



*'The Council and Staff of the Shire of Boddington, in partnership with the community, are committed to operating effectively and efficiently to provide quality lifestyle opportunities that encourage population growth and development'*

## **Minutes**

**For The  
Ordinary Meeting of Council  
Held At  
17 February 2022  
At 5:30pm**

Council Chambers  
39 Bannister Rd, Boddington

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## Minutes

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**1. DECLARATION OF OPENING**

The Shire President Garry Ventris declared the meeting open at 5:30pm.

I would like to begin by acknowledging the Traditional Owners of the land on which we meet today. I would also like to pay my respects to Elders past and present and emerging.

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

**2.1 Attendance**

Cr G Ventris	Shire President
Cr E Smalberger	Deputy Shire President
Cr C Erasmus	
Cr I Webster	

Mrs Julie Burton	Chief Executive Officer
Mrs Cara Ryan	Executive Manager Corporate Services
Mr P Haas	Principal Environmental Health Officer/Building Surveyor
Mr J Atkins	Manager of Works & Services

Ms T Hodder	Executive Officer (minutes)
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Visitors: 5

**2.2 Apologies**

Cr Schreiber

**2.3 Leave of Absence**

Nil

**3. DISCLOSURES OF INTEREST**

Cr Smalberger declared an Interest in Impartiality for Item 8.4.2 as she is President of the Boddington RRR.

**4. PUBLIC QUESTION TIME**

Public question time is limited to a total of fifteen minutes of duration, except by consent of the person presiding. Each speaker is limited to three minutes duration to speak, except by consent of the person presiding.

Nil

**5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Nil



6. **CONFIRMATION OF MINUTES**

**COUNCIL RESOLUTION: 1/22**

**Moved Cr Webster**

**Ordinary Meeting of council held on Thursday 16 December 2021**

**Seconded: Cr Erasmus**

**Carried: 4/0**

7. **ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil.

## **8. REPORTS OF OFFICERS AND COMMITTEES**

### **8.1 PLANNING & DEVELOPMENT SERVICES**

#### **8.1.1 Position Statement: Planning for Tourism**

File Reference:	GOVR012
Applicant:	Western Australian Planning Commission
Disclosure of Interest:	Edge Planning & Property receive payment for planning advice to the Shire and declare a Financial Interest (section 5.70 of the Local Government Act 1995)
Author:	Steve Thompson – Consultant Planner
Attachments:	8.1.1A Draft Position Statement: Planning for Tourism and draft Planning for Tourism Guidelines 8.1.1B Preliminary WALGA comments

#### Summary

**Council is requested to consider making a submission to the Western Australian Planning Commission on draft *Position Statement : Planning for Tourism* and draft *Planning for Tourism Guidelines*.**

#### Background

The Western Australian Planning Commission (WAPC) has invited comments from this Shire and other stakeholders on draft *Position Statement: Planning for Tourism* and the associated draft *Planning for Tourism Guidelines* by 7 March 2022. The draft Position Statement and the draft Guidelines are provided in Attachment 8.1.1A.

The growth in short-term rental accommodation platforms (including Airbnb) and associated services have been rapid, however, planning legislation that governs short-term accommodation in Western Australia has not been revised since 2009.

The draft Position Statement builds on, in part, the Inquiry into Short-Stay Accommodation by the Legislative Assembly's Economics and Industry Standing Committee in 2019.

#### Comment

The draft Position Statement and the draft Guidelines are considered a positive step forward in the provision of clear and consistent direction to local governments on the definition and treatment of short-term rental accommodation in the Western Australia planning framework.

The draft Position Statement identifies that 'Local Governments are best placed to plan for tourism within their communities, with local knowledge of tourism activities, opportunities, constraints, including potential impacts and what requirements, if any, should be places on tourism proposals'. The general and specific policy measures generally align with this intent and the draft Position Statement's intent and objectives are supported.

The draft Position Statement and the draft Guidelines raise various issues and some of the key matters are outlined in Attachment 8.1.1B (preliminary WALGA comments).

The Shire administration supports the exemption of 'hosted accommodation' (such as bed and breakfast) not requiring development approval. This is subject to registration, supplying a management plan and the deemed provisions in the *Planning and Development (Local Planning Schemes) Regulations 2015* making it clear that required parking is provided on site.

The Shire administration supports incorporation of the existing bed and breakfast land-use definition into a new hosted accommodation definition. Further commentary is outlined in Attachment 8.1.1B.

The Shire administration has concerns regarding the proposal to exempt ‘unhosted accommodation’ (includes holiday house) from the need to obtain development approval where this use is not proposed to be let for more than 60 days per calendar year. This policy response was not proposed in either the Parliamentary Inquiry or the State Government’s inquiry response. Additionally, the draft Position Statement provides limited justification as to why the exemption is being proposed. WALGA advise that consultation with local governments indicates that there is broad opposition to this exemption for a range of reasons. More detailed commentary is outlined in Attachment 8.1.1B.

The Shire administration would prefer to require a development application for all unhosted accommodation, including where let out for less than 60 days per calendar year, which is accompanied by a management plan. This would increase certainty for neighbours and others.

The Shire administration raises no objection to the establishment of a state-wide registration scheme. This may bring clarity to the regulation of short-term accommodation in their localities, however, given the limited detail provided, the Shire’s support for the scheme is conditional upon inclusion of the following features:

- a) All hosted and un-hosted short-term accommodation must be required to be registered with the scheme before being able to advertise the property;
- b) All peer-to-peer platforms that seek to let short-term accommodation must be regulated through the scheme as a host platform;
- c) Obligations of registration for both hosts and platforms must be clear and appropriate infringements and compliance tools should be embedded in the regulatory framework;
- d) Local governments must be able to maintain the ability to require the provision of additional information and impose additional licensing or operational requirements, depending on their circumstances;
- e) Local governments must be able to set fees commensurate with the cost of providing the service for any role undertaken as part of the scheme; and
- f) Local governments must have access to all necessary data collected by the scheme to adequately manage the potential impacts of short-term accommodation providers and to ensure local requirements are being met by hosts.

