State Governments on Climate Change. Additionally, the position seeks to highlight the level of activity and action already being undertaken by the Local Government sector, acknowledging their significant contribution towards achieving government targets.

COMPOSITE RECOMMENDATION

That State Council replace the 2018 Climate Change Policy Statement Advocacy Position 4.1 Climate Change with the following advocacy position:

Climate Change significantly impacts Local Governments' operations and responsibilities, as well as their communities.

Local Government is committed to taking climate action, including by:

- ***reducing operational emissions in line with Australian and Western Australian Government 2050 net zero targets***
- ***providing leadership and support to their communities to reduce carbon emissions***
- ***embedding climate risk management into their operations to enhance adaptation and build community resilience to the impacts of climate change***
- ***working with other levels of Government and key stakeholders to ensure policy and on-ground programs are effective, equitable and targeted.***

WALGA calls on the Australian and Western Australian Governments to provide the necessary climate leadership, coordination, and action to:

1. ***Ensure Australia and Western Australia meet net zero emissions targets through:***
    a. ***enacting legislation which sets clear, measurable targets for emission reduction***
    b. ***developing and funding coordinated emissions reduction policies, guidance, programs and standards***
    c. ***acknowledging the role of Local Government as an implementation partner in emissions reduction policy and planning.***
2. ***Empower Local Government to accelerate adaptation and build resilience in their communities through:***
    a. ***leading and resourcing on national and statewide adaptation issues to ensure a cohesive strategic approach***
    b. ***providing up to date, consistent and accessible data to enable evidence-based decision making and investment***
    c. ***developing national guidance on adaptation responses to facilitate coordinated and equitable planning and implementation.***
3. ***Provide funding and resources and support to Local Government to enable on-ground implementation, including for:***
    a. ***the implementation of the Regional Climate Alliance Program across Western Australia***
    b. ***the establishment and maintenance of corporate emission inventories and action plans***

c. ***providing transformational investment to facilitate emission reduction activities***
d. ***undertaking climate risk assessments and the development of adaptation action plans***
e. ***a dedicated adaptation fund to address localised climate risks and build climate resilience.***

ALTERNATE MOTION

Moved: **President Cr Phillip Blight**
Seconded: **President Eddie Smith**

That State Council refer this advocacy item back to the Environment Policy Team for further development.

RESOLUTION 003.1/2025 **CARRIED**

8.2 WASTE MANAGEMENT LEGISLATION ADVOCACY POSITION

By Rebecca Brown, Policy Manager Environment and Waste

WALGA RECOMMENDATION

That State Council replace the Waste Management Legislation Policy Statement and Advocacy Position 7.1 Waste Management Legislation with the following advocacy position:

1. ***Local Government supports Australian and State Government waste management legislation which:***
   a. ***includes requirements for national and state waste strategies which support Local Governments to implement the strategies and achieve targets***
   b. ***focuses on coordinated action and clear roles and responsibilities***
   c. ***establishes a lead agency for waste management***
   d. ***establishes and maintains a regulated product stewardship framework for all products entering the Australian market***
   e. ***includes provisions to optimise market development and participation in waste processing.***
2. ***Local Government calls for the Waste Avoidance and Resource Recovery Act 2007 to be amended to include:***
   a. ***Waste education in the definition of Waste Services***
   b. ***Circular Economy principles.***

EXECUTIVE SUMMARY

- WALGA's current Waste Management Legislation Policy Statement and Advocacy Position were adopted in 2004.
- The Policy Statement outlines Local Government's position on waste management legislation in Western Australia and sets out the key objectives waste management legislation should achieve.
- WALGA used the Waste Management Policy Statement to inform advocacy on the development, and reviews, of the *Waste Avoidance and Resource Recovery Act 2007* (WARR Act).
- The current Advocacy Position, and many of the elements in the policy statement, are no longer relevant as they have been achieved.
- The revised Advocacy Position focuses on both Australian and State Government legislation and reflects the shift in focus from traditional waste management towards a circular economy approach.
- The Municipal Waste Advisory Council endorsed the new Advocacy Position at its meeting on 11 December 2024.

POLICY IMPLICATIONS
The existing Policy Statement and Advocacy Position is:

> *Local Government supports waste management legislation that references the principles of Sustainability and the Waste Hierarchy.*
>
> *To be effective, waste management legislation should include the following primary objectives:*
> 1. *Protection of human health and the natural environment;*
> 2. *Minimise resource consumption;*
> 3. *Minimise waste; and*
> 4. *Effect the transition to a waste-free society.*

It is proposed that the current advocacy positions be **replaced** with:

1. *Local Government supports Australian and State Government Waste Management Legislation which:*
   a. *includes requirements for national and state waste strategies which support Local Governments to implement the strategies and achieve targets*
   b. *focuses on coordinated action and clear roles and responsibilities*
   c. *establishes a lead agency for waste management*
   d. *establishes and maintains a regulated product stewardship framework for all products entering the Australian market*
   e. *includes provisions to optimise market development and participation in waste processing.*
2. *Local Government calls for the Waste Avoidance and Resource Recovery Act 2007 to be amended to include:*
   a. *Waste education in the definition of Waste Services*
   b. *Circular economy principles.*

BACKGROUND
WALGA used the Waste Management Legislation Policy Statement as a reference point in the development, and both reviews, of the *Waste Avoidance and Resource Recovery Act 2007* (WARR Act). There have not been any significant changes to the WARR Act since it was enacted.

The national waste legislation, the *Recycling and Waste Reduction Act 2020* (RaWR Act), is being reviewed currently. The development of an updated Advocacy Position will assist in providing input to the review.

The Municipal Waste Advisory Council endorsed the new Advocacy Position at their meeting on 11 December 2024.

COMMENT
Local Government feedback, through both reviews of the WARR Act and in the development of this Advocacy Position, identified key areas to include in the revised position. These areas reflect the changes in approach to waste management since 2007, when the WARR Act was introduced, including a shift of thinking in relation to waste management, particularly with the advent of circular economy principles, and the increased understanding of the importance of waste education and behaviour change.

The Advocacy Position focuses on the importance of waste strategies (at the national and state level), coordinated action, clear roles and responsibilities, a lead agency for waste management and effective product stewardship provisions. Specifically, for the WARR Act, amendments are suggested to include waste education and circular economy principles.

ZONE CONSIDERATION

Avon Midland Country Zone	WALGA recommendation supported
Central Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
Northern Country Zone	WALGA recommendation supported
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	No meeting held (no quorum)
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

EAST METROPOLITAN ZONE
That the East Metropolitan Zone supports the WALGA Recommendation State Council Agenda Item 8.2 with the following amendment:

to add the words, "and compliance" to the end of point 1(c).

SECRETARIAT COMMENT
The Department of Water and Environmental Regulation oversees the regulatory and compliance requirements for waste management activities, therefore the addition is not required. The proposed advocacy position calls for the establishment of a separate lead agency for waste management to oversee strategic initiatives.

GASCOYNE COUNTRY ZONE
Add the below points:
1f: includes provisions to assess the financial implications on Local Government to implement the strategies.
2c: Financial support for Local Government recycling initiatives in regional and remote locations.

SECRETARIAT COMMENT
WALGA acknowledges regional and remote Local Governments face a diverse range of challenges in managing waste, including limited access to resource recovery facilities and high material transport costs.

Support for regional and remote communities to implement effective waste management initiatives remains a key advocacy focus, however will be addressed through the State Waste Strategy and budget process rather than legislation.

GOLDFIELDS ESPERANCE COUNTRY ZONE
While the GVROC notes and supports the WALGA recommendation, there is still a need for further guidance and policy from WALGA, State and Federal Governments on waste items (e.g. hazardous materials and waste) that are not covered by the current policy positions. For example, a can of bitumen tar that can be purchased by the community but is not accepted in general waste collection or via any other special collections. The policy and advocacy positions by WALGA, State and Federal Governments need to consider how all waste materials should be disposed of and the detail and methods outlined for all materials that can be purchased or accessed by the community.

SECRETARIAT COMMENT
WALGA notes the feedback regarding products currently outside existing waste management programs and continues to advocate for effective product stewardship schemes which redistribute the responsibility for managing post-consumption products from Local Governments and the community, onto others in a product's supply chain.
This is addressed by point 1.d in the proposed Advocacy Position:

d. establishes and maintains a regulated product stewardship framework for all products entering the Australian market

NORTH METROPOLITAN ZONE
That WALGA undertake a formal consultation process with Local Governments regarding the updated Waste Management Legislation Advocacy Position to ensure that all Local Governments have an opportunity to provide feedback.

SECRETARIAT COMMENT
The circulation of the draft position through the Zones follows the standard process of WALGA for engagement in updating and refining existing advocacy positions. This process ensures that all Local Governments have the opportunity to provide considered comments. This position was also considered by the Waste Officers Advisory Group and endorsed by MWAC, which include metropolitan and non-metropolitan Local Governments and Regional Councils.

PEEL COUNTRY ZONE
That the Peel Country Zone supports State Council Item 8.2 subject to the amendment to point 2 b. and an addition of point c. as underlined below:

2. Local Government calls for the Waste Avoidance and Resource Recovery Act 2007 to be amended to include:
   a. Waste education in the definition of Waste Services
   b. Circular economy principles <u>including Waste to Energy.</u>
   c. <u>Exemptions for landfill levies for Local Governments who have Waste to Energy facilities</u>

SECRETARIAT COMMENT
Energy recovery is considered as part of the waste hierarchy and already included in the legislation, therefore the addition to circular economy not required. The comment on landfill levy exemptions for energy recovery facilities is noted, this is addressed by WALGA's existing Waste Levy Policy Statement and Advocacy Position 7.14 Waste Levy which states; *The Levy should not be applied to waste received at premises undertaking licenced activities whose primary purpose is resource recovery.* Energy recovery is included in the definition of resource recovery.

WALGA RECOMMENDATION

That State Council replace the Waste Management Legislation Policy Statement and Advocacy Position 7.1 Waste Management Legislation with the following advocacy position:

1. ***Local Government supports Australian and State Government waste management legislation which:***
    a. ***includes requirements for national and state waste strategies which support Local Governments to implement the strategies and achieve targets***
    b. ***focuses on coordinated action and clear roles and responsibilities***
    c. ***establishes a lead agency for waste management***
    d. ***establishes and maintains a regulated product stewardship framework for all products entering the Australian market***
    e. ***includes provisions to optimise market development and participation in waste processing.***
2. ***Local Government calls for the Waste Avoidance and Resource Recovery Act 2007 to be amended to include:***
    a. ***Waste education in the definition of Waste Services***
    b. ***Circular Economy principles.***

ALTERNATE MOTION

Moved: **Cr Paul Kelly**
Seconded: **President Eddie Smith**

That State Council replace the Waste Management Legislation Policy Statement and Advocacy Position 7.1 Waste Management Legislation with the following advocacy position:

1. ***Local Government <u>generally</u> supports Australian and State Government waste management legislation which:***
    a. ***includes requirements for national and state waste strategies which support Local Governments to implement the strategies and achieve targets***
    b. ***focuses on coordinated action and clear roles and responsibilities***
    c. ***establishes a lead agency for waste management***
    d. ***establishes and maintains a regulated product stewardship framework for all products entering the Australian market***
    e. ***includes provisions to optimise market development and participation in waste processing.***
2. ***Local Government calls for the Waste Avoidance and Resource Recovery Act 2007 to be amended to include:***
    a. ***Waste education in the definition of Waste Services***
    b. ***Circular Economy principles.***

RESOLUTION 004.1/2025 **CARRIED**

MATTERS FOR CONSIDERATION BY STATE COUNCILLORS (UNDER SEPARATE COVER)

8.3 APPOINTMENT TO FINANCE AND SERVICES COMMITTEE

By Meghan Dwyer, Executive Officer Governance

WALGA RECOMMENDATION

Moved: **President Chris Antonio**
Seconded: **President Chris Mitchell JP**

That State Council appoint Mayor Caroline Knight, the State Council representative from the Peel Country Zone to the Finance and Services Committee.

RESOLUTION 005.1/2025 **CARRIED**

BACKGROUND
Mayor Rhys Williams resigned as Mayor of the City of Mandurah, effective 28 January. Therefore, his position as State Councillor became vacant.

This resulted in a vacancy on the Finance and Services Committee.

An election was held at the February Peel Country Zone meeting for the vacant State Councillor position, and Mayor Caroline Knight was elected.

COMMENT
It is proposed that the newly elected State Councillor, Mayor Caroline Knight, fill the vacant position on the Finance and Services Committee.

8.4 FINANCE AND SERVICES COMMITTEE MINUTES – 19 FEBRUARY 2025 - CONFIDENTIAL

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

Moved: **President Chris Antonio**
Seconded: **President Chris Mitchell JP**

That State Council endorse the Minutes of the Finance and Services Committee meeting held on 19 February 2025.

RESOLUTION 006.1/2025 **CARRIED**

8.5 LOCAL GOVERNMENT HOUSE TRUST BOARD OF MANAGEMENT MINUTES – 19 FEBRUARY 2025 - CONFIDENTIAL

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

Moved: **Cr Karen Wheatland**
Seconded: **Mayor Patrick Hall**

That State Council note the Minutes of the Local Government House Trust Board of Management meeting held on 19 February 2025.

RESOLUTION 007.1/2025 **CARRIED**

8.6 HONOURS PANEL MINUTES – 18 DECEMBER 2024 - CONFIDENTIAL

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

Moved: **Cr Helen Sadler**
Seconded: **President Cr Tony Dean**

That State Council note the Minutes of the Honours Panel meeting held on 18 December 2024.

RESOLUTION 008.1/2025 **CARRIED**

8.7 SELECTION COMMITTEE FLYING MINUTE – 18 FEBRUARY 2025 - CONFIDENTIAL

By Chantelle O'Brien, Governance Support Officer

WALGA RECOMMENDATION

Moved: **Cr Paul Kelly**
Seconded: **President Chris Antonio**

That State Council note the resolution contained in the 18 February 2025 Selection Committee Flying Minute.

RESOLUTION 009.1/2025 **CARRIED**

8.8 LGISWA BOARD MINUTES - CONFIDENTIAL

By Sam McLeod, Manager Commercial Services

WALGA RECOMMENDATION

Moved: **President Chris Antonio**
Seconded: **President Chris Mitchell JP**

That State Council note the Minutes of the LGISWA Board meeting held on 13 December 2024.

RESOLUTION 010.1/2025 **CARRIED**

8.9 LGIS BOARD REMUNERATION - CONFIDENTIAL

By Sam McLeod, Manager Commercial Services, Member Services

President Chris Antonio and Cr Paul Kelly declared an interest in item 8.9 LGIS Board Remuneration and left the meeting at 4:13pm.

WALGA RECOMMENDATION

Moved: **Cr Wendy McWhirter-Brooks**
Seconded: **President Chris Mitchell JP**

That State Council:
1. **Endorse amendments to the LGIS Corporate Governance Charter to replace the use of the existing Average Weekly Earnings figure (Perth, ABS schedule 6302.0) to the Wage Price Index (reflecting ordinary time hourly rates of pay excluding bonuses for Western Australia; private and public sector; all industries for the prior 12 months), incorporating minor drafting improvements.**
2. **Approve the remuneration for LGIS Board Members to be adjusted upward by 3.3% for the 2025-26 financial year accordingly.**

RESOLUTION 011.1/2025 **CARRIED**

President Chris Antonio and Cr Paul Kelly entered the room at 4:14pm.

8.10 USE OF THE ASSOCIATION'S COMMON SEAL - CONFIDENTIAL

By Nick Sloan, Chief Executive Officer

WALGA RECOMMENDATION

Moved: **Cr Karen Wheatland**
Seconded: **President Chris Mitchell JP**

That State Council:

1. **Notes the delegated use of the common seal by the President and CEO being affixed to the Compliance Certificate for Building Loan Facility with Commonwealth Bank.**
2. **Notes the delegated use of the common seal by the President and CEO being affixed to the Letter of Offer (Reinstatement) with Australia and New Zealand Banking Group Limited for the LGIS WorkCare Bank Guarantee for 2025 on 5 February 2025.**
3. **Approves and ratifies WALGA entering into that Letter of Offer (Reinstatement), which increases the applicable Facility Limit to *$<redacted>* to satisfy the requirements of WorkCoverWA and enable the continuation of the LGIS Workers Compensation arrangements.**

RESOLUTION 012.1/2025 **CARRIED**

9 POLICY TEAM AND COMMITTEE REPORTS

9.1 INFRASTRUCTURE POLICY TEAM REPORT

By Ian Duncan, Executive Manager, Infrastructure

WALGA RECOMMENDATION

That State Council:

1. **Note the report from the Infrastructure Policy Team for the 5 March 2025 meeting.**
2. **Determine to:**
   a. **Delete Advocacy Position 5.2.8 (Towards Zero Road Safety Strategy 2008 – 2020).**
   b. **Amend the title of Advocacy Position 5.2.7 from Road Safety Strategy (Imagine Zero) to Driving Change Road Safety Strategy 2020-2030.**
   c. **Delete the fourth dot point in Advocacy Position 5.2.7 "...the retention of WA's Default Open Speed Limit at 110 km per hour and opposes the proposed reduction to 100 km per hour..."**

The Infrastructure Policy Team includes the following subject areas:

- *Transport*
- *Infrastructure*
- *Road Safety*
- *Underground power*
- *Street lighting*

This Report provides an update on matters considered, since the last State Council meeting, by the Infrastructure Policy Team at its meeting held on 27 November 2024.

1. MATTERS FOR STATE COUNCIL DECISION

WALGA's advocacy positions are reviewed and updated to ensure that they remain contemporary. The Towards Zero Road Safety Strategy 2008 – 2020 was superseded with "Driving Change, Road Safety Strategy for Western Australia 2020 – 2030". Advocacy Position 5.2.7 refers to this, the current strategy.

Advocacy Position 5.2.7 was endorsed by State Council during the consultation phase of the current road safety strategy. At that time the name of the strategy had not been determined. The proposed title change reflects the final name of the strategy.

In May 2023 WALGA's State Council adopted advocacy position 5.2.3 Speed Management Reform which provides a set of principles for guiding WALGA's advocacy on the many and varied aspects of the complex topic of travel speeds in the context of the road networks managed by the 139 Local Governments in WA. It is proposed that this May 2023 advocacy position replaces the previous position in scope, currency and utility.

The previous position was established on the basis of consultation and feedback (by a consultant on behalf of the WA Government) from some Local Governments in the early 2000s. Both the consultation question and the position are narrow and specific in scope.

2. MATTERS FOR STATE COUNCIL NOTING

The Policy Team progressed actions and advocacy in relation to:

- Regional telecommunications service levels, including impact of closure of the 3G network.
- Development of contemporary advocacy positions relating to active transport.

ZONE CONSIDERATION

Avon Midland Country Zone	WALGA recommendation supported
Central Metropolitan Zone	WALGA recommendation supported
East Metropolitan Zone	WALGA recommendation supported
Gascoyne Country Zone	WALGA recommendation supported
Goldfields Esperance Country Zone	Noted
Great Eastern Country Zone	WALGA recommendation supported
Great Southern Country Zone	WALGA recommendation supported
Kimberley Country Zone	WALGA recommendation supported
Murchison Country Zone	No meeting held
North Metropolitan Zone	Noted
Pilbara Country Zone	WALGA recommendation supported
South East Metropolitan Zone	No meeting held (no quorum)
South Metropolitan Zone	WALGA recommendation supported
South West Country Zone	WALGA recommendation supported

CENTRAL COUNTRY ZONE

Retain the fourth dot point in Advocacy Position 5.2.7 "...the retention of WA's Default Open Speed Limit at 110 km per hour and opposes the proposed reduction to 100 km per hour..."

NORTHERN COUNTRY ZONE

Requests that WALGA further consults with the sector before deleting the fourth dot point in Advocacy Position 5.2.7. *"...the retention of WA's Default Open Speed Limit at 110 km per hour and opposes the proposed reduction to 100 km per hour..."*

PEEL COUNTRY ZONE

The Peel Country Zone supports State Council Agenda Item 9.1 subject to the following change to item 2c underlined below:

c. Delete the fourth dot point in Advocacy Position 5.2.7 "...the retention of WA's Default Open Speed Limit at 110 km per hour and opposes the proposed reduction to 100 km per hour..." subject to further consultation with WALGA Members.

SECRETARIAT COMMENT

The advocacy position, that WALGA supports the retention of WA's Default Open Speed Limit at 110km per hour and opposes the proposed reduction to 100km per hour, was established during consultation with Local Governments and feedback (by a consultant on behalf of the WA Government) from some Local Governments in the early 2000s. Both the consultation question and the position are narrow and specific in scope.

WALGA's State Council has since (May 2023) adopted a broader advocacy position 5.2.3 Speed Management Reform which provides a set of principles for guiding WALGA's advocacy on the many and varied aspects of the complex topic of travel speeds in the context of the road networks managed by the 139 Local Governments in WA. It is proposed

that the May 2023 advocacy position replaces the previous position in scope, currency and utility.

WALGA notes the Zones' feedback and will undertake further policy development and consultation with Members regarding the default open road speed limit in Western Australia.

An item for decision on this matter will be prepared for a future State Council Agenda.

COMPOSITE RECOMMENDATION

Moved: **Cr Stephen Strange**
Seconded: **Cr Helen Sadler**

That State Council:

1. **Note the report from the Infrastructure Policy Team for the 5 March 2025 meeting.**
2. **Determine to:**
   a. **Delete Advocacy Position 5.2.8 (Towards Zero Road Safety Strategy 2008 – 2020).**
   b. **Amend the title of Advocacy Position 5.2.7 from Road Safety Strategy (Imagine Zero) to Driving Change Road Safety Strategy 2020-2030.**
3. **Undertake further policy development and consultation with Members regarding the default open road speed limit in Western Australia.**

RESOLUTION 013.1/2025 **CARRIED**

9.2 PEOPLE AND PLACE POLICY TEAM REPORT

By Nicole Matthew, Executive Manager Policy

WALGA RECOMMENDATION

That State Council note the People and Place Policy Team meeting report for the 5 March 2025 meeting.

The People and Place Policy Team includes the following subject areas:

- *Community*
- *Emergency Management*

The People and Place Policy Team have not had a meeting since the last State Council meeting in December 2024.

ZONE CONSIDERATION

Avon Midland Country Zone	Noted
Central Country Zone	Noted
Central Metropolitan Zone	Noted
East Metropolitan Zone	Noted
Gascoyne Country Zone	Noted
Goldfields Esperance Country Zone	Noted
Great Eastern Country Zone	Noted
Great Southern Country Zone	Noted
Kimberley Country Zone	Noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	Noted
Northern Country Zone	Noted
Peel Country Zone	Noted
Pilbara Country Zone	Noted
South East Metropolitan Zone	No meeting held (no quorum)
South Metropolitan Zone	Noted
South West Country Zone	Noted

WALGA RECOMMENDATION

Moved: **Mayor Patrick Hall**
Seconded: **President Chris Antonio**

That State Council note the People and Place Policy Team meeting report for the 5 March 2025 meeting.

RESOLUTION 014.1/2025 **CARRIED**

9.3 GOVERNANCE POLICY TEAM REPORT

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

That State Council note the Governance Policy Team meeting report for the 5 March 2025 meeting.

The Governance Policy Team includes the following subject areas:

- *Governance (Local Government legislation)*
- *Local Government Reform/Regional Service Delivery*
- *Local Government Revenue*
- *Local Government Elections*
- *Employee Relations/Industrial Relations*
- *Training*

The Governance Policy Team have not had a meeting since the last State Council meeting in December 2024.

The next meeting is scheduled for March.

ZONE CONSIDERATION

Avon Midland Country Zone	Noted
Central Country Zone	Noted
Central Metropolitan Zone	Noted
East Metropolitan Zone	Noted
Gascoyne Country Zone	Noted
Goldfields Esperance Country Zone	Noted
Great Eastern Country Zone	Noted
Great Southern Country Zone	Noted
Kimberley Country Zone	Noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	Noted
Northern Country Zone	Noted
Peel Country Zone	Noted
Pilbara Country Zone	Noted
South East Metropolitan Zone	No meeting held (no quorum)
South Metropolitan Zone	Noted
South West Country Zone	Noted

WALGA RECOMMENDATION

Moved: **Mayor Patrick Hall**
Seconded: **Cr Barry Winmar**

That State Council note the Governance Policy Team meeting report for the 5 March 2025 meeting.

RESOLUTION 015.1/2025 **CARRIED**

9.4 ENVIRONMENT POLICY TEAM REPORT

By Nicole Matthews, Executive Manager Policy

WALGA RECOMMENDATION

That State Council note the Environment Policy Team meeting report to the 5 March 2025 meeting.

The Environment Policy Team includes the following subject areas:

- *Climate change*
- *Native vegetation and biodiversity*
- *Biosecurity*
- *Water resources*
- *Sustainability*
- *Planning and building*

This Report provides an update on matters considered, since the last State Council meeting, by the Environment Policy Team at its meeting held on 11 December 2024.

1. MATTERS FOR STATE COUNCIL DECISION

The Environment Policy Team agreed to recommend that State Council replace WALGA's existing Advocacy Position 4.1 Climate Change (see item 8.1).

2. MATTERS FOR STATE COUNCIL NOTING

Item 10.5: Polyphagous shot-hole borer Update

The Policy Team discussed the following matters referred by Zones:

- Whale carcass management: Goldfields Esperance Country Zone requests that WALGA advocate for a government policy change to allow towing of whale carcasses before they wash ashore. WALGA notes the feedback and will investigate if there is further action on the issue.
- Service Stations / Sensitive Land uses: South Metropolitan Zone requests that WALGA supports the review of the EPA and advocates for the review of the GS3. WALGA will raise the need for a review of this Guideline through its representation on the EPA Stakeholder Reference Group, then consider further advocacy on this matter.
- State Planning Policy 3.6 - Infrastructure Contributions (Community Infrastructure Cap): North Metropolitan Zone recommends that WALGA advocate to the State Government for indexation of the community infrastructure cap defined in the State Planning Policy. WALGA made a submission strongly opposing the introduction of a contribution cap. WALGA is also working with the Growth Alliance Perth and Peel Local Governments to develop a set of advocacy positions in relation to the development contribution plan arrangements.

3. PORTFOLIO UPDATES

WALGA staff provided the Policy Team with updates on:

- Polyphagous shot-hole borer
- Review of the DAP advocacy position
- Avian Influenza (H5 Clade 2.3.4.4b)
- National Water Agreement.

The Policy Team also noted that the development of an updated Water Advocacy Position is underway.

ZONE CONSIDERATION

Avon Midland Country Zone	Noted
Central Country Zone	Noted
Central Metropolitan Zone	Noted
East Metropolitan Zone	Noted
Gascoyne Country Zone	Noted
Goldfields Esperance Country Zone	Noted
Great Eastern Country Zone	Noted
Great Southern Country Zone	Noted
Kimberley Country Zone	Noted
Murchison Country Zone	No meeting held
Northern Country Zone	Noted
Peel Country Zone	Noted
Pilbara Country Zone	Noted
South East Metropolitan Zone	No meeting held (no quorum)
South Metropolitan Zone	Noted
South West Country Zone	Noted

NORTH METROPOLITAN ZONE

That the Environment Policy Team recommends to State Council that WALGA undertake a formal consultation process with Local Governments regarding the development of an updated Water Advocacy Position to ensure that all Local Governments have an opportunity to provide feedback.

SECRETARIAT COMMENT

WALGA notes the North Metropolitan Zone comments regarding the Water Advocacy Position and request for sector consultation during its development. The Environment Team is currently preparing a discussion paper on water management, informed by sector research, including interviews and both online and in-person workshops. This paper will be distributed for sector consultation, and the feedback obtained will guide the formulation of a new Water Management Advocacy Position. The draft position will be released again for sector feedback before being considered by the Zones and State Council.

WALGA RECOMMENDATION

Moved: **President Cr Les Price**
Seconded: **President Chris Antonio**

That State Council note the Environment Policy Team meeting report to the 5 March 2025 meeting.

RESOLUTION 016.1/2025 **CARRIED**

Cr Barry Winmar left the meeting at 4:26pm and did not return.
Mayor Patrick Hall left the meeting at 4:26pm.

9.5 MUNICIPAL WASTE ADVISORY COUNCIL (MWAC) REPORT

By Rebecca Brown, Policy Manager, Environment and Waste

WALGA RECOMMENDATION

That State Council note the Municipal Waste Advisory Council report to the 5 March 2025 meeting.

This report provides an update on matters considered since the last State Council meeting by the Municipal Waste Advisory Council (MWAC), at a meeting held on 11 December 2024.

1. MATTERS FOR STATE COUNCIL DECISION

MWAC agreed to replace the Waste Management Legislation Policy Statement and Advocacy Position 7.1 Waste Management Legislation (see item 8.2).

2. MATTERS FOR STATE COUNCIL NOTING

MWAC considered the following matters:

- Circular Economy Advocacy Position: WALGA's advocacy in relation to circular economy has identified that action is required from all levels of Government. The development of an advocacy position on Circular Economy is far broader than the waste management considerations. Comprehensive consultation on the advocacy position is planned for 2025.
- E-Cigarette Collection Study: Following the successful completion of the Collection Study, MWAC discussed advocacy options to ensure the community access to safe disposal/recycling avenues for e-cigarettes, with a focus on minimising risks to waste management collection and processing infrastructure.
- Waste Processing Contingency Planning: WALGA has consistently advocated for effective contingency planning for waste management, most recently as part of the review of the State Waste Strategy. Several recent issues have highlighted the challenges facing the sector and the limited options for processing of some materials. MWAC discussed governance models and contingency planning options for Western Australia.

3. UPDATES

MWAC noted the following updates:

- Policy Statement Review Update
- Better Practice Document Review Update
- Review of DWER Waste Education
- Review of Recycling and Waste Reduction Act
- Review of Local Government Waste Reporting Requirements
- Queensland Fruit Fly (Qfly) Outbreak
- MWAC 30 Year Anniversary.

ZONE CONSIDERATION

Avon Midland Country Zone	Noted
Central Country Zone	Noted
Central Metropolitan Zone	Noted
East Metropolitan Zone	Noted
Gascoyne Country Zone	Noted
Goldfields Esperance Country Zone	Noted
Great Eastern Country Zone	Noted
Great Southern Country Zone	Noted
Kimberley Country Zone	Noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	Noted
Northern Country Zone	Noted
Peel Country Zone	Noted
Pilbara Country Zone	Noted
South East Metropolitan Zone	No meeting held (no quorum)
South Metropolitan Zone	Noted
South West Country Zone	Noted

WALGA RECOMMENDATION

Moved: **Cr Karen Wheatland**
Seconded: **Mayor Logan Howlett JP**

That State Council note the Municipal Waste Advisory Council report to the 5 March 2025 meeting.

RESOLUTION 017.1/2025 **CARRIED**

Cr John Daw left the meeting at 4:28pm.
Mayor Patrick Hall entered the meeting at 4:33pm.

10 MATTERS FOR NOTING / INFORMATION

10.1 2025 FEDERAL ELECTION

By Dana Mason, External Affairs Manager

WALGA RECOMMENDATION

That State Council note the update on the 2025 Federal Election.

EXECUTIVE SUMMARY

- The Federal election is due to be held on or before 17 May. Recent speculation suggests that a date in mid-April is likely.
- The Australian Local Government Association (ALGA) will run a Federal Election Campaign and has prepared a campaign website and assets that Local Governments can use to promote and support the campaign issues.
- To complement ALGA's advocacy, WALGA has prepared a policy platform highlighting priority issues for WA Local Governments.
- The document will form the basis of WALGA's advocacy leading into the Federal election and has been distributed to WA Members of Parliament and candidates.

ATTACHMENT

- WALGA 2025 Federal Election Priorities

BACKGROUND

The Federal election is due to be held on or before 17 May. Recent speculation suggests that a date in mid-April is likely.

ALGA will be running a public, national election campaign on behalf of the Local Government sector, seeking funding commitments from the major parties in a number of important areas, including:

- $1.1 billion per year for enabling infrastructure to unlock housing supply (the Coalition has essentially already agreed to this through their $5 billion Housing Infrastructure Programme)
- $500 million per year for community infrastructure
- $600 million per year for safer local roads
- $900 million per year for increased Local Government emergency management capability and capacity, and
- $400 million per year for climate change adaptation.

The campaign will include a dedicated website, and collateral that Local Governments can promote and use in their own discussions with candidates. These will be shared with WALGA members in coming weeks.

The ALGA President wrote to the Government and the Opposition in January outlining these funding asks ahead of the election and requesting meetings with key Ministers and Shadow Ministers to discuss these policy asks in further detail. It has also provided a 2025-26 Budget Submission to the Commonwealth Treasury that focuses on these priority areas.

To complement ALGA's election advocacy, WALGA has also prepared a policy platform highlighting priority issues for WA Local Governments, including:

- *Community Infrastructure* – additional, ongoing formula-based funding streams for Local Governments to provide certainty and enable effective planning for community needs.
- *Coastal Management* – Develop a National Coastal Hazards Adaptation Strategy, supported by an ongoing funding program.
- *Emergency Management* – Act on the findings of the Colvin Review, Review the Disaster Recovery Funding Arrangements and incorporate betterment, enhance training for Local Government Emergency Management practitioners.
- *Regional Health* – Address the systemic failures in regional primary healthare provision through the development of adequate and appropriate funding models.
- *Safer Roads* – Funding commitment for the Australian Government's contribution to applying proven safety countermeasures on 439 WA Local Government Roads, totalling 8,208km.
- *Telecommunications* – Introduce measures to improve the adequacy of telecommunications in regional and peri-urban areas.

WALGA has provided this document to all relevant Ministers, WA Members of Parliament and candidates and is seeking meetings to further discuss these issues.

COMMENT

The Federal election presents a crucial opportunity for Local Governments to shape public policy and secure support from major parties for their priorities. With the 2025 Federal Election expected to be closely contested, there will be heightened competition for ideas and influence. The presentation of WALGA's Federal Election Priorities, accompanied by active engagement with relevant Ministers, WA Federal Members and candidates, aims to ensure that the issues facing WA Local Governments are effectively addressed and prioritised by an incoming Government.

ZONE CONSIDERATION

Avon Midland Country Zone	Noted
Central Country Zone	Noted
Central Metropolitan Zone	Noted
East Metropolitan Zone	Noted
Gascoyne Country Zone	Noted
Goldfields Esperance Country Zone	Noted
Great Eastern Country Zone	Noted
Great Southern Country Zone	Noted
Kimberley Country Zone	Noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	Noted
Northern Country Zone	Noted
Peel Country Zone	Noted
Pilbara Country Zone	Noted
South East Metropolitan Zone	No meeting held (no quorum)
South Metropolitan Zone	Noted
South West Country Zone	Noted

WALGA RECOMMENDATION

Moved: **Mayor Logan Howlett JP**
Seconded: **President Chris Antonio**

That State Council note the update on the 2025 Federal Election.

RESOLUTION 018.1/2025 **CARRIED**

10.2 2025 STATE ELECTION

By Dana Mason, External Affairs Manager

WALGA RECOMMENDATION

That State Council note the update on the 2025 State Election campaign.

EXECUTIVE SUMMARY

- WALGA's State Election campaign has been running since November 2024, and aims to secure commitments from the major parties to the priority areas identified in *The West at its Best* policy platform.
- Since the beginning of the year, parties have been announcing a raft of commitments for the next term.
- WALGA has been successful in securing commitments to a range of initiatives that are aligned with our election priorities.

BACKGROUND

The State Election will be held on 8 March.

WALGA has been working to maximise the opportunities the 2025 State Election will bring for Local Governments through a range of activities.

- WALGA's 2024-25 State Budget Submission was framed with an eye to the 2025 Election.
- In March 2024, a workshop was held with the State Council to discuss the issues and focus areas for WALGA in the lead up to the State Election.
- WALGA has developed "The West at its Best" election policy platform and public campaign.

State Election Media Campaign

WALGA has generated significant earned media in relation to the State Election priorities, with 664 mentions of WALGA and President Karen Chappel from November to January. This equates to seven mentions a day.

Paid media as part of the public campaign has resulted in 4.6m impressions served across social, digital, out of home and outdoor media across WA. The paid and earned media has driven over 37,000 visits to the dedicated State Election microsite indicating a high level of engagement.

In terms of issues, the public has resonated strongly with four of the five issues that the paid campaign has focussed on. (Connected and Inclusive Communities - with Sport & Recreation achieving the highest interest, Safer Roads, Climate Resilience and Disaster Ready.) Low Carbon has received the least engagement across the social and programmatic campaign and are the least searched key words in Google.

2.4m of the total 4.6m impressions have been served through carousels, stories and polls on social media. Carousels displaying the 'under stress' and swipe right to see 'at its best' messaging has the highest engagement with over 56,000 people commenting and 'liking' posts.

Polls running on Safer Roads and Urban Canopy have the highest Click Through Rate (CTR). In terms of engagement by issue, Climate Resilience and Safer Roads have gained the most interaction in terms of comments, but when voting for the State to take action via the polls, 'Better sports facilities' has gained the highest votes from the public with 98% of respondents supportive, followed by 'More support for Volunteer firies' with a supporter rate of 92%.

WALGA has also implemented a broad political engagement strategy in recent months, with meetings held with key Ministers, candidates, and the Opposition parties.

WALGA's advocacy has been successful in securing commitments that align with a number of the policy priorities identified in the *West at its Best* document. At the time of writing this report (3 February) the key commitments to WALGA's agenda include:

Labor

- Expansion of the regional road safety program to local roads ($125 million).
- 23 new signalised crossings to replace warden-controlled children's crossings ($17.7 million). Ten of these align with WALGA's list of priority crossings.
- Funding for six new Community Emergency Services Manager (CESM) positions ($3.5 million).
- Dedicated State Bushfire Mitigation Branch to undertake mitigation works on unallocated crown land and unmanaged reserves. Support Local Government to manage the risk on road verges and provide support during major incidents.
- Commitment to double Perth's tree canopy cover to 30% by 2040, new urban canopy growth program ($10 million) and 'treebates' to encourage Western Australians to plant native trees.
- Regional housing package, including new and refurbished social housing, additional GROH homes and stamp duty relief for first homebuyers ($145 million).
- Expansion of the PATS rebate by more than 50% and expansion to include dental services and allied health ($34 million).
- Range of infrastructure projects to improve community sport and recreation facilities across the state ($186 million), including $30 million additional funding towards changing room upgrades, equipment and events to encourage more female sport participation.
- In the Mid-Year Financial Projections Statement that was released in mid-December 2024, the State Government launched Creative WA: A 10 year vision to grow and sustain our creative ecosystem. $45 million over three years will be allocated to support upgrades for arts and cultural infrastructure across the State.

Nationals

- Emergency management initiatives including a $45.5 million one-off payment to fill the backlog of Local Government Grant Scheme capital grant requests with an additional $2.8 million increase per year over four years; and $20 million over four years to fund the expansion of the Community Emergency Service Manager (CESM) Program.
- Regional headworks fund ($1 billion).
- Safer local roads program, applying targeted treatments to 8,200km of local roads ($276 million).
- Boost to Patient Assisted Travel Scheme (PATS) and expansion to allied health and dental services ($100 million).