### Consultation

Consultation is being undertaken by the WAPC. The Shire, in turn, sought to raise awareness and requested community comments via Facebook. There were no comments from the Shire’s Facebook post.

### Strategic Implications

<b>Pillar 2</b>	<b>A thriving and diverse economy</b>
Outcome 2.2	Identify opportunities for new tourism businesses and tourism-friendly businesses

### Legislative Implications

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

### Policy Implications

The finalised Position Statement and Guidance will strongly influence the assessment and management of short stay accommodation.

### Financial Implications

Nil

### Economic Implications

Finalisation of the Position Statement and Guidance are anticipated to result in wide ranging economic implications and some of these are outlined in this report and in the attachments.

### Social Implications

Finalisation of the Position Statement and Guidance are anticipated to result in wide ranging social implications with some of these outlined in this report.

### Environmental Considerations

Nil

### Risk Considerations

Risk Statement and Consequence	Compliance - implementing updated statutory and policy requirements.
Risk Rating (prior to treatment or control)	Low
Principal Risk Theme	Compliance
Risk Action Plan (controls or treatment proposed)	Address statutory requirements

### Options

1. Support the draft Position Statement and draft Guidelines;
2. Support the draft Position Statement and draft Guidelines with modifications;
3. Not support the draft Position Statement and draft Guidelines and decide not to make a submission.

### Voting Requirements

Simple Majority

**Officer Recommendation**

**COUNCIL RESOLUTION: 02/22                      Moved Cr Erasmus**

**That Council:**

**Advise the Western Australian Planning Commission that it overall supports the draft *Position Statement: Planning for Tourism* and the draft *Planning for Tourism Guidelines* subject to removing development application exemptions for ‘unhosted accommodation’ that are let out for less than 60 days per calendar year.**

**Authorise the Shire’s Chief Executive Officer to make a submission based on this item and Attachment 8.1.1B.**

**Seconded: Cr        Webster    Carried: 4/0**

**DRAFT**  
PUBLIC CONSULTATION



Department of Planning,  
Lands and Heritage



# Draft Position Statement: Planning for Tourism

December 2021

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formats on application to the  
Communications Branch.

## 1. Policy intent

The intent of this Position Statement is to guide the appropriate location and management of tourism land uses through the planning framework and:

- facilitate acceptable development of new and evolving tourism opportunities
- provide a high-level of amenity in tourism areas
- deliver quality land use planning outcomes.

## 2. Planning for tourism in Western Australia

Western Australia's many natural and man-made features and attractions provide substantial opportunities for tourism, which is a significant contributor to the State and local economies, particularly in regional areas.

Tourism encompasses an array of development types, sizes and locations, and includes accommodation, attractions, facilities, infrastructure and other ancillary services.

Appropriate planning and management of tourist areas and uses is necessary for their promotion and retention, to prevent encroachment from incompatible land uses, to protect the amenity, environmental and landscape values of tourist areas, and to address potential land use conflict. Planning for tourism must be capable of adapting to changes in the sector and the consideration of value-add opportunities.

Local governments are encouraged to consult with Tourism WA and other relevant State Government agencies, tourism associations, local operators and the local community when undertaking planning for tourism as described within this Position Statement.

## 3. Application of this Position Statement

This Position Statement applies to all tourism proposals within all regions of Western Australia and should be applied in conjunction with the draft Planning for Tourism Guidelines (the Guidelines), available [online](#).

In this Position Statement the term 'tourist accommodation' refers to all tourist accommodation land uses provided within the *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations) and this Position Statement (at Table 1). Where a land use definition within this Position Statement differs to that within the LPS Regulations, it is intended to update the LPS Regulations such that the land use definition is consistent with this Position Statement.

### Note for consultation:

This Position Statement will supersede and replace *Planning Bulletin 49 Caravan Parks 2014*, *Planning Bulletin 83 Planning for Tourism 2013* and *Planning Bulletin 99 Holiday Home Guidelines 2009*.

Land use definitions for short-term rental accommodation are either new or have been modified (refer to section 6 of this Position Statement). Notably, it is proposed to delete the 'bed and breakfast' land use definition from the model definitions of the LPS Regulations and combine it into a new land use definition for 'hosted accommodation'. Refer to Table 1 of this Position Statement for more information.

### 3.1 Exclusions

This Position Statement is not intended to capture the following forms of short-term and temporary accommodation, which are often subject to either alternative guidance and legislation or approaches by local government (further information available in section 4 of the Guidelines):

- house swapping and house sitting
- lodgers and boarders
- personal use of a holiday home or the sharing of a holiday home with the owner's family and friends
- student exchange accommodation
- workforce accommodation
- residential parks, park home parks, lifestyle villages.

### 4. Policy objectives

The policy objectives for planning for tourism are to:

- Provide a strategic approach to the sustainable development and management of tourism land uses by ensuring decision-making is guided by a local planning strategy which reflects the demand for local and regional tourism.
- Identify opportunities and protect locations, tourism precincts and sites (existing and potential) where demand for future tourism land use and development have been identified. The character, landscape, visual amenity, economic, social, cultural and environmental values of natural and/or built features that may have future tourism potential should be protected; any negative impacts minimised; and, where possible, values enhanced.
- Plan appropriate infrastructure and services necessary to support tourism development and ensure new and expanded tourism development has secure access to services/infrastructure.

- Recognise that the commercial sustainability of tourism may require flexibility in product mix, site design and risk mitigation approaches. Promote the co-location of complementary and compatible tourism land uses to create identifiable tourism precincts that benefit tourism amenity.
- Ensure land use impacts between tourism activities and other land uses (including residential areas) are appropriately managed.

### 5. Policy measures

Local government are best placed to plan for tourism within their communities, with local knowledge of tourism activity, opportunities, constraints, including potential impacts and what requirements, if any, should be placed on tourism proposals.

#### 5.1 General measures

In general, strategic and statutory planning decisions should:

- Encourage a range of tourist accommodation choices and experiences as required.

- Encourage sustainable eco-tourism that recognises and complements Western Australia's unique and sensitive natural environment, heritage and Aboriginal culture.
- Give effect to this Position Statement and Guidelines, and the *State Government Strategy for Tourism in Western Australia 2020* (as amended).
- Be consistent in the use of tourism land use and accommodation definitions contained in this Position Statement, the LPS Regulations and *State Planning Policy 7.3: Residential Design Codes*.
- Promote the location of tourist accommodation in areas with the highest tourism amenity (for example beach access, views, facilities, availability of services) and adequate separation from, or management of, any interface with residential land uses.
- Ensure areas used exclusively for tourism sites and precincts are zoned as Tourism or Special Use.
- Ensure that new and proposed caravan parks are zoned Special Use - Caravan Park to provide long-term security as a caravan park use.



- Maintain and support existing tourism and special use sites. Rezoning should only be supported if it is demonstrated that a tourism site is unfeasible in the long-term because of a lack of tourism demand, sustainable tourism function and a long-term decline of all tourism activities and accommodation types in the region.
- The inclusion of any land uses other than tourism land uses on tourism zoned land should be considered on a case-by-case basis. Consideration should include whether there is appropriate infrastructure and a planning framework that supports uses other than tourism on tourism zoned sites. The inclusion of permanent residential uses requires close consideration to ensure tourism remains the primary use of a site and a quality tourism outcome is achieved in conjunction with any residential component.
- Where permitted, tourism uses on agricultural or rural land should be secondary to agricultural and/or rural uses to protect the primacy of the land for rural uses (for example farm stay, restaurant

at vineyard, farm gate sales) as provided by *State Planning Policy 2.5: Rural Planning*.

- Proposals in areas subject to natural hazards (bushfire, coastal, cyclone and flood prone areas) are to meet the requirements set out in the relevant State planning policies (2.6: *State Coastal Planning*, draft 2.9 *Planning for Water*, 3.4: *Natural Hazards and Disasters* or 3.7: *Planning in Bushfire Prone Areas*). The *Position Statement: Tourism land uses in bushfire prone areas* should also be given consideration in decision-making.
- Where coordination is required (for example across multiple sites, stages or for infrastructure provision), proposals within tourism precincts or sites should be informed by the preparation of a structure plan and/or local development plan as appropriate. These plans should be required prior to subdivision or development approval.

## 5.2 Local planning strategy considerations

The local planning strategy provides the long-term planning directions and actions to manage the change and

development of a local government area. The local planning strategy also provides the line-of-sight between state-wide strategic planning and policy to the local framework and decision-making.

Local government are encouraged to incorporate a tourism component to ensure strategic tourism needs are addressed. The extent to which tourism is examined within the local planning strategy should be proportionate to the significance of tourism to the community and local economy.

The tourism component of the local planning strategy should:

- Reflect on the existing planning framework (including the local planning scheme and relevant local planning policies) and whether it is fit-for-purpose and achieving the tourism outcomes being sought.
- Discuss current and emerging tourism trends and issues, including the provision of information on existing tourism, aspirations for long-term tourism and existing problems related to tourism.
- Where tourism is significant to the locality or region, it should include

as an accommodation supply and demand analysis, the rationale for determining future land allocation (site size and location), suitable planning controls and anticipated tourism infrastructure needs.

- Identify suitable tourism sites and precincts in accordance with locational criteria developed by the local government and ensure these are located appropriately to townsites and in proximity to the features and attractions they are intended to serve. Locations identified for tourism should be consistent with other existing policies.
- Outline suitable planning controls to guide and manage tourism uses that will need to be incorporated in the local planning scheme.
- Be consistent with this Position Statement.

### 5.2.1 Caravan parks

Caravan parks are a fundamental component of the tourism accommodation mix and can experience competing demands from short-term and long-term guests. In addition, the demand for land in tourist locations has

contributed to numerous caravan park closures throughout Western Australia.

Strategic planning for caravan parks should:

- Ensure development and long-term retention of caravan parks as a form of short-stay (affordable) accommodation primarily for leisure tourists.
- Recognise that the commercial sustainability of caravan parks requires some flexibility in product mix, site design and risk mitigation approaches.
- Ensure any new caravan parks are located appropriately for their context and intended market and function.

### 5.2.2 Short-term rental accommodation

Short-term rental accommodation is the collective name given to holiday homes, units or apartments (usually built for residential purposes) offered for short-term letting, often through an online booking platform or management agent. Short-term rentals are either hosted (where a permanent resident (host) is present) or unhosted (where guests have

exclusive use of an entire house, unit or apartment). Commonly, they can be:

- A family holiday home, periodically offered as a short-term rental.
- A property purchased for the sole intent of operating a short-term rental operation.
- Residents looking to let spare bedrooms on a short-term basis.

The success of online booking platforms offering short-term rental accommodation has seen a rapid increase in short-term rentals, with high concentrations occurring in popular tourist locations. In some cases, the rapid growth in the short-term rental market has placed management and compliance stress on local governments and can have a variety of negative flow on effects.