- Implement a comprehensive State Planning Policy for renewable energy, mandate community impact assessment and community benefit funds with a baseline contribution of 1.5%.
- Increase the Community Sport and Recreation Facilities Fund to $40 million per annum and develop 10 year regional sporting plans.

Liberal
- Housing infrastructure investment fund to support enabling infrastructure such as sewerage, roads and water ($500 million).
- Create a new Regional Housing Infrastructure Program, to support headworks in regional areas and unlock housing ($100 million).
- Regional health initiatives including increasing PATS fuel and accommodation allowances, more career paramedics in regional WA, and patient transport in the Wheatbelt ($87 million).

COMMENT
The State Election is an important opportunity for Local Governments to secure support from major parties for their priorities.

It is pleasing that there have been a number of commitments to important priorities for Local Governments.

With several weeks left in the campaign, WALGA will continue to advocate strongly for the remaining priority initiatives.

ZONE CONSIDERATION

Avon Midland Country Zone	Noted
Central Country Zone	Noted
Central Metropolitan Zone	Noted
East Metropolitan Zone	Noted
Gascoyne Country Zone	Noted
Goldfields Esperance Country Zone	Noted
Great Eastern Country Zone	Noted
Great Southern Country Zone	Noted
Kimberley Country Zone	Noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	Noted
Northern Country Zone	Noted
Peel Country Zone	Noted
Pilbara Country Zone	Noted
South East Metropolitan Zone	No meeting held (no quorum)
South Metropolitan Zone	Noted
South West Country Zone	Noted

WALGA RECOMMENDATION

Moved: **Mayor Logan Howlett JP**
Seconded: **President Chris Antonio**

That State Council note the update on the 2025 State Election campaign.

RESOLUTION 018.1/2025 **CARRIED**

10.3 LARGE SCALE RENEWABLE ENERGY UPDATE

By Lisa Harwood, Principal Policy Advisor Economic Development and Taysha Sullivan, Acting Manager Media and Communications

WALGA RECOMMENDATION

That State Council note the update on WALGA's renewable energy policy and advocacy activities.

EXECUTIVE SUMMARY

- Western Australia's energy industry is transforming to achieve the goal of net zero emissions by 2050.
- Western Australia does not have a plan or framework that provides a consistent approach to how proponents of major energy projects consult with local communities and how they can share in the benefits.
- State Council adopted a suite of renewable energy related advocacy positions in September 2024.
- WALGA has been progressing a number of initiatives to support Local Governments since State Council endorsed three energy transition advocacy positions last year.
- In correspondence to WALGA, the Minister for Energy; Environment; Climate Action has acknowledged Local Governments' concerns and reinforced the role of Powering WA to engage with the sector to better understand the opportunities and challenges faced by their communities.

ATTACHMENT

- Minister Whitby - Energy Transition Advocacy Letter

POLICY IMPLICATIONS

This item relates to the following WALGA advocacy positions:

6.16 Energy Transition Engagement and Community Benefit Framework
6.17 Renewable Energy Facilities
6.18 Priority Agriculture

BACKGROUND

The 2023 WALGA Annual General Meeting resolved *that WALGA establish and promote policies to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural activities that lead to a net reduction of the State's productive agricultural land*. Following on from this discussion, further conversations across WALGA Member Councils have led to the consideration of how local communities can be involved in, and benefit from, renewable energy projects.

After consultation with Members, discussions with State Governments and other jurisdictions, WALGA developed three advocacy policy positions related to the renewable energy transition. These were endorsed by all WALGA Zones and State Council at its September 2024 State Council Meeting. These positions form the basis of WALGA's advocacy on this topic and will be used to inform discussions with Government and advocate on behalf of our Members.

COMMENT

WALGA has progressed policy work to support Members with the renewable energy transition including:

- **Energy Transition Survey**: In September 2024, WALGA conducted a survey to capture data on Local Government sentiment on the energy transition. The survey was targeted towards Local Government CEOs.
- **WALGA Research Paper**: The paper outlines how other State Governments are responding to renewable energy projects and highlights relevant energy strategies and stakeholders in State and Federal Government.
- **Planning resource**: "Empowering Local Governments - Planning for Renewable Energy" provides an overview of the State and Local planning frameworks and tools available to Local Governments for managing renewable energy facility development. It also outlines the three development assessment pathways for renewable energy proponents.
- **Teams Group for Local Government Leaders**: A Teams Group was established for CEOs and Elected Members to facilitate continued collaboration and knowledge sharing between Local Governments. Both the research paper and planning resource have been shared in the group.
- **Large Scale Renewable Energy Forum**: The Forum bought together State Government, industry and Local Government to discuss the opportunities and challenges of large-scale renewable energy projects, and what support Local Governments need when it comes to engaging with proponents.

WALGA's advocacy is ongoing and includes a range of stakeholder engagement and public relations activities. These include:

- **Political and Government engagement**, including:
    - Meetings with relevant Ministers including the Premier, Minister for Planning, Minister for Energy, Minister for Local Government and the Leader of the Opposition.
    - Meetings with Ministerial Senior Policy Advisors.
    - WALGA President Cr Karen Chappel AM JP wrote to all relevant Ministers to provide them with WALGA's renewable energy advocacy positions
    - Renewable energy has been a key discussion item for WALGA's election advocacy, including in meetings with candidates.
    - WALGA has received correspondence from Minister for Energy; Environment; Climate Action (attached) acknowledging the concerns of many Local Governments and reinforcing the ongoing role for Powering WA to engage with the sector to better understand the opportunities and challenges faced by their communities.
    - Continued discussions with key government agencies including PoweringWA, Department of Planning, Lands and Heritage, Department of Jobs, Tourism, Science and Innovation, Western Power and Department of Primary Industries and Regional Development.
- **Engagement with industry and other stakeholders** including ALGA, Clean Energy Council, Smart Energy Council, Curtin University, Conservation Council of WA and Re-Alliance.
- **Media** commentary centred on WALGA's renewable energy advocacy positions and related State Election Priorities:
    - An article mentioning WALGA's 2025 State Election Priority by The West Australian (*WALGA conference: Former WA Nationals leader Brendan Grylls warns WA is losing clean energy race)* on 9 October 2024 as a result of the 2024 WALGA Local Government Convention's 'State of Play' panel.

- An article published in The Sunday Times on 5 January (Regions want help in turbine tensions), through online newspapers affiliated with Sunday Times/The West, and on ABC TV, in line with WALGA's State Election Priorities.
- An 'Op-ed' piece by WALGA President Karen Chappel (Locals must have input in renewable plans and the answer is blowing in the Wind) that appeared alongside the Sunday Times article, espousing that WALGA and Local Governments want to see a framework produced by the State Government to assist industry proponents and Local Governments entering renewables discussions.
- An article in The West Australian, and its affiliated regional newspapers, on 7 January (Blowing up in Mid West) which featured further comments from the WALGA President, including the pull quote "*The State Government needs to step up and set the framework to ensure that these projects leave a lasting legacy that is positive*."
- The Nationals WA have recently announced that if elected, they will implement a comprehensive State Planning Policy for renewable energy projects and ensure that regional communities are consulted, considered, and benefit from renewable developments proposed across Western Australia. WALGA put out a Media Statement in response to this announcement.

- **Promotion** through WALGA communication channels.
  - WALGA's Large Scale Renewable Energy Projects Forum was covered both on the day and post-event via WALGA's social media channels.
  - The President's Op-ed were shared and supported through WALGA's social media, website and LG Direct channels.

Key next steps for WALGA include:

- **Community Benefits and Engagement Guide**: WALGA is engaging a consultant to prepare a Community Benefits and Engagement Guide to assist Local Governments when working with proponents on large scale renewable energy projects. Interested Local Governments will have the chance to provide input into the Guide over the coming months. Key industry and government stakeholders will also be engaged throughout the process.
- **Political and Government engagement**: Discussions with relevant State Government agencies will continue in the lead up to, and after, the State election. Further meetings with relevant Ministers will be sought post State Government election.
- **Research on Local Government Rating**: WALGA is conducting research relating to Local Government rating and payment in lieu of rates in respect to renewable energy projects. This work will include a review of other States and Territories.

ZONE CONSIDERATION

Avon Midland Country Zone	Noted
Central Country Zone	Noted
Central Metropolitan Zone	Noted
East Metropolitan Zone	Noted
Gascoyne Country Zone	Noted
Goldfields Esperance Country Zone	Noted
Great Eastern Country Zone	Noted
Great Southern Country Zone	Noted
Kimberley Country Zone	Noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	Noted
Northern Country Zone	Noted
Peel Country Zone	Noted
Pilbara Country Zone	Noted
South East Metropolitan Zone	No meeting held (no quorum)
South Metropolitan Zone	Noted
South West Country Zone	Noted

WALGA RECOMMENDATION

Moved: **Mayor Logan Howlett JP**
Seconded: **President Chris Antonio**

That State Council note the update on WALGA's renewable energy policy and advocacy activities.

RESOLUTION 018.1/2025 **CARRIED**

10.4 2024 COASTWA LOCAL GOVERNMENT SURVEY

By Lucy Sheehy, CoastWA Local Government Facilitator

WALGA RECOMMENDATION

That State Council note the update on the 2024 CoastWA Local Government Survey.

EXECUTIVE SUMMARY

- An online survey of coastal and estuarine Local Governments was undertaken in October 2024.
- The purpose of the survey was to inform input into the development of CoastWA Phase 2 and the review of *State Planning Policy 2.6: Coastal* planning and guide the activities and priorities of the CoastWA Local Government Facilitator for the next two years.
- The survey was sent via email to all 52 coastal and estuarine Local Governments.
- Survey results indicated that Local Governments:
    - are increasingly having to act and respond to coastal hazards.
    - are heavily reliant on grant funding to implement coastal adaptation projects.
    - foresee needing to increase their spending on coastal adaptation over the next five years.
    - see the greatest barrier to implementation is a lack of budget and this has increased since the 2021 CoastWA Survey.
    - had largely not commenced planning for managed retreat (if identified in their CHRMAP) and that appropriate funding, legislative support and resourcing would be required to give them the certainty to do so.
    - saw value in the State Government implementing projects such as a state-wide community education campaign, coastal data collection and state-wide coastal hazard mapping.

ATTACHMENT

- 2024 CoastWA Local Government Survey – Preliminary Outcomes Report

POLICY IMPLICATIONS

The outcomes of this survey support WALGA advocacy policy position 6.8 Coastal Planning, which calls for:

1. *Equitable legislative, regulatory and policy changes that preserve public coastal access for current and future generations.*
2. *The provision of sustainable and adequate long-term funding for Local Governments to manage the impacts of coastal erosion and inundation.*

BACKGROUND

CoastWA is the State Government's strategic response to coastal hazards, providing grant funding for Local Government coastal adaptation projects and technical support and expertise through the Department of Planning, Lands and Heritage and Department of Transport. CoastWA also funds a CoastWA Local Government Facilitator based at WALGA to support coastal and estuarine Local Governments.

An online survey of coastal and estuarine Local Governments was undertaken in October 2024. The objectives of the survey were to:

- Inform input into the development of CoastWA Phase 2. The current CoastWA program ends in 2025-26 and planning has commenced for the next iteration of CoastWA.
- Inform input into the review of State Planning Policy 2.6: Coastal planning.
- Guide the activities and priorities of the CoastWA Local Government Facilitator for the next two years.
- Enable comparison to the 2021 CoastWA Survey.

The survey consisted of five sections.

1. Introduction
2. Coastal management and adaptation in your Local Government
3. Coastal hazard risk management and adaptation planning
4. State Planning Policy 2.6
5. CoastWA program

The Survey was sent via email to all 52 coastal and estuarine Local Governments. Responses were received from 28 Local Governments and one regional partnership representing a 54% response rate.

COMMENT

The *2024 CoastWA Survey Outcomes Report* demonstrates that coastal hazards are an increasingly important issue for coastal and estuarine Local Governments. Adapting to coastal hazards is challenging and requires long term planning, engagement with communities and significant cost. Increased funding, support and resourcing from State Government is needed to help Local Governments adapt to coastal hazards and ensure a sustainable and resilient coastline for all.

Through its involvement in the development of CoastWA Phase 2, WALGA will strongly advocate on behalf of coastal and estuarine Local Governments. In particular, for increased funding and resourcing for Local Government and for State Government to take a greater leadership role in planning for managed retreat.

Through our participation in the Intergovernmental Coastal Hazards Working Group (along with ALGA) we will continue to advocate to the Federal Government to take on a greater leadership role and to support all levels of government to adapt to coastal hazards.

The results of the survey will also be used to inform a sector submission into the review of *State Planning Policy 2.6: Coastal planning* when advertised.

ZONE CONSIDERATION

Avon Midland Country Zone	Noted
Central Country Zone	Noted
Central Metropolitan Zone	Noted
East Metropolitan Zone	Noted
Gascoyne Country Zone	Noted
Goldfields Esperance Country Zone	Noted
Great Eastern Country Zone	Noted
Great Southern Country Zone	Noted
Kimberley Country Zone	Noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	Noted
Northern Country Zone	Noted
Peel Country Zone	Noted
Pilbara Country Zone	Noted
South East Metropolitan Zone	No meeting held (no quorum)
South Metropolitan Zone	Noted
South West Country Zone	Noted

WALGA RECOMMENDATION

Moved: **Mayor Logan Howlett JP**
Seconded: **President Chris Antonio**

That State Council note the update on the 2024 CoastWA Local Government Survey.

RESOLUTION 018.1/2025 **CARRIED**

10.5 POLYPHAGOUS SHOT-HOLE BORER UPDATE

By Rebecca Brown, Policy Manager Environment and Waste

WALGA RECOMMENDATION

That State Council note the update on Polyphagous shot-hole borer response and WALGA advocacy.

EXECUTIVE SUMMARY

- In March 2024, State Council considered the Polyphagous shot-hole borer (PSHB) biosecurity response as an emerging issue, noting:
  - The significant threat PSHB presents to growth and retention of urban forests.
  - WALGA and Local Government engagement in the PSHB response.
  - The importance of shared surveillance by government, industry and community to assist with eradication efforts.
  - The need for funding to replace trees lost due to PSHB and ameliorate the long-term urban canopy impact.
- Over the past year, WALGA and Local Governments have escalated PSHB advocacy and political engagement, amid concerns that insufficient resources and State Government process issues will fail to eradicate the borer.
- Advocacy priorities have included:
  - Recognition of the impact of PSHB on the urban canopy, and funding for replacement of trees lost to PSHB infestation.
  - Increased resourcing of the eradication response, including funding for Local Government in recognition of the sector's significant (>$2 million) investment towards response operations to date.
  - A more efficient and agile response.
  - Research on innovative control strategies, biology and behaviour in WA's environment, and new approaches to improve surveillance efficiency.
- Advocacy wins have included:
  - The State Government's investment of $7.2 million in the WA Tree Recovery Program for PSHB.
  - WA Agricultural Research Collaboration (WAARC) delivery of $2 million for PSHB Research in late 2024.
- Despite some progress over the past year, further action is needed. WALGA is advocating for:
  - More funding and resources to support the PSHB response, including for Local Government.
  - Local Government to be represented on the national body overseeing the development of the new national PSHB Emergency Plant Pest Response Plan, which will supersede the existing plan by June 2025.
  - Research and development to be embedded and funded as part of the PSHB Response Plan.
  - Removal of restrictions on access to detailed data on the location of infested premises and positive trap detections to enable Local Governments to better target surveillance efforts and assist with early detection.
  - An intensified public awareness campaign.

- WALGA is currently preparing a submission to the National Consultative Committee on Emergency Plant Pests on key priorities for inclusion in the new PSHB Response Plan.

POLICY IMPLICATIONS
This item is relevant to the 4.4 Post Border Biosecurity, 4.5 Urban Forest and 4.7 PSHB Advocacy Positions.

BACKGROUND
PSHB was first detected in East Fremantle in September 2021. The Department of Primary Industries and Regional Development (DPIRD) is leading the national response to PSHB, with costs shared by the Australian and state and territory governments under the National Emergency Plant Pest Response Arrangement. $41.29 million has been allocated for the response, which runs until June 2025.

The PSHB Quarantine Area (QA) covers all Local Governments in the Perth metropolitan area. The QA is divided into Zone A, comprising inner Perth metropolitan areas that have higher levels of infestation and Zone B, outer metropolitan suburbs that have fewer or no infested trees. Zone B is intended to act as a 'buffer zone' between areas of higher infestations and the remainder of the State. Quarantine restrictions are in place to stop the movement of wood and plant material from Zone A into Zone B, and from Zone A and B to outside the QA.

As of the end of January 2025, DPIRD has:
- conducted 277,901 visits and created 115,966 unique premises
- taken 176,461 trap samples
- removed 4,249 trees
- undertaken 1,084 pruning treatments:
    - *Robinia pseudoacacia* (Robinia, black locust, mop top robinia), being so abundant in Perth, is the most heavily affected species, with 1,609 trees treated
    - 208 host tree species are affected by PSHB in WA
    - 105 host tree species have been identified as reproductive (PSHB is able to complete its full lifecycle in these hosts).

DPIRD is also:
- Updating the WA PSHB Host list, including a susceptibility to PSHB attack rating system.
- Delivering in-house PSHB training for Local Government staff, with over 50 training sessions delivered for over 30 Local Governments.
- Running webinars for regional Local Governments and Emergency Management Committees to assist with awareness and preparedness.
- Running community information sessions in collaboration with Local Governments.
- Holding monthly meetings between DPIRD case managers and Local Government staff to discuss surveillance activities and tree management, including a collaborative approach on the development of Tree Management Plans for Infested Premises.
- Providing monthly PSHB 'heat maps' to Local Governments (total of 18) that have signed a Confidentiality Deed Poll.
- Undertaking a range of public communication activities, including social media, public signage and posters (including provision to Local Government), deploying electronic traffic signs on major roads exiting the Quarantine Area and a publishing a monthly PSHB eNewsletter (first edition released October 2024, subscribe here).

- Leading the development of a new National PSHB Response Plan, for the consideration of the National Consultative Committee on Emergency Plant Pests.

COMMENT

Over the past year WALGA and Local Governments have undertaken significant PSHB advocacy and actions, including:

- Expending more than $2 million on PSHB surveillance, tree pruning, removal, and tailored communications to local communities.
- Raising the profile of this issue, garnering significant media interest.
- Ongoing political and departmental engagement, including meetings with the Premier and Minister for Agriculture and Food, Forestry and Small Business; Environment; the DPIRD Director General and senior staff.
- Successful advocacy, leading to the Government's announcement of a $7.2M WA Tree Recovery Program for PSHB, which will be available to Local Government and the community this autumn. WALGA provided input into the design of the funding packaging, based on experience with the 2024/25 Urban Greening Grant Program.
- $2M funding has been allocated to the WA Agricultural Research Collaborative to provide for research into PSHB eradication. WALGA and a representative from the sector provided input into the scoping of the research priorities. WALGA is also the nominated contact for Local Governments wishing to partner on proposed research projects.

Despite some progress over the past year, further action is needed. WALGA is advocating for:

- More funding and resources to support the PSHB response, including for Local Government.
- Local Government representation on the national body overseeing the development of the new national PSHB Emergency Plant Pest Response Plan, which will supersede the existing plan by June 2025.
- Research and development to be embedded and funded as part of the PSHB Response Plan.
- Greater transparency, including the removal of restrictions on access to detailed data on the location of infested premises and positive trap detections to enable Local Governments to better target surveillance efforts and assist with early detection and access to the National Response Plan for PSHB.
- An intensified public awareness campaign.

ZONE CONSIDERATION

Avon Midland Country Zone	Noted
Central Country Zone	Noted
Central Metropolitan Zone	Noted
East Metropolitan Zone	Noted
Gascoyne Country Zone	Noted
Goldfields Esperance Country Zone	Noted
Great Eastern Country Zone	Noted
Great Southern Country Zone	Noted
Kimberley Country Zone	Noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	Noted
Northern Country Zone	Noted
Peel Country Zone	Noted
Pilbara Country Zone	Noted
South East Metropolitan Zone	No meeting held (no quorum)
South Metropolitan Zone	Noted
South West Country Zone	Noted

WALGA RECOMMENDATION

Moved: **Mayor Logan Howlett JP**
Seconded: **President Chris Antonio**

That State Council note the update on Polyphagous shot-hole borer response and WALGA advocacy.

RESOLUTION 018.1/2025 **CARRIED**

10.6 DECEMBER 2024 ECONOMIC BRIEFING

By Daniel Thomson, Manager Economics

WALGA RECOMMENDATION

That State Council note the December 2024 Economic Briefing.

EXECUTIVE SUMMARY

- The latest WALGA Quarterly Economic Briefing was released in December 2024.
- The Australian economy grew just 0.8% in the year to September. Western Australia's economy is the standout performer nationally, with State Final Demand increasing 2.5% and employment up 4.5% in the last 12 months.
- The WA Treasury released the 2024–25 Government Mid-year Financial Projections Statement on 23 December 2024.
- Local Government costs increased 3.3% over the last 12 months, with employee costs a key driver.
- The next Economic Briefing will be released in March 2025.

ATTACHMENT

- Economic Briefing

BACKGROUND

The latest WALGA Quarterly Economic Briefing was released in December 2024.

The Australian economy grew just 0.8% in the last 12 months, propped up by public sector spending and population growth. The WA domestic economy continues to outperform the nation with State Final Demand increasing 2.5% and employment up 4.5% in the last 12 months. The RBA kept interest rates on hold in December as inflation continues to fall slowly but remains above the target band. Inflation in WA is higher than the national average with increasing housing costs a key concern.

The labour market in WA continues to be tight with low unemployment and high workforce participation. Wages growth continues but at a slower rate with public sector wages growing at a slower pace than the private sector

Population growth is slowing across the country but remains high. WA's population growth is higher still. WA housing completions and building approvals are increasing but remain below the level required to meet demand and national housing targets.

Local Government costs increased by 3.3% over the last 12 months. Employee costs are a key driver of price increases. Construction costs have increased by approximately 20% over the last three years. The rate of price rises has slowed on average across the State as global supply chain constraints have eased and post-pandemic stimulus works its way through the system. The strong infrastructure and construction pipeline could lead to increased construction costs in the short term.

COMMENT

The WA Treasury released the 2024–25 Government Mid-year Financial Projections Statement on 23 December 2024. The State Government highlighted the $3.1 billion surplus in 2023-24, up from May's estimate of $2.6 billion, with surpluses forecast for the next three years. Higher than expected income from taxes and royalties drove this increased surplus. Taxation income benefited from higher prices, leading to an additional $1.4 billion in duty collections and higher than expected car sales boosting motor vehicle taxes by $895 million. Income from royalties was up $1.3 billion off the back of iron ore (+$1.7 billion) and gold (+$608 million) which more than offset falls in lithium (-$673 million) and nickel (-$240 million).

While some additional income was banked to increase the surplus, expenditure was also up, with increased spending on services to support the increased population, in particular in health, housing, communities, justice and education. The major new spending announcement in the Mid-year Review was the $400 million Housing Enabling Infrastructure Fund, which seeks to increase housing supply by funding water and power infrastructure.

WA Treasury expects the domestic economy to continue its strong run of growth, with State Final Demand forecast to increase by 3.5% in 2024-25 and 3.25% in each of the next two years. The public sector is a major contributor to this growth with Government consumption forecast to increase 5.5% in 2024-25 driven by the increase in services delivery and cost of living support. Government investment is expected to increase 7.0% in 2024-25, however the public sector is forecast to contribute less to economic growth in the out years as population growth slows and the State's record infrastructure spending slows.

As growth in the public sector eases, it is the private sector that is forecast to drive economic growth. Dwelling investment is forecast to jump 11.25% in 2024-25 as the residential construction industry ramps up and more houses are built. Household consumption in WA has held up better than in other states due to the strong economy and population growth. Investment from business is expected to grow just 1.0% in 2024-25 after a jump of 12.7% in 2023-24. This is expected to increase to 3.25% in 2025-26 due to the strong pipeline of projects in the mining, renewables, and infrastructure sectors.

WA Treasury Economic Forecasts

Mid-Year Review 2024-25	2022-23 % Actual	2023-24 % Actual	2024-25 % Forecast	2025-26 % Forecast	2026-27 % Forecast
Gross State Product	3.5	0.5	2.25	2.5	2.5
Household Consumption	3.5	3.1	2.5	3.0	3.0
Business Investment	4.5	12.7	1.0	3.25	5.5
Dwelling Investment	-2.7	4.1	11.25	9.75	5.5
Goods Exports	4.7	-3.7	0.5	1.5	0.5
Goods Imports	7.8	9.1	0.75	1.75	2.75
Employment Growth	3.1	3.8	2.5	1.75	1.5
Unemployment Rate	3.6	3.7	4.0	4.25	4.5
Wage Price Index	4.2	4.2	3.75	3.5	3.0
Population	3.2	2.8	1.9	1.8	1.8

ZONE CONSIDERATION

Avon Midland Country Zone	Noted
Central Country Zone	Noted
Central Metropolitan Zone	Noted
East Metropolitan Zone	Noted
Gascoyne Country Zone	Noted
Goldfields Esperance Country Zone	Noted
Great Eastern Country Zone	Noted
Great Southern Country Zone	Noted
Kimberley Country Zone	Noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	Noted
Northern Country Zone	Noted
Peel Country Zone	Noted
Pilbara Country Zone	Noted
South East Metropolitan Zone	No meeting held (no quorum)
South Metropolitan Zone	Noted
South West Country Zone	Noted

WALGA RECOMMENDATION

Moved: **Mayor Logan Howlett JP**
Seconded: **President Chris Antonio**

That State Council note the December 2024 Economic Briefing.

RESOLUTION 018.1/2025 **CARRIED**

10.7 FLYING MINUTE SUBMISSION ON THE PRODUCTIVITY COMMISSION INQUIRY – OPPORTUNITIES IN THE CIRCULAR ECONOMY

By Rebecca Brown, Policy Manager, Environment and Waste

WALGA RECOMMENDATION

That State Council note the Submission on the Productivity Commission Inquiry – Opportunities in the Circular Economy, as endorsed by State Council via Flying Minute.

EXECUTIVE SUMMARY

- The Productivity Commission is inquiring into Australia's opportunities for a circular economy to improve materials productivity and efficiency in ways that benefit the economy and the environment.
- The Inquiry Terms of Reference were released on 23 August 2024 and a Call for Submissions Paper was released on 16 September 2024. The consultation closed on 1 November. WALGA requested, and received, an extension to 15 November 2024.
- WALGA's Submission identifies WA circular economy success stories, key circular economy opportunities, barriers for Local Government in Western Australia and roles for Government.
- The transition to a circular economy has the potential to reduce cost of living pressures, maximise the use of resources and reduce a range of environmental impacts associated with the manufacture, distribution and post-consumption management of products.
- For these benefits to be realised, action is needed from all levels of Government to change legislation and policies where required, put in place relevant incentives and lead by example.
- The draft Submission was endorsed by MWAC on 23 October 2024 and by State Council via Flying Minute on 13 November 2024. It was provided to the Productivity Commission on 15 November 2024.

ATTACHMENT

- Flying Minute Submission on the Productivity Commission Inquiry.

POLICY IMPLICATIONS

WALGA's Submission aligns with WALGA Advocacy Positions:

- 7.1 Waste Management Legislation
- 7.8 Waste Management Education
- 7.10 Household Hazardous Waste
- 7.12 Landfill Ban
- 7.13 Recovered Materials Framework
- 7.15 Product Stewardship

BACKGROUND

In October 2022, Australia's Environment Ministers committed to accelerate the transition to a circular economy by 2030. As part of this work, the Productivity Commission is undertaking an inquiry into circular economy and has released a Call for Submissions Paper. This is the first stage of the Commission's work and further opportunities to comment will be available in February 2025 (with submissions due April 2025).

The Productivity Commission defines a circular economy as "an economic strategy that maintains the value of materials for as long as possible and ensures materials are used efficiently across all phases of their life cycle".

The Productivity Commission states:

> *International studies suggest that a more circular economy supports higher economic growth and productivity, including by increasing materials productivity (how much output is produced per unit of raw input). Australia currently has the fourth lowest rate of materials productivity in the OECD. We generate US$1.20 of economic output for every kg of materials consumed, which is under half the OECD benchmark of US$2.50. However, there is currently limited analysis of these matters, including the relative importance of these opportunities and how they should be measured and realised.*

This Inquiry follows the Commission's earlier Inquiry into the Right to Repair, on which WALGA made several Submissions. Repair is one strategy to assist in developing a more circular economy.

MWAC endorsed the draft Submission to the Circular Economy Inquiry at its meeting on 23 October 2024.

COMMENT

The Productivity Commission's Paper identifies a range of potential benefits from a circular economy in Australia, including improving economic, environmental and social outcomes.
WALGA's Submission was informed by Local Government feedback and has the following key focus areas:

- The important role of procurement as a way of embedding a more circular approach.
- Quality assurance and market development for recovered materials, to ensure end users have high confidence in the quality and safety of products.
- Economic shifts that have occurred and facilitate a more circular economy approach, for example, the sharing economy.
- Designing products for circularity and repair, to ensure all products entering the market are designed to maintain the highest value as long as possible.
- Regionally focused systems that facilitate waste being received and processed close to the source, in order to create and develop local industry and employment opportunities.
- Specific programs and incentives to shift consumer behaviours, alongside a mandated product stewardship framework which ensures all products manufactured, distributed and sold are more easily reused, repaired, recovered or recycled.
- To effectively transition toward a circular economy, Government must take a leading role in embedding circular practices across a range of industries.

The Submission was endorsed by State Council via Flying Minute on 13 November 2024 and provided to the Productivity Commission on 15 November 2024.

ZONE CONSIDERATION

Avon Midland Country Zone	Noted
Central Country Zone	Noted
Central Metropolitan Zone	Noted
East Metropolitan Zone	Noted
Gascoyne Country Zone	Noted
Goldfields Esperance Country Zone	Noted
Great Eastern Country Zone	Noted
Great Southern Country Zone	Noted
Kimberley Country Zone	Noted
Murchison Country Zone	No meeting held
North Metropolitan Zone	Noted
Northern Country Zone	Noted
Peel Country Zone	Noted
Pilbara Country Zone	Noted
South East Metropolitan Zone	No meeting held (no quorum)
South Metropolitan Zone	Noted
South West Country Zone	Noted

WALGA RECOMMENDATION

Moved: **Mayor Logan Howlett JP**
Seconded: **President Chris Antonio**

That State Council note the Submission on the Productivity Commission Inquiry – Opportunities in the Circular Economy, as endorsed by State Council via Flying Minute.

RESOLUTION 018.1/2025 **CARRIED**

11 ORGANISATION REPORTS

11.1 KEY ACTIVITY REPORTS

11.1.1 REPORT ON KEY ACTIVITIES, ADVOCACY PORTFOLIO

By Rachel Horton, Executive Manager Advocacy

WALGA RECOMMENDATION

Moved: **President Chris Antonio**
Seconded: **President Chris Mitchell JP**

That State Council note the Key Activity Report from the Advocacy Portfolio to the March 2025 State Council meeting.

RESOLUTION 019.1/2025 **CARRIED**

The Advocacy Portfolio comprises the following work units:

- *Marketing*
- *Communications*
- *Media*
- *Events*

The following outlines the activities of the Advocacy Portfolio since the December 2024 State Council meeting.

1. ADVOCACY

WALGA's combined State Election Campaign through paid and earned media and political engagements has been successful in securing commitments for a number of important initiatives aligned with WALGA's advocacy in The West at its Best policy platform.

Paid media has resulted in 4.6m impressions served across social, digital, out of home and outdoor media across WA.

The dedicated election campaign microsite has received 37,210 visits over the reporting period, driven from paid advertising and direct visits.

In terms of issues, the public has resonated strongly with four of the five issues that the paid campaign has focussed on (Connected and Inclusive Communities - with Sport & Recreation achieving the highest interest, Safer Roads, Climate Resilience and Disaster Ready). Low Carbon has received the least engagement across the social and programmatic campaign and are the least searched key words in Google.

WALGA's 2025 Federal Election Priorities has been developed and distributed to Members of Parliament, Elected Members and other key stakeholders.

Please see item 10.2 for more detail on the State Election Campaign and commitments made by major parties in line with WALGA's advocacy.

2. MARKETING

Brand
The internal graphic design resource is providing enormous value enhancing the quality of materials, increasing the speed of production and driving brand consistency. Over 50 documents and reports have been published in the reporting period including the Federal Election Priorities document, Road Safety reports and refreshed Western Councillor magazine.

All WALGA e-newsletters have been re-branded to be consistent with the main WALGA corporate news (the LG Direct), enhancing our brand narrative around our key pillars of Influence, Support and Expertise plus providing cross promotion opportunities between newsletters.

Website
The WALGA website has performed well over the reporting period. Comparing quarterly statistics there has been a 13% increase in active users and a 41% increase in direct traffic. As the only variable for direct traffic, this is likely due to the Election Campaign driving interest in the WALGA website.

Another highlight is the number of WALGA newsletter subscriptions. There was a 26% increase from 673 to 846 over the last quarter.

3. COMMUNICATIONS
Multiple internal and external communications were published throughout the reporting period including:

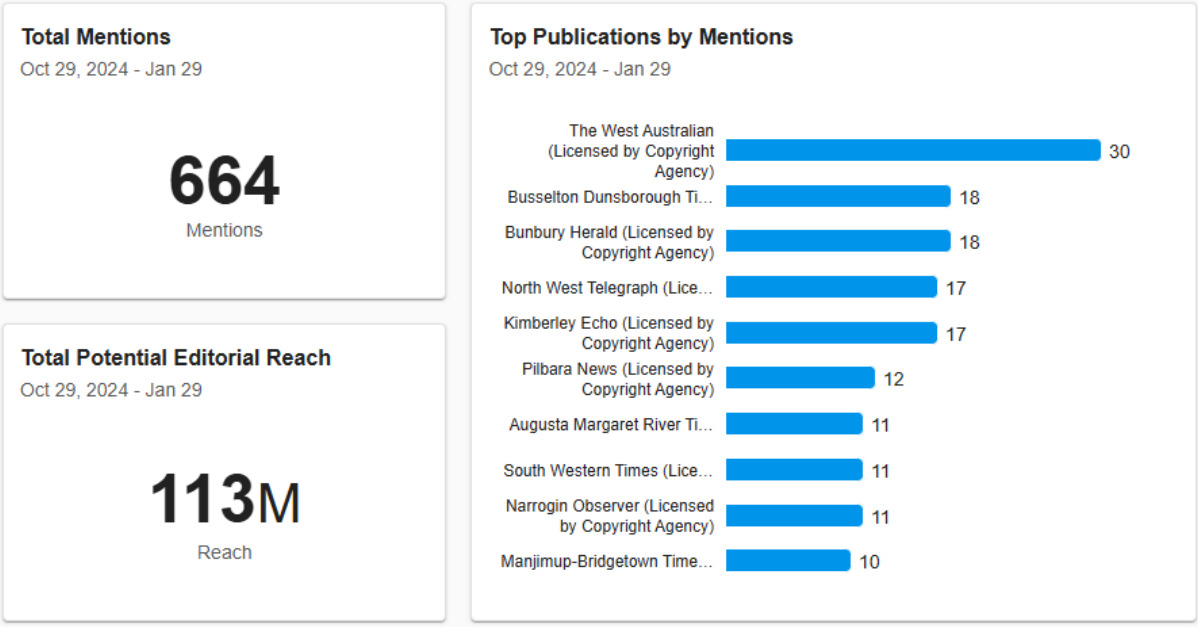
- Twelve LG Direct weekly newsletters distributed to over 2,000 Elected Members and senior staff
- The November 2024 edition of the Western Councillor Magazine
- Q4 Tailored Quarterly Report compiled and distributed to all Members
- WALGA's 2025 Federal Election Priorities.

EARNED MEDIA
WALGA has generated significant media activity throughout the reporting period with 664 mentions of WALGA and President Karen Chappel. This equates to seven mentions a day.

One of the online articles with the highest reach (5.6m) was WALGA's response to Premier Roger Cook's negative comments on the Local Government sector including the headline comment from the WALGA President, "Unbecoming of the Premier."

Items that gained publicity in response to WALGA press releases include Renewable Energy, the Polyphagous Shot-Hole Borer, plus Showcase in Pixels and Local Government Elections.

The media has sought comment from WALGA on sector issues over 30 times including on issues such as Population Growth, First Past the Post Voting, Coastal Management and the Polyphagous Shot Hole Borer.



Media Releases & Opinion piece

- Local heroes showcased through community art – 29 November 2024
- WALGA welcomes the Nationals commitment to Emergency Services funding – 13 December 2024
- Karen Chappel: Local must have input in renewable plans and the answer is blowing in the Wind (WALGA Renewable Op-ed) - 5 January
- WALGA welcomes Nationals' renewable energy announcement – 14 January
- Labor responds to WALGA's call to rebuild our urban forest – 15 January
- WALGA commends Labor's commitment to women's sport and urges long-term sporting investment – 17 January 2025
- WALGA welcomes Labor funding commitment to improve regional road safety – 24 January
- WALGAs response to Nationals CSRFF announcement – 30 January
- WALGA's advocacy reflected in new elected member superannuation provisions – 31 January

Social Media:

200 social media posts were placed in the reporting period across LinkedIn, Facebook and Instagram. (This is separate to paid campaign posts.) A decrease was seen in engagement across all channels so this will be monitored as it could indicate too many posts are being placed. Over 2,000 engagements were achieved on LinkedIn which is encouraging as the key professional platform, and despite lower engagement, brand awareness has benefited from serving 150,000+ impressions across the three major platforms.

LinkedIn:

- 71 posts
- 2,093 post reactions (8% increase)
- 118,177 post impressions (5% increase)
- 7.1% post engagement rate (18% decrease)

Facebook:

- 56 Posts
- 18,922 post reach (20% decrease)
- 20,116 post impressions (23% decrease)
- 5.89% post engagement rate (4% decrease)

Instagram:

- 11,224 post reach (16% decrease)
- 11,752 post impressions (13% decrease)
- 4.55% post engagement rate (8% increase)

PAID MEDIA

The 2025 State Election campaign is gaining strong engagement through targeted advertisement placements and messaging across social media, digital, out of home and outdoor media, generating a combined reach of 4.6 million.

Social Media

2.4m of the total 4.6m impressions have been served through carousels, stories and polls on social media. Carousels displaying the 'under stress' and swipe right to see 'at its best' messaging has the highest engagement with people commenting and 'liking' posts (56,000+).

Polls running on Safer roads and Urban Canopy have the highest Click Through Rate (CTR). In terms of engagement by issue, Climate Resilience and Safer Roads have gained the most interaction in terms of comments, but when voting for action from the State via the polls, 'Better sports facilities' has gained the highest votes from the public with 98% of respondents supportive, followed by 'More support for Volunteer firies' with a supporter rate of 92%.