Local government should consider whether specific attention needs to be given to short-term rental accommodation in the local planning strategy. In areas where short-term rentals are in low demand and do not cause significant community concern, addressing the topic within the local planning strategy may be unnecessary.

#### Note for consultation:

Concurrent with the release of this draft Position Statement, the State Government is working towards implementation of a registration scheme for hosted and unhosted short-term rental accommodation, which was a key recommendation of the 2019 Economics and Industry Standing Committee's inquiry "Levelling the playing field: Managing the impact of the rapid increase of Short-Term Rentals in Western Australia". Further information on the registration scheme is available from <https://www.dlgsc.wa.gov.au/>.

#### 5.2.2.1 Supply, demand and pressures associated with short-term rental accommodation

To help understand current and emerging trends and issues, local governments are encouraged to undertake a short-term rental accommodation supply and demand analysis. A supply and demand analysis should include consideration of the short-term rental market,

the relationship with permanent housing provisions and the traditional accommodation provision.

Considerations may include:

- Identification of the existing short-term rental accommodation supply.
- Assessment of current and future short-term rental demands informed by Tourism WA and Australian Bureau of Statistics data, local government data and other planning documents.
- Identification of short-term rental accommodation opportunities.

Evidence from other jurisdictions (and increasingly from tourism locations in the South West) indicates that a rapid growth in or high supply of short-term rentals may affect the availability of long-term rentals and housing choice for longer-term residents of a community.

Local governments with areas subject to a high supply of short-term rental accommodation and relatively stable housing growth are encouraged to monitor the situation in their communities and adjust policy settings as appropriate.

### 5.2.2.2 Location of short-term rental accommodation

Consideration should be given to the appropriate location of short-term rental accommodation; where it should be prioritised, permitted or avoided to further strategic planning objectives, enhance the tourism experience and avoid adverse impacts on surrounding land uses.

It is recognised that there is variation amongst local government in approaches taken, from broad acceptance of short-term rental accommodation in all residential areas, through to consideration in selective locations and/or prohibiting in others.

In seeking to guide the location of short-term rental accommodation, the following considerations may be relevant to the local government:

- Provision of and access to tourist amenity proximity to social, cultural, and leisure attractions, and accessibility to transport routes and public transport services.
- Adequate standard of services and infrastructure necessary, for example reticulated or drinking water supply and service, capacity of on-site solutions.

- Locations to minimise adverse interface issues, particularly amenity impacts on surrounding residential and other land uses (for example rural).
- Risk of natural hazards and the extent of measures which may need to be in place to address the level of risk.
- Any other relevant planning consideration and/or policy instruments within the planning framework.

### 5.3 Statutory planning considerations

The local planning scheme and supporting local planning instruments (such as local planning policies) give effect to local strategic planning through statutory land use and development control.

Local planning schemes and amendments should:

- Include a range of tourism and mixed-use zonings allowing for tourism development and the permissibility of land uses in each zone, to provide for a diverse tourism industry consistent with the local planning strategy.

- Utilise land use definitions as set out in this Position Statement and LPS Regulations.

To complement local planning scheme provisions and guide the exercise of discretion, local government may utilise local planning policy to inform land use and development decisions.

The Guidelines provide further guidance on statutory planning considerations and approaches.

#### 5.3.1 Caravan parks

To support the policy objectives a local planning scheme should:

- Zone caravan parks as Special Use - Caravan Parks to provide long term security of use of the site as a caravan park.
- Identify caravan parks as a permitted (P) use in the Special Use - Caravan Parks and Tourism zones.
- Encourage the development and redevelopment of caravan parks in a manner that responds appropriately to the environment, economy and context.

The rezoning of Tourism or Special Use - Caravan Park zoned sites to residential, commercial or alike zones is generally considered inconsistent with the objectives of this Position Statement. However, if a rezoning is proposed it should be justified and assessed in context of this Position Statement, the Guidelines, and the relevant local planning strategy. Where it can be demonstrated that a caravan park site is no longer required, and this is supported by the Western Australian Planning Commission (WAPC) in consultation with relevant stakeholders, including long-stay tenants, the WAPC may recommend that the Minister for Planning approve the rezoning subject to all other relevant planning considerations.

#### 5.3.2 Short-term rental accommodation

Short-term rental accommodation is divided into two categories: hosted and unhosted. Local planning schemes can control the desired location of short-term rental accommodation through a combination of zoning and land use permissibility. Development control measures can be set through local planning schemes and local planning policies to manage size, location and potential amenity impacts.

### Note for consultation:

The WAPC is considering recommending to Government to exempt the following forms of low-scale short-term rental accommodation from the need to obtain development approval:

#### Hosted accommodation

Hosted accommodation in a single house (or ancillary dwelling), grouped or multiple dwelling, which does not exceed a maximum of four adult persons (or one family) and a maximum of two guest bedrooms. This form of short-term rental accommodation is considered low-scale because the host resides on site, can manage any issues with guests and the tourism/commercial use of the property is incidental to the permanent residential use.

The cap of a maximum of four adult persons (or one family) and a maximum of two guest bedrooms is the same cap currently provided within the model definition of 'bed and breakfast'. The 'bed and breakfast' land use definition is proposed to be deleted from Schedule 1 (Model Provisions) of the LPS Regulations.

#### Unhosted accommodation

Unhosted accommodation in a single house, grouped or multiple dwelling where it is let for no more than 60 days per calendar year.

Note: This exemption is for a change of use. Unhosted accommodation in a single house, grouped or multiple dwelling operating for more than 60 days per calendar year would be subject to the requirements of the relevant local government's local planning framework.

Subject to the results of consultation, amendments to the LPS Regulations may be undertaken to make hosted and unhosted accommodation, which meet the conditions outlined above, forms of development for which development approval is not required.

It is proposed that these forms of short-term rental accommodation would still be required to register with the state-wide registration scheme.

#### 5.3.2.1 Hosted accommodation

For new schemes, scheme amendments and scheme reviews, local government should incorporate the land use definition for 'hosted accommodation' (refer to Table 1).

To regulate forms of hosted accommodation through the local planning scheme or local planning policy, the following considerations may be relevant:

- Locational factors which may assist in determining appropriate locations for hosted accommodation within residential areas (refer to the Guidelines for further information).
- Suitability of the premises with regards to building design and form.
- Minimum car parking requirements.
- Servicing requirements, such as access to drinking water and wastewater systems.
- Room and guest caps.
- Preparation and approval of a management plan.
- Time or frequency of use limits.

Other building or health licensing requirements may also apply outside of the planning system, such as provisions relating to swimming pools, the serving of food, the provision of fire safety equipment and evacuation measures.

#### 5.3.2.2 Unhosted short-term rental accommodation

Local government has the flexibility to regulate unhosted short-term rental accommodation through its local planning framework to respond to local conditions (subject to regulatory processes). This Position Statement sets out considerations and approaches to achieve this.

It is acknowledged there are various approaches to the regulation of unhosted short-term rental accommodation currently undertaken across Western Australia. The regulatory and policy response of the local government should be proportional to the significance of the issues arising from unhosted short-term rental accommodation in their municipality. In determining the appropriate way to regulate unhosted short-term rental accommodation the following statutory planning mechanisms can be considered:

- Utilising the zoning table, land use permissibility and other scheme mechanisms to control the locations whereby unhosted short-term rental accommodation proposals may be designated either permitted, discretionary, discretionary with advertising, or prohibited.
- Capping guest numbers permitted within a holiday home, holiday unit or holiday apartment through local planning policy and/or condition of a planning approval, to respond to constraints such as availability of vehicle parking, capacity of infrastructure (such as onsite effluent disposal) or to maintain appropriate levels of amenity in line with expectations (such as concerns regarding party houses).
- Utilising a local planning policy to guide discretionary decision-making, which may include but not be limited to, any of the following matters:
  - locational factors which may assist in determining appropriate locations for unhosted forms of short-term rental accommodation within residential areas (refer to the Guidelines for further information)
  - limits to the number of guests and/or rooms
  - limits to nights the property can be made available for rental in any one year
  - provision of car parking
  - minimum services such as potable water and reticulated sewerage
  - preparation and approval of a Management Plan
  - waste management
  - whether pets of guests (such as dogs) are permitted
  - managing for potential noise nuisance.
- If appropriate, initial development approval can be granted for a limited period (for example 12 months) and renewed on a longer basis (for example three to five years, or permanently) to ensure there is appropriate management of potential impacts on the amenity of neighbouring properties.

### 5.3.3 Other planning processes including structure plans, subdivisions and development applications

#### WAPC

Where appropriate, the WAPC will consider the application of this Position Statement in the assessment of structure plans, subdivision, strata, community titles and development applications on sites zoned for tourism purposes or where tourism uses can be considered.

In assessing proposals on land zoned for tourism purposes the WAPC will, among other things (including adopted plans and policies) consider whether the proposal will:

- Facilitate the development of a quality, sustainable tourism facility.
- Incorporate those facilities associated with tourist accommodation developments such as recreation, entertainment and integrated management.
- Provide for current and future tourism demand.
- Have the capacity to accommodate the necessary services, management and

support facilities without compromising the character, development flexibility or tourism amenity of the site.

- Provide for the retention or enhancement of the strategic value of the site for tourism purposes, including the relationship between individual lots and areas of high tourism amenity and the potential to accommodate current and future tourism demand.
- Result in the subdivision of a large tourism lot (for example, to separate the residential component from the tourism). This may result in tourism lots remaining undeveloped and future pressure to approve further residential components to finance development.

In the case of subdivision of an existing caravan park, subdivision is generally not supported. Excising a portion of a caravan park site may be supported if the excised portion is proposed to be developed for a compatible tourism use. Strata or community titling of caravan parks is not permitted as provided by the *Strata Titles Act 1985* and *Community Titles Act 2018*.



### **Local government**

Local government are encouraged to have regard to this Position Statement along with other relevant considerations in the assessment of development applications for tourism land uses and sites zoned for tourism purposes.

## **6. Definitions**

The definitions for forms of tourist accommodation not included in Table 1 of this Position Statement are as per provided in Schedule 1 (Model Provisions) of the LPS Regulations.

**Table 1: New and amended definitions**

<b>Proposed land use term</b>	<b>Proposed meaning</b>	<b>Dwelling type under the R-Codes</b>
Hosted accommodation (Note: new definition)	<i>means a dwelling or ancillary dwelling, or a portion thereof, used for the purpose of short-term accommodation, with a permanent resident who is present overnight for the duration of the stay either in the dwelling or ancillary dwelling.</i>	Single house, ancillary dwelling, grouped dwelling or multiple dwelling.  <b>Note:</b> The WAPC considers the use of an ancillary dwelling for short-term accommodation (where the host resides in the main dwelling and the guest stays in the ancillary dwelling – or vice versa) is a hosted form of short-term rental accommodation.
Holiday house (Note: amended definition)	<i>means a single dwelling used to provide short-term accommodation</i>	Single house
Holiday unit (Note: new definition)	<i>means a grouped dwelling used to provide short-term accommodation</i>	Grouped dwelling
Holiday apartment (Note: new definition)	<i>means a multiple dwelling used to provide short-term accommodation</i>	Multiple dwelling

<b>Land use term</b>	<b>Proposed meaning</b>
Tourist development (Note: amended definition)	<i>means a building, or a group of buildings forming a complex, other than a caravan park, used to provide –</i> (a) <i>short-term accommodation for guests; and</i> (b) <i>onsite facilities for the use of guests; and</i> (c) <i>facilities for the management of the development</i>
Serviced apartment (Note: amended definition)	<i>means a group of units or apartments providing –</i> (a) <i>self-contained short-term accommodation for guests; and</i> (b) <i>any associated reception or recreational facilities</i>
<b>Note:</b> It is intended to delete the land use term 'bed and breakfast' from Schedule 1 (Model Provisions) of the LPS Regulations.	
<b>Note:</b> It is intended to delete the land use term 'holiday accommodation' from Schedule 1 (Model Provisions) of the LPS Regulations.	