Programmatic Display Advertising

The custom segments responding to display advertising are those classified as 'Green Living', 'Family Focussed' and 'interested in Local/Political news'. That said, all segments are outperforming benchmarks with a CTR of 0.7 compared to an average of 0.06 for

standard display advertising. (Display click through rates are typically much lower as the user isn't actively seeking the product/advert, it is being displayed in a passive manner.) The strongest results have been generated from the Safer Roads keywords at 0.9% CTR and Climate Resilience with a 0.74% CTR.

Google Search Engine Marketing
In terms of words actively searched in Google, the strongest results have been policy-searches related to the election, for example 'Regional Sporting Election' which achieved a CTR of 14.9% (benchmark 3%). The highest engagement in Google is from the 25-34 year old age group. From a geographic perspective, the highest volume of keyword searches is being generated in Belmont, Vincent, Victoria Park and Stirling.

Out Of Home Media (OOH)
Approximately 1.2m impressions have been served across OOH media (predominantly in the Perth Metropolitan area), including billboards in high traffic areas (e.g. Leach Highway). Other OOH placements include shopping centres, bus shelters and health care centres.

Campaign Microsite
There has been a relatively similar number of page visits to three of the issues sponsored through the paid campaign, with Disaster Ready, Climate Resilience and Safer Communities generating an average of 33% of traffic each. 'Connected and Inclusive' has seen the least microsite page visits at 1% of traffic. However, microsite page visits are not reflective of engagement with topics across the board, with issues under the 'Connected and Inclusive' category achieving significant engagement through polls and Google search engine marketing.

4. EVENTS

WALGA Wrap
The WALGA Wrap end of year function held at Perth City Farm on 18 December, provided an opportunity to highlight the successes of 2024 and thank the 150 stakeholders and suppliers in attendance for their partnership throughout the year.

A themed menu showcased local produce from around Western Australia, with dishes dedicated to The Goldfields, The Coral Coast, The Wheatbelt and The South West together with music from WAAPA Alumni Evan Ayers.

Urban Forest Conference
The 2025 Urban Forest Conference is sold out with 365 main registrations and 57 registrations for field tours.

The event will be hosted at the Boola Katitjin building at Murdoch University, creating a unique indoor/outdoor presentation for the main sessions and Sundowner. New initiatives this year include the 'Village Green' where key suppliers and stakeholders can exhibit in the greening space, plus a dedicated Field Tour program held the day prior to the main conference.

Planning is now also underway for the 2025 Aboriginal Engagement Forum on 10 April and the 2025 Local Government Awards.

Cr John Daw entered the meeting at 4:37pm.

11.1.2 REPORT ON KEY ACTIVITIES, INFRASTRUCTURE PORTFOLIO

By Ian Duncan, Executive Manager Infrastructure

WALGA RECOMMENDATION

Moved: **President Chris Antonio**
Seconded: **President Cr Phillip Blight**

That State Council note the Key Activity Report from the Infrastructure Portfolio for March 2025.

RESOLUTION 020.1/2025 **CARRIED**

The Infrastructure Portfolio comprises the following work units:

- *Roads*
- *Funding*
- *Urban and Regional Transport*
- *Utilities*
- *Road Safety*

The following outlines the activities of the Infrastructure Portfolio since the last State Council meeting.

1. ROADS

Local Government Transport and Roads Research and Innovation Program
Guidelines for the use of crumbed rubber modified asphalts, sprayed seals, reclaimed asphalt pavement and a catalogue of standard pavement profiles are scheduled for publication in the next quarter. Work has commenced on an investigation into available technologies for best practice road condition assessments and data collection and the development of a road safety rating tool for intersections.

Condition Assessment of Roads of Regional Significance
The condition assessment survey of significant roads in the Pilbara and Gascoyne regions is nearing completion. The condition survey work for the Kimberley region will commence in March/April 2025, following the wet season in the Kimberley region.

Road Rail Interface Agreements
Rail Interface Agreements are a requirement under the *Rail Safety National Law (WA) Act 2015*. Each metropolitan Local Government with road/rail crossings with PTA electrified network was recently sent an Interface Agreement for review and execution. All nine Local Governments have now signed this updated agreement. For road/rail interfaces on the Arc Infrastructure network, a model *pro forma* agreement between Local Governments and Arc Infrastructure is nearing the end of negotiations and should be available for Local Government review and action soon. WALGA will begin a process to liaise with each relevant affected Local Government to provide advice around the new agreement, once the *pro forma* agreement has been finalised.

Update of User Guides for calculating the cost of road wear for defined freight tasks
Due to recent escalation in road construction costs, WALGA has initiated an update of the unit rates that are used to underpin the methodologies in the User Guides for calculating the cost of road wear for defined freight tasks on sealed and unsealed roads. NTRO have been appointed to update the guides and to compile an online calculator and the project is scheduled for completion in February.
Operational Boundaries and Asset Responsibilities in Rural Regions
Main Roads have released a draft policy document that defines the operational and maintenance boundaries between State and Local Roads outside of the Metropolitan Region (a policy for the Metropolitan Region was published in 2020). WALGA has initiated a sector consultation process and will provide feedback to Main Roads.

2. ROAD FUNDING

Multi-Criteria Assessment (MCA) Model Revisions
The WALGA Infrastructure Team is working with the Regional Road Groups to harmonise the MCA models used by Regional Road Groups to prioritise projects for Road Project Grant funding. The proposed changes to the MCA models reflect the new focus areas of the State Roads Funds to Local Governments Agreement, while still allowing for flexibility to recognise the significant differences between regions. Six out of nine Regional Road Groups have commenced the MCA revision process, while the remaining three Regional Road Groups will begin the process in the upcoming months.

3. TRANSPORT

Bus Stop Infrastructure
WALGA State Council sought some amendments to the draft Bus Stop Infrastructure Partnership Agreement 2025 to 2029 at the December 2024 meeting. The Public Transport Authority has provided an initial response to these matters and further discussions are progressing.

Active Transport and Micromobility-Discussion Paper
The discussion paper has now been completed. WALGA proposes to host a forum and workshop with Elected Members and key stakeholders, followed by a workshop with the Local Government Active Transport Reference Group. The aim of these sessions is to engage high-level strategic stakeholders in shaping actionable and strategic policy positions for WALGA in active transport. This forum presents a valuable opportunity to collaboratively develop practical and effective policy outcomes that address Active Transport challenges at the local, state, and national levels.

4. ASSET MANAGEMENT

Road Assets and Expenditure Report Update Project
Tango IT has completed a final report detailing the current processes used to develop the RAE Report and identifying options for improvement in data collection, interpretation, and presentation. The consultant has also prepared final Request for Proposal documentation for WALGA to use in going to market to undertake the suggested improvement works.

5. UTILITIES

Underground Power
A template Co-funding Agreement between a Local Government and Western Power was completed and has been distributed to Local Governments with projects in the current Targeted Underground Power Program. This Agreement deals only with funding. Other project related matters such as consultation and communications protocols need to be addressed using an MOU or exchange of letters. The diverse needs of Local Governments meant that this was too difficult to address in a common template.

Representatives from Local Governments with projects in the Targeted Underground Power Program met during December to provide feedback on the template and discuss a range of other matters arising during program development.

The Targeted Underground Power Program Steering Committee received a presentation on the modelled costs to the State Government, Western Power and property owners of options to reduce the risk of projects failing due to high costs. Currently costs of converting to underground power vary significantly between suburbs. The Committee is examining options including capping the property owner contribution. Work on a guide to the Pensioners and Seniors Rebate schemes is also progressing.

Streetlighting
Following publication of its Public Lighting Asset Management Strategy V1 in early July Western Power has now engaged with WALGA regarding the process to develop V2 for completion in mid-2025. The Association is seeking to ensure that the second version considers important issues raised by Local Governments during the consultation phase including environmental impacts (dark sky, native animals and humans), smart technology controls and response to cable faults.

Work is also progressing on identifying criteria and data to design the program of work to deliver the first tranche of 50,000 replacement LED luminaires over a 30-month period commencing in mid-2025. Both programs of work are at risk of delay as a result of caretaker provisions prior to the State Government election.

6. ROAD SAFETY

RoadWise Councils
As of 1 January, there were 74 Local Governments registered as a RoadWise Council. There is a spread of RoadWise Councils across all ten Regional Road Group regions. In terms of road safety activity, 81% (60) of registered RoadWise Councils recorded 237 local road safety activities in the period October and December 2024.

RoadWise Recognised
The RoadWise Recognised Advisory Committee last met in November 2024. Points, which signify road safety actions undertaken, were allocated to 62 RoadWise Councils. The Points that were allocated reflected actions delivered across the different areas of the RoadWise Framework. This then converted to Ribbons which were awarded in recognition of a holistic approach to road safety across governance, management, and operations. In this way, the allocation of Points and Ribbons is designed to encourage local road safety toward better and ultimately best practice.

11.1.3 REPORT ON KEY ACTIVITIES, MEMBER SERVICES PORTFOLIO

By Tony Brown, Executive Director Member Services

WALGA RECOMMENDATION

Moved: **Cr Scott Crosby**
Seconded: **Cr Wendy McWhirter-Brooks**

That State Council note the Key Activity Report from the Member Services Portfolio to the March 2025 State Council meeting.

RESOLUTION 021.1/2025 **CARRIED**

The Member Services Portfolio comprises the following work units:

- *Association and Corporate Governance*
- *Commercial Contract Services*
- *Commercial Development*
- *Commercial Management*
- *Employee Relations*
- *Governance and Procurement*
- *Training*

The following outlines the activities of the Member Services Portfolio since the December 2024 State Council meeting.

1. ASSOCIATION AND CORPORATE GOVERNANCE

WALGA Strategic Plan 2025-2029
At the last meeting in December 2024, State Council endorsed a new organisational Strategic Plan for WALGA. State Council, as the governing body of WALGA, is responsible for setting the overall strategic direction of the Association, which includes endorsing the Strategic Plan.

Development of the Strategic Plan was an involved process of consultation and discussion over the course of the past year. Supported by Keogh Consulting, key inputs into the development of the Strategy included facilitated workshops with State Council and WALGA staff, targeted consultation with a sample of Members at the CEO and Mayor/President level and individual engagement with external stakeholders including Directors General and senior public sector decision makers.

The new Strategic Plan has been distributed to all Members and is available to view on the WALGA website here.

2. COMMERCIAL

Preferred Supplier Program (PSP) Development
Approximately 120 new Preferred Suppliers across all panels are being contracted to the program, to be completed by February. Member endorsements are assisting to pivot the PSP towards a more relevant and active supplier base. It is also resulting in more

engagement with regional suppliers and Small to Medium Enterprise (SME). The next Preferred Supplier tender is currently scheduled for release in March.

New categories for Architectural Services (32 suppliers) and Aboriginal Heritage Surveys (7 suppliers) have been implemented.

Enhancements to PSP categories are being made for Recycled Construction & Demolition Materials, Project and Operations Management, and Leisure Centre Equipment Supplies.

New PSP category development and development research is being undertaken in the areas of:

- PSP008 - Facilities management
- PSP005 – Mobility and Accessibility Equipment supplies
- PSP005 – Swimming Pool inspection services
- PSP005 - Provision of HACC and social services
- PSP002 – Environmental Health consultants
- PSP003 – Building Inspection Services

A legal review of the current Member Conditions will be undertaken. A focus on enhancing the presence of Aboriginal business on the PSP panels will also be progressed.

With many Members currently engaged in Council Business System and ERP reviews and procurement, WALGA's PSP Panel for Business Systems Software and Services has contractual options available. Resources to raise awareness and support the use of the Panel are under development.

Phase two of the WALGA Sustainable Energy Project is currently being contracted for a new three year term commencing in April. The new term of the project involves 52 WALGA Members and incorporate a diversification strategy to further support sustainable energy infrastructure development. WALGA is also in the process of implementing a Carbon Reporting Tool to support the project analytics.

Preliminary research and scoping for an investment services project will progress duing 2025

ARENA Future Fuels Grant Project
WALGA has been working with 22 participating Members to complete delivery the final Electric Vehicles and charging infrastructure in line with contracted milestones. The project then moves into an evaluation and knowledge-sharing phase, extending for approximately 12 months. Work is also continuing to explore potential further opportunities for similar initiatives. WALGA has supply options available for EV charging infrastructure and related services.

3. EMPLOYEE RELATIONS
WALGA ER continues to represent the sector in a number of applications in the WA Industrial Relations Commission (WAIRC):

- Applications CICS 5, 8 and 9 of 2023 - Union demarcation dispute. In response to sector feedback, WALGA successfully applied to intervene in these applications. These applications relate to a dispute over coverage of Local Government employees between three unions, the Western Australian Municipal, Administrative, Clerical and Services Union of Employees (WASU), Local Government, Racing and Cemetries Employees Union (LGRCEU) and the Construction, Forestry, Mining and Energy Union

of Workers (CFMEUW). Essentially the WASU is seeking an order that it cover Local Government outside employees to the exclusion of the CFMEUW. The matter is ongoing and has had 20 hearing days in July and October, with the CFMEUW evidence still to be completed. During the hearing in October 2024 the CFMEUW made a number of applications. One application was to dismiss the matter, which the Commission rejected and dismissed. Another application was for discovery of documents from WALGA and the WASU, which the Commission ordered and WALGA and WASU complied with. The CFMEUW also made a second application for discovery of documents from WALGA, WASU and the LGRCEU. A directions hearing on this second application was held on 16 December 2024 and the parties were directed to file any formal applications to dismiss the CFMEUW's second application and written submissions by 14 February, with this matter to be determined on the papers (without oral argument). Following the Commission's decision with respect to the CFMEU's second application, the matter will be listed for a further directions hearing to determine next steps and list the substantive application for further hearing dates.

- Applications APPL 3 and 4 of 2023 – concerned award variations sort by the WASU to the Local Government Officers' (WA) Award 2021 (LGO Award) and the Municipal Employees Award (WA) 2021 (ME Award) as follows:
    - increase casual loading from 20% to 25%;
    - conversion of casual employees who have worked for more than 12 months to permanent employment;
    - increased regional redundancy entitlements for employees working outside Perth;
    - an additional week of entitlement to annual leave for shift workers;
    - preferential treatment of Aboriginal or Torres Strait Islander persons in Local Government employment processes;
    - up to 5 days of Cultural and Ceremonial Leave for Aboriginal or Torres Strait Islander persons in the LGO Award; and
    - inclusion of Flexible Working Arrangements.

  As a result of new State IR legislation, a consent position was reached in relation to the 25% casual loading and flexible working arrangements. The matter was heard over 6 days concluding on 29 November 2024 before Commissioner Walkington and the decision has been reserved.
- Application APPL 164 of 2024 has been made by the WASU through s80BH of the *Industrial Relations Act 1979* (WA) (IR Act) to be named to the Local Government Industrial Award – Industrial Agreement (LGIA-IA) which is an instrument that transitioned to the State Industrial Relations system. If WASU is named to the LGIA-IA it is then able to take action to enforce the instrument, but more importantly the WASU could 'retire' it under s. 41(7) of the IR Act and the state awards (LGO and ME Awards amongst others) would then apply. Sixty Local Governments have been named to APPL 164 of 2024 and WALGA will be directly representing the Shire of Dundas (lead Local Government) as their industrial agent in this matter and assisting other Local Governments with their responses to oppose the application on the ground that it does not correctly identify the LGIA-IA and that some Local Governments were incorrectly named to the Application because they do not apply the LGIA-IA. The decision for WALGA to only directly represent the lead Local Government was taken so that WALGA did not get 'conflicted out' of the proceedings as has occurred in other matters. The Commission granted an extension of time for filing of responses to 24 January, and most Local Governments have already filed their responses.

New IR Legislation
The Minister for Industrial Relations the Hon. Simone McGurk introduced the *Industrial Relations Legislation Amendment Bill 2024* into WA Parliament 18 September 2024.It was passed by WA Parliament on 6 November 2024 and received Royal Assent on 13 November 2024 (IRLA Act)
IRLA Act is part of the Government's review of the State IR system that commenced with the 2018 Ministerial review. The IRLA Act will amend the:

- *Industrial Relations Act 1979* (IR Act)
- *Minimum Conditions of Employment Act 1993* (MCE Act)
- *Health Services Act 2016*
- *Public Sector Management Act 1994*

The IRLA Act:

- Redefines the terms "employee" and "employer" and "casual employee".
- Establishes a fit and proper person test for a union official to obtain a right of entry permit under the *Industrial Relations Act 1979* (IR Act).
- Amends the *Minimum Conditions of Employment Act 1993 (WA)* (MCE Act) to increase the statutory minimum casual loading from 20 to 25% and amend public holiday minimums.
- Establishes a new employee right to request a flexible working arrangement consistent with the *Fair Work Act 2009 (Cth)* (FW Act).
- Enables the *Local Government (Long Service Leave) Regulations 2024* to be enforced under the IR Act.
- Introduces a new prohibition on sexual harassment in connection with work, as contained in the FW Act.
- Increases the penalties for contravening State employment laws. The maximum penalties will increase from $65,000 to $93,000 for a body corporate and $13,000 to $18,000 for an individual.

Most of the changes came into effect 31 January. WALGA held a webinar for Local Governments on 3 December 2024 to prepare for the changes and will continue to provide resources and assistance.

4. GOVERNANCE AND PROCUREMENT

Local Government Legislative Reform
The Local Government Amendment Bill 2024 was Assented to on 6 December 2024.

Some of the items have come into effect immediately are:

- Clarified Roles and Responsibilities of Council, Council Members, Mayors and Presidents and CEOs
- Local Law Reforms
- Unreasonable / Vexatious Complaints
- Changes to Local Government Borrowing Powers.

Regulations relating to Superannuation for Elected Members have recently been gazetted. It is worth noting that Superannuation came into effect on 1 February 2025 as discretionary for Local Governments. Local Governments will need to make a decision by Absolute Majority if they wish to pay superannuation to Elected Members.

The regulation to mandate Bands 1 and 2 to pay superannuation to Elected Members will take effect from 19 October 2025.

Therefore, those Band 1 and 2 Local Governments that have not resolved to pay superannuation, will be required to pay superannuation from 19 October 2025.

Other items will require regulations and further work: including:

- Development Assessment Panel (DAP) Functions
- Office of the Local Government Inspector
- Local Government Monitors
- Independent Member and Chair of Audit, Risk and Improvement Committee
- Clarified Regional Subsidiaries Provisions

In addition, regulations relating to Tranche 1 amendments are still required:

Amendments yet to commence include:

- Council Plans
- Standardised Meeting Procedures
- Communications Agreement
- Community Engagement Charter and Surveys
- Publication of CEO Performance Review (consultation has commenced)
- New Lease and Contract Registers (consultation has commenced)

In respect to CEO Matters and Online Registers, WALGA circulated an Info Page and Discussion paper, seeking feedback on draft regulations. Responses are requested by 19 March and will inform a State Council Agenda item to go through the April round of Zone meetings.

5. TRAINING

The Training Team has recently undertaken the validation of our nationally recognised program. The team held validation meetings over 4 full days with relevant trainers/assessors and subject matter experts to ensure that all our training resources and assessment tools are up to date. Identified changes are then checked, improved and implemented throughout the relevant resources and assessments on our Student Portal. Accurate recording of those changes is a key RTO compliance requirement which has been overseen by the RTO Compliance team.

The February intake of the Certificate III in Local Government has received good enquiries so far and we are currently enrolling students for a 5 February start. We also prepare for the virtual Graduation ceremony on 25 February where we celebrate the achievement of six successful graduates.

2025 has started with a bang for on-site training with eight workshops confirmed for delivery across WA before April. Short course enrolments are starting to come in with the new Residential Design Codes (R – Codes) being very popular again followed by a range of Governance and Employee Relations workshops.

We are working to launch the Diploma of Local Government for Officers, including the specialisation for Planning with the first delivery starting in late April/ early May.

We are also working with our Training Council, the Financial, Administrative and Professional Services WA and the State Training Borad to have the Diploma of Local Government made available as an existing worker Traineeship.

11.1.4 REPORT ON KEY ACTIVITIES, POLICY PORTFOLIO

By Nicole Matthews, Executive Manager Policy

WALGA RECOMMENDATION

Moved: **President Cr Phillip Blight**
Seconded: **President Chris Antonio**

That State Council note the Key Activity Report from the Policy Portfolio to the March 2025 State Council meeting.

RESOLUTION 022.1/2025 **CARRIED**

The Policy Portfolio comprises the following work units:

- *Economics*
- *Environment and Waste*
- *Planning and Building*
- *Emergency Management*
- *Community*

The following outlines the activities of the Policy Portfolio since the December 2024 State Council meeting.

1. ECONOMICS

Economic Briefing
In December, WALGA released its latest Economic Briefing (see item 10.6). The next Economic Briefing will be released in March.

Renewable Energy
WALGA is progressing its advocacy and initiatives to support Local Governments since State Council endorsed three energy transition advocacy positions in September 2024 (see item 10.3).

2. ENVIRONMENT AND WASTE

Native Vegetation
WALGA is progressing with actions identified in the Native Vegetation Issues Paper considered by Zones in December 2024, including the development of a range of capacity-building activities and advocacy to the Department of Water and Environmental Regulation regarding challenges impacting Local Government. Three more Field Days are being planned to assist Local Governments with managing native vegetation in road reserves.

E-waste Transport Rebates
Following the commencement of the e-waste landfill ban on 1 July 2024, WALGA has been successful in securing State Government funding to assist regional and remote Local Governments in the cost of e-waste transportation for recycling. The E-waste Regional Transportation Support Scheme, (ERTSS) administered by DWER, will provide rebates for

eligible Local Governments of up to 50 per cent of transport costs. $766,000 has been allocated for the ERTSS, which will run until 30 June 2025.

Polyphagous Shot Hole Borer
WALGA having escalated PSHB advocacy and political engagement over the last year, is currently preparing a submission to the National Consultative Committee on key priorities for inclusion in the PSHB Response Plan (see item 10.5).

3. PLANNING AND BUILDING

Urban Forests
WALGA 2025 Urban Forest Conference
Tickets for the WALGA 2025 Urban Forest Conference being held on 14 February at Murdoch University have sold out, with more than 380 registered to attend. The theme of the Conference is **Raising Resilience**, focusing on the unprecedented threats to urban forests from clearing for development, climate change, pests and disease. The Minister for Energy; Environment; Climate Action, Hon Reece Whitby MLA and the Shadow Minster for the Environment Hon Neil Thomson MLC will address the Conference.

Urban Greening Grants
Round Three recipients of Urban Greening Grants were announced in December 2024. A total of $1.6 million was awarded to 16 Local Governments: Bayswater, Belmont, Cambridge, Canning, Cottesloe, Fremantle, Gosnells, Joondalup, Kalamunda, Kwinana, Melville, Mundaring, Murray, Rockingham, Serpentine Jarrahdale and Swan. These Local Governments will plant over 5,400 trees and 238,700 understorey species in winter 2025.

The Urban Greening Grant Program has now closed. A total of 26 Local Governments secured funding under the Program to plant over 33,000 trees and 260,000 understorey plants by winter 2025.

Labor Election Commitment
WALGA's 2025 State Election campaign, calls for an additional $40 million over the next decade for an expanded, statewide urban forest program.

WA Labor has committed to double Perth's tree canopy cover to 30% by 2040, including a new urban canopy growth program ($10 million) and 'treebates' to encourage Western Australians to plant native trees ($6.9 million) if re-elected.

While welcoming the announcement, WALGA stressed that these programs should be extended statewide and that the Government must take measures to address the loss of existing trees on private land as part of its promised Urban Greening Strategy (see WALGA's media statement here).

Coastwest Grants
Applications for the 2025-26 Coastwest grants opened in January. WALGA will host an information session for eligible Local Governments on 12 February in partnership with the Department of Planning, Lands and Heritage and the Department of Transport. Grant applications close on 14 April.

4. EMERGENCY MANAGEMENT

Disaster Ready Fund Round Three
$200 million is available under Round Three of the Australian Government's DRF which opened on 22 January. DRF is a significant funding opportunity for the sector, with 17 WA Local Government projects receiving more than $23 million in Round Two, including for fire danger rating signage, community education, evacuation centre improvements and infrastructure projects.

Local Governments are encouraged to review the guideline changes for Round Three before submitting their project proposals. Proposals must be submitted to DFES via the online application portal by 5pm(AWST) on 2 April.

Emergency WA App
The State Government launched the Emergency WA App on 21 December 2024. The App, available in the App Store or Google Play, delivers instant notifications of warnings, incidents, Total Fire Bans and elevated Fire Danger Ratings on mobile devices. Users can set multiple custom watch zones for their homes and locations important to them and opt-in to receive push notifications relevant to them. This will be extremely helpful for both the community and visitors to stay in the know about hazards near them.

Local Emergency Management Arrangements Improvement Program
WALGA has submitted its LEMA Recommendations Report to DFES which will inform the development of new LEMA guidelines and resources. WALGA is leading a Local Government LEMA Working Group, with representatives from 10 diverse Local Governments co-designing fit-for-purpose LEMA templates and supporting resources to be tested in a 2025 pilot program.

Bushfire Risk Management Coordinators
WALGA will continue to host two Bushfire Risk Mitigation Coordinators (BRMCs) until June 2028 under a funding agreement with DFES. BRMCs work with WALGA, DFES and Local Governments to develop and implement Local Government bushfire mitigation programs, focusing on building capacity for Local Governments with limited capacity and expertise to manage their ongoing mitigation program using in-house resources.

State Emergency Management Committee
The SEMC met on 4 December 2024, attended by WALGA CEO, Nick Sloan. The meeting communique can be found here.

State Bushfire Advisory Committee
WALGA Executive Manager Policy, Nicole Matthews is a member of the State Bushfire Advisory Committee, which met on 3 December 2024. The meeting communique can be found here.

Election Commitments
The Nationals and Labor have made a number of election commitments aligned with WALGA's emergency management State election priorities (see item 10.2)

5. COMMUNITY

WALGA 2025 Aboriginal Engagement Forum
The WALGA 2025 Aboriginal Engagement Forum will be held on 9 April at the State Reception Centre in Kaarta Gar-up (Kings Park), with the theme ''Stepping Up: Taking local Aboriginal engagement and Reconciliation to the next level". Program planning is underway and being informed by a reference group of Elected Members and officers. State Council members are strongly encouraged to attend and promote the event within their zones.

Public Health Act
Consultation on the draft State Public Health Plan 2025-2030 was held in early February. WALGA made a submission aligned to previous submission relating to the implementation of Stage 5 of the Public Health Act. The submission emphasised the role Local Government provide in the protection and enhancement of health and well-being within their communities across various responsibilities and functions. The submission also stated the need to ensure sufficient support and expertise within State agencies to support the preparation of Local Public Health Plans, especially in relation to the new climate change priority. The development of the submission was guided by the WALGA Public Health Plans Reference Group.

Regional Primary Health Services
Following its tabling at the December 2024 State Council meeting, the Local Government Primary Healthcare Survey Report has been shared with Local Government CEOs. WALGA's advocacy on this issue is being informed by the survey results and additional feedback from Band 4 Local Governments who have collectively identified access to GP services as a key priority. Advocacy to the Australian and State governments is focussed on measures to increase access to GP services in areas of need and reduce the financial impost on Local Government, particularly in the context of the upcoming state and federal elections and the renegotiation of the National Health Reform Agreement and bilateral agreement between WA and the Commonwealth.

Access and Inclusion
Most Accessible Community Western Australia (MACWA) Awards
On 5 December, WALGA joined the Hon Don Punch MLA, Minister for Disability Services, the Department of Communities and the Department of Local Government, Sport and Cultural Industries (DLGSC) at the annual MACWA Awards celebrating Local Government's efforts to create accessible and inclusive communities. Award winners included the Shires of Augusta Margaret River and Pingelly and the cities of Kalamunda, Swan and Greater Geraldton.

WALGA Forum
On 20 February WALGA will host an Access and Inclusion Forum, a commitment under the *State Disability Strategy 2020 - 2030, Second Action Plan*. The Forum theme is 'Building on your Disability Access and Inclusion Plan - embedding awareness across Local Government functions to respond to emerging issues'. The Forum aims to support sector building capacity and increase collaboration across the broad remit of Local Government.

Child Safeguarding
WALGA hosted a Child Safeguarding CEO Breakfast on 12 December. The DLGSC session, facilitated by the Western Australian Council of Social Services (WACOSS), focused on the role of CEOs in managing child safeguarding risks and promoting child safety and wellbeing within Local Governments. The session forms part of DLGSC's commitment to delivering tailored child safeguarding resources and support for the Local Government sector over the coming year.

Arts and Culture Infrastructure Grants
The State Government launched Creative WA: A 10 year vision to grow and sustain our creative ecosystem in December which includes $30 million towards refurbishment and equipment needs for arts and culture centres. Local Governments can apply now through Lotterywest.

11.2 PRESIDENT'S REPORT

WALGA RECOMMENDATION

Moved: **President Chris Antonio**
Seconded: **Cr Stephen Strange**

That the President's Report for March 2025 be received.

RESOLUTION 023.1/2025 **CARRIED**

11.3 CEO'S REPORT

WALGA RECOMMENDATION

Moved: **President Chris Antonio**
Seconded: **Cr Stephen Strange**

That the CEO's Report for March 2025 be received.

RESOLUTION 023.1/2025 **CARRIED**

12 ADDITIONAL ZONE RESOLUTIONS

WALGA RECOMMENDATION

Moved: **President Chris Antonio**
Seconded: **Mayor Logan Howlett JP**

That the additional Zone Resolutions from the February round of Zones meetings as follows be referred to the appropriate portfolio for consideration and appropriate action.

RESOLUTION 024.1/2025 **CARRIED**

CENTRAL COUNTRY ZONE (Infrastructure Portfolio)
Public Ownership of WA Freight Rail Network
That the Central Country Zone request WALGA to:

1. Supports State Government efforts to ensure the on-going sustainability and growth of freight rail in Western Australia;
2. Seeks a commitment from the in-coming State Government to:
   a. focus on ensuring a competitive freight rail network and services reduce freight on roads; providing road safety, environmental benefits; and
   b. work with Local Governments and other stakeholders to maximise the local economic growth opportunities provided through effective management of the rail network and corridors.

CENTRAL METROPOLITAN ZONE (Infrastructure Portfolio)
Reducing Default Speed Limit on Residential Local Roads from 50km/hour to 40km/hour
That the Central Metropolitan Zone request WALGA adopt an advocacy position to reduce the default speed limit in WA from 50km/h to 40km/h on local residential roads.

EAST METROPOLITAN ZONE (Advocacy Portfolio)
That WALGA investigate convening a biennial conference on climate change, resilience and adaption.

GOLDFIELDS ESPERANCE COUNTRY ZONE (Infrastructure Portfolio)
Mine Waste Rock Usage for Road Construction Program Update
Request WALGA to advocate to State Government to amend the legislation regarding royalty payments to exclude Local Governments from having to pay royalties when sourcing mine waste material for local road construction, as the best alternative going forward.

GOLDFIELDS ESPERANCE COUNTRY ZONE (Policy Portfolio)
Reportable Conduct Scheme
That the GVROC Chair and Executive Officer advocate to review the existing WALGA Policy Position on this matter and for WALGA to establish a more detailed regional policy position on this matter for regional Local Governments.

GOLDFIELDS ESPERANCE COUNTRY ZONE (Policy Portfolio)
State Planning Policy 3.7 Bushfire (SPP 3.7) and Planning for Bushfire Guidelines (the Guidelines)
1. Note the Department of Planning, Lands and Heritage 2024 Update of the Bushfire Planning - SPP 3.7, Guidelines and Explanatory Note.
2. Support the Shire of Dundas CEO's concerns with the impacts and challenges with compliance with SPP 3.7 for regional and remote communities.
3. If supported above in Recommendation 2:
    a. Request that the GVROC Chair write to the Minister for Planning and Director General of DPLH advising of its concerns.
    b. Request WALGA raise these concerns at the next State Council meeting for consideration and support, with a request that WALGA advocate to the State Government to make changes to address these concerns and assist affected communities.

GREAT EASTERN COUNTRY ZONE (Infrastructure Portfolio)
WA Telstra Automatic Transfer Unit Pilot Deployment Program
That the Great Eastern Country Zone requests WALGA organise a roundtable with WALGA, Telstra, Department of Fire and Emergency Services and Department of Primary Industries and Regional Development to discuss the drafting of Community Support Agents Agreement for the implementation of the WA Telstra Automatic Transfer Unit Pilot Deployment Program.

GREAT SOUTHERN COUNTRY ZONE (Member Services Portfolio)
WALGA Annual Awards Ceremony
That the Great Southern Country Zone of WALGA formally request that WALGA include the presentation ceremony for the annual awards program as part of the annual convention each year, not a separate stand-alone event. Rationale for this requested change being:
a) A reduction in the perceived importance of the Awards;
b) Additional costs incurred through attending two events in the metropolitan area; and
c) A reduction in the number of attendees.

PEEL COUNTRY ZONE (Infrastructure Portfolio)
Sewer Infill Program Demand Assessment & Advocacy Position
That the Peel Country Zone requests WALGA to undertake an assessment of the extent of the sewer infill gaps in Western Australian towns and cities and develop an advocacy position supporting a new State Government sewer infill program to assist with subdivision, housing, health and environmental values.

13 DATE OF NEXT MEETING

The next ordinary meeting of the WALGA State Council will be a Regional meeting held within the City of Swan on Wednesday, 7 May.

14 CLOSURE

There being no further business the Chair declared the meeting closed at 4:55pm.

STATUS REPORT ON STATE COUNCIL RESOLUTIONS

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
6 December Item 8.1 2024 Annual General Meeting Resolutions	That: 1. the item 7.1 Amendments to *Cat Act 2011* - Allow Local Governments to Make Local Laws to Contain Cats to the Owner's Property be endorsed. ... 3. the following resolutions from the 2024 WALGA Annual General Meeting be referred to the Governance Policy Team for further work to be undertaken: 7.2 Advocacy for Legislative Reforms to Counter Land-Banking 7.3 Advocacy for Expansion of Differential Rating to Include Long Term Unoccupied Commercial Buildings (Property Activation Levy). RESOLUTION 089.5/2024	Advocacy Positions Manual updated. Correspondence has been sent to the minister for Local Government requesting the CAT Act be reviewed to provide Local Governments with the ability to contain cats on an owner's property. In addition, work has commenced on developing a template Cat Local Law to assist Local Government to make local laws to the extent of the current local law-making powers. Work on items 7.2 and 7.3 is being carried out and an update will be provided for the next meeting.		Tony Brown Executive Director Member Services
6 December Item 8.1 2024 Annual General Meeting Resolutions	That: ... 2. the following resolutions from the 2024 WALGA Annual General Meeting be referred to the Environment Policy Team for further work to be undertaken: 7.2 Advocacy for Legislative Reforms to Counter Land-Banking 7.4 Action on Asbestos for Western Australia 7.6 Advocacy for Accessibility. ... 4. the following resolution from the 2024 WALGA Annual General Meeting be referred to the People	Will be considered at upcoming meetings of the Environment Policy Team.		Nicole Matthews Executive Manager Policy

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
	and Place Policy Team for further work to be undertaken: 7.5 Addressing the Impracticality of Local Governments Funding Department of Communities and GROH Houses. RESOLUTION 089.5/2024			
6 December Item 8.2 Local Government Elections Advocacy Positions	That item 1 be deferred, and the Secretariat further investigate implications of compulsory and voluntary participation in Local Government elections and report back to State Council. RESOLUTION 090.5/2024 That WALGA adopt the following Elections Advocacy Positions: *The Local Government sector supports:* 1. *Councillors serve four-year terms with elections every two years and half of the Council positions spilled at each election.* 2. *First-Past-The-Post (FPTP) voting system for Local Government elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections.* 3. *First-Past-The-Post (FPTP) voting system for internal Council elections.* 4. *Councils holding elections by means of in-person, postal and/or electronic voting.* 5. *Current legislative provisions of Mayor/President of Class 1 and Class 2 Local Governments being directly elected by the community and Class 3 and Class 4 Local Governments determining whether*	Advocacy Positions Manual updated. Preparation of a report on implications of compulsory and voluntary participation in Local Government elections in progress. Letter written to Minister for Local Government advising on the five advocacy positions endorsed.		Tony Brown Executive Director Member Services

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
	its Mayor or President is elected by the Council or by the community. RESOLUTION 091.5/2024			
6 December Item 8.3 Aboriginal Communities Advocacy Positions	That State Council: 1. Replace Advocacy Position 3.1.2 Reconciliation with the following: *WALGA:* *1. Acknowledges the continuing connection of Aboriginal people to Country, culture and community and embraces the vast Aboriginal cultural diversity throughout Western Australia.* *2. Supports the efforts of Local Governments to progress reconciliation at the local level.* 2. Remove Advocacy Position 3.1.3 Constitutional Recognition of Aboriginal and Torres Strait Islander People. 3. Replace Advocacy Position 3.1.4 *Aboriginal Cultural Heritage Act 2021* and South West Native Title Settlement with the following: *3.1.4 Aboriginal Heritage Protection* *1. WALGA supports the recognition, protection, conservation and preservation of Aboriginal cultural heritage and recognises the fundamental importance of Aboriginal cultural heritage to Aboriginal people and the State.* *2. The State Government must:* *a. Ensure that legislative requirements balance the need to protect Aboriginal heritage with*	Advocacy Positions Manual updated.	January 2025	Nicole Matthews Executive Manager Policy

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
	the need for Local Government to undertake activities in a timely and affordable manner. *b. Provide adequate resourcing to ensure all parties have the capacity, capability and resources to discharge their statutory obligations.* *c. Provide support and guidance to Local Governments to ensure that they have the resources, capacity and capability to effectively and efficiently deliver essential services to community while protecting Aboriginal heritage.* RESOLUTION 092.5/2024			
6 December Item 8.4 Family and Domestic Violence Advocacy Position	That State Council replace Advocacy Position 3.10.1 Family and Domestic Violence with the following: *3.10.1 Family and Domestic Violence* *1. Family and domestic violence is unacceptable and has devastating and long-term impacts on individuals, families and communities.* *2. Preventing family and domestic violence requires commitment from all levels of government, different sectors, and members of the community.* *3. WALGA calls on the State and Australian governments to provide adequate funding and support for family and domestic violence programs and services, in particular:* *a. Funding for collaborative and connected family and domestic violence programs and services that are place-based and people-centred; and* *b. Better integration of family and domestic violence initiatives, including capacity building*	Advocacy Positions Manual updated.	January 2025	Nicole Matthews Executive Manager Policy

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
	across all tiers of government and community services. RESOLUTION 093.5/2024			
6 December Item 8.5 Container Deposit System Policy Statement and Advocacy Position	That State Council replace the existing Container Deposit Systems Policy Statement and Advocacy Position 7.6 Container Deposit Systems with the following: *7.6 Container Deposit Systems* 1. *Local Government supports the WA Containers for Change Scheme and acknowledges its contribution to reducing litter, increasing material recovery and providing employment opportunities across the state.* 2. *To maximise the benefits of the WA Scheme, Local Government calls on the State Government to:* a. *Maintain a resource recovery target of 85% for eligible containers and a focus on litter reduction.* b. *Expand the range of containers accepted in the Scheme, by:* i. *2026: to include wine bottles, spirit bottles and larger sizes of currently eligible containers,* ii. *2030: to include plain milk and milk alternative containers and composite container types, and* iii. *2035: other container types.* c. *Ensure national alignment of the materials covered by the Scheme and consistent messaging.* d. *Maintain a State-based and managed Scheme.*	Advocacy Positions Manual updated.	January 2025	Nicole Matthews Executive Manager Policy

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
	e. Review the deposit amount to appropriately incentivise community engagement. *f. Increase the number of refund and donation points to ensure community access, including in public places and at events.* *g. Ensure refund points are financially sustainable.* *h. Leverage the refund point collection network to provide drop off points for other materials covered by effective product stewardship schemes.* RESOLUTION 094.5/2024			
6 December Item 8.6 Bus Stop Infrastructure Agreement	That State Council: 1. Provides in principle support for the proposed Bus Stop Infrastructure Partnership Agreement between WALGA and the Public Transport Authority 2024/25 to 2028/29. 2. Request the WALGA Secretariat negotiate with the Public Transport Authority seeking: a. Deletion of the word "typically" from Clauses 6.2, 8.1 (ii) and 8.6 (i) b. Indexation of funding provided under the Bus Shelter Subsidy Program (BSSP) and Bus Shelter Maintenance Assistance Scheme (BSMAS) during or at the end of the Agreement 3. Authorise the WALGA President to sign the Bus Stop Infrastructure Partnership Agreement, on the completion of best endeavours to negotiate with the Public Transport Authority. 4. Refer the request for WALGA develop an advocacy position that Commonwealth Disability Standards have a provision for minimum standards of public transport shelter to the Infrastructure Policy Team.	Negotiations with the PTA to amend the draft Agreement to incorporate the matters identified are on-going.		Ian Duncan Executive Manager Infrastructure

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
	RESOLUTION 095.5/2024			
6 December Item 8.7 2025 Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected Members	That State Council endorse the submission to the 2025 Salaries and Allowances Tribunal Remuneration Inquiry for Local Government Chief Executive Officers and Elected Members. RESOLUTION 096.5/2024	Submission lodged with the Salaries and Allowances Tribunal on 16 December 2024. Advocacy Positions Manual updated.	January 2025	Tony Brown Executive Director Member Services
6 December Item 8.8 Submission on the Draft State Hazard Plan - Fire	That State Council endorse the Submission on the State Hazard Plan – Fire with wording amendments to Recommendations 2 and 3 as follows: 2. *Provide a single, streamlined process for Local Governments to recoup costs for bushfire incidents and adequate funding for all aspects of bushfire emergency management responsibilities the State has delegated to Local Governments across, prevention, preparedness, response, and recovery.* 3. *Provide additional resources, support, and educational materials for Local Governments to engage their communities in bushfire risk reduction, preparedness, and resilience building through the Mitigation Activity Fund Grant Program and/or other mechanisms.* RESOLUTION 097.5/2024	WALGA submission lodged on 9 December 2024.	December 2024	Nicole Matthews Executive Manager Policy
6 December Item 8.9 WALGA Strategic Plan 2025-2029	That WALGA's Strategic Plan 2025-2029 be endorsed. RESOLUTION 098.5/2024	A copy of WALGA's Strategic Plan 2025-2029 has been distributed to all Local Government Members and	January 2025	Tony Brown Executive Director

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
		is available to view on the WALGA website.		Member Services
6 December Item 8.10 Submission on the Final Report of the Independent Review of Commonwealth Disaster Funding (Colvin Review)	That State Council endorse the submission on the Final Report of the Independent Review of Commonwealth Disaster Funding (the Colvin Review). RESOLUTION 099.5/2024	WALGA submission lodged on 9 December 2024.	December 2024	Nicole Matthews Executive Manager Policy
6 December Item 8.11 LGIS Board Appointments – CONFIDENTIAL	That: 1. President Christopher Antonio be appointed to the LGIS Board as Non-Metropolitan Elected Member; 2. Mr John Pearson be reappointed to the LGIS Board as Metropolitan Officer; and 3. Mr Peter Forbes term as Independent Director ~~and Chair~~ of the LGIS Board be extended for an additional 12 months. RESOLUTION 100.5/2024	LGIS notified of Board appointments.	December 2024	Tony Brown Executive Director Member Services
6 December 2024 Item 8.12 Appointment to State Council Policy Team	That State Council appoint Cr Haeden Miles, the State Council representative from the East Metropolitan Zone to the People and Place Policy Team. RESOLUTION 101.5/2024	Noted	December 2024	Tony Brown Executive Director Member Services
6 December 2024 Item 8.13 Finance and Services Committee	That State Council: 1. endorse the Minutes of the Finance and Services Committee meeting held on 20 November 2024; and 2. endorse the revised Budget 2024-25. RESOLUTION 102.5/2024	• Revised Budget: endorsed. • Subscription Model Review: Engagement with Members most affected commenced.	December 2024	Tony Brown Executive Director Member Services

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
Minutes – 20 November 2024		• WALGA Sustainable Energy Project Phase Two: Further contract term being finalised. • Council Connect Transition: Transition to Preferred Panel Supplier program being implemented.		
6 December 2024 Item 8.14 Local Government House Trust Board of Management Minutes –20 November 2024	That State Council note the Minutes of the Local Government House Trust Board of Management meeting held on 20 November 2024. RESOLUTION 103.5/2024	Noted.	December 2024	Tony Brown Executive Director Member Services
6 December 2024 Item 8.15 Selection Committee Minutes – 13 November 2024	That State Council: 1. note the resolutions contained in the 13 November 2024 Selection Committee Minutes; and 2. endorse the recommendations contained in the 13 November 2024 Selection Committee Minutes. RESOLUTION 104.5/2024	Selection Committee items have been actioned.	December 2024	Tony Brown Executive Director Member Services
6 December 2024 Item 8.16 LGIS Board Minutes – 23 August and 25 October 2024 – CONFIDENTIAL	That State Council note the Minutes of the LGIS Board meetings held on 23 August 2024 and 25 October 2024. RESOLUTION 105.5/2024	Noted.	December 2024	Tony Brown Executive Director Member Services

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
6 December 2024 Item 9.3 Governance Policy Team Report	That State Council: 1. Note the report from the Governance Policy Team for the 6 December 2024 meeting. 2. Determine to: a. retain the following Advocacy Positions with amendment: i. Advocacy Position 2.8.1 Industry Award Coverage ii. Advocacy Position 2.8.3 Registration of WALGA as an Employer Organisation b. retire Advocacy Position 2.8.2 Local Government Long Service Leave Regulations. RESOLUTION 106.5/2024	Advocacy Positions Manual updated.	January 2025	Tony Brown Executive Director Member Services
13 November 2024 **Flying Minute** Submission on the Productivity Commission Circular Economy Inquiry	That State Council endorse WALGA's Submission on the Productivity Commission Inquiry - Opportunities in the Circular Economy. RESOLUTION 247.FM/2024	WALGA submission lodged on 15 November 2024. Included in March State Council Agenda as an item for noting (item 10.7	November 2024	Nicole Matthews Executive Manager Policy
6 December 2023 Item 7.1 2023 Annual General Meeting Resolutions	That the following resolutions from the 2023 WALGA Annual General Meeting be referred to the appropriate Policy Team for further work to be undertaken. 5.4 Regional and Remote Housing *That WALGA advocates to the WA State and Commonwealth Governments to address the dire shortage of affordable key worker family housing options in regional and remote towns to encourage families to live and work in regional*	WALGA's advocacy on the provision of Government funded housing programs focuses on the need for enabling infrastructure, adequate supply responsive to community, including increased funding in failing markets. This enables WALGA to provide a strategic position and advocate for statewide outcomes while retaining the flexibility for Local Governments to support and invest in programs.	January 2024	Nicole Matthews Executive Manager Policy

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
	and remote towns. Social housing is addressed at both the State and Federal levels. RESOLUTION 501.5/2023			
1 March 2023 Item 7.4 Submission on Draft Guideline Minimising Noise Impact from Outdoor Community Basketball Facilities	That WALGA: 1. Note that the Environment Minister has withdrawn the Draft Guideline: Minimising noise impact from outdoor community basketball. 2. Write to the Ministers for Environment, Local Government, Sport and Planning requesting the formation of a cross Government working group, including relevant representative bodies, to consider and develop solutions to balance urban density and infill, public recreation and noise management. RESOLUTION 422.1/2023	Letter sent to the Minister's office on 29 July 2024 with a follow up conducted. No response received.	January 2025	Nicole Matthews Executive Manager Policy
7 December 2022 Item 5.1 2022 Annual General Meeting Resolutions	The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken: ... 3.1 Road Traffic Issues *That WALGA advocate on behalf of the Local Government sector to the State Government and in particular, Main Roads, to increase importance and weight given to local knowledge and input regarding road traffic issues including requests for speed reduction, intersection treatments and overall preventative and traffic safety measures.* RESOLUTION 394.8/2022	The Infrastructure Policy Team resolved: *That efforts to increase the importance given to Local Government knowledge regarding traffic issues be deferred for consideration in mid-2023 after a clear Local Government advocacy position on speed management is developed and endorsed.* This matter is central to the new Speed Management Policy adopted by State Council in May 2023. Implementation strategy being considered.	Complete	Ian Duncan Executive Manager Infrastructure
7 December 2022 Item 5.1	The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken:	The Infrastructure Policy Team resolved:	Complete	Ian Duncan

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
2022 Annual General Meeting Resolutions	... 3.2 Car Parking and Traffic Congestion Around Schools *That WALGA engages with the State Government on behalf of Local Government to review issues associated with car parking and traffic congestion around school sites including but not limited to:* *1. Reviewing car parking standards for schools;* *2. Ensuring sufficient land is set aside for the provision of parking on school sites;* *3. Reviewing the co-location of schools to avoid issues being exacerbated;* *4. Restricting school access from major roads;* *5. Developing plans to enable schools to manage school traffic;* *6. Develop programs to educate drivers; and* *7. Develop options and implement initiatives to encourage alternative modes of transport to school.* RESOLUTION 394.8/2022	*That WALGA uses its role at the Safe Active Travel to School Working Group to advocate for these outcomes and provide advice back to the Local Government sector.*		Executive Manager Infrastructure
7 December 2022 Item 5.1 2022 Annual General Meeting Resolutions	The following resolutions from the 2022 WALGA Annual General Meeting be referred to the relevant Policy Team for further work to be undertaken: 3.3 Proposal for Regional Road Maintenance Contracts with Main Roads WA *That WALGA assist Local Governments and work with the Hon Minister Rita Saffioti to introduce a similar program that is currently in play in Queensland and introduce a sole invitee Program for Local Governments to engage in a Road Maintenance Performance Contract with Main Roads WA.* RESOLUTION 394.8/2022	The Infrastructure Policy Team resolved: *That the opportunities and interest in contracting Local Governments to undertake maintenance and minor works on the State road network be explored in discussion with Main Roads WA.*	Complete	Ian Duncan Executive Manager Infrastructure

MEETING	RESOLUTION	COMMENT	COMPLETION DATE	OFFICER RESPONSIBLE
1 December 2021 Item 5.3 2021 Annual General Meeting	That the following resolutions from the 2021 WALGA Annual General Meeting be endorsed for action: Cost of Regional Development *That WALGA makes urgent representation to the State Government to address the high cost of development in regional areas for both residential and industrial land, including the prohibitive cost of utilities headworks, which has led to market failure in many regional towns.* ... RESOLUTION 294.7/2021	Advocacy Positions Manual updated. WALGA continues to advocate for policy changes and government investments to address the high cost of development in regional areas for both residential and industrial land in regional WA. The 2025 State Election Priorities identifies measures required to address the high cost of development in regional areas. WA Labor has committed to a $25 million Regional Housing Support Fund to provide grants to unlock and expedite housing across regional WA. WA Liberals has committed to a $100 million regional housing infrastructure program and a $300 million investment in enabling infrastructure such as sewerage, roads and water. WA Nationals have committed to a $1 billion over 10 years Regional Headworks Fund.	Complete	Ian Duncan Executive Manager Infrastructure

Events

Shire of Donnybrook Balingup Council Policy COMD/CP-6

Strategic Outcome's Supported:	2 – A safe and health community 10 – A popular destination for visitors and tourists

OBJECTIVE

1. To support and encourage events in the Shire that benefit the community and meet the relevant objectives outlined in the Shire's Strategic Community Plan 2032, while ensuring events comply with relevant legislative requirements for public safety, health and amenity.

SCOPE

2. This policy applies to all public events held within the Shire including those on private land that require an event application and determination.
3. The following events fall outside of the policy and therefore do not require an event application:
    a. Social gatherings being small groups (generally less than 75 people over the age of 16 years).
    b. Events held in or at a building or venue that is approved for the purpose of events (i.e. with Shire development and health approval) and the event itself is within the approval limitations.
    c. Events held on crown land, where the event is run by or on behalf of the Local, State or Federal Government.
    d. Seasonal use of sports fields or reserves by schools and registered sporting clubs for club related activities.
    e. Minor fundraising activities by community groups (e.g. sausage sizzles - approval required for provision of food).
    f. Political events or protests (note that these activities require application and approval from WA Police in accordance with the *Public Meetings and Processions Act 1984*).
    g. Activities for which a Stallholder's Permit, Trader's Permit, or Permit to Perform has been issued under a Shire Local Law.
    h. A major event as defined under the *Major Events Act 2023.*
4. Events that meet the following criteria are considered temporary works and use, and do not need Development Approval under the Shire's Local Planning Scheme, but must still follow this policy:
    a. The use of land which is approved through an events approval process;
    b. The activity does not involve alterations to the land or construction of permanent structure(s);
    c. Each event is in existence for less than 96 hours (four days);

d. Does not require a greater period than 10 days setup and breakdown of event infrastructure; and

e. The cumulative total number of events at the property does not exceed more than 5 events in any 12-month period.

DEFINITIONS

5. **Council determined events** means an application for an event that includes or requires:

   a. An Application for Approval of a Non-complying Event under the *Environmental Protection (Noise) Regulations 1997* (i.e. a Regulation 18 application)

   b. Multi-day events of three (3) days or more.

   c. Events involving more than one stage.

6. **Department of Health Guidelines** means the *Guidelines for Concerts, Events and Organised Gatherings 2022* (as amended).

7. **District** means anywhere within the Shire of Donnybrook Balingup.

8. **Event** means a gathering of people brought together for a common purpose by some prearrangement.

9. **Event booking** means a request to hire Shire managed parks, reserves and facilities.

10. **Event application** means a written request, with supporting documentation, to conduct an event within the Shire, usually by completing a relevant application form.

11. **Event approval** means a written determination, with or without conditions, providing the authorisation to conduct an event within the Shire.

12. **Major Event** means an event defined under the *Major Events Act 2023*, usually a large event of State, National or International significance that is required to be considered by the Minister for Tourism.

13. **Relevant legislative requirements** means as per the Legislation section of this policy

14. **Shire authorised officer** means an employee of the Shire of Donnybrook Balingup with relevant delegations and/or duties specific to their role.

15. **Signature event** includes:

   a. Balingup Medieval Carnivale

   b. Balingup Small Farm Field Day

   c. Donnybrook Apple Festival

POLICY STATEMENTS

16. Assessment of Event Venue

Event bookings may be made on Shire managed parks, reserves and facilities. These venues are reviewed regularly, with bookings potentially impacted by prescheduled works, seasonal restrictions or lease arrangements based on the specific venue. Where an event is proposed to take place on a private venue, written permission is required to be provided by the registered landowner before the Shire can determine the application.

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

Applications will be considered on a 'first-come, first-served' basis. Should a situation occur where two (2) or more event applications are received at the same time, the Shire will prioritise an application for a major event or signature event (where applicable).

17. Assessment of Events

All events delivered within the district will require approval from the Shire through an event application.

Assessments will be based on the following criteria:

a. The suitability and purpose of the event activity;

b. The suitability and experience of the event organiser;

c. The accessibility and suitability of the event's location and duration;

d. The amenity of the event and likely impacts on surrounding residents;

e. Bushfire prone nature of the venue as well as the bushfire prone nature of land in the immediate locality; and

f. Consideration of the social, environmental, economic, safety and reputational risks and benefits.

Impacts will be assessed based on:

a. Number of attendees at any one time;

b. Number and type of trading activities and temporary facilities;

c. Alcohol availability;

d. Potential noise impact;

e. Risks associated with the time of year the event is being held; and;

f. Impact on the use of the roads.

An event approval may be cancelled by a Shire authorised officer due to extreme weather conditions or under the direction of the Executive Director of Public Health, WA Police or Department of Fire and Emergency Services.

18. Timeframe for Assessment

Event applications and event bookings should be made at least sixteen (16) weeks prior to the proposed event date where it is to be Council determined. In all other instances event applications and event bookings should be made at least eight (8) weeks prior to the proposed event date.

19. Event Guidelines

Event organisers are required to comply with all legal requirements as outlined in the Department of Health Guidelines and any associated guidelines specified by the Shire.

20. Approval

Approval will include but is not limited to a written letter and/or maximum accommodation certificate under the *Health (Public Building) Regulations 1992.* Events that do not receive all relevant approvals or do not comply with the relevant conditions of approval are not to proceed. It is an offence to operate an event without a valid licence, permit or approval. Events that proceed without a formal approval or events that do not comply with the conditions of approval may result in further formal compliance action.

Applications and approvals for an event are not transferrable.

21. Roles and Responsibilities

a. The Shire

The Shire will play various roles in the event process, which may include facilitator, promotor, funder, regulator and strategic partner. While the Shire recognises that a whole of organisation approach in supporting the delivery of events is required, Shire authorised officers have specific roles and responsibilities within the assessment process.

The Shire will provide advice and information to organisers during the event's planning stage to assist in delivering the best practice planning and management of events.

The Shire may consult with local community groups, key authorities and other agencies including but not limited to the Department of Health, WA Police and Main Roads WA.

The Shire may provide financial support to Event Organisers through event sponsorship, grant or in-kind support subject to Council's Community Grants and Donations Policy.

Shire authorised officers may attend the event to carry out assessments to check for compliance with the requirements and conditions of approval without any notification.

b. Event Organiser

It is the responsibility of the event organiser to seek and obtain all approvals relating to the event prior to any form of promotional activity and advertising (including but not limited to listing the event on a public platform or forum).

Where the event will cause or is considered likely to cause an impact on adjoining businesses or residents, the event organiser is required to provide community engagement and/or notification in the format advised by the Shire.

The event organiser or an approved representative must be in attendance during the event.

The event organiser is responsible for all stallholders and traders attending or assisting in the event. The event organiser is required to maintain a list of stallholders and traders and copies of public liability insurance certificate of currencies. The Shire will communicate with the event organiser to manage any requirements necessary relating to stallholder and traders.

Food stallholders and traders permit applications will be assessed separately and incorporated into event conditions.

22. Commitments

a. Safety

The health and safety of all people attending events is a priority.

All health and safety issues are to be satisfactorily addressed prior to final approval and commencement of the event.

A Shire authorised officer is permitted to close events or areas within an event that are considered unsafe.

b. Inclusion

The Shire is committed to treat all people equitably with respect and dignity, regardless of gender, sexual orientation, ability, language, ethnicity, religious belief, cultural background, age, education, socioeconomic background or any other dimension of diversity not listed. The Shire encourages all events to be accessible and inclusive for everyone.

c. Smoke free events

Smoking or vaping is not permitted at events organised by the Shire and all events conducted on Shire managed parks, reserves and facilities.

d. Sustainability

The Shire encourages all events to progress towards best practice waste management.

23. **Fees and charges**

The Shire will impose fees and charges for all events in accordance with the annual fees and charges and statutory fees as adopted or varied by Council unless exempted through Council's Community Grants and Donations Policy.

Refunds will not be provided on the event application and permit fees if the event does not go ahead, or the application is refused.

Event organisers are required to reimburse the Shire for the cost of any restoration or repairs which are required as a result of the event and/or its associated activities.

24. **Reporting**

Information associated with event applications will be communicated to Council and the Local Emergency Management Committee, as determined by the CEO.

DELEGATION AND AUTHORISATION

25. For all events other than Council Determined Events:

a. Delegation 1.3.1 Appoint Authorised Persons

b. Delegation 2.1.4 Designate Employees as Authorised Persons

LEGISLATION

Including, but not limited to:

- *Health (Miscellaneous Provisions) Act 1911*
- *Public Health Act 2016*
- *Health (Public Buildings) Regulations 1992*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Major Events Act 2023*
- *Caravan Parks and Camping Grounds Regulations 1997*
- *Environmental Protection (Noise) Regulations 1997*
- *Food Act 2008*
- *Bush Fires Act 1954*
- *Local Government Act 1995*
- *Environmental Protection Act 1986*

GOVERNANCE

Related Policy(s):

– COMD/CP-1 Community Grants and Donations

Related Procedure(s):

Nil.

Revision Requirements and Version Control:

Responsible Department(s):	Development Services (Community Development)			
Review to be conducted by:	Manager Development Services			
Revision Frequency:	☐ Annual (1yr)	☒ Biennial (2yr)	☐ Triennial (3yr)	
Current Version Date:	10/03/2025		**Next Due:**	03/2026

Policy Version Details and Information:

#:	Synopsis:	Date:	Ref.:	Synergy:
1	Initial adoption of Policy	DD/MM/YYYY	### ###	Record #

Events

Shire of Donnybrook Balingup Council Policy COMD/CP-6

Strategic Outcome's Supported:	2 – A safe and health community 10 – A popular destination for visitors and tourists

OBJECTIVE

1. To support and encourage events in the Shire that benefit the community and meet the relevant objectives outlined in the Shire's Strategic Community Plan 2032, while ensuring events comply with relevant legislative requirements for public safety, health and amenity.

SCOPE

2. This policy applies to all public events held within the Shire including those on private land that require an event application and determination.
3. The following events fall outside of the policy and therefore do not require an event application:
    a. Social gatherings being small groups (generally less than 75 people over the age of 16 years).
    b. Events held in or at a building or venue that is approved for the purpose of events (i.e. with Shire development and health approval) and the event itself is within the approval limitations.
    c. Events held on crown land, where the event is run by or on behalf of the Local, State or Federal Government.
    d. Seasonal use of sports fields or reserves by schools and registered sporting clubs for club related activities.
    e. Minor fundraising activities by community groups (e.g. sausage sizzles - approval required for provision of food).
    f. Political events or protests (note that these activities require application and approval from WA Police in accordance with the *Public Meetings and Processions Act 1984*).
    g. Activities for which a Stallholder's Permit, Trader's Permit, or Permit to Perform has been issued under a Shire Local Law.
    h. A major event as defined under the *Major Events Act 2023.*
4. Events that meet the following criteria are considered temporary works and use, and do not need Development Approval under the Shire's Local Planning Scheme, but must still follow this policy:
    a. The use of land which is approved through an events approval process;
    b. The activity does not involve alterations to the land or construction of permanent structure(s);
    c. Each event is in existence for less than 96 hours (four days);

DRAFT

d. Does not require a greater period than 10 days setup and breakdown of event infrastructure; and

e. The cumulative total number of events at the property does not exceed more than 5 events in any 12-month period.

DEFINITIONS

5. **Council determined events** means an application for an event that includes or requires:

   a. An Application for Approval of a Non-complying Event under the *Environmental Protection (Noise) Regulations 1997* (i.e. a Regulation 18 application)

   b. Multi-day events of three (3) days or more.

   c. Events involving more than one stage.

6. **Department of Health Guidelines** means the *Guidelines for Concerts, Events and Organised Gatherings 2022* (as amended).

7. **District** means anywhere within the Shire of Donnybrook Balingup.

8. **Event** means a gathering of people brought together for a common purpose by some prearrangement.

9. **Event booking** means a request to hire Shire managed parks, reserves and facilities.

10. **Event application** means a written request, with supporting documentation, to conduct an event within the Shire, usually by completing a relevant application form.

11. **Event approval** means a written determination, with or without conditions, providing the authorisation to conduct an event within the Shire.

12. **Major Event** means an event defined under the *Major Events Act 2023*, usually a large event of State, National or International significance that is required to be considered by the Minister for Tourism.

13. **Relevant legislative requirements** means as per the Legislation section of this policy

14. **Shire authorised officer** means an employee of the Shire of Donnybrook Balingup with relevant delegations and/or duties specific to their role.

15. **Signature event** includes:

   a. Balingup Medieval Carnivale

   b. Balingup Small Farm Field Day

   c. Donnybrook Apple Festival

POLICY STATEMENTS

16. Assessment of Event Venue

Event bookings may be made on Shire managed parks, reserves and facilities. These venues are reviewed regularly, with bookings potentially impacted by prescheduled works, seasonal restrictions or lease arrangements based on the specific venue. Where an event is proposed

DRAFT

to take place on a private venue, written permission is required to be provided by the registered landowner before the Shire can determine the application.

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

Applications will be considered on a 'first-come, first-served' basis. Should a situation occur where two (2) or more event applications are received at the same time, the Shire will prioritise an application for a major event or signature event (where applicable).

17. Assessment of Events

All events delivered within the district will require approval from the Shire through an event application.

Assessments will be based on the following criteria:

a. The suitability and purpose of the event activity;
b. The suitability and experience of the event organiser;
c. The accessibility and suitability of the event's location and duration;
d. The amenity of the event and likely impacts on surrounding residents;
e. Bushfire prone nature of the venue as well as the bushfire prone nature of land in the immediate locality; and
f. Consideration of the social, environmental, economic, safety and reputational risks and benefits.

Impacts will be assessed based on:

a. Number of attendees at any one time;
b. Number and type of trading activities and temporary facilities;
c. Alcohol availability;
d. Potential noise impact;
e. Risks associated with the time of year the event is being held; and;
f. Impact on the use of the roads.

An event approval may be cancelled by a Shire authorised officer due to extreme weather conditions or under the direction of the Executive Director of Public Health, WA Police or Department of Fire and Emergency Services.

18. Timeframe for Assessment

Event applications and event bookings should be made at least sixteen (16) weeks prior to the proposed event date where it is to be Council determined. In all other instances event applications and event bookings should be made at least eight (8) weeks prior to the proposed event date.

DRAFT

19. Event Guidelines

Event organisers are required to comply with all legal requirements as outlined in the Department of Health Guidelines and any associated guidelines specified by the Shire.

20. Approval

Approval will include but is not limited to a written letter and/or maximum accommodation certificate under the *Health (Public Building) Regulations 1992.* Events that do not receive all relevant approvals or do not comply with the relevant conditions of approval are not to proceed. It is an offence to operate an event without a valid licence, permit or approval. Events that proceed without a formal approval or events that do not comply with the conditions of approval may result in further formal compliance action.

Applications and approvals for an event are not transferrable.

21. Roles and Responsibilities

a. The Shire

The Shire will play various roles in the event process, which may include facilitator, promotor, funder, regulator and strategic partner. While the Shire recognises that a whole of organisation approach in supporting the delivery of events is required, Shire authorised officers have specific roles and responsibilities within the assessment process.

The Shire will provide advice and information to organisers during the event's planning stage to assist in delivering the best practice planning and management of events.

The Shire may consult with local community groups, key authorities and other agencies including but not limited to the Department of Health, WA Police and Main Roads WA.

The Shire may provide financial support to Event Organisers through event sponsorship, grant or in-kind support subject to Council's Community Grants and Donations Policy.

Shire authorised officers may attend the event to carry out assessments to check for compliance with the requirements and conditions of approval without any notification.

DRAFT

b. Event Organiser

It is the responsibility of the event organiser to seek and obtain all approvals relating to the event prior to any form of promotional activity and advertising (including but not limited to listing the event on a public platform or forum).

Where the event will cause or is considered likely to cause an impact on adjoining businesses or residents, the event organiser is required to provide community engagement and/or notification in the format advised by the Shire.

The event organiser or an approved representative must be in attendance during the event.

The event organiser is responsible for all stallholders and traders attending or assisting in the event. The event organiser is required to maintain a list of stallholders and traders and copies of public liability insurance certificate of currencies. The Shire will communicate with the event organiser to manage any requirements necessary relating to stallholder and traders.

Food stallholders and traders permit applications will be assessed separately and incorporated into event conditions.

22. Commitments

a. Safety

The health and safety of all people attending events is a priority.

All health and safety issues are to be satisfactorily addressed prior to final approval and commencement of the event.

A Shire authorised officer is permitted to close events or areas within an event that are considered unsafe.

b. Inclusion

The Shire is committed to treat all people equitably with respect and dignity, regardless of gender, sexual orientation, ability, language, ethnicity, religious belief, cultural background, age, education, socioeconomic background or any other dimension of diversity not listed. The Shire encourages all events to be accessible and inclusive for everyone.

c. Smoke free events

Smoking or vaping is not permitted at events organised by the Shire and all events conducted on Shire managed parks, reserves and facilities.

d. Sustainability

The Shire encourages all events to progress towards best practice waste management.

DRAFT

23. **Fees and charges**

The Shire will impose fees and charges for all events in accordance with the annual fees and charges and statutory fees as adopted or varied by Council unless exempted through Council's Community Grants and Donations Policy.

Refunds will not be provided on the event application and permit fees if the event does not go ahead, or the application is refused.

Event organisers are required to reimburse the Shire for the cost of any restoration or repairs which are required as a result of the event and/or its associated activities.

24. **Reporting**

Information associated with event applications will be communicated to Council and the Local Emergency Management Committee, as determined by the CEO.

DELEGATION AND AUTHORISATION

25. For all events other than Council Determined Events:

a. Delegation 1.3.1 Appoint Authorised Persons

b. Delegation 2.1.4 Designate Employees as Authorised Persons

LEGISLATION

Including, but not limited to:

- *Health (Miscellaneous Provisions) Act 1911*
- *Public Health Act 2016*
- *Health (Public Buildings) Regulations 1992*
- *Planning and Development (Local Planning Schemes) Regulations 2015*
- *Major Events Act 2023*
- *Caravan Parks and Camping Grounds Regulations 1997*
- *Environmental Protection (Noise) Regulations 1997*
- *Food Act 2008*
- *Bush Fires Act 1954*
- *Local Government Act 1995*
- *Environmental Protection Act 1986*

GOVERNANCE

Related Policy(s):

– COMD/CP-1 Community Grants and Donations

DRAFT

Related Procedure(s):

Nil.

Revision Requirements and Version Control:

Responsible Department(s):	Development Services (Community Development)			
Review to be conducted by:	Manager Development Services			
Revision Frequency:	☐ Annual (1yr)	☒ Biennial (2yr)	☐ Triennial (3yr)	
Current Version Date:	10/03/2025		**Next Due:**	03/2026

Policy Version Details and Information:

#:	Synopsis:	Date:	Ref.:	Synergy:
1	Initial adoption of Policy	DD/MM/YYYY	### ###	Record #

DRAFT

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENTS FROM 1 FEBRUARY TO 28 FEBRUARY 2025

REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
CREDIT CARD				
DD28274.1	14/02/2025	BENDIGO		
		SENDGRID	DBK REC CTR - MONTHLY AUTOMATED EMAIL SERVICE LINKED TO ENVIBE - JAN 25	149.67
		DBK FAMILY BAKERY	ARGYLE FIRE - LUNCHES FOR FIREFIGHTERS	134.50
		META PLATFORMS	META PLATFORMS - DBK REC CTR - PROMOTIONAL POST - POOL PARTY & SKATING EVENT	103.00
		EMERG	ARGYLE BFB - EMERGENCY TURNOUT SUBSCRIPTION	496.00
		MAILCHIMP	MONTHLY MARKETING SUBSCRIPTION - JAN 25	42.59
		BENDIGO	BENDIGO CARD FEE - FEB 25	16.00
		IPWEA	IPWEA - PLANT & VEHICLE MANAGEMENT MANUAL EBOOK	990.00
		LIBERTY	DB15 - FUEL	118.35
		DBK FRESH IGA	ARGYLE FIRE - REFRESHMENTS FOR FIREFIGHTERS	375.79
		DBK FRESH IGA	ARGYLE FIRE - REFRESHMENTS FOR FIREFIGHTERS	69.30
		CALTEX	DB15 - FUEL	137.06
		DBK FAMILY BAKERY	ARGYLE FIRE - LUNCHES FOR FIREFIGHTERS	605.00
		DBK HOTEL	ARGYLE FIRE - EVENING MEALS FOR FIREFIGHTERS	2,912.00
		DEPT OF TRANS	DB18675 & DB606X - VEHICLE REGISTRATIONS	65.55
			TOTAL: CREDIT CARD PAYMENTS	**6,214.81**
EFT PAYMENTS				
EFT30258A	06/02/2025	SHIRE OF DONNYBROOK BALINGUP		
			PAYROLL FOR THE PERIOD ENDING 05.02.25	150,621.20
EFT30258B	06/02/2025	AUSTRALIAN TAX OFFICE		
			PAYG PE: 05.02.25	39,827.00
EFT30259	13/02/2025	AUSTRALIA POST - ACCOUNTS		
			SHIRE & LIBRARY POSTAGE - JAN 25	196.68
EFT30260	13/02/2025	AUSTRALIAN SERVICES UNION WESTERN AUSTRALIAN BRANCH		
			EMPLOYEE UNION DEDUCTIONS	106.00
EFT30261	13/02/2025	ARGYLE/IRISHTOWN BUSH FIRE BRIGADE		
			ARGYLE IRISHTOWN BFB - THANK A VOLUNTEER GRANT EXPENSES	943.33
EFT30262	13/02/2025	WINC AUSTRALIA PTY LTD - ACCOUNTS		
			DBK DEPOT - STATIONERY & PRINTER CARTRIDGES	1,195.50
EFT30263	13/02/2025	ALLENS TRAFFIC MANAGEMENT		
			FERGUSON RD - TRAFFIC MANAGEMENT FOR TREE PRUNING	1,509.20
			INS CLAIM - IRISHTOWN RD BRIDGE - TRAFFIC MANAGEMENT FOR IRISHTOWN RD CLOSURE & KELLY STREET	3,345.10
			JAYES RD - TRAFFIC MANAGEMENT FOR ROAD CONSTRUCTION	21,819.05
EFT30264	13/02/2025	AUSRECORD PTY LTD		
			RECORDS MANAGEMENT - YEAR LABELS	34.65
EFT30265	13/02/2025	A1 SIGN SHOP		
			VC MITCHELL - SIGNAGE & WAYFINDING FOR NEW PAVILIONS	176.00
EFT30266	13/02/2025	AFLEX TECHNOLOGY (NZ) LIMITED		
			DBK REC CTR - RINGO INFLATABLE FOR POOL PROGRAMS AND EVENTS	1,884.30
EFT30267	13/02/2025	BUNNINGS GROUP LIMITED		
			DBK REC CTR - POOL CHEMICALS	138.84
EFT30268	13/02/2025	BOC LIMITED		
			SUNDRY PLANT - FORKLIFT GAS BOTTLE	162.04
EFT30269	13/02/2025	BDA TREE LOPPING		
			TREE PRUNING - JAN 25	25,740.00
			P&R - STAFF & EQUIPMENT HIRE - REMOVING CHRISTMAS LIGHTS & DECORATIONS	1,980.00
EFT30270	13/02/2025	BALINGUP LIQUOR & GENERAL STORE		
			DB137, DB2522 - FERNDALE - DIESEL - JAN 25	434.05
			DB4390 - MULLALYUP BFB - DIESEL - JAN 25	147.70
			DB7377 - MUNRO BFB - DIESEL - JAN 25	80.07
			BALINGUP BFB - LPG GAS & GRAB BAG SUPPLIES - JAN 25	106.70
EFT30271	13/02/2025	BLUE FORCE PTY LTD		
			PRESTON VILLAGE - MONTHLY EMERGENCY HELP MONITORING - JAN 25	467.50
EFT30272	13/02/2025	BETTER TELCO SOLUTIONS PTY LTD - PHONE ACCOUNT		
			ADMIN - MONTHLY PHONE/SIP ACCOUNT - JAN 25	928.09
EFT30273	13/02/2025	BRIGHTMARK GROUP PTY LTD		
			PUBLIC TOILET, BBQ & OFFICE CLEANING - JAN 25	16,775.96
			VC MITCHELL PARK CLEANING - JAN 25	990.00
EFT30274	13/02/2025	DUG CROSS ELECTRICS		
			PRESTON - U3 - REMOVE OLD OVEN AND INSTALL NEW	330.00
			MINN COTTS - U7 - REPLACEMENT OF FAN MOTOR AND RECEIVER	360.00
			AYRES GARDEN PUBLIC TOILETS - INSTALL SHIRE SUPPLIED ELECTRIC HAND DRYER, DBK RAILWAY STATION - INVESTIGATE POWER OUTAGE, REINSTATE POWER SUPPLY AT METER BOX	810.00
EFT30275	13/02/2025	AUSTRALIAN GOVERNMENT - SERVICES AUSTRALIA - CHILD SUPPORT		
			PAYROLL DEDUCTION	350.80
EFT30276	13/02/2025	CLEANAWAY		
			FOOD ORGANIC AND GARDEN ORGANIC WASTE DISPOSAL TO LANDFILL - DEC 24	4,960.44
EFT30277	13/02/2025	CB TRAFFIC SOLUTIONS PTY LTD		
			JAYES ROAD ROADWORKS - SUPPLY ONE VARIABLE MESSAGE SIGN	1,001.00
EFT30278	13/02/2025	CS LEGAL		
			LEGAL EXPENSES - RATES DEBT RECOVERY	914.40
EFT30279	13/02/2025	DONNYBROOK HARDWARE & GARDEN		
			P&R - ELECTRICAL TAPE	14.40
			P&R - TUBS	27.95
			P&R - RETIC COMPONENTS	37.64
			DBK DEPOT - GRINDING WHEEL	72.25
			ADMIN - FISH PELLETS	15.90
			P&R - PONDMAX	47.20
			DBK REC CTR - HOSE SPRAYER HEAD, GLUE	32.25
			P&R - RAKES	92.85
			CITIZENSHIP CEREMONY - NATIVE PLANTS	67.50
EFT30280	13/02/2025	DONNYBROOK BUTCHERS		
			FIREFIGHTING SKILLS - CATERING	150.00
			AUSTRALIA DAY - FOOD	842.38

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENTS FROM 1 FEBRUARY TO 28 FEBRUARY 2025

REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
EFT30281	13/02/2025	DONNYBROOK FRUIT BARN PTY LTD		
			DB334 - ARGYLE BFB - DIESEL - JAN 25	150.60
			DB4042 - ARGYLE BFB - DIESEL - JAN 25	53.40
			DB2523 - BEELERUP BFB - DIESEL - JAN 25	134.73
			BEELERUP BFB - UNLEADED & DIESEL - JAN 25	94.94
			DB334 - ARGYLE BFB - DIESEL - JAN 25	66.73
			ARGYLE/IRISHTOWN BFB - UNLEADED & DIESEL - JAN 25	265.49
			DB4042 - ARGYLE BFB - DIESEL - JAN 25	63.42
			DB2523 - BEELERUP BFB - DIESEL - JAN 25	88.59
			BEELERUP BFB - UNLEADED & DIESEL - JAN 25	64.64
			ARGYLE/IRISHTOWN BFB - UNLEADED - JAN 25	3.91
			DB334 - ARGYLE BFB - DIESEL - JAN 25	91.63
			ARGYLE/IRISHTOWN BFB - DIESEL - JAN 25	114.59
			ARGYLE/IRISHTOWN BFB - UNLEADED & DIESEL - JAN 25	77.60
			DB377 - ARGYLE BFB - DIESEL - JAN 25	41.01
			DB2523 - BEELERUP BFB - DIESEL - JAN 25	72.74
			DB4042 - ARGYLE BFB - DIESEL - JAN 25	45.56
			DB2523 - BEELERUP BFB - DIESEL - JAN 25	89.58
EFT30282	13/02/2025	DONNYBROOK & DISTRICTS PLUMBING SERVICE		
			AYRES GARDEN PUBLIC TOILETS - UNBLOCK URINAL, REPLACE URINAL FILTERS	1,518.00
			APPLE FUN PARK - PUBLIC TOILETS UNBLOCK TOILET	143.00
			EGAN PARK - TRANSIT PARK UNBLOCK DUMP POINT	220.00
EFT30283	13/02/2025	DONNYBROOK BRIDGESTONE TYRE SERVICE		
			DB2523 - BEELERUP BFB - REPLACEMENT TYRES, EMERGENCY REPAIRS	875.60
EFT30284	13/02/2025	DONNYBROOK FARM SERVICE		
			DBK REC CTR - POOL CHEMICALS	415.80
			P&R - HUNTER SPRINKLER	138.60
			P&R - HUNTER SPRINKLER	132.00
			P&R - POLY PIPE, JOINER	61.82
			P&R - SHOVEL	59.40
			P&R - RETIC COMPONENTS	19.53
			P&R - HUNTER SPRINKLER	158.40
			P&R - RETIC COMPONENTS	79.63
			FORREST RD - FOOT VALVE	242.00
			APPLE FUN PARK - VAVLE BOX	69.00
			DBK REC CTR - POOL CHEMICALS	415.80
			BLN P&R, STATION SQUARE - HUNTER SPRINKLER HEADS	541.20
			P&R - RETIC COMPONENTS	58.19
			P&R - RETIC COMPONENTS	54.89
			P&R - SOLENOID, RETIC COMPONENTS, CONTROL WIRE CONNECTOR	202.18
			P&R - SEASOL PLUS	225.50
			P&R - FERTILISER	65.00
			P&R, EGAN PARK, DBK PUMP TRACK, STATION SQUARE, VC MITCHELL PARK - REPLACEMENT PD FILTER SWITCH	858.00
			P&R - SPRINKLER	176.00
			P&R - CEMENT	63.62
			DBK REC CTR - POOL CHEMICALS	415.80
			P&R - SPRINKLER, SOLENOID, RETIC COMPONENTS	1,021.77
EFT30285	13/02/2025	DONNYBROOK FRESH SUPA IGA		
			DBK REC CTR - GROCERIES	28.31
			W&S ADMIN - GROCERIES	8.61
			ADMIN - GROCERIES	24.12
			DBK DEPOT - GROCERIES	50.84
			THOMSON BROOK BFB - BRIGADE CONSUMABLES, THOMSON BROOK BFB - BRIGADE CONSUMABLES	158.10
			DBK REC CTR - BATTERIES, DBK REC CTR - GROCERIES	32.81
			W&S ADMIN - GROCERIES	4.32
			ADMIN - GROCERIES	73.89
			DBK DEPOT - SUNSCREEN, W&S ADMIN - GROCERIES	232.22
			ADMIN - GROCERIES	39.11
			W&S ADMIN - GROCERIES, W&S ADMIN - GROCERIES	17.75
			ADMIN - GROCERIES, ADMIN - GROCERIES	49.53
			ADMIN - GROCERIES	25.02
			DBK DEPOT - GROCERIES	8.64
			AUSTRALIA DAY BREAKFAST FOOD SUPPLIES, AUSTRALIA DAY BREAKFAST FOOD SUPPLIES	655.33
			AUSTRALIA DAY BREAKFAST FOOD SUPPLIES, AUSTRALIA DAY BREAKFAST FOOD SUPPLIES	335.11
			DBK REC CTR - FOOD ITEMS FOR SHOOL HOLIDAY POOL PARTY, DBK REC CTR - FOOD ITEMS FOR SHOOL	72.38
			AUSTRALIA DAY BREAKFAST FOOD SUPPLIES	332.83
			AUSTRALIA DAY BREAKFAST FOOD SUPPLIES	353.36
			W&S ADMIN - GROCERIES, W&S ADMIN - GROCERIES	25.82
			DBK REC CTR - GROCERIES, DBK REC CTR - BAND AIDS, DBK REC CTR - GROCERIES	36.71
			ADMIN - GROCERIES, ADMIN - GROCERIES	133.01
			DBK REC CTR - GROCERIES, DBK REC CTR - GROCERIES	8.68
EFT30286	13/02/2025	DE LAGE LANDEN PTY LTD		
			CISCO CATALYST SWITCHES SUPPORT & LICENCES - PRINCIPAL - 21.01.25 TO 20.02.25	670.12
EFT30287	13/02/2025	DBCEC (WA) PTY LTD		
			INS CLAIM - IRISHTOWN RD BRIDGE - WET HIRE SEMI TRAILER - KELLY STREET GRAVEL	8,441.13
EFT30288	13/02/2025	DONNYBROOK MENS SHED (INC)		
			VC MITCHELL - FABRICATE TIMBER BIN ENCLOSURES	1,500.00
EFT30289	13/02/2025	DONNYBROOK AUTO SERVICE PTY LTD		
			DB92 - RANGER UTE - SERVICE	517.30
EFT30290	13/02/2025	DRY KIRKNESS (AUDIT) PTY LTD		
			SHERP 02693R1 - LANGLEY U1-3 - AUDIT FOR ACQUITTAL	935.00
EFT30291	13/02/2025	DONNYBROOK PANEL BEATERS		
			INS CLAIM - DB8250 - WINDSCREEN REPLACEMENT	1,815.00
EFT30292	13/02/2025	ECOANGLE DESIGN & DRAFTING		
			YABBERUP PUBLIC HALL - DESIGN AND DRAFTING - UNIVERSAL ACCESSIBLE TOILET	400.00

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENTS FROM 1 FEBRUARY TO 28 FEBRUARY 2025

REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
			BLN PUBLIC HALL - DESIGN AND DRAFTING - LIBRARY COVERED ENTRY	1,760.00
EFT30293	13/02/2025	FAIRTEL PTY LTD		
			DBK SES - PHONE AND NBN SERVICE - JAN 25	154.00
EFT30294	13/02/2025	FRONTLINE FIRE & RESCUE		
			BLN BFB - BOLT CUTTERS LARGE	105.22
EFT30295	13/02/2025	HASTIE WASTE PTY LTD		
			DBK WASTE MANAGEMENT FACILITY - MANAGEMENT - JAN 25	26,107.57
			BLN TRANSFER STATION - MANAGEMENT - JAN 25	13,807.93
EFT30296	13/02/2025	GARRY ALLEN HATCH		
			MUMBALLUP BFB - REIMBURSEMENT FOR REPLACEMENT UHF RADIO AERIAL	41.95
EFT30297	13/02/2025	TAMARA LEE HORLOCK		
			REFUND SWIM SCHOOL FEES	138.96
EFT30298	13/02/2025	INFIELD SERVICES PTY LTD		
			DB2234 - LOWDEN BFB - VEHICLE SERVICE	3,049.26
EFT30299	13/02/2025	SOUTH WEST ISUZU		
			DB334 - ARGYLE BFB - WHEEL ALIGNMENT	495.00
EFT30300	13/02/2025	JONOR CONSTRUCTION PTY LTD		
			INS CLAIM - IRISHTOWN RD - EMERGENCY REPAIR AND MAINTENANCE WORKS	186,928.83
EFT30301	13/02/2025	JONNO'S HANDYMAN AND CARPENTRY SERVICES		
			DBK ADMIN CENTRE - BRICK PAVING REPAIRS	352.00
			LANGLEY VILLA'S - GROUND MAINTENANCE	247.50
			MINN COTTS - GROUND MAINTENANCE	247.50
EFT30302	13/02/2025	KMART SOUTH BUNBURY - 1187		
			DBK REC CTR - PRIZES FOR SCHOOL HOLIDAY EVENTS	175.25
EFT30303	13/02/2025	LANDMARK ENGINEERING & DESIGN		
			DBK TOWNSITE - BIN SURROUNDS	6,455.90
			TRIGWELL ST PARK - TABLE SEATING	2,222.00
EFT30304	13/02/2025	METAL ARTWORK BADGES		
			NAME BADGE	15.24
EFT30305	13/02/2025	MICROSOFT REGIONAL SALES CORPORATION		
			MICROSOFT 365 BUSINESS PREMIUM ANNUAL LICENSES	2,062.83
			EXCHANGE ONLINE (PLAN 1) - COUNCILLORS - JAN 25	59.40
EFT30306	13/02/2025	NAOMI LEE NEWPORT		
			REIMBURSE PURCHASE OF STATIONERY	70.97
EFT30307	13/02/2025	OFFICEWORKS		
			DBK REC CTR - STATIONERY	106.22
EFT30308	13/02/2025	ORIGIN ENERGY		
			VC MITCHELL - LPG PROPANE - JAN 25	1,555.95
EFT30309	13/02/2025	PRESTON PRESS		
			SHIRE CONNECT PAGES - PRESTON PRESS PUBLICATION - NOV 24	500.00
			SHIRE CONNECT PAGES - PRESTON PRESS PUBLICATION - DEC 24	500.00
EFT30310	13/02/2025	FULTON HOGAN INDUSTRIES PTY LTD		
			GRIMWADE RD - RFQ 334 BITUMINOUS PRODUCTS 2024-25 - RE-SEAL	38,953.20
			SOUTHAMPTON RD - RFQ 334 BITUMINOUS PRODUCTS 2024-25 - RE-SEAL	52,591.97
EFT30311	13/02/2025	PRESTON VALLEY MAINTENANCE		
			BLN COFFEE ROCK RETRAINING WALL - RECONSTRUCT RETAINING WALL	1,980.00
			EGAN PARK - DUMP POINT - COLORBOND FENCING	1,716.00
EFT30312	13/02/2025	PFD FOOD SERVICE PTY LTD		
			DBK REC CTR - KIOSK STOCK	801.65
EFT30313	13/02/2025	PLE COMPUTERS PTY LTD		
			SANDISK EXTREME PORTABLE SSD	305.00
EFT30314	13/02/2025	PRESTON POWER EQUIPMENT		
			SUNDRY PLANT - EDGER BLADES	70.00
			P&R - SPOOL WITH NYLON LINE	25.00
			INS CLAIM - DBK DEPOT - ALLOY FELLING WEDGES SMALL AND LARGE	176.00
			SUNDRY PLANT - EDGER BLADES	70.00
EFT30315	13/02/2025	SIMON JAMES WILLIAM PEPPLER		
			DBK REC CTR - FLOWERS	29.99
EFT30316	13/02/2025	REPCO - DONNYBROOK		
			DB4517 - GRADER - GLOBE	18.26
			DB8329 - P&G UTE - FILTER KIT, SOCKET, PLUG, CLEANERS	139.76
			DB193 - P&G MOWER - SEALANT	23.76
EFT30317	13/02/2025	BUSSELTON RETRAVISION		
			VC MITCHELL - TV	4,788.20
EFT30318	13/02/2025	THE REAL GOOD COMPANY PTY LTD T/A WJS TRAINING		
			CPR TRAINING AND REFRESHER COURSE	735.00
EFT30319	13/02/2025	SOUTHERN LOCK & SECURITY		
			ADMIN SUB CTR - SUPPLY AND INSTALL NEW ELECTRIC MORTICE LOCK	1,242.00
EFT30320	13/02/2025	SOS OFFICE EQUIPMENT		
			MONTHLY PRINTER METER READS - JAN 25	518.77
EFT30321	13/02/2025	WA COUNTRY HEALTH SERVICE - SW		
			MEDICAL CTR & PATHOLOGY QRTLY ELECTRICAL CHARGES - 21.03.24 TO 14.11.24	3,435.15
EFT30322	13/02/2025	SOUTH REGIONAL TAFE		
			AUSCHEM COURSE - MANUAL	85.00
			AUSCHEM COURSE	36.80
EFT30323	13/02/2025	SOLAHART SOUTH WEST		
			PRESTON - U9 - SUPPLY AND INSTALL SOLAHART ROOF TOP HOT WATER SYSTEM	5,985.80
			PRESTON - U10 - SUPPLY AND INSTALL SOLAHART ROOF TOP HOT WATER SYSTEM	6,285.80
			PRESTON - U13 - SUPPLY AND INSTALL SOLAHART ROOF TOP HOT WATER SYSTEM	6,285.80
EFT30324	13/02/2025	SEEK LIMITED		
			STAFF RECRUITMENT - ADVERTISMENT - PLANNING OFFICER	269.50
			STAFF RECRUITMENT - ADVERTISMENT - SENIOR CUSTOMER SERVICES OFFICER	467.50
			STAFF RECRUITMENT - ADVERTISEMENT - LIFEGUARD	357.50
EFT30325	13/02/2025	SHRED-X PTY LTD & AUSTRALIAN PAPER RECYCLING		
			ADMIN OFFICE - SHREDDING BIN PICKUP - JAN 25	153.98

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENTS FROM 1 FEBRUARY TO 28 FEBRUARY 2025

REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
EFT30326	13/02/2025	SYKES ENGINEERING PTY LTD TRADING AS SOUTHWEST ELECTRICAL & COMMUNICATION		
			PRESTON - COMMON AREA (RESERVE COST) - CHANGE LIGHT GLOBES ON ALL STREET LIGHTS	1,242.74
EFT30327	13/02/2025	SOUTH WEST PROPERTY MANAGEMENT		
			RENTAL SUBSIDY FOR CHILD CARE SUPPORT WORKER - FEB 25 TO MAR 25	869.05
EFT30328	13/02/2025	SHELLE'S FANCY FACE PAINTING AND ARTISTRY		
			DBK REC CTR - FACE PAINTING FOR 25TH ANNIVERSARY	260.00
EFT30329	13/02/2025	SUPAGAS		
			BLN & DBK HALL - GAS FACILITY FEE - JAN 25	50.60
EFT30330	13/02/2025	TELSTRA - MELBOURNE ACCOUNTS		
			SHIRE MOBILE/SIM CARD CHARGES - JAN 25	1,292.24
			DBK SES	15.00
			LOWDEN BFB	75.00
			ARGYLE/IRISHTOWN BFB - INTERNET & DATA SERVICES & EQUIPMENT RENTAL	99.99
			BLN LIBRARY	35.56
			DBK LIBRARY	90.95
			THOMSON BROOK BFB	69.89
EFT30331	13/02/2025	TEAM GLOBAL EXPRESS PTY LTD		
			SIGNS, DB1149 PARTS - FREIGHT	91.50
			WATER SAMPLES, BLN BFB PPE - FREIGHT	113.37
EFT30332	13/02/2025	TELAIR PTY LTD		
			BLN BFB - NBN - JAN 25	343.77
EFT30333	13/02/2025	LANDGATE - VALUATION SERVICES		
			PROVIDE HYPOTHETICAL GROUPED RURAL UNIMPROVED VALUATION	590.66
			INTERIM VALUATIONS	100.62
EFT30334	13/02/2025	WATER CORPORATION - ACCOUNTS		
			BLN STANDPIPE	3,318.12
			ESL BLN BFB	99.71
			BLN STANDPIPE	8.82
			DBK SES BUILDING	20.57
			MULLALYUP BFB	58.57
			MILL PARK, KIRUP LOT 153 SOUTH WESTERN HWY	32.33
			BLN VILLAGE GREEN	35.27
			MULLALYUP PLAYGROUND	693.60
			MULLALYUP MEMORIAL PARK	952.24
			KIRUP STANDPIPE	5.88
			MEMORIAL RSL PARK KIRUP	490.81
			JIM MCDONALD OVAL KIRUP	49.96
			BLN VILLAGE GREEN - FORREST ST SIDE	731.81
			BLN MEMORIAL PARK	787.65
			BLN REC CTR	161.65
			MELDENE ESTATE PUBLIC OPEN SPACE	537.84
EFT30335	13/02/2025	SYNERGY		
			DBK WORKS DEPOT	972.03
			STANDPIPE - WADE RD - THOMSON BROOK BFB	131.38
			ESL EXPENDITURE - LOWDEN BFB	5.07
			STREET LIGHTING	8,120.75
			PRESTON VILLAGE GROUNDS	341.66
			EGAN PARK	2,297.15
			MINN COTTS - (U1- 12)	72.46
			COUNCIL CHAMBER	320.97
			OLD SES BUILDING	130.68
			COMMERCIAL PREMISES 58 SOUTH WESTERN HWY	1,127.12
			STATION SQUARE	5,143.72
			W&S ADMIN BUILDING	389.09
			9791 SOUTH WESTERN HWY DONNYBROOK	129.36
			TRIGWELL PLACE / APEX PARK	775.53
			AYERS GARDEN PRECINCT	994.70
			WORKS DEPOT - DONNYBROOK - VICTORY LANE	232.18
			LANGLEY VILLAS (U1 - U9)	74.22
			MINN COTTS (U9 - U12)	131.38
			LANG VILL U2	79.60
			APPLE FUN PARK	507.45
			AYRES GARDENS - PUBLIC TOILETS	886.79
			DONNYBROOK HALL	650.25
EFT30336	13/02/2025	WORK CLOBBER		
			ANNUAL PROTECTIVE CLOTHING UNIFORM FOR OUTDOOR STAFF	5,949.90
			PPE	701.00
EFT30337	13/02/2025	EVENTS WEST WA		
			AUSTRALIA DAY - SOUND ENGINEERING AND BAND	3,414.40
EFT30337A	20/02/2025	SHIRE OF DONNYBROOK BALINGUP		
			PAYROLL FOR THE PERIOD ENDING 19.02.25	156,202.27
EFT30337B	20/02/2025	AUSTRALIAN TAX OFFICE		
			PAYG PE: 19.02.25	44,143.00
EFT30338	27/02/2025	HARMONIC IT		
			MANAGED FORTANALYZER FOR 5 FIREWALLS - SITE LICENCE	385.00
EFT30339	27/02/2025	AUSTRALIAN SERVICES UNION WESTERN AUSTRALIAN BRANCH		
			EMPLOYEE UNION DEDUCTIONS	159.00
EFT30340	27/02/2025	ARGYLE/IRISHTOWN BUSH FIRE BRIGADE		
			BLN WMF - TREATMENT F6500 - PROVISON OF CREWS & APPLIANCE FOR MITIGATION BURNS	910.00
EFT30341	27/02/2025	AMITY SIGNS		
			TRAFFIC SIGNS - CHARLIE CREEK RD & YELVERTON ST	110.00
EFT30342	27/02/2025	WINC AUSTRALIA PTY LTD - ACCOUNTS		
			ADMIN - STATIONERY	262.67
			ADMIN - CHAIRS	1,046.76

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENTS FROM 1 FEBRUARY TO 28 FEBRUARY 2025

REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
EFT30343	27/02/2025	ABCO PRODUCTS PTY LTD		
			PUBLIC TOILET & OFFICE - CLEANING CONSUMABLES	6,828.19
EFT30344	27/02/2025	ALL TERRAIN FARM & MAINTENANCE SERVICES		
			VICTORIA PARADE - FIREBREAK MAINTENANCE - SLASH ETIRE AREA AND INSTALL A CIRCUMFERENCE FIRE BREAK	2,629.00
			TRIGWELL STREET EAST - FIREBREAK MAINTENANCE - SLASHING	693.00
EFT30345	27/02/2025	AFGRI EQUIPMENT AUSTRALIA PTY LTD		
			DB2462 - TRANSPORT GRADER - COOLANT	87.93
EFT30346	27/02/2025	ALLIANCE HOUSING WA		
			REFUND PLANNING APPLICATION	1,285.50
EFT30347	27/02/2025	AGTRAC MACHINERY		
			SUNDRY PLANT - DUST COVER, SPRING PLATE	170.13
			SUNDRY PLANT - DISCHARGE COVER	64.07
			DB193 - P&G MOWER - CASE, SEAL, O'RING, GASKET	560.08
			VS750 PENDULUM	10,022.00
EFT30348	27/02/2025	REBECCA ANNE ARMSTRONG		
			REFUND SWIMMING LESSONS	138.96
EFT30349	27/02/2025	ALLEGIANCE SECURITY PERSONNEL		
			ADMIN DBK - ALARM CALL OUT	165.00
EFT30350	27/02/2025	BUNBURY RETRAVISION		
			ADMIN - COFFEE MACHINE WATER FILTER	105.00
EFT30351	27/02/2025	BALINGUP BUSH FIRE BRIGADE		
			BLN WMF - TREATMENT F6500 - PROVISON OF CREW & APPLIANCE FOR MITIGATION BURNS	910.00
			REIMBURSE - BART SUBSCRIPTION - ADDITIONAL LICENCES	240.00
EFT30352	27/02/2025	BUILDING AND CONSTRUCTION INDUSTRY TRAINING BOARD		
			BCITF LEVY COLLECTIONS	1,274.05
EFT30353	27/02/2025	WALTER JOHN BAILEY		
			CR MTG & ICT ALLOW FEB 25	973.15
EFT30354	27/02/2025	BUNBURY & BUSSELTON AIR		
			DBK REC CTR - SUPPLY & INSTALL DUCTED SPLIT SYSTEM	23,376.43
EFT30355	27/02/2025	BEELERUP BUSH FIRE BRIGADE - SECRETARY		
			BLN WMF - TREATMENT F6500 - PROVISION OF CREW & APPLIANCE FOR MITIGATION BURNS	910.00
EFT30356	27/02/2025	BANKS PEST AND WEED CONTROL		
			ARGYLE RD - TREAT FLOODED BUM FOR TERMITES	275.00
			DBK SCOUT HALL - TERMITE INSPECTION / TREATMENT	792.00
EFT30357	27/02/2025	AGRI SPARK AUTO ELECTRICS		
			DB1250 - TRANSPORT LOADER - BATTERY	700.00
EFT30358	27/02/2025	BALINGUP WELDING & CIVIL PTY LTD		
			CART ABANDONED VEHICLES	528.00
EFT30359	27/02/2025	DAVID BLEAKLEY		
			RATES REFUND	801.66
EFT30360	27/02/2025	GEOGRAPHE FORD		
			DB2222 - VEHICLE SERVICE	465.00
EFT30361	27/02/2025	COATES HIRE OPERATIONS PTY LTD - BUNBURY BRANCH		
			INS CLAIM - IRISHTOWN RD BRIDGE - HIRE OF CRASH BARRIERS	1,114.05
EFT30362	27/02/2025	CITY & REGIONAL FUELS		
			CEO - FUEL - JAN 25	618.34
			LOWDEN BFB - FUEL - JAN 25	127.45
			MUMBALLUP BFB - FUEL - JAN 25	245.29
			NOGGERUP BFB - FUEL - JAN 25	93.30
			THOMSON BROOK BFB - FUEL - JAN 25	349.36
			UPPER CAPEL BFB - FUEL - JAN 25	83.10
			PRINCIPAL ENV HEALTH OFFICER - FUEL - JAN 25	424.24
			PRINCIPAL TOWN PLANNER - FUEL - JAN 25	282.16
			BULK DIESEL & ULP - JAN 25	22,729.37
			DIR CORP SERV - FUEL - JAN 25	345.35
			MGR W&S - FUEL - JAN 25	95.33
			MGR DBK REC CTR - FUEL - JAN 25	349.28
			MGR FINANCIAL SERV - FUEL - JAN 25	88.27
			MGR CORP SERV - FUEL - JAN 25	80.32
			MGR DEV SERV - FUEL - JAN 25	562.02
			KIRUP BFB - FUEL - JAN 25	106.72
			LOWDEN BFB - FUEL - JAN 25	353.29
EFT30363	27/02/2025	DONNYBROOK REGIONAL TOURISM ASSOCIATION INC.		
			SERVICE LEVEL AGREEMENT FOR DONNYBROOK REGIONAL TOURIST ASSOCIATION - 2024/25	21,500.00
			COOKING AUSTRALIA DAY BREAKFAST 2025	750.00
EFT30364	27/02/2025	AUSTRALIAN GOVERNMENT - SERVICES AUSTRALIA - CHILD SUPPORT		
			PAYROLL DEDUCTION	350.80
EFT30365	27/02/2025	CLEANAWAY OPERATIONS PTY LTD.		
			BLN TRANSFER STATION - RECYCLING BIN TRANSFER/PROCESSING - JAN 25	790.46
EFT30366	27/02/2025	BIDFOOD BUNBURY		
			DBK REC CTR - KIOSK STOCK	272.96
EFT30367	27/02/2025	CRS ELECTRICAL		
			DBK REC CTR - INVESTIGATE ELECTICAL POTENTIAL AROUND POOL, FLOAT SWITCH REPLACEMENT FOR LEACH DRAIN PUMP	602.75
EFT30368	27/02/2025	CLEANAWAY		
			REFUSE COLLECTION - JAN 25	54,413.00
			FOOD ORGANIC AND GARDEN ORGANIC WASTE DISPOSAL TO LANDFILL - JAN 25	5,847.38
EFT30369	27/02/2025	CB TRAFFIC SOLUTIONS PTY LTD		
			JAYES RD ROADWORKS - SUPPLY ONE VARIABLE MESSAGE SIGN	1,001.00
			JAYES RD ROADWORKS - SUPPLY ONE VARIABLE MESSAGE SIGN	1,089.00
			JAYES RD ROADWORKS - SUPPLY ONE VARIABLE MESSAGE SIGN	143.00
EFT30370	27/02/2025	CONNECT CALL CENTRE SERVICES		
			AFTERHOURS CALL CENTRE - 2024/2025 W&S, PARKS AND GARDENS, RANGERS	284.02
EFT30371	27/02/2025	CLEANAWAY PTY LTD		

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENTS FROM 1 FEBRUARY TO 28 FEBRUARY 2025

REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
			DBK WASTE MANAGEMENT FACILITY - WASTE PROCESSING - JAN 25	2,291.96
EFT30372	27/02/2025	CLEANAWAY OPERATIONS PTY LTD		
			DBK WASTE MANAGEMENT FACILITY - GENERAL WASTE TRANSFER - JAN 25	5,426.62
EFT30373	27/02/2025	COLIN EDWARD CLARKE		
			RATES REFUND	859.18
EFT30374	27/02/2025	DONNYBROOK MEDICAL SERVICES		
			FULL FUNCTIONAL MEDICAL	315.00
EFT30375	27/02/2025	TJ DEPIAZZI & SONS		
			P&R GEN, EGAN PARK, VC MITCHELL, DBK PUMP & SKATEPARK, STATION SQUARE, BLN OVAL, BLN P&R - LAWN MIX FOR TOP DRESSING	1,993.53
EFT30376	27/02/2025	DONNYBROOK & DISTRICTS PLUMBING SERVICE		
			P&R - SUPPLY & INSTALL RETIC ISOLATION VALVE AT DBK ADMIN BUILDING	396.00
			DBK DEPOT - INSTALL FILTER TO DRINKING WATER COOLER	242.00
			APPLE FUN PARK - SUPPLY AND INSTALL PUSH BUTTON TAP AT ROCK WATERFALL	572.00
			LANGLEY VILLAS - CUT IN FOR TAP RETIC AND SHUT OFF VALVE TO FRONT OF UNITS	605.00
EFT30377	27/02/2025	DONNYBROOK FAMILY BAKERY		
			CATERING FOR LGIS SOUTH WEST ERGONOMIC CHAMPION WORKSHOP 18.02.25	185.00
EFT30378	27/02/2025	DONNYBROOK BRIDGESTONE TYRE SERVICE		
			DB8329 - P&G UTE - PUNCTURE REPAIR	40.00
			INS CLAIM - DBK DEPOT - NEW TYRE AND RIM	195.00
			DB988 - P&G MOWER - FLIP TYRES ON RIM	44.00
EFT30379	27/02/2025	DONNYBROOK CWA		
			AUSTRALIA DAY - PREPARATION AND SERVING OF REFRESHMENTS	1,000.00
EFT30380	27/02/2025	DONNYBROOK GLASS		
			GOODS SHED DBK - PARK CAFE - REPLACE CRACKED GLAZING PANEL	1,026.00
EFT30381	27/02/2025	DONNYBROOK PLAYCENTRE INC (PLAYGROUP)		
			AUSTRALIA DAY - SUPERVISION OF CHILDREN & CHILL ZONE	750.00
EFT30382	27/02/2025	DONNYBROOK VOLUNTEER FIRE & RESCUE		
			BLN WMF - TREATMENT F6500 - PROVISON OF CREWS & APPLIANCE FOR MITIGATION BURNS	910.00
EFT30383	27/02/2025	DEPARTMENT OF ENERGY, MINES, INDUSTRY REGULATION AND SAFETY - BUILDING COMMISSION		
			BSL LEVY COLLECTIONS	2,215.15
EFT30384	27/02/2025	DBCEC (WA) PTY LTD		
			VC MITCHELL PARK - CARPARK UPGRADE	91,667.47
			JAYES RD - WET HIRE SEMI WITH SIDE TIPPER TRAILER	6,506.50
			JAYES RD - WET HIRE OF GRADER	37,829.00
			GREENBUSHES GRIMWADE RD - EXTENDING CULVERTS UNDER ROAD	6,443.25
EFT30385	27/02/2025	DONNYBROOK BALINGUP CHAMBER OF COMMERCE INC.		
			SHOP LOCAL VOUCHERS	200.00
EFT30386	27/02/2025	CR ALEXIS LOUISE DAVY		
			CR MTG & ICT ALLOW FEB 25	973.15
EFT30387	27/02/2025	ECOANGLE DESIGN & DRAFTING		
			BLN CEMETERY - REDESIGN NICHE WALL PLANS	500.00
EFT30388	27/02/2025	FRONTLINE FIRE & RESCUE		
			VARIOUS BFB - PPE	1,087.69
EFT30389	27/02/2025	GJ FREIGHT		
			VC MITCHELL - DELIVERY OF FURNITURE	547.80
EFT30390	27/02/2025	CR LISA KATHLEEN GLOVER		
			CR MTG, ICT & DEPUTY PRES ALLOW FEB 25	1,198.81
EFT30391	27/02/2025	GO DOORS PTY LTD		
			ADMIN, DBK REC CTR & GOODS SHED - SCHEDULED MAINTENANCE - AUTOMATIC DOORS	972.40
EFT30392	27/02/2025	PETER GEORGE GUBLER		
			CR MTG & ICT ALLOW FEB 25	973.15
EFT30393	27/02/2025	HERSEY'S SAFETY PTY LTD		
			DBK W&S DEPOT - PPE, CONSUMABLES	2,478.07
EFT30394	27/02/2025	HASTIE WASTE PTY LTD		
			CLIFFORD ST - SERVICING OF FRONTLIFT WASTE BIN - JAN 25	90.00
			SOUTH WEST HWY - SERVICING OF FRONTLIFT WASTE BIN - JAN 25	90.00
			CLIFFORD ST - SERVICING OF FRONTLIFT WASTE BIN - JAN 25	90.00
			SOUTH WEST HWY - SERVICING OF FRONTLIFT WASTE BIN - JAN 25	90.00
EFT30395	27/02/2025	JONNO'S HANDYMAN AND CARPENTRY SERVICES		
			PRESTON RIVER PARK BENCH REPAIR	440.00
			PRESTON - U13 (RESERVE COST) - REMOVE AND DISPOSE OF CLOTHESLINE AND REPLACE WITH DOUBLE FOLD COLTHESLINE	739.75
			PRESTON - U13 - REMOVE AND REPLACE GARAGE EXTERNAL DOOR WITH SOLID WOOD DOOR AND PAINT	993.85
			PRESTON - U13 - REPAIR CHIPS TO TAPS IN SHOWER AREA, REPAIR CHIP TO KITCHEN BENCHTOP	330.00
			COUNCIL CHAMBERS - ADJUST AND REPAIR ENTRY DOORS	185.90
			MINN COTTS - GROUND MAINTENANCE	302.50
			PRESTON - GARDEN MAINTENANCE	137.50
			LANGLEY VILLAS - GROUND MAINTENANCE	275.00
			EGAN PARK - DUMP POINT SIGN INSTALLATION	69.30
EFT30396	27/02/2025	JONAS LEISURE PTY LTD		
			DBK REC CTR - PREPAID SMS BUNDLE	660.00
			DBK REC CTR - MEMBERSHIP CARDS	1,149.50
EFT30397	27/02/2025	KARMA LIFE YOGA TRUST T/A KARMA LIFE CO		
			TRAVEL COST - COFFEE VAN - AUSTRALIA DAY	118.00
EFT30398	27/02/2025	LANDGATE CUSTOMER ACCOUNT		
			TITLE SEARCH	63.20
EFT30399	27/02/2025	LOWDEN BUSH FIRE BRIGADE - SECRETARY		
			REIMBRUSE LOWDEN BFB - GROCERIES	145.91
			BLN WMF - TREATMENT F6500 - PROVISON OF CREW & APPLIANCE FOR MITIGATION BURNS	910.00
EFT30400	27/02/2025	CR ANITA MAREE LINDEMANN		
			CR MTG & ICT ALLOW FEB 25	973.15
EFT30401	27/02/2025	MULLALYUP BUSH FIRE BRIGADE		
			BLN WMF - TREATMENT F6500 - PROVISON OF CREW & APPLIANCE FOR MITIGATION BURNS	910.00

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENTS FROM 1 FEBRUARY TO 28 FEBRUARY 2025

REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
EFT30402	27/02/2025	MUMBALLUP BUSH FIRE BRIGADE - SECRETARY		
			BLN WMF - TREATMENT F6500 - PROVISON OF CREW & APPLIANCE FOR MITIGATION BURNS	910.00
EFT30403	27/02/2025	MAINLINE PLUMBING		
			EGAN PARK TRANSIT PARK ABLUTIONS - UNBLOCK SEWER LINE	346.50
EFT30404	27/02/2025	MCLEODS BARRISTERS & SOLICITORS		
			LEGAL EXPENSES - REVIEW OF PLANNING NOTICE	770.88
			VC MITCHELL PARK COMMUNITY CLUB - PREPARATION OF MANAGEMENT AGREEMENT	2,838.66
EFT30405	27/02/2025	CR ANNE BEATRICE MITCHELL		
			CR MTG & ICT ALLOW FEB 25	973.15
EFT30406	27/02/2025	CR VIVIENNE FRANCES MACCARTHY		
			CR MTG, ICT & PRES ALLOW FEB 25	744.00
EFT30407	27/02/2025	OFFICEWORKS		
			THOMPSON BFB - HDMI CABLE & FREIGHT	27.93
			THOMSON BROOK BFB - TV	597.00
			ADMIN - STATIONERY	2.35
			ADMIN - STATIONERY	13.28
EFT30408	27/02/2025	PRESTON VALLEY MAINTENANCE		
			INS CLAIM - DBK TRANSIT PARK BBQ SHELTER - REPAIR STRUCTURAL DAMAGE	7,370.00
			REPAIRS TO PAVING VARIOUS LOCATIONS DONNYBROOK TOWNSITE	3,000.00
EFT30409	27/02/2025	WA DISTRIBUTORS PTY LTD		
			ADJUSTMENT NOTE - DBK REC CTR - CLEANING CONSUMABLES	-436.85
			DBK REC CTR - CLEANING CONSUMABLES	442.35
EFT30410	27/02/2025	CR GRANT PATRICK		
			CR MTG & ICT ALLOW FEB 25	973.15
EFT30411	27/02/2025	STEWART & HEATON CLOTHING CO. P/L		
			VARIOUS BFB - PPE	638.13
EFT30412	27/02/2025	SPORTSWORLD OF WA		
			DBK REC CTR - GOOGLES - KIOSK SALES	1,023.00
EFT30413	27/02/2025	SIGMA TELFORD GROUP		
			DBK REC CTR - CHEMICAL TESTING TUBES	123.75
EFT30414	27/02/2025	SYKES ENGINEERING PTY LTD TRADING AS SOUTHWEST ELECTRICAL		
			BLN REC CTR - REPLACE DAMAGED NBN CABLE AND CONDUIT	414.46
EFT30415	27/02/2025	CR DEANNA RUTH SHAND		
			CR MTG & ICT ALLOW FEB 25	973.15
EFT30416	27/02/2025	SOUTH WEST WATER CARTAGE		
			BUSH FIRE MITIGATION - CARTAGE & OPERATOR SERVICES - 10.02.25	610.50
EFT30417	27/02/2025	TELSTRA - MELBOURNE ACCOUNTS		
			EMERGENCY COMMUNICATION SATELLITE PHONES - SATELLITE PLAN	165.00
			DBK SES BULDING	34.95
			SHIRE RETIC, RANGER, WMF - MOBILE/SIM CARD CHARGES	160.06
			ARGYLE/IRISHTOWN BFB	37.50
EFT30418	27/02/2025	TROPHIES WEST		
			DBK REC CTR - MEDALS FOR MIXED NETBALL	274.68
EFT30419	27/02/2025	TEAM GLOBAL EXPRESS PTY LTD		
			WATER SAMPLES, POOL CHEMICALS - FREIGHT	73.21
			VARIOUS BFB - PPE - FREIGHT	75.00
EFT30420	27/02/2025	TIMIAMA NOMINEES PTY LTD		
			INS CLAIM - IRISHTOWN RD BRIDGE - GRAVEL USED FOR ROADWORKS NOV 24 - KELLY ST ACCESS ROAD	3,682.25
EFT30421	27/02/2025	TRUCK CENTRE (WA) PTY LTD		
			DB4050 - TRANSPORT TRUCK - SERVICE KIT	300.76
EFT30422	27/02/2025	TPG NETWORK PTY LTD		
			ADMIN - MONTHLY FAST FIBRE INTERNET - JAN 24	1,304.60
EFT30423	27/02/2025	T & R CONTRACTING PTY LTD		
			HIRE OF FLOAT TRAILER, PRIME MOVER & DOZER - LOWDEN BUSHFIRE	2,640.00
EFT30424	27/02/2025	TIDY UP		
			DBK WMF - COLLECTION OF E-WASTE, GAS BOTTLES AND FIRE EXTINGUISHERS	8,060.00
EFT30425	27/02/2025	LANDGATE - VALUATION SERVICES		
			INTERIM VALUATIONS	45.25
EFT30426	27/02/2025	EARTH 2 OCEAN COMMUNICATIONS		
			DB799 - TRANSPORT TRUCK - SPEAKER MIC AND CHARGER	639.98
EFT30427	27/02/2025	WATER CORPORATION - ACCOUNTS		
			SOUTH WESTERN HWY DBK - IRISHTOWN RD/BRIDGE RESERVE	155.77
			PRESTON VILLAGE	2,040.74
			DBK RAILWAY STATION	78.13
			DBK RAILWAY STATION VISITOR CENTRE	53.12
			COMMERCIAL PREMISES	576.66
			BLN OVAL	329.17
			PUBLIC TOILETS DBK AYERS GARDEN	580.90
			BLN HALL AND LIBRARY	11.76
			VC MITCHELL PARK VIN FARLEY PLAYGROUND	8.82
			DBK REC CTR	1,807.27
			DBK COMMUNITY CENTRE - PLAYGROUP	238.06
			DBK ADMIN	881.70
			DBK MEMORIAL HALL	617.60
			DBK STANDPIPE	3,896.77
			EGAN PARK	2,514.83
			U5-8 MINN COTTS	410.30
			APPLE FUN PAR & GOODS SHED	411.87
			WATER - DBK DEPOT VICTORY LANE	29.39
			WATER - DBK DENTAL SURGERY	465.86
			WATER - TRIGWELL PLACE/APEX PARK	235.40
			U1-4 MINN COTTS	233.96
			U9-12 MINN COTTS	542.56
			LANGLEY VILLAS GARDENS	461.42
			U1 LANGLEY VILLAS	288.24