<b>General term</b>	<b>Proposed meaning</b>
Short-term accommodation (Note: amended definition)	<i>means temporary accommodation provided on a commercial basis, either continuously or from time-to-time with no guest accommodated for periods totalling more than 3 months in any 12-month period.</i>



Department of **Planning,  
Lands and Heritage**



**DRAFT**  
PUBLIC CONSULTATION

# Draft Planning for Tourism Guidelines

December 2021



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The Department of Planning, Lands and Heritage acknowledges the traditional owners and custodians of this land. We pay our respect to Elders past and present, their descendants who are with us today, and those who will follow in their footsteps.

Disclaimer

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## PURPOSE OF THESE GUIDELINES

These Guidelines should be read in conjunction with the draft Position Statement: Planning for Tourism (the Position Statement). They provide guidance on its implementation and aim to:

- provide context for planning and decision making on tourism development and land use
- encourage strategic planning that considers local tourism and its wider context
- assist local government in planning for tourism in its local planning strategy and local planning scheme
- encourage a consistent approach to tourism in local planning frameworks
- encourage flexible and adaptive design of tourism and mixed-use development suited to each local government area.

These Guidelines supersede and repeal *Tourism Planning Guidelines* (May 2014) and *Holiday Home Guidelines – short stay use of residential dwellings* (September 2009).

## BACKGROUND – PLANNING FOR TOURISM IN WESTERN AUSTRALIA

Tourism is a significant contributor to the national and state economy, particularly in regional areas. Western Australia has a diverse natural and cultural landscape which offers an array of unique experiences. The provision of sustainable facilities and businesses that serve tourists and strengthen and diversify the Western Australian economy are crucial to economic development. The *State Planning Strategy 2050* has additional information about tourism in Western Australia.

The planning system has an important role in facilitating investment in tourism in appropriate locations. Under or over supply of tourism facilities may be detrimental to local communities as well as the attractions and features which draw tourists.

Where tourism is considered significant within a locality or region, detailed tourism planning is advised. Planning should be undertaken in consultation with Tourism WA, State Government agencies, tourism associations, local operators and their local community, and take into consideration issues raised in the *State Planning Strategy 2050*, regional strategies, the Position Statement and these Guidelines.

## 1. LOCAL PLANNING STRATEGY CONSIDERATIONS

A local planning strategy provides the long-term planning directions and actions to manage the change and development of a local government area and informs the local planning scheme.

The strategy should be based on sound planning principles and provide the:

- rationale for future land allocation;
- planning controls; and
- infrastructure needs.

Where tourism is significant to a locality or region, a detailed tourism component should form part of the local planning strategy.

### 1.1 TOURISM COMPONENT OF THE LOCAL PLANNING STRATEGY

Further to section 5.2 of the Position Statement, local governments are encouraged to address tourism in the local planning strategy in a manner reflective of the importance of tourism in the municipality. Information that should be provided includes:

- Aims, visions and objectives for tourism development and land uses in the local government area.
- Description of current and potential roles for tourism in the local government area.



- Estimates of current and projected tourism demand for the local government area.
- Consideration, where appropriate, of existing and potential tourist zones, tourism precincts, tourism sites, tourism land requirements and opportunities for introducing new or specific tourism land uses.
- Guidance for assessing tourism proposals, including character and design measures, to achieve aspirational tourism development at particular locations.
- Identification of existing and potential tourism zones, tourism precincts and tourism sites through spatial/strategic mapping.
- Actions and timeframes to achieve the desired level of tourism.

The local planning strategy should be informed by available tourism statistics and may include:

- tourist visitation numbers
- an inventory of existing tourism uses and developments
- an inventory of the attractions and natural assets that draw tourists to an area
- local tourism activities
- actual and potential economic benefits of tourism to the local community
- any impacts and proposed treatment of issues (such as noise and waste) associated with tourism.

The *Local Planning Manual* (as amended) provides guidance on the preparation of local planning strategies and should be read in conjunction with these Guidelines.

## 1.2 SCOPE AND CONTENT

The tourism component of a local planning strategy should identify:

- tourism sites and assessment based on the capacity for quality, sustainable tourism, addressing current and future demands;
- a scope and process for additional detailed planning that may be required, to inform future local planning scheme amendments;
- criteria and principles to guide development of tourism precincts and sites;
- appropriate planning mechanisms to be introduced into the local planning framework, including the local planning policies, special control areas, specific tourism zones, detailed planning requirements (for example requiring preparation of a structure plan, or local development plan prior to subdivision or development), or incentives (for example a plot ratio bonus to encourage development or an increased scale of tourism within mixed use development); and
- key gaps and opportunities for tourism in a locality may be known or need to be identified in order to identify tourism precincts and sites.

### 1.2.1 Tourism objectives

Tourism objectives should be consistent with the strategic vision to guide appropriate tourism development throughout the locality. In defining tourism objectives, the following may be addressed:

- The nature and importance of tourism to the local economy in strategic plans/policies.
- Support for tourism through local planning scheme zones and provisions.
- Facilitate a variety of holiday accommodation types including short-term rentals and existing caravan parks and camping grounds in preferred locations.
- Protection of tourism precincts and sites for future tourism development to meet estimated demand, and from incompatible and/or conflicting land uses.
- Innovative tourist accommodation and facilities that respond to market needs.
- Tourism growth and development that reinforces unique and local tourism identity and features.