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENTS FROM 1 FEBRUARY TO 28 FEBRUARY 2025

REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
			U2 LANGLEY VILLAS	66.52
			U3 LANGLEY VILLAS	147.17
			U4 LANGLEY VILLAS	82.51
			U5 LANGLEY VILLAS	117.78
			U6 LANGLEY VILLAS	111.90
			U7 LANGLEY VILLAS	108.96
			U8 LANGLEY VILLAS	194.19
			U9 LANGLEY VILLAS	100.14
			DBK CEMETERY	8.82
			DBK DEPOT	135.19
EFT30428	27/02/2025	SYNERGY		
			ADMINISTRATION CENTRE	1,966.92
			AYERS GARDEN PRECINCT	143.57
			DBK TRANSIT PARK	1,564.98
			EGAN PARK	1,276.57
			STANDPIPE - MARSHALL RD - ARGYLE/IRISHTOWN BFB	122.00
			STANDPIPE - HETHERINGTON RD - ARGYLE/IRISHTOWN BFB	128.92
			ARGYLE/IRISHTOWN BFB	182.30
			STANDPIPE - GEMMELL ROAD ARGYLE/IRISHTOWN BFB	134.35
			THOMSON BROOK BFB	279.59
			DBK WASTE MANAGEMENT FACILITY	172.70
			RAC CHARGING STATION	873.59
			MULLALYUP BFB	182.39
			KIRUP HALL	98.27
			MEMORIAL RSL PARK	201.39
			VC MITCHELL PARK	146.84
			BLN HALL (AND LIBRARY)	232.12
			ELECPIONEER PARK MULLALYUP	171.38
			VC MITCHELL PARK	2,100.85
			BLN BFB	219.19
EFT30429	27/02/2025	WA LOCAL GOVERNMENT ASSOCIATION (WALGA)		
			TRAINING - LOCAL GOVERNMENT ACT ESSENTIALS, PLANNING PRACTICE ESSENTIALS, LOCAL GOVERNMENT ACT ADVANCED, MEETING PRACTICES FOR GOOD OUTCOMES	2,618.00
EFT30430	27/02/2025	WESTRAC EQUIPMENT PTY LTD		
			DB754 - TRANSPORT BACKHOE - MOBILISATION/TRANSPORT	435.60
EFT30431	27/02/2025	WEATHERSAFE WA		
			P&R - REAPIRS TO DAMAGED SHADE SAIL - MELDENE RESERVE	440.00
EFT30432	27/02/2025	MACHINERY WEST		
			DB4050 - TRANSPORT TRUCK - COOLANT BOTTLE PLUS FRIEGHT	85.67
			DB4806 - P&G TRACTOR - A/C BELT	42.43
EFT30433	27/02/2025	TREVOR & SUE WILKINS		
			RATES REFUND	125.75
			TOTAL: EFT PAYMENTS	**1,351,331.57**
CHEQUE PAYMENTS				
53823	12/02/2025	PETTY CASH - ADMIN OFFICE		
			DB2235 & DB6008 - PLATE RETAINED	109.25
			TOTAL: CHEQUE PAYMENTS	**109.25**
BANK STATEMENT				
		BENIGO		
			BANK FEES	858.33
		COMMONWEALTH		
			BANK FEES	444.00
		TYRO		
			BANK FEES	1,440.00
		PAYPAL		
			BANK FEES	27.40
		WA TREASURY		
			BANK FEES	2.00
		RMS		
			BANK FEES	296.18
		EZIDEBIT		
			BANK FEES	9.80
			TOTAL: BANK FEES	**3,077.71**
DIRECT DEBITS				
DD28230.1	05/02/2025	SPECTRUM SUPER		
			EMPLOYEE SUPER DEDUCTIONS	30.89
DD28230.2	05/02/2025	CBUS SUPER		
			EMPLOYEE SUPER DEDUCTIONS	288.34
DD28230.3	05/02/2025	AUSTRALIAN RETIREMENT TRUST		
			EMPLOYEE SUPER DEDUCTIONS	265.92
DD28230.4	05/02/2025	TATE SUPERANNUATION FUND		
			EMPLOYEE SUPER DEDUCTIONS	288.29
DD28230.5	05/02/2025	AWARE SUPER		
			EMPLOYEE SUPER DEDUCTIONS	500.00
			EMPLOYEE SUPER DEDUCTIONS	815.00
			EMPLOYEE SUPER DEDUCTIONS	641.64
			EMPLOYEE SUPER DEDUCTIONS	257.90
			EMPLOYEE SUPER DEDUCTIONS	132.13
			EMPLOYEE SUPER DEDUCTIONS	25.07
			EMPLOYEE SUPER DEDUCTIONS	16,390.47
			EMPLOYEE SUPER DEDUCTIONS	674.04
			EMPLOYEE SUPER DEDUCTIONS	690.76
			EMPLOYEE SUPER DEDUCTIONS	115.09
			EMPLOYEE SUPER DEDUCTIONS	640.51
			EMPLOYEE SUPER DEDUCTIONS	175.89

SHIRE OF DONNYBROOK BALINGUP
SCHEDULE OF ACCOUNTS PAID UNDER DELEGATION (NO.1.2.23) IS PRESENTED FOR PUBLIC INFORMATION
PAYMENTS FROM 1 FEBRUARY TO 28 FEBRUARY 2025

REFERENCE	DATE	PAYEE	DESCRIPTION	AMOUNT
			EMPLOYEE SUPER DEDUCTIONS	57.41
			EMPLOYEE SUPER DEDUCTIONS	50.00
			EMPLOYEE SUPER DEDUCTIONS	130.46
			EMPLOYEE SUPER DEDUCTIONS	254.81
			EMPLOYEE SUPER DEDUCTIONS	99.59
DD28230.6	05/02/2025	AUSTRALIAN SUPER		
			EMPLOYEE SUPER DEDUCTIONS	150.79
			EMPLOYEE SUPER DEDUCTIONS	4,946.00
DD28230.7	05/02/2025	COLONIAL FIRSTCHOICE WHOLESALE PERSONAL SUPER		
			EMPLOYEE SUPER DEDUCTIONS	34.48
DD28230.8	05/02/2025	REST SUPERANNUATION		
			EMPLOYEE SUPER DEDUCTIONS	881.37
DD28230.9	05/02/2025	MERCER SUPER TRUST		
			EMPLOYEE SUPER DEDUCTIONS	269.55
DD28230.10	05/02/2025	MLC PLUM SUPER		
			EMPLOYEE SUPER DEDUCTIONS	894.43
DD28230.11	05/02/2025	MLC NOMINEES PTY LTD		
			EMPLOYEE SUPER DEDUCTIONS	20.93
DD28230.12	05/02/2025	UNISUPER		
			EMPLOYEE SUPER DEDUCTIONS	688.65
DD28253.1	19/02/2025	SPECTRUM SUPER		
			EMPLOYEE SUPER DEDUCTIONS	38.76
DD28253.2	19/02/2025	CBUS SUPER		
			EMPLOYEE SUPER DEDUCTIONS	295.27
DD28253.3	19/02/2025	AUSTRALIAN RETIREMENT TRUST		
			EMPLOYEE SUPER DEDUCTIONS	538.69
DD28253.4	19/02/2025	TATE SUPERANNUATION FUND		
			EMPLOYEE SUPER DEDUCTIONS	295.27
DD28253.5	19/02/2025	AWARE SUPER		
			EMPLOYEE SUPER DEDUCTIONS	500.00
			EMPLOYEE SUPER DEDUCTIONS	915.00
			EMPLOYEE SUPER DEDUCTIONS	651.67
			EMPLOYEE SUPER DEDUCTIONS	257.90
			EMPLOYEE SUPER DEDUCTIONS	132.13
			EMPLOYEE SUPER DEDUCTIONS	26.59
			EMPLOYEE SUPER DEDUCTIONS	17,238.90
			EMPLOYEE SUPER DEDUCTIONS	662.11
			EMPLOYEE SUPER DEDUCTIONS	715.14
			EMPLOYEE SUPER DEDUCTIONS	101.44
			EMPLOYEE SUPER DEDUCTIONS	652.25
			EMPLOYEE SUPER DEDUCTIONS	181.32
			EMPLOYEE SUPER DEDUCTIONS	60.58
			EMPLOYEE SUPER DEDUCTIONS	50.00
			EMPLOYEE SUPER DEDUCTIONS	137.40
			EMPLOYEE SUPER DEDUCTIONS	254.81
DD28253.6	19/02/2025	AUSTRALIAN SUPER		
			EMPLOYEE SUPER DEDUCTIONS	141.21
			EMPLOYEE SUPER DEDUCTIONS	4,562.91
DD28253.7	19/02/2025	COLONIAL FIRSTCHOICE WHOLESALE PERSONAL SUPER		
			EMPLOYEE SUPER DEDUCTIONS	38.98
DD28253.8	19/02/2025	REST SUPERANNUATION		
			EMPLOYEE SUPER DEDUCTIONS	920.88
DD28253.9	19/02/2025	AMP LIFE LIMITED		
			EMPLOYEE SUPER DEDUCTIONS	28.78
DD28253.10	19/02/2025	MERCER SUPER TRUST		
			EMPLOYEE SUPER DEDUCTIONS	262.07
DD28253.11	19/02/2025	MLC PLUM SUPER		
			EMPLOYEE SUPER DEDUCTIONS	533.42
DD28253.12	19/02/2025	UNISUPER		
			EMPLOYEE SUPER DEDUCTIONS	621.29
DD28268.1	17/02/2025	SG FLEET AUSTRALIA PTY LIMITED		
			CESM - VEHICLE LEASE PAYMENT	1,018.60
			TOTAL: DIRECT DEBITED	**62,243.78**

TOTAL: PAYMENTS FROM MUNICIPAL ACCOUNT 1,422,977.12

CERTIFICATION BY MANAGER FINANCIAL SERVICES

This Schedule of Accounts Paid is submitted to the Council Meeting on 26 March 2025 in accordance with the Local Government (Financial Management) Regulations 1996 Section 13. These accounts have been checked and are fully supported by vouchers and invoices, which have been duly certified as to the receipts of goods and the rendition of services and as to prices, computations and costings.

S. Karafilis
Manager Financial Services

Department of
Local Government, Sport
and Cultural Industries

GOVERNMENT OF WESTERN AUSTRALIA

COMMUNITY SPORTING AND RECREATION FACILITIES FUND

2025-2026 February Small Grants Application Form

For projects up to $500,000 to be acquitted by 15 June 2026

You MUST discuss your project with an officer from your nearest Department of Local Government, Sport and Cultural Industries office before completing and submitting your application. Failure to do so will render your project ineligible.
All applications MUST be submitted to your local government. Contact your local government to determine the cut-off date for the submission of applications.

DLGSC Contact:	Date:	Office:

Applicant's Details:

Organisation Name:					
Postal Address:					
Suburb:		State:		Postcode:	
Street Address:					
Suburb:		State:		Postcode:	

Preferred Contact Person:
All application correspondence will be directed to this person

Name:		Title:	Dr ☐ Mr ☐ Mrs ☐ Ms ☐
Position Held:			
Business Phone:		Facsimile:	
Mobile Phone:		Email:	

Organisation Business Details:

Does your organisation have an ABN?	Yes ☐ No ☐	ABN:	
Is your organisation registered for GST?	Yes ☐ No ☐	Note, in order to be eligible for funding you must attach a copy of the Incorporation Certificate. LGA's exempt	
Is your organisation not-for-profit?	Yes ☐ No ☐		
Is your organisation incorporated?	Yes ☐ No ☐	Incorporation #:	
Bank details:	Bank:	BSB:	A/c:

Local Government Authority Details:

LGA:			
Contact:		Title:	Dr ☐ Mr ☐ Mrs ☐ Ms ☐
Position Held:			
Business Phone:		Facsimile:	
Mobile Phone:		Email:	

PROJECT DETAILS

Project Title (brief and specific):			
Project Description:			
How did you establish a need for your project?			
What alternatives were considered and why were they rejected (eg: cost, suitability, feasibility)?			
How will your project increase physical activity?			
Have the full lifecycle costs of the project been considered and can you afford the ongoing costs of managing, maintaining and replacing the facility? Will a specific asset replacement fund be created? If applicable, has child safeguarding been considered in the facility design?			
Project location:			
Land ownership:	Who owns the land on which your facility will be located? Lease Expiry (if applicable):		
Planning approvals		If no, provide the date it will be applied for:	
Where applicable, has planning permission been granted? (LGA)		Yes ☐ No ☐	___/___/___
Aboriginal Heritage Act?		Yes ☐ No ☐	___/___/___
Department of Biodiversity, Conservation and Attractions? (Environmental, Swan River)		Yes ☐ No ☐	___/___/___
Native Vegetation Clearing Permit?		Yes ☐ No ☐	___/___/___
Please list any other approvals that are required?		Yes ☐ No ☐	___/___/___
Do you share your facility with other groups? Yes ☐ No ☐ If so, who:			

List the main sport and recreation activities (maximum of 3) which will benefit from your proposal. Please indicate the approximate % usage of the facility (or part of the facility relating to this proposal) which must total 100%.

Sport/community organisation	% use of the facility	Hours per week
TOTAL	100%	

Activity/sport membership numbers over the past three years relevant to your project. For example, if a bowls project, golf members not relevant; social membership numbers not applicable.

Note: if membership is not applicable, ie recreation facility or aquatic centre, enter the number of users of the facility.

2022/23		2023/24		2024/25	

State Sporting Associations are involved in the assessment of applications and may be able to provide valuable information when planning your project, particularly in relation to technical design issues. They should be consulted as part of the application process. A complete list of State Sporting Associations and their contact details are available on the department's website: https://www.dlgsc.wa.gov.au/sport-and-recreation/state-sporting-associations

What is the name of the State Sporting Association for your activity/sport?				
Have you discussed your project with your State Sporting Association?	Yes ☐		No ☐	
Contact Name:	Date of contact:			

PROJECT DELIVERY

Please indicate key milestones of your project. The key milestones need to be realistic and demonstrate that the project can be delivered in the timeframe.

Task	Date
Attainment of Council approvals	
Preparation of tender/quotes for the major works contract	
Issuing of tender for major works	
Signing of major works contract	
Site works commence	
Construction of project starts	
Project 50% complete	
Project Completed	
Project hand over and acquittal	

Are there any operational constraints that would impact the construction phase of your project? (such as your sporting season, major annual event or inclement weather) – provide details. Projects that are delayed due to undeclared known constraints are not eligible for a deferral.

GST

Grant payments are payable to the applicant/grantee only. This may have taxation implications for grantees. If grantees wish specific advice relating to their grant, this can be obtained from the Australian Taxation Office (ATO). Please note depending upon the value of the project and/or grant, the ATO may require an organisation be registered for GST. If the applicant is registered for GST, the grant is grossed up with the GST amount.

PRIVACY STATEMENT AND STATEMENT OF DISCLOSURE

The Organisation acknowledges and agrees that this Application and information regarding it is subject to the Freedom.of.Information.Act.7[redacted]8 and that the Grantor may publicly disclose information in relation to this Application, including its terms and the details of the Organisation.

Any information provided by you to DLGSC can be accessed by you during standard office hours and updated by writing to DLGSC or calling (08) 9492 9700. All information provided on this form and gathered throughout the assessment process will be stored on a database that will only be accessed by authorised departmental personnel and is subject to privacy restrictions.

DLGSC may wish to provide certain information to the media for promotional purposes. The information will only include the applicant's club name, sport, location, grant purpose and grant amount.

APPLICANT'S CERTIFICATION

I certify that the information supplied is to the best of my knowledge, true and correct.

Name: _____

Position Held: _____

Signature: _____

Date: _____

LODGEMENT OF YOUR APPLICATION

- Applications including all attachments are to be received electronically and officially submitted to the CSRFF webpage by the cut off time and date. A hard copy can also be provided and should be clipped at the top left-hand corner, please do not bind.
- It is recommended that you retain your completed application form, including attachments for your own records and future audit purposes.
- All attachments and supporting documentation (see next section) should be clearly named and identified and submitted with the application form.
- Applications must be submitted to your Local Government Authority by the Local Government's advertised cut-off date to ensure inclusion at the relevant Council meeting.

The following documentation must be included with your application. Applicants may wish to supply additional RELEVANT information.

☐	Completed application form.
☐	Incorporation Certificate.
☐	Confirmation of Public Liability Insurance cover to $10 million
☐	Two written quotes. Quantity Surveyor costings will be accepted, however the responsibility lies with the applicant to ensure the validity of the information. DLGSC accepts no responsibility for cost variations to projects that were provided a grant, based on submitted Quantity Surveyor costs.
☐	If your project involves the upgrade of an existing facility, include photograph/s of this facility.
☐	Locality map, site map and building plans (in relevant constructions projects), including where the proposed facility is located in relation to other sport and recreation infrastructure.
☐	Income and expenditure statements for the current year and budget for the next financial year. (LGAs exempted).
☐	Written confirmation of financial commitments from other sources including copies of Council minutes or extract from endorsed Council budget. If a club is contributing financially, then evidence of their cash at hand must be provided.
☐	For resurfacing projects, a written guarantee from the supplier of the product that clearly identifies the product's life expectancy.
☐	Itemised project cost for components and identified on the relevant quote for each (including cost escalation).
☐	For projects involving floodlighting, a lighting design plan must be supplied showing lux, configuration and confirmation of sufficient power supply

Your application will be considered not eligible if:

- You have not discussed your project with the Department of Local Government, Sport and Cultural Industries and your State Sporting Association.
- You do not meet the eligibility criteria for the grant category to which you are applying.
- You have not included with your application all the relevant required supporting documentation. There is no onus on DLGSC staff to pursue missing documentation.
- Applicants/projects that have received a CSRFF or CNLP grant in the past and have not satisfactorily acquitted that grant. In some cases, this may apply to localities where other significant projects have not been progressed or have not completed a previous project in accordance with the conditions of the grant provided. An assessment will be made in April and if no physical progress has occurred, new applications may not be recommended.
- It is not on the correct application form.
- The project for which application is made is specifically excluded from receiving CSRFF support.

DEVELOPMENT BONUS APPLICANTS ONLY

If you applied for a CSRFF grant for more than one third of the cost of the project, please provide evidence of meeting at least one of the following criteria.

You MUST contact your local DLGSC office to determine eligibility before applying.

Category		Details
Geographical location	☐ Regional/remote location ☐ Growth local government	
Co-location	☐ New ☐ Existing	
Sustainability initiative	☐ Water saving ☐ Energy reduction ☐ Other	
Increased participation	☐ New participants ☐ Existing participants – higher level ☐ Special interest ☐ Other	

PROJECT BUDGET

ESTIMATED EXPENDITURE

Please itemise the components of your project in the table below, indicating their cost and which quote or part of quote was used to estimate this. Quantity Surveyor costs will be accepted however the responsibility lies with the applicant to ensure the validity of the information. A contingency allowance is considered an acceptable component. PLEASE.ITEMISE.BY.COMPONENT.(e¡g.changerooms?storage?kitchen).rather.than.materials.(electrician?plumber?finishings)¡

Project Description (detailed breakdown of project elements to be supplied)	$ Cost ex GST	$ Cost inc GST	Quote used (list company name and quote number)
ie.Electrical.Works	80[illegible]666	88[illegible]66	B.™ .S.Electrical
Donated materials (Please provide cost breakdown)			
Volunteer labour (Please provide cost breakdown)			
Sub Total			
Cost escalation			Please.explain.amount.used
a) Total project expenditure			

- At least two written quotes or QS estimate required for each component.
- If your project includes a floodlighting installation or upgrades, please ensure that the power supply is sufficient, and no upgrade will be required. If upgrade is required and not budgeted for, the grant will immediately be withdrawn. A lighting design plan must be supplied showing lux and configuration.
- Projects that do not meet Australian Standards are ineligible for funding.

PROJECT FUNDING

Source of funding	$Amount ex GST	$ Amount inc GST		Funding confirmed Y / N	Comments to support claim (please attach relevant support)
Local government			LGA cash and in-kind		
Applicant cash			Organisation's cash		
Volunteer labour			Cannot exceed applicant cash and LGA contribution – maximum $50,000		
Donated materials			Cannot exceed applicant cash and LGA contribution		
Other State Government funding					
Federal Government funding					
Other funding – to be listed			Loans, sponsorship etc		
CSRFF request			Up to ½ project cost but capped at $200,000	N	
b) Total project funding			This.should.equal.project.expenditure.as.listed.on.the.previous.page		

REQUIRED: If the funding approved is less than funding requested for this project, or the project is more expensive than indicated, where would the extra funds be sourced from? Is this funding confirmed? If the project scope would be reduced, which components would be revisited?

GST

Grant payments are payable to the applicant/grantee only. This may have taxation implications for grantees. If grantees wish specific advice relating to their grant, this can be obtained from the Australian Taxation Office (ATO). Please note, depending upon the value of the project and/or grant, the ATO may require the organisation is registered for GST. If the applicant is registered for GST, the grant is grossed up with the GST amount.

LOCAL GOVERNMENT PROJECT ASSESSMENT SHEET

This page is for the use of the relevant Local Government Authority to be used for both community and LGA projects. Please attach copies of council minutes relevant to the project endorsement/approval.

Name of Local Government Authority:
Name of Applicant:

Note: The applicant's name cannot be changed once the application is lodged at DLGSC.

Section A

The CSRFF principles have been considered and the following assessment is provided:
(Please include below your assessment of how the applicant has addressed the following criteria)

All applications

	Satisfactory	Unsatisfactory	Not relevant
Project justification	☐	☐	☐
Planned approach	☐	☐	☐
Community input	☐	☐	☐
Management planning	☐	☐	☐
Access and opportunity	☐	☐	☐
Design	☐	☐	☐
Financial viability	☐	☐	☐
Co-ordination	☐	☐	☐
Potential to increase Physical activity	☐	☐	☐
Sustainability	☐	☐	☐

Section B

Priority ranking of applications received	of CSRFF applications received
Is this project consistent with the	☐ Local Plan ☐ Regional Plan
Have all planning and building approvals been given for this project?	☐ Yes ☐ No
If no, what approvals are still outstanding?	

Project Rating (Please tick the most appropriate box to describe the project)

A	Well planned and needed by municipality	☐
B	Well planned and needed by applicant	☐
C	Needed by municipality, more planning required	☐
D	Needed by applicant, more planning required	☐
E	Idea has merit, more planning work needed	☐
F	Not recommended	☐

Please complete the following questions. This assessment is an important part of the CSRFF process and your answers to these questions assist the committee make their recommendations, even if you are the applicant. Please provide a summary of any attachments in your assessment, rather than referring to attachments or external documents such as Council Minutes.

1. Please confirm your contribution to the project, whether it has been formally approved (including financial year for which it is approved) and any conditions on the funding. If no funding has been provided, why not?
2. A) If.a.community.group.application¿Do you believe the project is financially viable, including the applicant's ability to provide upfront contributions, ongoing payments and contributions to an asset replacement fund. Does council commit to underwriting any shortfalls as the ultimate asset owner? B) If.a.council.application: Is Council fully aware of the ongoing cost of operating and maintaining this facility and does your organisation have the capacity to service it into the future? How are the user groups contributing to the ongoing cost of operating the facility?
3. Please provide any additional comments regarding this applications merit against the assessment criteria to support your project rating and ranking.

Signed Position Date

Applications for CSRFF funding must be submitted to the Department of Local Government, Sport and Cultural Industries by 5pm on 31 March 2025. Late applications cannot be accepted in any circumstances.

DLGSC OFFICES

PERTH OFFICE
246 Vincent Street
Leederville WA 6007
GPO Box 8349
Perth Business Centre WA 6849
Tel: (08) 9492 9700
CSRFF@dlgsc.wa.gov.au

MID-WEST
Level 1, 268-270
Foreshore Drive
PO Box 135
Geraldton WA 6531
Tel: (08) 9956 2100
midwest@dlgsc.wa.gov.au

PILBARA
Karratha Leisureplex
Dampier Hwy, Karratha
PO Box 941
Karratha WA 6714
Tel: (08) 9182 2100
pilbara@dlgsc.wa.gov.au

GASCOYNE
4 Francis Street
PO Box 140
Carnarvon WA 6701
Tel: (08) 9941 0900
Gascoyne@dlgsc.wa.gov.au

KIMBERLEY – Broome
Unit 2, 23 Coghlan Street
PO Box 1476
Broome WA 6725
Telephone (08) 9195 5750
Mobile 0438 916 185
kimberley@dlgsc.wa.gov.au

SOUTH WEST
80A Blair Street
PO Box 2662
Bunbury WA 6230
Tel: (08) 9792 6900
southwest@dlgsc.wa.gov.au

GOLDFIELDS
106 Hannan Street
PO Box 1036
Kalgoorlie WA 6430
Tel: (08) 9022 5800
goldfields@dlgsc.wa.gov.au

KIMBERLEY – Kununurra
Telephone 08 9195 5750
Mobile 0427 357 774
kimberley@dlgsc.wa.gov.au

WHEATBELT - Northam
298 Fitzgerald Street
PO Box 55
Northam WA 6401
Tel: (08) 9690 2400
wheatbelt@dlgsc.wa.gov.au

GREAT SOUTHERN
22 Collie Street
Albany WA 6330
Tel: (08) 9892 0100
greatsouthern@dlgsc.wa.gov.au

PEEL
Suite 94,16 Dolphin Drive
PO Box 1445
Mandurah WA 6210
Tel: (08) 9550 3100
peel@dlgsc.wa.gov.au

SHIRE OF DONNYBROOK BALINGUP

BUDGET REVIEW REPORT

FOR THE PERIOD ENDED 31 JANUARY 2025

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

TABLE OF CONTENTS

Statement of Budget Review		2
Note 1	Basis of Preparation	3
Note 2	Summary Graphs - Budget Review	4
Note 3	Net Current Funding Position	5
Note 4	Predicted Variances / Future Budget Amendments	7
Note 5	Reserves	9

SHIRE OF DONNYBROOK BALINGUP
STATEMENT OF BUDGET REVIEW
FOR THE PERIOD ENDED 31 JANUARY 2025

	Note	Budget v Actual					
		Adopted Budget	Updated Budget Estimates (a)	Year to Date Actual	Estimated Year at End Amount (b)	Predicted Variance (b) - (a)	
		$	$	$	$	$	
OPERATING ACTIVITIES							
Revenue from operating activities							
General rates	4.1	7,840,319	7,840,319	7,839,530	7,842,319	2,000	▲
Grants, subsidies and contributions	4.2	1,019,721	1,518,470	791,983	2,598,898	1,080,428	▲
Fees and charges	4.3	2,453,618	2,453,618	1,937,818	2,484,137	30,519	▲
Interest revenue	4.4	433,000	433,000	270,224	384,281	(48,719)	▼
Other revenue	4.5	0	0	1,311	2,000	2,000	▲
Profit on asset disposals	4.6	0	0	61,032	61,032	61,032	▲
		11,746,658	12,245,407	10,901,898	13,372,667	1,127,260	
Expenditure from operating activities							
Employee costs	4.7	(6,659,361)	(6,659,361)	(3,989,018)	(6,695,489)	(36,128)	▼
Materials and contracts	4.8	(4,182,546)	(5,469,250)	(2,985,742)	(5,884,517)	(415,267)	▼
Utility charges	4.9	(466,418)	(466,418)	(224,920)	(461,936)	4,482	▲
Depreciation	4.10	(7,504,630)	(7,504,630)	(4,393,788)	(7,446,771)	57,859	▲
Finance costs		(158,763)	(158,763)	(39,587)	(158,763)	0	
Insurance	4.11	(497,538)	(497,538)	(489,266)	(498,661)	(1,123)	▼
Other expenditure	4.12	(130,600)	(130,600)	(75,620)	(122,305)	8,295	▲
Loss on asset disposals	4.13	0	0	(130,598)	(137,069)	(137,069)	▼
		(19,599,856)	(20,886,560)	(12,328,539)	(21,405,512)	(518,952)	
Non-cash amounts excluded from operating activities	4.14	7,504,630	7,504,630	4,463,354	7,522,808	18,178	▲
Amount attributable to operating activities		(348,568)	(1,136,524)	3,036,713	(510,037)	626,487	
INVESTING ACTIVITIES							
Inflows from investing activities							
Capital grants, subsidies and contributions	4.15	7,407,696	7,766,713	2,454,430	8,101,473	334,760	▲
Proceeds from disposal of assets	4.16	272,346	272,346	184,096	306,581	34,235	▲
Proceeds from financial assets at amortised cost - self supporting loans		10,195	10,196	5,063	10,196		
Proceeds from financial assets at amortised cost - commercial loans		13,333	13,333	7,778	13,333		
Proceeds from financial assets at amortised cost - other		5,200	5,200	3,000	5,200		
		7,708,770	8,067,788	2,654,367	8,436,783	368,995	
Outflows from investing activities							
Purchase of property, plant and equipment	4.17	(8,712,053)	(8,784,256)	(6,269,153)	(9,173,932)	(389,676)	▼
Purchase and construction of infrastructure	4.18	(5,325,625)	(5,429,625)	(754,601)	(5,431,280)	(1,655)	▼
		(14,037,678)	(14,213,881)	(7,023,754)	(14,605,212)	(391,331)	
Amount attributable to investing activities		(6,328,908)	(6,146,093)	(4,369,387)	(6,168,429)	(22,336)	
FINANCING ACTIVITIES							
Cash inflows from financing activities							
Transfers from reserve accounts	4.19	5,776,760	5,821,901	3,788,816	5,817,024	(4,877)	▼
		5,776,760	5,821,901	3,788,816	5,817,024	(4,877)	
Cash outflows from financing activities							
Payments for principal portion of lease liabilities		(55,345)	(55,345)	(17,715)	(55,345)		
Repayment of borrowings		(141,031)	(141,031)	(69,781)	(141,031)		
Transfers to reserve accounts	4.20	(1,155,865)	(1,155,865)	(114,849)	(1,130,865)	25,000	▲
		(1,352,241)	(1,352,241)	(202,345)	(1,327,241)	25,000	
Amount attributable to financing activities		4,424,519	4,469,660	3,586,471	4,489,783	20,123	
MOVEMENT IN SURPLUS OR DEFICIT							
Surplus or deficit at the start of the financial year	4.21	2,252,957	2,252,957	2,313,839	2,313,839	60,882	▲
Amount attributable to operating activities		(348,568)	(1,136,524)	3,036,713	(510,037)	626,487	
Amount attributable to investing activities		(6,328,908)	(6,146,093)	(4,369,387)	(6,168,429)	(22,336)	
Amount attributable to financing activities		4,424,519	4,469,660	3,586,471	4,489,783	20,123	
Surplus or deficit after imposition of general rates	3(a),4.22	**0**	**(560,000)**	**4,567,635**	**125,157**	**685,156**	▲

This budget review has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

***Local Government Act 1995* requirements**
Section 6.4(2) of the Local Government Act 1995 read with the *Local Government (Financial Management) Regulations 1996,* prescribe that the budget review be prepared in accordance with *the Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 Leases which would have required the Shire of Donnybrook Balingup to measure any vested improvements at zero cost.

Local Government (Financial Management) Regulations 1996, regulation 33A prescribes contents of the budget review.

Accounting policies which have been adopted in the preparation of this budget review have been consistently applied unless stated otherwise. Except for cash flow and statement of financial activity, the budget review has 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.

THE LOCAL GOVERNMENT REPORTING ENTITY
All funds through which the Shire of Donnybrook Balingup controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

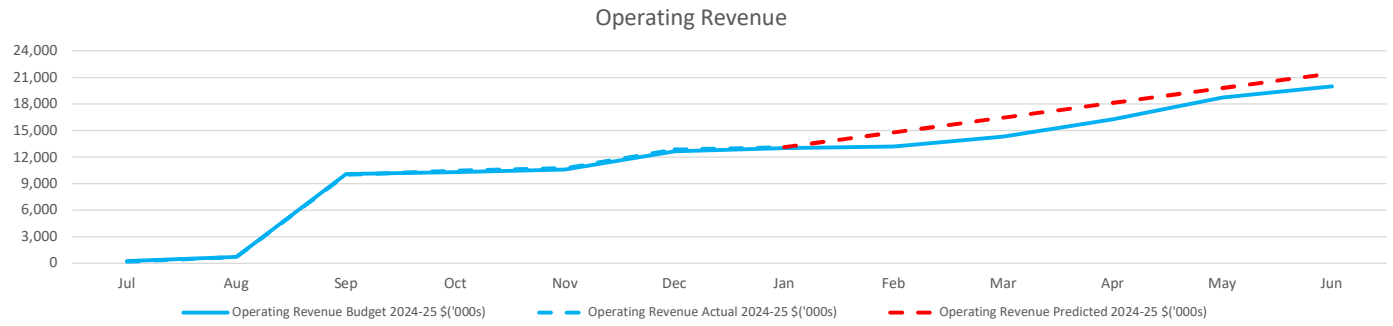
All monies held in the Trust Fund are excluded from the financial statements.

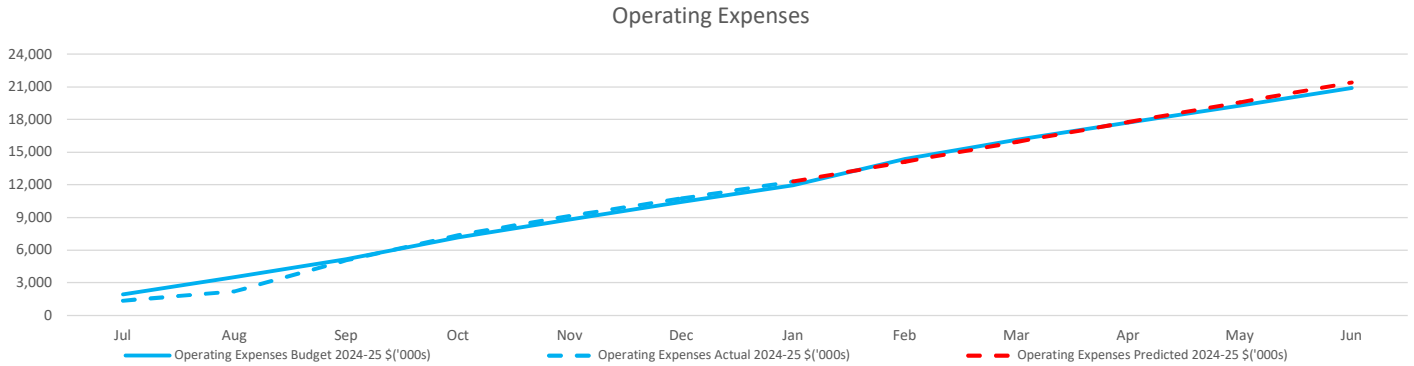
Judgements and estimates
The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

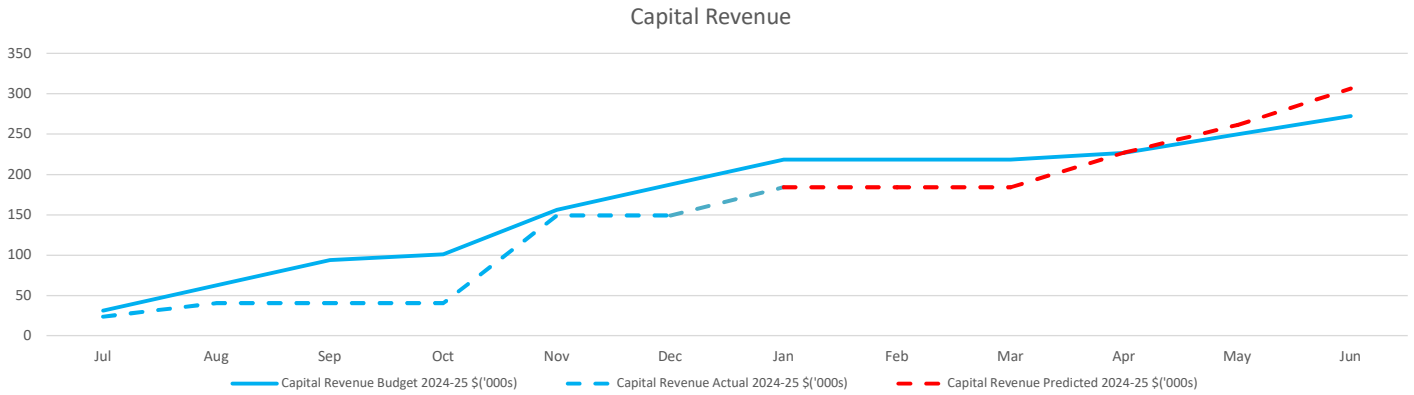
The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

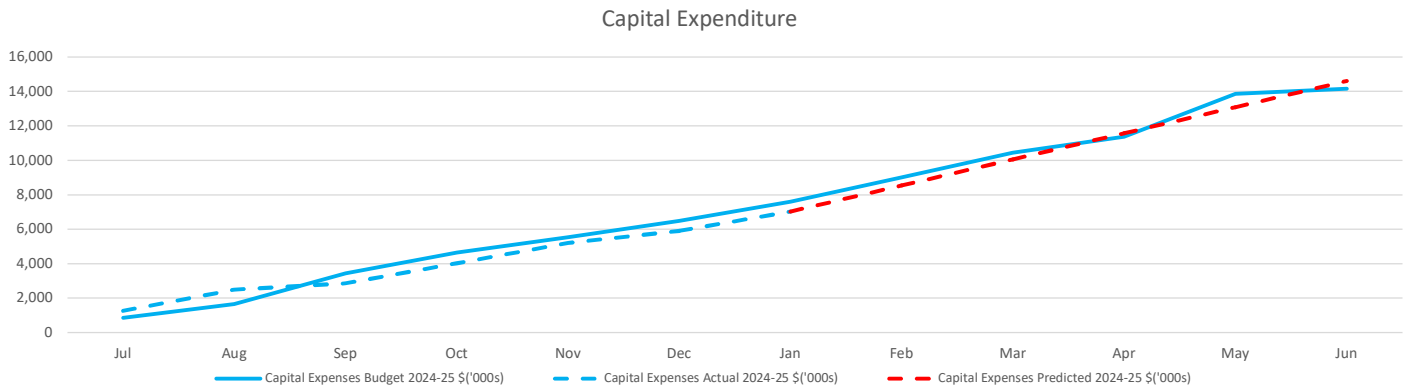
The balances, transactions and disclosures impacted by accounting estimates are as follows:
- estimated fair value of certain financial assets
- impairment of financial assets
- estimation of fair values of land and buildings, infrastructure and investment property
- estimation uncertainties made in relation to lease accounting
- estimation of fair values of provisions

SIGNIFICANT ACCOUNTING POLICES
Significant accounting policies utilised in the preparation of these statements are as described within the 2024-25 Annual Budget. Please refer to the adopted budget document for details of these policies.


Operating Revenue
24,000
21,000
18,000
15,000
12,000
9,000
6,000
3,000
0
Jul
Aug
Sep
Oct
Nov
Dec
Jan
Feb
Mar
Apr
May
Jun
Operating Revenue Budget 2024-25 $('000s)
Operating Revenue Actual 2024-25 $('000s)
Operating Revenue Predicted 2024-25 $('000s)


Operating Expenses
24,000
21,000
18,000
15,000
12,000
9,000
6,000
3,000
0
Jul
Aug
Sep
Oct
Nov
Dec
Jan
Feb
Mar
Apr
May
Jun
Operating Expenses Budget 2024-25 $('000s)
Operating Expenses Actual 2024-25 $('000s)
Operating Expenses Predicted 2024-25 $('000s)


Capital Revenue
350
300
250
200
150
100
50
0
Jul
Aug
Sep
Oct
Nov
Dec
Jan
Feb
Mar
Apr
May
Jun
Capital Revenue Budget 2024-25 $('000s)
Capital Revenue Actual 2024-25 $('000s)
Capital Revenue Predicted 2024-25 $('000s)


Capital Expenditure
16,000
14,000
12,000
10,000
8,000
6,000
4,000
2,000
0
Jul
Aug
Sep
Oct
Nov
Dec
Jan
Feb
Mar
Apr
May
Jun
Capital Expenses Budget 2024-25 $('000s)
Capital Expenses Actual 2024-25 $('000s)
Capital Expenses Predicted 2024-25 $('000s)

3 NET CURRENT FUNDING POSTION
EXPLANATION OF DIFFERENCE IN NET CURRENT ASSETS AND SURPLUS/(DEFICIT)

(a) Composition of estimated net current assets

	Audited Actual 30 June 2024	Adopted Budget 30 June 2025	Updated Budget Estimates 30 June 2025	Year to Date Actual 31 January 2025	Estimated Year at End Amount 30 June 2025
	$	$	$	$	$
Current assets					
Cash and cash equivalents	12,842,829	3,483,014	2,923,014	11,063,876	3,542,907
Other financial assets	23,529	29,010	29,010	10,688	29,010
Trade and other receivables	4,638,906	2,872,222	2,872,222	2,251,920	2,872,222
Inventories	167,983	167,983	167,983	149,418	167,983
Other assets	345,342	0	0	83,716	0
	18,018,589	6,552,229	5,992,229	13,559,618	6,612,122
Less: current liabilities					
Trade and other payables	(2,664,213)	(2,098,491)	(2,098,491)	(1,294,815)	(2,098,491)
Other liabilities	(4,245,811)	(303,436)	(303,436)	(2,589,248)	(303,436)
Lease liabilities	(25,345)	(102,375)	(102,375)	(7,629)	(102,375)
Borrowings	(141,031)	(131,459)	(131,459)	(71,250)	(131,459)
Employee related provisions	(970,724)	(970,724)	(970,724)	(970,724)	(970,724)
	(8,047,124)	(3,606,485)	(3,606,485)	(4,933,666)	(3,606,485)
Net current assets	9,971,465	2,945,744	2,385,744	8,625,952	3,005,637
Less: Total adjustments to net current assets	(7,657,626)	(2,945,744)	(2,945,744)	(4,058,315)	(2,880,480)
Closing funding surplus / (deficit)	2,313,839	0	(560,000)	4,567,637	125,157

(b) Current assets and liabilities excluded from budgeted deficiency

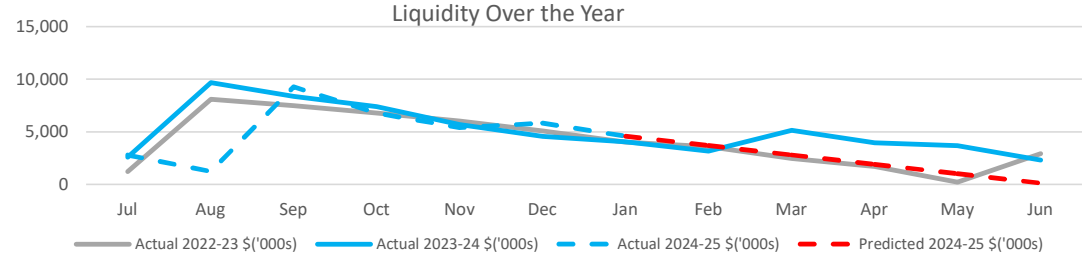
The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32* to agree to the surplus/(deficit) after imposition of general rates.

	Audited Actual 30 June 2024	Adopted Budget 30 June 2025	Updated Budget Estimates 30 June 2025	Year to Date Actual 31 January 2025	Estimated Year at End Amount 30 June 2025
	$	$	$	$	$
Adjustments to net current assets					
Less: Reserve accounts	(7,800,473)	(3,179,578)	(3,179,578)	(4,126,507)	(3,114,314)
Less: Financial assets at amortised cost - self supporting loans	(23,529)	0	0	(10,687)	0
Add: Current liabilities not expected to be cleared at end of year					
- Current portion of borrowings	141,031	131,459	131,459	71,250	131,459
- Current portion of lease liabilities	25,345	102,375	102,375	7,629	102,375
Total adjustments to net current assets	(7,657,626)	(2,945,744)	(2,945,744)	(4,058,315)	(2,880,480)

(c) Non-cash amounts excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

	Audited Actual 30 June 2024	Adopted Budget 30 June 2025	Updated Budget Estimates 30 June 2025	Year to Date Actual 31 January 2025	Estimated Year at End Amount 30 June 2025
	$	$	$	$	$
Adjustments to operating activities					
Less: Profit on asset disposals	(39,723)	0	0	(61,032)	(61,032)
Less: Change in provision - unwinding of discount	31,415	0	0	0	0
Less: Fair value adjustments to financial assets at fair value through profit or loss	(1,681)	0	0	0	0
Add: Loss on disposal of assets	1,959,340	0	0	130,598	137,069
Add: Depreciation on assets	7,319,282	7,504,630	7,504,630	4,351,375	7,376,771
Add: Amortisation on non-current assets	95,732	0	0	42,413	70,000
Non-cash movements in non-current assets and liabilities:					
Pensioner deferred rates	(6,274)	0	0	0	0
Deferred debtors	(60,900)	0	0	0	0
Employee benefit provisions	(8,862)	0	0	0	0
Accrued income - employee entitlements	(3,144)	0	0	0	0
Accreud income - Preston Village (non-current)	19,605	0	0	0	0
Inventory	(30,100)	0	0	0	0
Non-cash amounts excluded from operating activities	9,274,690	7,504,630	7,504,630	4,463,354	7,522,808



3 COMMENTS/NOTES - NET CURRENT FUNDING POSITION (CONTINUED)

SIGNIFICANT ACCOUNTING POLICIES

CASH AND CASH EQUIVALENTS

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks, other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.

Bank overdrafts are shown as short term borrowings in current liabilities.

FINANCIAL ASSETS AT AMORTISED COST

The Shire of Donnybrook Balingup classifies financial assets at amortised cost if both of the following criteria are met:
- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

TRADE AND OTHER RECEIVABLES

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for grants, contributions, reimbursements, and goods sold and services performed in the ordinary course of business.

Trade and other receivables are recognised initially at the amount of consideration that is unconditional, unless they contain significant financing components, when they are recognised at fair value.

Trade receivables are held with the objective to collect the contractual cashflows and therefore measures them subsequently at amortised cost using the effective interest rate method.

Due to the short term nature of current receivables, their carrying amount is considered to be the same as their fair value. Non-current receivables are indexed to inflation, any difference between the face value and fair value is considered immaterial.

The Shire of Donnybrook Balingup applies the AASB 9 simplified approach to measuring expected credit losses using a lifetime expected loss allowance for all trade receivables. To measure the expected credit losses, rates receivable are separated from other trade receivables due to the difference in payment terms and security for rates receivable.

INVENTORIES

General

Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

CONTRACT ASSETS

Contract assets primarily relate to the Shire of Donnybrook Balingup's right to consideration for work completed but not billed at the end of the period.

CONTRACT LIABILITIES

Contract liabilities represent the Shire of Donnybrook Balingup's obligation to transfer goods or services to a customer for which the Shire of Donnybrook Balingup has received consideration from the customer.

Contract liabilities represent obligations which are not yet satisfied. Contract liabilities are recognised as revenue when the performance obligations in the contract are satisfied.

PROVISIONS

Provisions are recognised when the Shire of Donnybrook Balingup has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.

Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

CURRENT AND NON-CURRENT CLASSIFICATION

An asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Shire of Donnybrook Balingup's operational cycle. In the case of liabilities where the Shire of Donnybrook Balingup does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current or non-current based on the Shire of Donnybrook Balingup's intentions to release for sale.

TRADE AND OTHER PAYABLES

Trade and other payables represent liabilities for goods and services provided to the Shire of Donnybrook Balingup prior to the end of the financial year that are unpaid and arise when the Shire of Donnybrook Balingup becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.

PREPAID RATES

Prepaid rates are, until the taxable event has occurred (start of the next financial year), refundable at the request of the ratepayer. Rates received in advance are initially recognised as a financial liability. When the taxable event occurs, the financial liability is extinguished and the Shire of Donnybrook Balingup recognises revenue for the prepaid rates that have not been refunded.

EMPLOYEE BENEFITS

Short-Term Employee Benefits

Provision is made for the Shire of Donnybrook Balingup's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire of Donnybrook Balingup's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the net current funding position. Shire of Donnybrook Balingup's current obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the net current funding position.

Other long-term employee benefits

Long-term employee benefits provisions are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.

The Shire of Donnybrook Balingup's obligations for long-term employee benefits where the Shire of Donnybrook Balingup does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, are presented as current provisions in the net current funding position.

4 PREDICTED VARIANCES

		Variance $	
	Revenue from operating activities		
4.1	**General rates** Increase due to interim rates	2,000	▲
4.2	**Grants, subsidies and contributions** Increase in grants. subsidies due to 23-24 Mitigation, DFES SES non-recurrent grant and DPIRD State NRM program not included in 24-25 Budget, increase in Kidsport and bike rescue grants. Decrease in DFES brigade and SES operating grants. Increase in reimbursements and contributions due to Preston Village, diesel fuel rebates, workers compensation and insurance claims. Decrease in community property lease reimbursements.	1,080,428	▲
4.3	**Fees and charges** Increase due to Donnybrook Recreation Centre fees, planning and building application fees and EV charging station. Decrease in cemetery and Commercial property fees and charges.	30,519	▲
4.4	**Interest revenue** Decrease in Muni and Reserves funds interest, partially offset by increase in 23-24 deferred pensioner interest.	(48,719)	▼
4.5	**Other revenue** Income from sale of surplus equipment.	2,000	▲
4.6	**Profit on asset disposals** Profit from sale of vehicles not previously budgeted.	61,032	▲
	Expenditure from operating activities		
4.7	**Employee costs** Increase in employee costs due to staff resignation payouts, partially offset by various staff vacancies. Employee costs allocated to maintenance works greater than original estimate and offset by a reduction of wages in the capital program. Mitigation program offset by grant.	(36,128)	▼
4.8	**Materials and contracts** Various minor increases and decreased across all areas. Significate increases in expenditure for ICT Strategy, Mitigation expenditure, DPRID State NRM program, traffic management and bridge maintenance.	(415,267)	▼
4.9	**Utility charges** Reduction in 24-25 budget estimates.	4,482	▲
4.10	**Depreciation** Decrease in 24-25 budget estimates due to timing of completion of buildings.	57,859	▲
4.11	**Insurance** Actual insurance costs.	(1,123)	▼
4.12	**Other expenditure** Reduction in Presidents allowance, attendance and ICT payments. Expenditure on independent committee member removed, offset by payment to Busselton airport marketing not in 24-25 budget.	8,295	▲
4.13	**Loss on asset disposals** Loss from sale of vehicles not previously budgeted.	(137,069)	▼
4.14	**Non-cash amounts excluded from operating activities** Net movement in profit and loss and decrease in depreciation estimates.	18,178	▲
	Inflows from investing activities		
4.15	**Capital grants, subsidies and contributions** Grants received for DFES vehicle, tennis court lighting and a decrease in contribution for Montgomery Road.	334,760	▲
4.16	**Proceeds from disposal of assets** Changeover of DFES funded vehicle not in 24-25 budget and small variance in actual sale of vehicles to budget estimates.	34,235	▲

4 PREDICTED VARIANCES

		Variance $	
	Outflows from investing activities		
4.17	**Purchase of property, plant and equipment** Increase due to DFES funded light tanker received and tennis court lighting, offset by grant income. Replacement of data switches. Various minor increase/decreases across all areas.	(389,676)	▼
4.18	**Purchase and construction of infrastructure** Various increases/decreases across all areas of the road construction and infrastructure.	(1,655)	▼
	Cash inflows from financing activities		
4.19	**Transfers from reserve accounts** Decrease from Vehicle reserve due to changeover price of vehicles.	(4,877)	▼
	Cash outflows from financing activities		
4.20	**Transfers to reserve accounts** Decrease in interest on reserve funds.	25,000	▲
4.21	**Surplus or deficit at the start of the financial year** Variance in estimated surplus when budget was adopted, actual surplus as per audited financial statements.	60,882	▲

5 RESERVES

	Original Budget				Budget Review			Actual			
Reserve account name	Opening Balance	Transfers In (+)	Transfers Out (-)	Closing Balance	Transfers In (+)	Transfers Out (-)	Closing Balance	Opening Balance	Transfers In (+)	Transfers Out (-)	Closing Balance
Reserve accounts restricted by Council											
Employee Entitlement Reserve	17,500	25,000	0	42,500	25,000	0	42,500	17,500	0	0	17,500
Waste Management Reserve	1,251,809	0	(200,000)	1,051,809	0	(206,000)	1,045,809	1,251,809	0	0	1,251,809
Arbuthnott Memorial Scholarship Reserve	2,685	0	(300)	2,385	0	(300)	2,385	2,685	0	0	2,685
Strategic Planning Studies Reserve	31,012	0	0	31,012	0	0	31,012	31,012	0	0	31,012
Land Development Reserve	100,271	0	(79,012)	21,259	0	(79,012)	21,259	100,271	0	0	100,271
Vehicle Reserve	185,556	520,000	(497,749)	207,807	513,750	(492,872)	206,434	185,557	34,015	(81,947)	137,625
Roadworks Reserve	234,001	43,750	(243,517)	34,234	37,500	(272,658)	(1,157)	234,001	22,479	(100,000)	156,480
Revaluation Reserve	20,000	40,000	0	60,000	40,000	0	60,000	20,000	0	0	20,000
Buildings Reserve	520,433	253,965	(478,526)	295,872	247,715	(488,526)	279,622	520,433	22,479	(10,000)	532,912
Council Elections Reserve	0	20,000	0	20,000	20,000	0	20,000	0	0	0	0
Information Technology Reserve	18,061	20,000	(38,061)	0	20,000	(38,061)	0	18,061	0	0	18,061
Parks and Reserves Reserve	359,280	223,750	(214,237)	368,793	217,500	(214,237)	362,543	359,280	22,479	(10,159)	371,600
Carried Forward Projects Reserve	3,819,935	0	(3,819,935)	0		(3,819,935)	0	3,819,934	0	(3,498,558)	321,376
Minninup Cottages 1-4 Surplus Reserve	67,987	0	(22,788)	45,199	0	(22,788)	45,199	67,987	0	0	67,987
Minninup Cottages 9-12 Surplus Reserve	221,388	0	(81,196)	140,192	0	(81,196)	140,192	221,388	0	(8,652)	212,736
Langley Villas 1-6 Surplus Reserve	243,439	0	(21,939)	221,500	0	(21,939)	221,500	243,439	0	0	243,439
Langley Villas 7-9 Surplus Reserve	146,755	0	0	146,755	0	0	146,755	146,755	0	0	146,755
Minninup Cottages 5-8 Lt Maintenance Reserve	11,669	0	0	11,669	0	0	11,669	11,669	0	0	11,669
Minninup Cottages 9-12 Lt Maintenance Reserve	10,628	0	0	10,628	0	0	10,628	10,628	0	0	10,628
Langley Villas 1-6 Lt Maintenance Reserve	21,023	0	0	21,023	0	0	21,023	21,023	0	0	21,023
Langley Villas 7-9 Lt Maintenance Reserve	7,200	0	0	7,200	0	0	7,200	7,200	0	0	7,200
Preston Village Exit Deferred Management Reserve	394,814	0	0	394,814	0	0	394,814	394,814	10,059	0	404,873
Preston Village Reserve Fund Contribution Reserve	115,027	0	(79,500)	35,527	0	(79,500)	35,527	115,027	3,339	(79,500)	38,866
Langley Villas 1-9 Long Term Maintenance Reserve	0	5,400	0	5,400	5,400	0	5,400	0	0	0	0
Minninup Cottages 5 12 Long Term Maintenance Reserve	0	4,000	0	4,000	4,000	0	4,000	0	0	0	0
	7,800,473	**1,155,865**	**(5,776,760)**	**3,179,578**	**1,130,865**	**(5,817,024)**	**3,114,314**	**7,800,473**	**114,849**	**(3,788,816)**	**4,126,507**

SHIRE OF DONNYBROOK-BALINGUP

MONTHLY FINANCIAL REPORT

(Containing the required statement of financial activity and statement of financial position)

For the period ended 28 February 2025

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

TABLE OF CONTENTS

Statement of Financial Activity		2
Statement of Financial Position		3
Note 1	Basis of Preparation	4
Note 2	Net Current Assets Information	5
Note 3	Explanation of Material Variances	6

SHIRE OF DONNYBROOK-BALINGUP
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 28 FEBRUARY 2025

	Note	Amended Budget Estimates (a)	YTD Budget Estimates (b)	YTD Actual (c)	Variance* $ (c) - (b)	Variance* % ((c) - (b))/(b)	Var.
		$	$	$	$	%	
OPERATING ACTIVITIES							
Revenue from operating activities							
General rates		7,840,319	7,836,983	**7,842,551**	5,568	0.07%	
Grants, subsidies and contributions		1,518,470	762,497	**902,352**	139,855	18.34%	▲
Fees and charges		2,453,618	2,001,500	**2,037,638**	36,138	1.81%	▲
Interest revenue		433,000	303,012	**311,270**	8,258	2.73%	
Other revenue		0	0	**1,311**	1,311	0.00%	
Profit on asset disposals		0	0	**61,032**	61,032	100.00%	▲
		12,245,407	**10,903,992**	**11,156,154**	252,162	2.31%	
Expenditure from operating activities							
Employee costs		(6,659,361)	(4,482,271)	**(4,425,224)**	57,047	1.27%	▲
Materials and contracts		(5,469,250)	(3,388,866)	**(3,299,222)**	89,644	2.65%	▲
Utility charges		(466,418)	(310,720)	**(281,278)**	29,442	9.48%	▲
Depreciation		(7,504,630)	(5,002,993)	**(4,966,854)**	36,139	0.72%	▲
Finance costs		(158,763)	(45,211)	**(39,604)**	5,607	12.40%	
Insurance		(497,538)	(468,378)	**(489,266)**	(20,888)	(4.46%)	▼
Other expenditure		(130,600)	(87,041)	**(84,431)**	2,610	3.00%	
Loss on asset disposals		0	0	**(130,598)**	(130,598)	100.00%	▼
		(20,886,560)	**(13,785,480)**	**(13,716,477)**	69,003	0.50%	
Non cash amounts excluded from operating activities	2(c)	7,504,630	5,002,993	**5,036,419**	33,426	0.67%	▲
Amount attributable to operating activities		**(1,136,523)**	**2,121,505**	**2,476,096**	354,591	16.71%	
INVESTING ACTIVITIES							
Inflows from investing activities							
Proceeds from capital grants, subsidies and contributions		7,766,713	2,587,094	**2,810,722**	223,628	8.64%	▲
Proceeds from disposal of assets		272,346	148,761	**184,096**	35,335	23.75%	▲
Proceeds from financial assets at amortised cost - self supporting loans		10,196	5,063	**5,063**	0	0.00%	
Proceeds from financial assets at amortised cost - commercial loans		13,333	8,889	**8,889**	0	0.00%	
Proceeds from financial assets at amortised cost - other		5,200	3,400	**3,400**	0	0.00%	
		8,067,788	**2,753,207**	**3,012,170**	258,963	9.41%	
Outflows from investing activities							
Payments for property, plant and equipment		(8,784,256)	(6,655,045)	**(6,283,561)**	371,484	5.58%	▲
Payments for construction of infrastructure		(5,429,625)	(2,026,886)	**(1,242,158)**	784,728	38.72%	▲
		(14,213,881)	**(8,681,931)**	**(7,525,719)**	1,156,212	13.32%	
Amount attributable to investing activities		**(6,146,093)**	**(5,928,724)**	**(4,513,549)**	1,415,175	23.87%	
FINANCING ACTIVITIES							
Inflows from financing activities							
Transfer from reserves		5,821,901	3,925,301	**3,925,301**	0	0.00%	
		5,821,901	**3,925,301**	**3,925,301**	0	0.00%	
Outflows from financing activities							
Payments for principal portion of lease liabilities		(55,345)	(18,308)	**(18,308)**	0	0.00%	
Repayment of borrowings		(141,031)	(69,781)	**(69,781)**	0	0.00%	
Transfer to reserves		(1,155,865)	(244,439)	**(244,439)**	(0)	(0.00%)	
		(1,352,241)	**(332,528)**	**(332,528)**	(0)	(0.00%)	
Amount attributable to financing activities		**4,469,660**	**3,592,773**	**3,592,773**	(0)	(0.00%)	
MOVEMENT IN SURPLUS OR DEFICIT							
Surplus or deficit at the start of the financial year	2(a)	2,252,957	2,252,957	**2,313,839**	60,882	2.70%	▲
Amount attributable to operating activities		(1,136,523)	2,121,505	**2,476,096**	354,591	16.71%	▲
Amount attributable to investing activities		(6,146,093)	(5,928,724)	**(4,513,549)**	1,415,175	23.87%	▲
Amount attributable to financing activities		4,469,660	3,592,773	**3,592,773**	(0)	(0.00%)	
Surplus or deficit after imposition of general rates		**(560,000)**	**2,038,511**	**3,869,159**	1,830,648	89.80%	▲

KEY INFORMATION

▲▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data outside the adopted materiality threshold.
▲ Indicates a variance with a positive impact on the financial position.
▼ Indicates a variance with a negative impact on the financial position.
Refer to Note 3 for an explanation of the reasons for the variance.

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

SHIRE OF DONNYBROOK-BALINGUP
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 28 FEBRUARY 2025

	Actual 30 June 2024	Actual as at 28 February 2025
	$	$
CURRENT ASSETS		
Cash and cash equivalents	12,842,829	10,723,735
Trade and other receivables	4,638,906	1,961,175
Other financial assets	23,529	9,576
Inventories	167,983	160,049
Other assets	345,342	0
TOTAL CURRENT ASSETS	18,018,589	12,854,535
NON-CURRENT ASSETS		
Trade and other receivables	218,267	218,267
Other financial assets	207,363	207,363
Inventories	1,973,769	1,973,769
Other assets	600,186	600,186
Property, plant and equipment	47,854,189	52,820,093
Infrastructure	158,383,251	155,770,487
Intangible assets	468,018	420,082
TOTAL NON-CURRENT ASSETS	209,705,043	212,010,247
TOTAL ASSETS	227,723,632	224,864,782
CURRENT LIABILITIES		
Trade and other payables	2,664,213	1,409,567
Other liabilities	4,245,811	2,475,896
Lease liabilities	25,345	7,037
Borrowings	141,031	71,250
Employee related provisions	970,724	970,724
TOTAL CURRENT LIABILITIES	8,047,124	4,934,474
NON-CURRENT LIABILITIES		
Other liabilities	3,878,500	3,878,500
Lease liabilities	40,153	40,153
Borrowings	2,979,767	2,979,767
Employee related provisions	126,793	126,793
Other provisions	2,098,612	2,098,612
TOTAL NON-CURRENT LIABILITIES	9,123,825	9,123,825
TOTAL LIABILITIES	17,170,949	14,058,299
NET ASSETS	**210,552,683**	**210,806,483**
EQUITY		
Retained surplus	29,828,319	33,762,980
Reserve accounts	7,800,473	4,119,611
Revaluation surplus	172,923,891	172,923,892
TOTAL EQUITY	**210,552,683**	**210,806,483**

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

1 BASIS OF PREPARATION AND MATERIAL ACCOUNTING POLICIES

BASIS OF PREPARATION

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

Local Government Act 1995 requirements
Section 6.4(2) of the Local Government Act 1995 read with the *Local Government (Financial Management) Regulations 1996,* prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Local Government (Financial Management) Regulations 1996, regulation 34 prescribes contents of the financial report. Supplementary information does not form part of the financial report.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has 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.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 28 February 2025

THE LOCAL GOVERNMENT REPORTING ENTITY
All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

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

MATERIAL ACCOUNTING POLICES
Material accounting policies utilised in the preparation of these statements are as described within the 2024-25 Annual Budget. Please refer to the adopted budget document for details of these policies.

Critical accounting estimates and judgements
The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

As with all estimates, the use of different assumptions could lead to material changes in the amounts reported in the financial report.

The following are estimates and assumptions that have a significant risk of causing a material adjustment to the carrying amounts of assets and liabilities within the next financial year and further information on their nature and impact can be found in the relevant note:

- Fair value measurement of assets carried at reportable value including:
  - Property, plant and equipment
  - Infrastructure
- Impairment losses of non-financial assets
- Expected credit losses on financial assets
- Assets held for sale
- Investment property
- Estimated useful life of intangible assets
- Measurement of employee benefits
- Measurement of provisions
- Estimation uncertainties and judgements made in relation to lease

2 NET CURRENT ASSETS INFORMATION

(a) Net current assets used in the Statement of Financial Activity

	Note	Budget Opening 1 July 2024	Actual as at 30 June 2024	Actual as at 28 February 2025
Current assets		$	$	$
Cash and cash equivalents		12,906,039	12,842,829	10,723,735
Trade and other receivables		4,645,391	4,638,906	1,961,175
Other financial assets		52,184	23,529	9,576
Inventories		167,983	167,983	160,049
Contract assets		283,417	0	0
Other assets		0	345,342	0
		18,055,014	18,018,589	12,854,535
Less: current liabilities				
Trade and other payables		(2,055,176)	(2,664,213)	(1,409,567)
Other liabilities		(4,975,684)	(4,245,811)	(2,475,896)
Lease liabilities		(57,720)	(25,345)	(7,037)
Borrowings		(141,031)	(141,031)	(71,250)
Employee related provisions		(970,724)	(970,724)	(970,724)
		(8,200,335)	(8,047,124)	(4,934,474)
Net current assets		9,854,679	9,971,465	7,920,061
Less: Total adjustments to net current assets	2(b)	(7,601,722)	(7,657,626)	(4,050,900)
Closing funding surplus / (deficit)		**2,252,957**	**2,313,839**	**3,869,159**

(b) Current assets and liabilities excluded from budgeted deficiency

Adjustments to net current assets				
Less: Cash - Restricted Reserves		(7,800,473)	(7,800,473)	(4,119,611)
Less: Financial assets at amortised cost - self supporting loans		0	(23,529)	(9,576)
Add: Current liabilities not expected to be cleared at the end of the year				
- Current portion of lease liabilities		57,720	25,345	7,037
- Current portion of borrowings		141,031	141,031	71,250
Total adjustments to net current assets	2(a)	**(7,601,722)**	**(7,657,626)**	**(4,050,900)**

(c) Non-cash amounts excluded from operating activities

	Adopted Budget Estimates 30 June 2025	YTD Budget Estimates 28 February 2025	YTD Actual 28 February 2025
	$	$	$
Adjustments to operating activities			
Less: Profit on asset disposals	0	0	(61,032)
Add: Loss on asset disposals	0	0	130,598
Add: Depreciation	7,504,630	5,002,993	4,966,853
Total non-cash amounts excluded from operating activities	**7,504,630**	**5,002,993**	**5,036,419**

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the local governments' operational cycle.

3 EXPLANATION OF MATERIAL VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.
The proposed material variance to be adopted by Council for the 2024-25 year is $10,000

Description	Var. $	Var. %	
	$	%	
Revenue from operating activities			
Grants, subsidies and contributions	**139,855**	**18.34%**	▲
Income in the following areas greater than estimated:			
Bushfire Mitigation grant $130,054, offset by expenditure			
Diesel fuel rebate $18,508		Permanent	
Preston Village reimbursements $18,105			
Workers compensation and insurance claims reimbursements $32,171			
Income in the following areas less than estimated:			
DFES ESL grant $62,450		Timing	
Commercial and community property leases reimbursements $12,582			
Balance relates to timing of other minor income.			
Fees and charges	**36,138**	**1.81%**	▲
Income in the following areas greater than estimated:			
Donnybrook Waste facility $12,039			
Recreation Centre $28,694		Timing	
Building income $10,335			
Income in the following areas less than estimated:			
Standpipe water $21,379			
Balance relate to timing of various other fees and charges.			
Profit on asset disposals	**61,032**	**100.00%**	▲
Asset disposals greater than estimated. Non-cash adjustment to be amended at budget review.		Permanent	
Expenditure from operating activities			
Employee costs	**57,047**	**1.27%**	▲
Expenditure in the following areas are greater than estimated:			
23-24 Bushfire Mitigation $33,200, offset by grant income			
Staff resignations $99,504		Permanent	
Workers compensation claims $21,577 and Irishtown bridge insurance claims $49,971, offset by reimbursements			
Staff leave $46,488			
Expenditure in the following areas less than estimated:			
Animal control $23,768			
Town Planning $64,223			
Recreation & Culture $25,856		Timing	
Transport $26,052			
Workers Compensation insurance $58,708			
Corporate services $17,411			
Executive office $79,769			
Balance relates to minor variances in other programs.			
Materials and contracts	**89,644**	**2.65%**	▲
Bushfire mitigation expenditure $143,398 offset by grant income		Permanent	
Expenditure in the following areas are less than estimated:			
Rates valuations, debt recovery $27,038			
Community grants & donations $36,573			
Elected members $11,517			
Education & Welfare $36,514			
Waste consultants $72,891			
Waste facilities $58,492		Timing	
Economic services $37,069			
Software licences & upgrades $21,481			
Consultants $40,000			
Expenditure in the following areas greater than estimated:			
DFES ESL bushfire brigades $49,378			
Street, Road & Bridge maintenance $73,089			
Balance relates to minor variances in other expenditure			
Utility charges	**29,442**	**9.48%**	▲
Variance due to timing of utilities accounts being received for various shire building and reserves.		Timing	
Depreciation	**36,139**	**0.72%**	▲
Variance due to timing of trade in and purchasing of vehicles at this time.		Timing	
Insurance	**(20,888)**	**(4.46%)**	▼
Variance due to timing of building insurance payments		Timing	
Loss on asset disposals	**(130,598)**	**100.00%**	▼
Timing of asset disposals. Some non-cash adjustments to be included in in budget review.		Timing Permanent	
Non cash amounts excluded from operating activities	**33,426**	**0.67%**	▲
Depreciation $16,169 less than estimated at this time.		Timing	
Disposal of assets $69,566		Permanent	
Inflows from investing activities			
Proceeds from capital grants, subsidies and contributions	**223,628**	**8.64%**	▲
Some minor variances due to timing of grant recognition		Timing	
Income for DFES funded vehicle $211,884		Permanent	
Proceeds from disposal of assets	**35,335**	**23.75%**	▲
Timing of asset disposal, some adjustments to be included in budget review		Timing Permanent	
Outflows from investing activities			
Payments for property, plant and equipment	**371,484**	**5.58%**	▲
Expenditure in the following areas are less than estimated:			
Public Halls $123,257			
Housing $63,257		Timing	
Donnybrook Recreation centre $119,818			
VC Mitchell $227,900			
Christmas decoration $20,583			
Expenditure in the following area greater than estimated:			
DFES funded light tanker $246,884		Permanent	
Please refer to note 5 for further details.			
Payments for construction of infrastructure	**784,728**	**38.72%**	▲
Expenditure in the following areas are greater than estimated:		Permanent	
Upper Capel Road bridge $23,945			
Road construction program $143,863		Timing	
Expenditure in the following areas are less than estimated:			
Road construction program $879,544		Timing	
Please refer to note 5 for further details			

SHIRE OF DONNYBROOK-BALINGUP

SUPPLEMENTARY INFORMATION

TABLE OF CONTENTS

1	Key Information	8
2	Key Information - Graphical	9
3	Cash and Financial Assets	10
4	Reserve Accounts	11
5	Capital Acquisitions	12
6	Disposal of Assets	15
7	Receivables	16
8	Other Current Assets	17
9	Payables	18
10	Borrowings	19
11	Lease Liabilities	20
12	Other Current Liabilities	21
13	Grants and contributions	22
14	Capital grants and contributions	23
15	Budget Amendments	24
16	Trust Fund	25

BASIS OF PREPARATION - SUPPLEMENTARY INFORMATION

Supplementary information is presented for information purposes. The information does not comply with the disclosure requirements of the Australian Accounting Standards.

SHIRE OF DONNYBROOK-BALINGUP
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 28 FEBRUARY 2025

1 KEY INFORMATION

Funding Surplus or Deficit Components

Funding surplus / (deficit)

	Budget	YTD Budget (a)	YTD Actual (b)	Var. $ (b)-(a)
Opening	$2.25 M	$2.25 M	$2.31 M	$0.06 M
Closing	($0.56 M)	$2.04 M	$3.87 M	$1.83 M

Refer to Statement of Financial Activity

Cash and cash equivalents

	$10.72 M	% of total
Unrestricted Cash	$6.60 M	61.6%
Restricted Cash	$4.12 M	38.4%

Refer to 3 - Cash and Financial Assets

Payables

	$1.41 M	% Outstanding
Trade Payables	$0.82 M	
0 to 30 Days		98.5%
Over 30 Days		1.5%
Over 90 Days		1.3%

Refer to 9 - Payables

Receivables

	$0.29 M	% Collected
Rates Receivable	$1.67 M	82.6%
Trade Receivable	$0.29 M	% Outstanding
Over 30 Days		92.0%
Over 90 Days		2.5%

Refer to 7 - Receivables

Key Operating Activities

Amount attributable to operating activities

Budget	YTD Budget (a)	YTD Actual (b)	Var. $ (b)-(a)
($1.14 M)	$2.12 M	$2.48 M	$0.35 M

Refer to Statement of Financial Activity

Rates Revenue

YTD Actual	$7.84 M	% Variance
YTD Budget	$7.84 M	0.1%

Grants and Contributions

YTD Actual	$0.90 M	% Variance
YTD Budget	$0.76 M	18.3%

Refer to 13 - Grants and Contributions

Fees and Charges

YTD Actual	$2.04 M	% Variance
YTD Budget	$2.00 M	1.8%

Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities

Budget	YTD Budget (a)	YTD Actual (b)	Var. $ (b)-(a)
($6.15 M)	($5.93 M)	($4.51 M)	$1.42 M

Refer to Statement of Financial Activity

Proceeds on sale

YTD Actual	$0.18 M	%
Budget	$0.27 M	(32.4%)

Refer to 6 - Disposal of Assets

Asset Acquisition

YTD Actual	$1.24 M	% Spent
Budget	$5.43 M	(77.1%)

Refer to 5 - Capital Acquisitions

Capital Grants

YTD Actual	$2.81 M	% Received
Budget	$7.77 M	(63.8%)

Refer to 5 - Capital Acquisitions

Key Financing Activities

Amount attributable to financing activities

Budget	YTD Budget (a)	YTD Actual (b)	Var. $ (b)-(a)
$4.47 M	$3.59 M	$3.59 M	($0.00 M)

Refer to Statement of Financial Activity

Borrowings

Principal repayments	($0.07 M)
Interest expense	($0.08 M)
Principal due	$3.05 M

Refer to 10 - Borrowings

Reserves

Reserves balance	$4.12 M
Net Movement	($3.68 M)

Refer to 4 - Cash Reserves

Lease Liability

Principal repayments	($0.02 M)
Interest expense	($0.00 M)
Principal due	$0.05 M

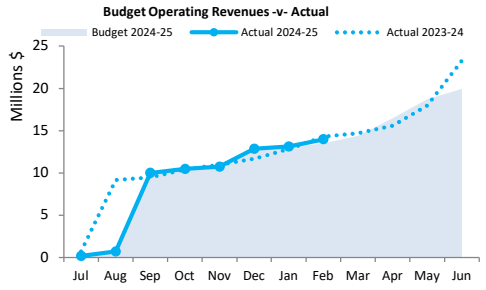
Refer to Note 11 - Lease Liabilites

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

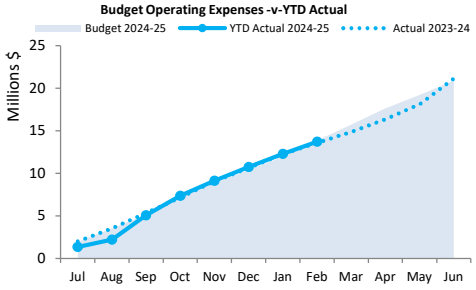
2 KEY INFORMATION - GRAPHICAL

OPERATING ACTIVITIES

OPERATING REVENUE

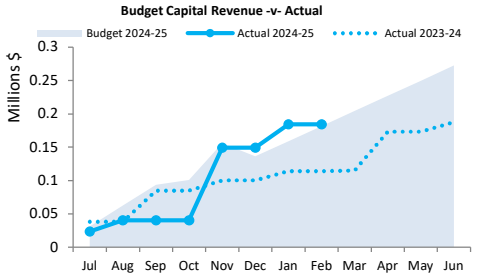


OPERATING EXPENSES

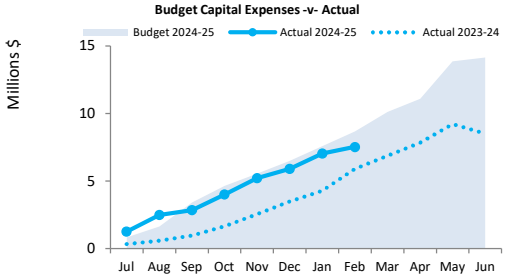


INVESTING ACTIVITIES

CAPITAL REVENUE

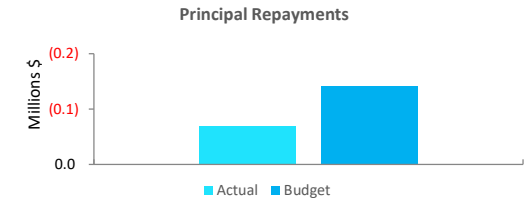


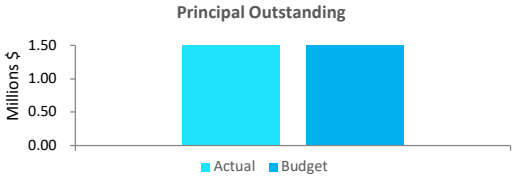
CAPITAL EXPENSES



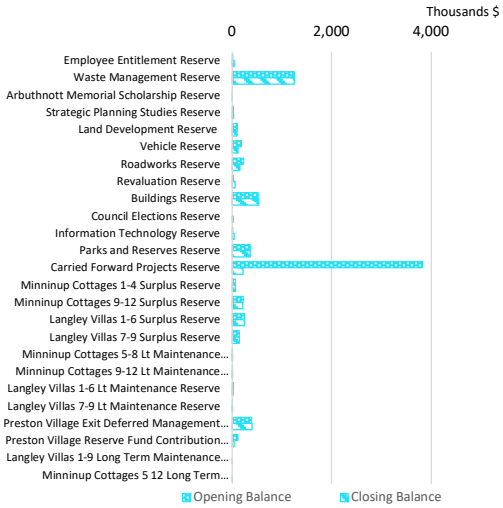
FINANCING ACTIVITIES

BORROWINGS

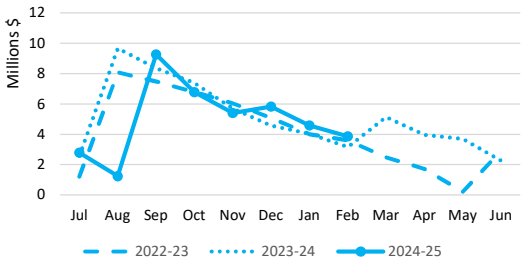




RESERVES



Closing funding surplus / (deficit)



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

3 CASH AND FINANCIAL ASSETS AT AMORTISED COST

Description	Classification	Unrestricted	Reserve Accounts	Total	Trust	Institution	Interest Rate	Maturity Date
		$	$	$	$			
Floats/Petty Cash on Hand	Cash and cash equivalents	1,010	0	1,010	0		NIL	On hand
Municipal Bank Account	Cash and cash equivalents	365,879	0	365,879	0	Bank	Variable	Cheque Acc.
WA Treasury	Cash and cash equivalents	1,170,205	0	1,170,205	0	Bank	4.05%	At Call
Bendigo Bank TD	Cash and cash equivalents	1,003,501	0	1,003,501	0	Bank	4.26%	03/2025
Bendigo Bank TD	Cash and cash equivalents	531,099	0	531,099	0	Bank	4.20%	03/2025
Bendigo Bank TD	Cash and cash equivalents	1,007,508	0	1,007,508	0	Bank	4.37%	04/2025
Bendigo Bank TD	Cash and cash equivalents	1,018,881	0	1,018,881	0	Bank	4.80%	04/2025
Bendigo Bank TD	Cash and cash equivalents	1,000,000	0	1,000,000	0	Bank	4.90%	04/2025
Bendigo Bank TD	Cash and cash equivalents	506,041	0	506,041	0	Bank	4.90%	05/2025
Reserve Bank Account	Cash and cash equivalents	0	87	87	0	Bank	Variable	Cheque Acc.
NAB Bank Reserve TD	Cash and cash equivalents	0	1,265,315	1,265,315	0	Bank	4.90%	02/2025
Bendigo Bank Reserve TD	Cash and cash equivalents	0	2,854,209	2,854,209	0	Bank	4.80%	04/2025
Trust Fund Cash at Bank	Cash and cash equivalents	0	0	0	56,967	Bank	Variable	Cheque Acc.
Total		**6,604,124**	**4,119,611**	**10,723,735**	**56,967**			
Comprising								
Cash and cash equivalents		6,604,124	4,119,611	10,723,735	56,967			
		6,604,124	**4,119,611**	**10,723,735**	**56,967**			

KEY INFORMATION

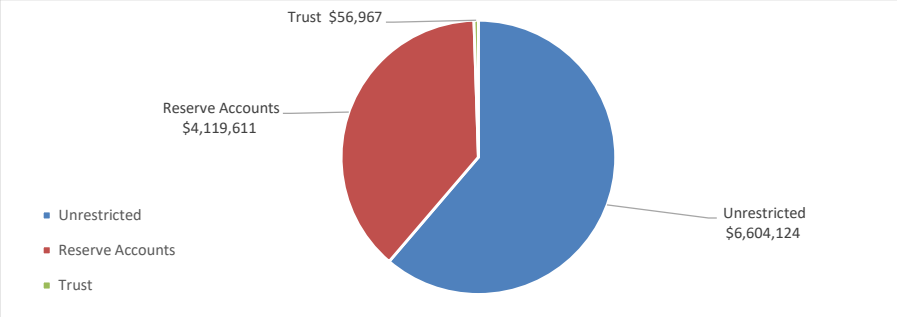
Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value.

Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 8 - Other assets.



4 RESERVE ACCOUNTS

Reserve account name	Budget Opening Balance	Budget Transfers In (+)	Budget Transfers Out (-)	Budget Closing Balance	Actual Opening Balance	Actual Transfers In (+)	Actual Transfers Out (-)	Actual Closing Balance
	$	$	$	$	$	$	$	$
Reserve accounts restricted by Council								
Employee Entitlement Reserve	17,500	25,000	0	42,500	17,500	25,000	0	42,500
Waste Management Reserve	1,251,809	0	(206,000)	1,045,809	1,251,809	0	0	1,251,809
Arbuthnott Memorial Scholarship Reserve	2,685	0	(300)	2,385	2,685	0	0	2,685
Strategic Planning Studies Reserve	31,012	0	0	31,012	31,012	0	0	31,012
Land Development Reserve	100,271	0	(79,012)	21,259	100,271	0	0	100,271
Vehicle Reserve	185,556	520,000	(497,749)	207,807	185,557	37,812	(106,107)	117,263
Roadworks Reserve	234,001	43,750	(272,658)	5,093	234,001	26,276	(100,000)	160,277
Revaluation Reserve	20,000	40,000	0	60,000	20,000	40,000	0	60,000
Buildings Reserve	520,433	253,965	(488,526)	285,872	520,433	26,276	(10,000)	536,709
Council Elections Reserve	0	20,000	0	20,000	0	20,000	0	20,000
Information Technology Reserve	18,061	20,000	(38,061)	0	18,061	20,000	0	38,061
Parks and Reserves Reserve	359,280	223,750	(214,237)	368,793	359,280	26,276	(19,848)	365,708
Carried Forward Projects Reserve	3,819,935	0	(3,819,935)	0	3,819,934	0	(3,601,194)	218,740
Minninup Cottages 1-4 Surplus Reserve	67,987	0	(22,788)	45,199	67,987	0	0	67,987
Minninup Cottages 9-12 Surplus Reserve	221,388	0	(81,196)	140,192	221,388	0	(8,652)	212,736
Langley Villas 1-6 Surplus Reserve	243,439	0	(21,939)	221,500	243,439	0	0	243,439
Langley Villas 7-9 Surplus Reserve	146,755	0	0	146,755	146,755	0	0	146,755
Minninup Cottages 5-8 Lt Maintenance Reserve	11,669	0	0	11,669	11,669	0	0	11,669
Minninup Cottages 9-12 Lt Maintenance Reserve	10,628	0	0	10,628	10,628	0	0	10,628
Langley Villas 1-6 Lt Maintenance Reserve	21,023	0	0	21,023	21,023	0	0	21,022
Langley Villas 7-9 Lt Maintenance Reserve	7,200	0	0	7,200	7,200	0	0	7,200
Preston Village Exit Deferred Management Reserve	394,814	0	0	394,814	394,814	10,059	0	404,873
Preston Village Reserve Fund Contribution Reserve	115,027	0	(79,500)	35,527	115,027	3,339	(79,500)	38,866
Langley Villas 1-9 Long Term Maintenance Reserve	0	5,400	0	5,400	0	5,400	0	5,400
Minninup Cottages 5 12 Long Term Maintenance Reserve	0	4,000	0	4,000	0	4,000	0	4,000
	7,800,473	**1,155,865**	**(5,821,901)**	**3,134,437**	**7,800,473**	**244,439**	**(3,925,301)**	**4,119,611**

5 CAPITAL ACQUISITIONS

Capital acquisitions	Budget	YTD Budget	YTD Actual	YTD Variance
	$	$	$	$
Buildings - non-specialised	7,702,318	6,207,577	5,608,137	(599,440)
Furniture and equipment	141,243	37,243	19,064	(18,179)
Plant and equipment	940,695	410,225	656,360	246,135
Acquisition of property, plant and equipment	**8,784,256**	**6,655,045**	**6,283,561**	**(371,484)**
Infrastructure - roads	3,658,464	1,872,324	1,136,643	(735,681)
Infrastructure - other	345,160	93,572	20,512	(73,060)
Infrastructure - footpaths	165,000	0	68	68
Infrastructure - bridges	1,261,000	60,990	84,935	23,945
Acquisition of infrastructure	**5,429,625**	**2,026,886**	**1,242,158**	**(784,728)**
Total of PPE and Infrastructure.	**14,213,881**	**8,681,931**	**7,525,719**	**(1,156,212)**
Total capital acquisitions	**14,213,881**	**8,681,931**	**7,525,719**	**(1,156,212)**
Capital Acquisitions Funded By:				
Capital grants and contributions	7,766,713	2,587,094	2,810,722	223,628
Lease liabilities	100,000	0	0	0
Other (disposals & C/Fwd)	272,346	148,761	184,096	35,335
Reserve accounts				
Waste Management Reserve	45,000	0	0	0
Land Development Reserve	79,012	0	0	0
Vehicle Reserve	497,749	106,107	106,107	0
Roadworks Reserve	272,658	100,000	100,000	0
Buildings Reserve	244,023	10,000	10,000	0
Information Technology Reserve	50,455	0	0	0
Parks and Reserves Reserve	104,039	19,848	19,848	0
Carried Forward Projects Reserve	3,819,935	3,601,194	3,601,194	0
Minninup Cottages 9-12 Surplus Reserve	0	8,652	8,652	0
Contribution - operations	961,951	2,100,275	605,600	(1,494,675)
Capital funding total	**14,213,881**	**8,681,931**	**7,525,719**	**(1,156,212)**

KEY INFORMATION

Initial recognition

An item of property, plant and equipment or infrastructure that qualifies for recognition as an asset is measured at its cost.

Upon initial recognition, cost is determined as the amount paid (or other consideration given) to acquire the assets, plus costs incidental to the acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads. For assets acquired at zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition.

Assets for which the fair value as at the date of acquisition is under $5,000 are not recognised as an asset in accordance with *Local Government (Financial Management) Regulation 17A(5).* These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

Individual assets that are land, buildings and infrastructure acquired between scheduled revaluation dates of the asset class in accordance with the Shire's revaluation policy, are recognised at cost and disclosed as being at reportable value.

Measurement after recognition

Plant and equipment including furniture and equipment and right-of-use assets (other than vested improvements) are measured using the cost model as required under *Local Government (Financial Management) Regulation 17A(2).* Assets held under the cost model are carried at cost less accumulated depreciation and any impairment losses being their reportable value.

Reportable Value

In accordance with *Local Government (Financial Management) Regulation 17A(2),* the carrying amount of non-financial assets that are land and buildings classified as property, plant and equipment, investment properties, infrastructure or vested improvements that the local government controls.

Reportable value is for the purpose of *Local Government (Financial Management) Regulation 17A(4)* is the fair value of the asset at its last valuation date minus (to the extent applicable) the accumulated depreciation and any accumulated impairment losses in respect of the non-financial asset subsequent to its last valuation date.

5 CAPITAL ACQUISITIONS (CONTINUED) - DETAILED

Capital expenditure total
Level of completion indicators

- 0%
- 20%
- 40%
- 60%
- 80%
- 100%
- Over 100%

Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

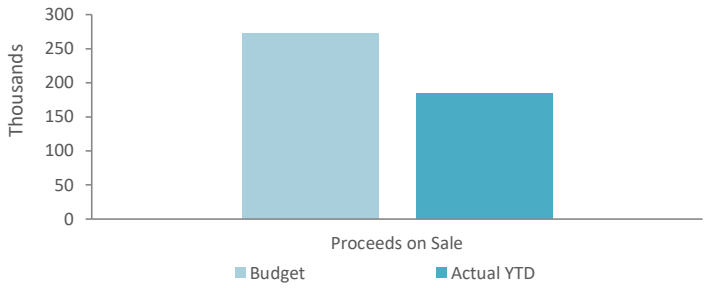
	Account Description	Budget	YTD Budget	YTD Actual	Variance (Under)/Over
Capital Expenditure		$	$	$	$
	Buildings				
B163	Public Hall - Balingup (and Library)	21,000	21,000	2,200	18,800
B164	Public Hall - Kirup	84,000	0	0	0
B372	Public Hall - Brookhampton	78,350	0	975	(975)
B369	Public Hall - Yabberup (and Tennis Shed)	35,000	35,000	13,569	21,432
B375	Community Centre & Infant Health Clinic - Donnybrook	86,154	86,154	300	85,854
B373	Community Resource Centre - Donnybrook	19,137	19,137	0	19,137
B153	Public Toilets - Balingup Village Green	6,175	6,175	230	5,945
B157	Public Toilets - Apex Park	48,967	0	0	0
B379	Ablutions - Balingup Transit Park	27,548	0	0	0
B385	Minninup Cottages - Unit 1 -4	16,480	16,480	0	16,480
B386	Minninup Cottages - Unit 5 - 12	32,960	32,960	0	32,960
B357	Minninup Cottages - Unit 1 -4 (SHERP)	2,813	2,813	7	2,806
B358	Minninup Cottages - Unit 5 - 12 (SHERP)	13,041	13,041	10,235	2,806
B359	Minninup Cottages 9-12	11,266	11,266	8,192	3,074
B363	Minninup Cottages - Carports	702	702	0	702
B360	Langley Villas 1-3	84,191	84,191	82,087	2,104
B361	Langley Villas 4-6	38,400	38,400	35,593	2,807
B362	Langley Villas 7-9	136,516	136,516	134,411	2,105
B361A	Langley Villas 1-6 Reserve	22,981	22,981	21,600	1,381
B362A	Langley Villas 7-9 Reserve	23,727	23,727	21,811	1,916
B392	Depot - Donnybrook	18,231	0	0	0
B394	Depot - Victory Lane	17,300	0	0	0
B397	Balingup Recreation Centre	10,000	10,000	7,494	2,506
7125	VC Mitchell Park - Pavillion	6,408,334	5,428,334	5,200,434	227,900
B078	Donnybrook Recreation Centre	317,842	177,500	57,682	119,818
B108	Administration Centre - Donnybrook	41,200	41,200	11,317	29,883
B123	Council Chambers - (Church)	30,000	0	0	0
B396	E-Waste storage shed - Balingup transfer station	70,003	0	0	0
		7,702,318	**6,207,577**	**5,608,137**	**599,440**
	Plant and Equipment				
0354	Vehicles - ESL funded	0	0	246,885	(246,885)
0434	Vehicles - Parks & Gardens	236,900	129,240	129,240	0
0554	Vehicles - Administration	174,585	174,585	171,725	2,860
3554	Purchase Plant & Equipment - Transport	478,950	99,400	99,400	0
4214	Vehicle - Works Supervisor	43,260	0	0	0
2746	Fertiliser spreader - Parks & Gardens	7,000	7,000	9,111	(2,111)
		940,695	**410,225**	**656,360**	**(246,135)**

5 CAPITAL ACQUISITIONS (CONTINUED) - DETAILED

	Account Description		Budget	YTD Budget	YTD Actual	Variance (Under)/Over
	Capital Expenditure		$	$	$	$
	Furniture and Equipment					
	2512	EDRMS Software	84,000	0	0	0
	2512	Document migration to new EDRMS	20,000	0	0	0
	8974	Christmas Decorations	27,243	27,243	6,519	20,724
	4004	Air conditioner - Bendigo Bank	10,000	10,000	12,545	(2,545)
			141,243	**37,243**	**19,064**	**18,179**
	Infrastructure - Other					
	R188	Egan Park	103,000	0	0	0
	R189	Donnybrook Townsite (General)	6,180	4,120	5,869	(1,749)
	R190	Balingup Townsite (General)	10,000	0	0	0
	R191	Apple Funpark	5,305	0	0	0
	R192	Trigwell Place / Apex Park	28,065	28,065	10,159	17,906
	R193	Trigwell Street Park	20,187	20,187	3,820	16,367
	R194	Donnybrook Arboretum	21,911	0	0	0
	R195	Balingup Cemetery	41,200	41,200	664	40,536
	R196	Upper Preston Cemetery	10,300	0	0	0
	R197	Balingup Skate Park	20,000	0	0	0
	R198	9791 South West Highway Donnybrook	79,012	0	0	0
			345,160	**93,572**	**20,512**	**73,060**
	Infrastructure - Bridges					
	3275	Bridge # 3275 Upper Capel Road - Repairs	70,000	60,990	84,935	(23,945)
	B5185	Bridge #5185 Merrifield View	417,000	0	0	0
	B3617	Bridge #3617 Bridge Street	774,000	0	0	0
			1,261,000	**60,990**	**84,935**	**(23,945)**
	Infrastructure - Footpaths					
	C2409	Preston River Path Loop	165,000	0	68	(68)
			165,000	**0**	**68**	**(68)**
	Infrastructure - Roads					
	C1014	Johnston Street Yabberup	83,500	67,154	65,292	1,862
	C1420	Preliminary Surveys & Designs / Permits	20,000	0	0	0
	C1607	Gravel Stockpile Development	100,000	100,000	99,326	674
	C2210	Southampton Road	510,000	196,664	91,184	105,480
	C2304	Montgomery Road	54,999	0	0	0
	C2314	Balingup Nannup Road	804,697	536,416	17,093	519,323
	C2315	Balingup Nannup Road (RRG)	175,000	116,652	26,214	90,438
	C2401	Cundinup Kirup Road	756,000	300,002	239,196	60,806
	C2402	Jayes Road	320,000	160,002	298,206	(138,204)
	C2403	Greenbushes-Grimwade Road	35,000	35,000	36,602	(1,602)
	C2404	Forrest Road - Thompson Brook	75,000	0	220	(220)
	C2405	Smith & Timms Road	270,000	0	2,400	(2,400)
	C2406	Airstrip Road	25,000	16,666	0	16,666
	C2407	Drainage upgrades - Bond, Fleet and Victoria Pde	68,768	68,768	70,205	(1,437)
	C2408	Greenbushes Grimwade Road upgrade	360,500	275,000	190,705	84,295
			3,658,464	**1,872,324**	**1,136,643**	**735,681**
		Total Capital Acquisitions	**14,213,881**	**8,681,931**	**7,525,719**	**1,156,212**

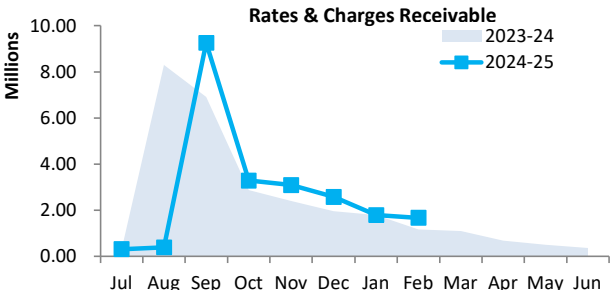
6 DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget Net Book Value	Budget Proceeds	Budget Profit	Budget (Loss)	YTD Actual Net Book Value	YTD Actual Proceeds	YTD Actual Profit	YTD Actual (Loss)
		$	$	$	$	$	$	$	$
	Buildings								
20237	VC Mitchell changerooms	0	0	0	0	88,288	0	0	(88,288)
	Plant and equipment								
61293	Toyota Prado - DB5	39,140	39,140	0	0	35,438	33,182	0	(2,256)
61297	Toyota Fortuner - DB009	25,750	25,750	0	0	23,288	25,909	2,621	0
61316	Mitsubishi Triton - DB112	20,600	20,600	0	0	0	0	0	0
61324	Mazda CX-8 - DB8250	25,235	25,235	0	0	35,837	29,545	0	(6,292)
61325	Kubota front mower - DB193	15,450	15,450	0	0	0	0	0	0
61254	Fuso cab truck - DB2134	20,000	20,000	0	0	23,287	20,000	0	(3,287)
61308	Kubota zero turn mower - DB898	10,300	10,300	0	0	0	0	0	0
P6292	Loadstar trailer - DB6292	2,575	2,575	0	0	0	0	0	0
61262	Caterpillar loader - DB1250	74,160	74,160	0	0	0	0	0	0
61251	Isuzu Truck - DB799	23,636	23,636	0	0	9,113	23,636	14,523	0
61221	Bogie semi trailer	15,000	15,000	0	0	2,936	16,824	13,888	0
61178	Toyota Landcrusier - DB2235	0	0	0	0	5,000	35,000	30,000	0
P6008	Loadstar trailer - DB6008	500	500	0	0	0	0	0	0
	Infrastructure - Other								
859	VC Mitchell park drinking fountain	0	0	0	0	4,908	0	0	(4,908)
20271	VC Mitchell lighting towers x 4	0	0	0	0	20,547	0	0	(20,547)
20272	VC Mitchell lighting towers x 2	0	0	0	0	3,648	0	0	(3,648)
20274	VC Mitchell dugouts	0	0	0	0	1,372	0	0	(1,372)
		272,346	**272,346**	**0**	**0**	**253,662**	**184,096**	**61,032**	**(130,598)**



7 RECEIVABLES

Rates & charges receivable	30 June 2024	28 Feb 2025
	$	$
Opening arrears previous year	260,641	370,380
Levied this year	8,480,631	9,258,817
Less - collections to date	(8,370,892)	(7,955,383)
Net rates collectable	**370,380**	**1,673,814**
% Collected	95.8%	82.6%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	$	$	$	$	$	$
Receivables - general	(4,308)	24,486	5,076	220,032	6,236	251,522
Percentage	(1.7%)	9.7%	2.0%	87.5%	2.5%	
Balance per trial balance						
Trade receivables						251,522
Other receivables						1,800
GST receivable						34,039
Total receivables general outstanding						**287,361**

Amounts shown above include GST (where applicable)

KEY INFORMATION

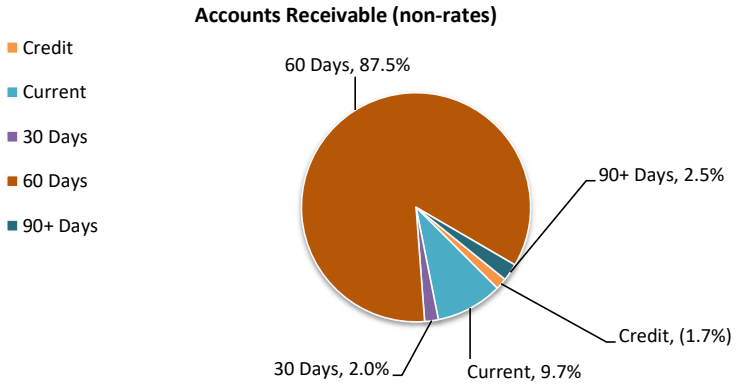
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets.

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



8 OTHER CURRENT ASSETS

Other current assets	Opening Balance 1 July 2024	Asset Increase	Asset Reduction	Closing Balance 28 February 202
	$	$	$	$
Other financial assets at amortised cost				
Financial assets at amortised cost - self supporting loans	10,196	0	(5,064)	5,132
Financial assets at amortised cost - commercial loans	13,333	0	(8,889)	4,444
Inventory				
Stock on hand	167,983	0	(7,934)	160,049
Other assets				
Accrued income	61,925	0	(61,925)	0
Contract assets	283,417	0	(283,417)	0
Total other current assets	**536,854**	**0**	**(367,229)**	**169,625**

Amounts shown above include GST (where applicable)

KEY INFORMATION

Other financial assets at amortised cost

The Shire classifies financial assets at amortised cost if both of the following criteria are met:
- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Inventory

Inventories are measured at the lower of cost and net realisable value.
Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

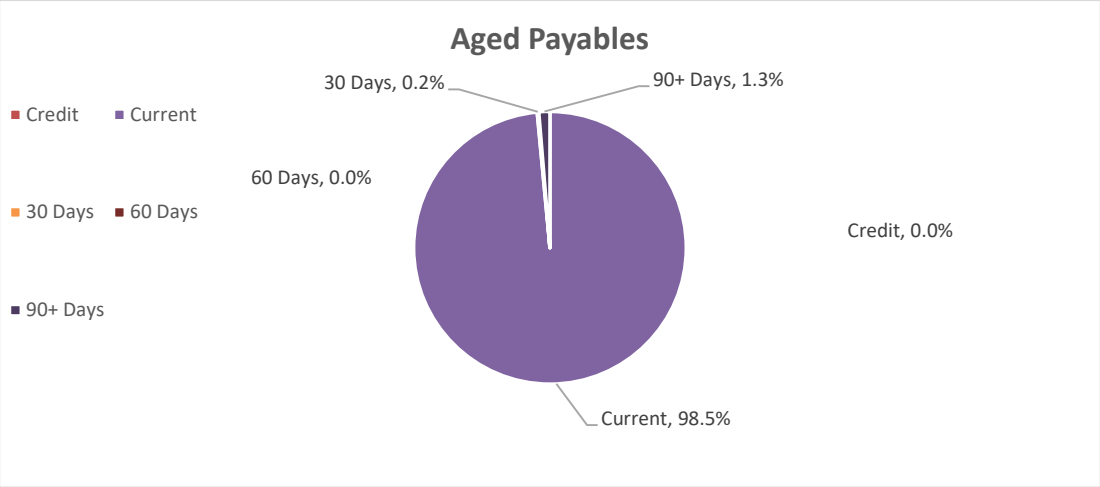
9 PAYABLES

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	$	$	$	$	$	$
Payables - general	0	806,843	1,693	0	10,470	819,006
Percentage	0.0%	98.5%	0.2%	0.0%	1.3%	
Balance per trial balance						
Sundry creditors						819,005
Other payables						50,000
Prepaid rates						166,422
Bonds and deposits held						374,140
Total payables general outstanding						**1,409,567**

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.
The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



10 BORROWINGS

Repayments - borrowings

Information on borrowings			New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars	**Loan No.**	**1 July 2024**	**Actual**	**Budget**	**Actual**	**Budget**	**Actual**	**Budget**	**Actual**	**Budget**
		$	$	$	$	$	$	$	$	$
Dental Surgery Extensions	74	14,715	0	0	(7,252)	(14,715)	7,463	0	(429)	(646)
Tuia Lodge Fire Supression System	93	180,064	0	0	(14,364)	(28,842)	165,700	151,222	(1,422)	(2,732)
VC Mitchell Park	94	2,900,000	0	0	(43,102)	(87,278)	2,856,898	2,812,722	(74,263)	(145,455)
		3,094,779	0	0	(64,718)	(130,835)	3,030,061	2,963,944	(76,114)	(148,833)
Self supporting loans										
Donnybrook Country Club	90	26,019	0	0	(5,063)	(10,196)	20,956	15,823	(356)	(644)
		26,019	0	0	(5,063)	(10,196)	20,956	15,823	(356)	(644)
Total		**3,120,798**	**0**	**0**	**(69,781)**	**(141,031)**	**3,051,017**	**2,979,767**	**(76,470)**	**(149,477)**
Current borrowings		141,031					71,250			
Non-current borrowings		2,979,767					2,979,767			
		3,120,798					**3,051,017**			

All debenture repayments were financed by general purpose revenue.
Self supporting loans are financed by repayments from third parties.

KEY INFORMATION
The Shire has elected to recognise borrowing costs as an expense when incurred regardless of how the borrowings are applied.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature.

11 LEASE LIABILITIES

Movement in carrying amounts

Information on leases			New Leases		Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars	**Lease No.**	**1 July 2024**	**Actual**	**Budget**	**Actual**	**Budget**	**Actual**	**Budget**	**Actual**	**Budget**
		$	**$**	**$**	**$**	**$**	**$**	**$**	**$**	**$**
Laptops	New	0	0	100,000	0	(30,000)	0	70,000	0	(7,000)
Network Switches	214-0439437001	8,253	0	0	(4,654)	(7,043)	3,599	1,210	(220)	(268)
Matrix Fitness Equipment	A6ZBG64105	57,245	0	0	(13,654)	(18,302)	43,591	38,943	(1,586)	(2,018)
Total		**65,498**	**0**	**100,000**	**(18,308)**	**(55,345)**	**47,190**	**110,153**	**(1,806)**	**(9,286)**
Current lease liabilities		25,345					7,037			
Non-current lease liabilities		40,153					40,153			
		65,498					**47,190**			

All lease repayments were financed by general purpose revenue.

KEY INFORMATION

At inception of a contract, the Shire assesses if the contract contains or is a lease. A contract is or contains a lease, if the contract conveys the right to control the use of an identified asset for a period of time in exchange for consideration. At the commencement date, a right of use asset is recognised at cost and lease liability at the present value of the lease payments that are not paid at that date. The lease payments are discounted using that date. The lease payments are discounted using the interest rate implicit in the lease, if that rate can be readily determined. If that rate cannot be readily determined, the Shire uses its incremental borrowing rate.

All contracts classified as short-term leases (i.e. a lease with a remaining term of 12 months or less) and leases of low value assets are recognised as an operating expense on a straight-line basis over the term of the lease.

12 OTHER CURRENT LIABILITIES

Other current liabilities	Note	Opening Balance 1 July 2024	Liability transferred from/(to) non current	Liability Increase	Liability Reduction	Closing Balance 28 February 2025
		$	$	$	$	$
Other liabilities						
Contract liabilities		9,215	0	0	(9,215)	0
Capital grant/contributions liabilities		3,776,578	0	1,036,375	(2,595,635)	2,217,318
Contract liability - contribution to works		460,018	0	63,455	(264,895)	258,578
Total other liabilities		4,245,811	0	1,099,830	(2,869,745)	2,475,896
Employee Related Provisions						
Provision for annual leave		453,209	0	0	0	453,209
Provision for long service leave		517,515	0	0	0	517,515
Total Provisions		970,724	0	0	0	970,724
Total other current liabilities		**5,216,535**	**0**	**1,099,830**	**(2,869,745)**	**3,446,620**

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 13 and 14

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.
Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee Related Provisions

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.
The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

Capital grant/contribution liabilities

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

13 GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent grant, subsidies and contributions liability				Grants, subsidies and contributions revenue		
	Liability 1 July 2024	Increase in Liability	Decrease in Liability (As revenue)	Current Liability 28 Feb 2025	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
	$	$	$	$	$	$	$
Grants and subsidies							
Grants - LGGC Financial Assistance Grants	0	0	0	0	189,906	142,428	142,429
Grants - LGGC Local Road	0	0	0	0	77,754	58,314	58,316
ESL Operating Grant - SES	0	0	0	0	19,940	14,955	7,858
ESL Operating Grant - VBFB	0	58,835	0	0	240,160	180,120	117,670
ESL Non-recurrent Grant - SES	0	7,674	0	0	0	0	5,379
Attraction & retention of child care workers	0	25,000	(7,308)	17,692	25,000	5,000	7,308
Bushfire Mitigation Grant	130,054	0	(130,054)	0	0	0	130,054
Kidsport grant	0	0	0	0	500	500	909
Biodiversity Management Program	8,516	0	0	8,516	0	0	0
Youth Week Grant	0	3,000	0	3,000	3,000	0	0
Bike rescue program	0	0	0	0	10,000	0	0
Australia Day	0	8,000	(8,000)	0	10,000	4,000	8,000
Main Roads Direct Grant	0	0	0	0	246,102	246,102	246,102
Electronic Fire Danger Rating Signs x 3	15,750	0	0	15,750	0	0	0
Natural Resource Recovery Program	7,039	79,367	0	86,406	0	0	0
Reimbursements & Recoveries	0	0	0	0	694,108	110,578	167,077
Donations	0	0	0	0	1,000	500	11,250
Thank a Volunteers grant	0	1,000	0	1,000	1,000	0	0
	161,359	**182,876**	**(145,362)**	**132,364**	**1,518,470**	**762,497**	**902,352**

14 CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

	Capital grant/contribution liabilities				Capital grants, subsidies and contributions revenue		
Provider	Liability 1 July 2024	Increase in Liability	Decrease in Liability (As revenue)	Current Liability 28 Feb 2025	Adopted Budget Revenue	YTD Budget	YTD Revenue Actual
	$	$	$	$	$	$	$
Capital grants and subsidies							
Bridgeworks - Special Projects Grant	17,007	0	0	17,007	0	0	0
Social Housing Economic Recovery Package Grant	270,753	0	(270,525)	228	286,929	262,530	270,525
VC Mitchell Park (Government Grant)	156,346	0	0	156,346	156,346	0	0
LRCI Grant Income - Donnybrook Recreation Centre	29,028	0	(29,028)	0	88,255	29,000	29,029
Blackspot	48,665	0	0	48,665	407,267	0	0
Commodity Route Funding	0	275,000	(127,137)	147,863	275,000	127,000	127,136
LGGC Special Projects Bridges	560,000	0	0	560,000	564,667	0	0
MRWA Special Project Bridges	0	0	0		814,434	81,739	81,739
Regional Road Group	5,382	336,000	(220,253)	121,129	944,000	286,825	287,078
Roads to Recovery	0	0	0	0	725,000	0	0
VC Mitchell - Talison	2,528,038	0	(1,803,330)	724,708	2,641,988	1,800,000	1,803,330
LRCI Grant Income - Balingup Recreation Centre	0	0	0	0	10,000	0	0
LRCI Grant Income - Public Halls	0	0	0	0	209,487	0	0
LRCI Grant Income - Public Conveniences	0	0	0	0	6,175	0	0
Department of Water & Environment - E-Waste storage shed	0	0	0	0	64,003	0	0
Department of Transport - Preston Loop Pathway	0	42,500	0	42,500	82,500	0	0
VC Mitchell - WA Football Commission changerooms	0	200,000	0	200,000	200,000	0	0
ESL Capital Grant - Lowden fast attack vehicle	0	0	0	0	0	0	211,885
	3,615,219	**853,500**	**(2,450,273)**	**2,018,446**	**7,476,051**	**2,587,094**	**2,810,722**
Capital contributions							
CTW0001 Contribution to works - Palmer St	1,500	0	0	1,500	0	0	0
CTW0007 Contribution to works - Palmer St	1,500	0	0	1,500	0	0	0
CTW0011 Contribution to works - Palmer St	1,500	0	0	1,500	0	0	0
CTW0022 Contribution to works - Drainage - Victoria Pde	12,889	0	0	12,889	0	0	0
CTW0023 Contribution to works - Pathway - Victoria Pde	11,900	0	0	11,900	0	0	0
CTW0025 Contribution to works - Donnybrook CBD Upgrades	13,175	0	0	13,175	0	0	0
CTW0026 Contribution to works - Drainage - Ecclestone St Fairway	37,286	0	0	37,286	0	0	0
CTW0027 Contribution to works - Palmer St (09/10)	3,000	0	0	3,000	0	0	0
CTW0031 Contribution to works - Mitchell & Grimwade Rd	24,444	0	0	24,444	0	0	0
CTW0032 Contribution to works - Palmer/Smith St	3,051	0	0	3,051	0	0	0
CTW0034 Contribution to works - Carey St	3,014	0	0	3,014	0	0	0
CTW0035 Contribution to works - Hunter St	6,028	0	0	6,028	0	0	0
CTW0036 Contribution to works - Drainage - Bentley St	49,716	0	0	49,716	0	0	0
CTW0041 Contribution to works - Bridge & Palmer St	3,050	0	0	3,050	0	0	0
CTW0047 Contribution to works - Chapman St	3,477	0	0	3,477	0	0	0
CTW0048 Contribution to works - Footpath Fleet St	1,509	0	0	1,509	0	0	0
CTW0049 Contribution to works - Mead St	18,084	0	0	18,084	0	0	0
CTW0053 Contribution to works - Tuia Lodge Extension	264,895	0	(264,895)	0	0	0	0
Contribution to works - Montgomery Road	0	18,000	0	18,000	18,000	0	0
CTW0056 Contribution to works - Johnston Street Yabberup[	0	45,455	0	45,455	50,000	0	0
Contribution to works - Bond, Fleet and Victoria Parade	0	0	0	0	26,298	0	0
VC Mitchell contributions	0	0	0	0	160,000	0	0
Contribution - Bridge 5224	0	0	0	0	36,364	0	0
	460,018	**63,455**	**(264,895)**	**258,578**	**290,662**	**0**	**0**
TOTALS	**4,075,237**	**916,955**	**(2,715,168)**	**2,277,024**	**7,766,713**	**2,587,094**	**2,810,722**

15 BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
			$	$	$	$
Budget adoption						0
J513 - Irishtown Road Bridge	174/10-24	Operating expenses			(340,000)	(340,000)
J518 - Irishtown Road Bridge - design & planning	174/10-24	Operating expenses			(200,000)	(540,000)
9032 - ICT Disaster - consultants	185/10-24	Operating expenses			(7,800)	(547,800)
2512 - Network switch	185/10-24	Capital expenses		7,800		(540,000)
2062 - BGTP subscription	191/10-24	Operating expenses			(20,000)	(560,000)
B396 - E-Waste storage shed	206/11-24	Capital expenses			(70,003)	(630,003)
1111 - Dep of Water & Environment	206/11-24	Operating revenue		64,003		(566,000)
Res 4721 - Waste management reserve	206/11-24	Reserve		6,000		(560,000)
9092 - Thank a Volunteer	209/11-24	Operating expenses			(1,000)	(561,000)
4962 - Education & Welfare grants	209/11-24	Operating revenue		1,000		(560,000)
4004 - Air conditioner Bendigo Bank	215/11-24	Capital expenses			(10,000)	(570,000)
Res 4761 - Building reserve	215/11-24	Reserve		10,000		(560,000)
C2401- Cundinup Kirup Road	217/11-24	Capital expenses			(156,000)	(716,000)
3291 - Regional Road Group grants	217/11-24	Operating revenue		104,000		(612,000)
C2408 - Greenbushes Grimwade Road	217/11-24	Capital expenses		52,000		(560,000)
B5224 - Emergency Bridge works	244/12-24	Operating expenses			(220,155)	(780,155)
Res 4741 - Roadworks Reserve	244/12-24	Reserve		29,141		(751,014)
1063 - Main Roads contribution	244/12-24	Operating revenue		154,650		(596,364)
3191 - Bridge contribution	244/12-24	Operating revenue		36,364		(560,000)
J520 - Irishtown Road Bridge - repairs	244/12-24	Operating expenses			(497,749)	(1,057,749)
5403 - Insurance reimbursements	244/12-24	Operating revenue		497,749		(560,000)
			0	**962,707**	**(1,522,707)**	**(560,000)**

16 TRUST FUND

Funds held at balance date which are required by legislation to be credited to the trust fund and which are not included in the financial statements are as follows:

Description	Opening Balance 1 July 2024	Amount Received	Amount Paid	Closing Balance 28 February 2025
	$	$	$	$
Cash in Lieu of Public Open Space Funds	56,967	0	0	**56,967**
	56,967	**0**	**0**	**56,967**