A tourism objective should be clear, consistent with goals/vision of the local government strategic plan and tourism characteristics of each locality.

### 1.2.2 State and regional planning context

A local planning strategy responds to the *State Planning Strategy 2050*, the *State Government Strategy for Tourism in Western Australia 2020* (as amended), and relevant regional and local factors. It should describe the role and importance of tourism in the area through analysis of existing State Government policy, assessment of local tourist attractions and features, contribution made to the local economy and any potential for expansion.



### 1.2.3 Local tourism profile

The local tourism profile should inform any proposed planning and recommendations for tourism in a local planning strategy. The profile may include an analysis of the characteristics of existing and potential tourism and identify the value of tourism to the local community. Existing, proposed and potential tourism development should be reviewed to establish tourist development needs.

This may include:

- Identification of new types of tourism.
- Justification for increasing the number of tourists accommodated overnight.
- The need for new or additional tourism facilities.

Visitor information statistics are helpful in determining the level of tourism that is occurring in a local government area. The following visitor information (where available) is recommended to be included in the background section of the local planning strategy:

- average length of stay (% overnight visitors);
- purpose of visit (holiday, business, specific attraction/event);
- accommodation selected (type, age, standard occupancy rates, peak periods/seasonality);
- mode of transport (to/from and within local area); and
- demographics (age, gender, international/interstate/intrastate).

Tourism WA and the Australian Bureau of Statistics are resources available to local governments for compiling visitor information.

#### Note for consultation:

Concurrent with the release of these Guidelines, the State Government is working towards implementation of a registration scheme for hosted and unhosted short-term rental accommodation. It is anticipated the registration scheme will be able to provide data on short-term rental accommodation. Further information on the registration scheme is available from <https://www.dlgsc.wa.gov.au/>

### 1.2.4 Local planning scheme review

As part of preparing a local planning strategy, a review of the existing local planning scheme should occur and consider whether:

- the local planning scheme adequately protects tourism/tourist uses at risk from other land use planning or zoning pressures;
- the existing planning framework influences location, design and type of tourism development;
- existing planning provisions and policies support and encourage the development of tourism facilities;
- growth and/or development of tourist accommodation, attractions, and/or facilities are influenced by the presence or absence of tourism policy and/or zones; and
- the local planning scheme includes tourism zones, and, if so, are non-tourism uses permissible or discretionary within the zone and if this has affected the development of tourism zoned land.

Minutes Ordinary Council Meeting 17 February 2022

## 1.3 SITING AND DESIGN OF TOURIST DEVELOPMENT

### 1.3.1 Siting

Local governments have the opportunity to consider where tourism uses are best located and the amount of land required to service tourism through community consultation and the preparation or review of its local planning strategy, local planning scheme and local planning policies. The primary objective of a local planning strategy for tourism is the identification of tourism precincts and sites.

The tourism component of a local planning strategy may identify the locations which may be subject to future scheme amendments to cater for future tourism.

Tourism precincts and sites should be planned in locations which enhance the tourist experience and avoid or minimise interface/land use conflict with surrounding uses. Selection and justification of potential tourism locations should consider the following:

- the demand for a proposed tourism use, informed by the local tourism profile;
- access for pedestrians, vehicles and/or public transport;
- provision and access to tourist amenity (e.g. landscape, views, proximity to attractions);
- compatibility of tourism development with surrounding land uses;
- land constraints (e.g. steep slopes, coastal setbacks, water courses);
- vulnerability to natural hazards (e.g. bushfire, cyclone, flood, erosion);



- scale of tourism development and location suitability;
- infrastructure availability to service the proposed tourism uses; and
- for eco-tourism proposals, the use of education and conservation measures, construction materials, waste management, and energy efficiency.

## 1.4 TOURISM PRECINCTS

A tourism precinct is a defined area that has potential for the co-location of tourist accommodation, attractions, activities and/or amenities. Tourism precincts should be vibrant, attractive and inviting, offering a variety of uses within an accessible area. A tourism precinct could be an entire town centre or a street block, however it should be walkable. They can support detailed planning for specific tourist accommodation sites, complementary and supporting land uses, and the integration of tourism infrastructure.

The location and scale of a tourism precinct should be informed by the following factors:

- proximity to tourist attractions and facilities;
- be compatible with existing land uses and infrastructure;
- existing and potential tourist accommodation opportunities;
- desired or existing character and amenity;
- visitation statistics for the locality;
- access including transport opportunities; and
- capacity to accommodate a mix of uses that complement tourism development.

The local planning strategy should identify further detailed planning through the local planning scheme necessary to facilitate an identified tourism precinct.

## 1.5 TOURISM SITES

A tourism site may include an existing tourist development or non-tourism zoned land that has physical characteristics suited to tourism. Considerations for the selection and identification of tourism sites are provided in Table 1 of these Guidelines.

Future land use and development of tourism infrastructure can be introduced in a local planning strategy by identifying suitable tourism sites and detailing their significance to tourism. This will assist in determining the level of detailed planning to facilitate desired tourism development.

## 1.6 TOURISM FACILITIES

### 1.6.1 Tourist attractions, activities and amenities

The local planning strategy should include the following details on key tourist attractions, activities and amenities; including their size and the scale of the local tourism industry:

- details of the existing tourism market (for example is it event, cultural, sport, family, adventure, environmental, eco-tourism, health or agri-tourism based?);
- potential new or extended tourist markets to be explored;
- list the types of attractions and experiences (this may include national parks, coastal environments, winery region, cultural and sporting events);

**Table 1: Tourism sites - site selection**

Criteria	Considerations
Accessibility	Adequate existing or proposed transport links
Uniqueness	A prominent and/or unique landmark of significance
Setting	The site's views, or outlook that encourages recreational tourism activities and/or tourism character
Tourism activities and amenities	The site has or is within easy access of attractions and amenities that promote tours, fishing, historic sites, walk trails, environmental interpretation, cafes, restaurants, shops etc. or is capable of development for activities
Supply of land	The site represents a limited amount of land suitable for a significant tourism use



- type, capacity and number of tourism businesses and activities by tourism category (for example art galleries, breweries, theme parks);
- emerging tourism development opportunities (for example events and/or activities such as festivals, concerts, sporting events, underutilised areas of natural beauty, and adventure activities); and
- tourist amenity of public areas including town centres, streetscapes and public open space.

### 1.6.2 Tourism infrastructure and services

A local planning strategy should consider infrastructure and services including:

- Identification of service capacity and infrastructure projects with potential to impact tourism growth or quality of visitor experience including access (for example roads, rail, airports), water, wastewater, telecommunications and power (along with potential impacts to other land uses).
- Consideration of tourist movement between accommodation and activities/attractions.
- Access to and from tourist destinations.
- Identification of infrastructure improvements related to tourism in the local government area (for example improve/expand road networks, increased capacity at a local airport to increase tourism access).

## 1.7 HERITAGE

### 1.7.1 Historic (built) heritage

Tourism can play a key role in conserving historic heritage when initiated and managed appropriately. The development of heritage buildings and places for commercial tourism may offer a commercially viable option for securing their future. Heritage tourism can contribute to the rejuvenation of regional and urban areas and spread economic benefits across a wide geographical area, such as through themed trails and driving routes.

### 1.7.2 Aboriginal heritage

Western Australia's rich and diverse Aboriginal heritage gives the State a unique point of difference over other holiday destinations. Aboriginal heritage includes both site and non-site specific values, experiences and activities in urban and regional areas. Tourism, if managed appropriately, can help preserve Aboriginal heritage by encouraging cultural site protection, environmental conservation, and the transfer of inter-generational cultural knowledge.

Tourism also represents a significant opportunity for Aboriginal people to secure sustainable economic, social and job outcomes. An example is the Camping with Custodians touring experience for travellers, which provides income, employment and training opportunities for Aboriginal communities across the Pilbara and Kimberley.

## 1.8 INTERIM MEASURES IN THE ABSENCE OF A LOCAL PLANNING STRATEGY

Where a local government does not have an endorsed local planning strategy, the assessment of a scheme amendment or development application which proposes a non-tourism use on an existing tourism site should consider the Position Statement, these Guidelines, the *Local Planning Manual* (as amended) and any relevant State and local policies.

For tourism sites within an existing or potential tourism precinct, assessment should consider issues and objectives relevant to the tourism precinct including the importance of tourism for the locality.

## 1.9 TOURISM RESOURCES

To inform economic development, environmental protection, resource management, housing provision and infrastructure (physical and social), liaison should be undertaken with relevant State agencies and the tourism industry. Tourism WA offers various resources to assist planning for tourism and should be consulted if preparing a local planning strategy for an area where tourism is important. Appropriate consultation should ensure the local planning strategy is relevant and reflective of the local community, industry expectations and wider Western Australian context.





## 2. GENERAL STATUTORY PLANNING CONSIDERATIONS

### 2.1 ZONING FOR TOURISM

A variety of tourism development can be accommodated within tourism, mixed use and special use zones.

Uses permissible in each local planning scheme zone should reflect and be consistent with the intended tourism outcome. The *Planning and Development (Local Planning Scheme) Regulations 2015* (LPS Regulations) provide provisions for zones and land uses for the use of local government.

The objectives of the Tourism zone in the LPS Regulations are:

- To promote and provide for tourism opportunities.
- To provide for a variety of holiday accommodation styles and associated uses, including retail and service facilities where those facilities are provided in support of the tourist accommodation and are of an appropriate scale where they will not impact detrimentally on the surrounding or wider area.
- To allow limited residential uses where appropriate.
- To encourage the location of tourism facilities so that they may benefit from existing road services, physical service infrastructure, other tourist attractions, natural features and urban facilities.

In local government areas where tourism is economically significant, the local planning strategy may identify potential tourism zones for the local planning scheme where they do not already exist. Where a tourism site has different or additional objectives to the standard tourism and mixed-use zone objectives, the site may be considered as a special use zone to enable specific objectives unique to the site or tourism use to be included in the objectives for that zone/site only (for example caravan park).

#### 2.1.1 Land use considerations

The local planning scheme needs to determine appropriate use classes and permissibility of tourist development in each zone. Considerations may include:

- a) Tourist development should be given priority in tourism zones. Local planning schemes that allow residential development in tourism zones need to provide guiding objectives or principles to ensure development is consistent with the tourism purpose of the zone.
- b) In areas of strong or developing tourism industry, a focus on tourism land use and development is necessary in the local planning scheme.

### 2.2 DESIGN OF TOURIST DEVELOPMENT

The design principles supporting tourism development siting and design include:

- context and character
- landscape quality
- sustainability

- functionality and build quality
- community
- amenity
- legibility
- built form and scale
- safety
- aesthetics.

Key State policies that support design and assessment include:

- *Visual Landscape Planning in Western Australia – a manual for evaluation, assessment, siting and design (Visual Landscape Manual)*
- *State Planning Policy 7 Design of the built environment (SPP7 and SPP7.3).*

Both documents are to be considered, where relevant, for tourism proposals and their assessment.

### 2.3 TOURISM SITES

Identification of tourism sites in the local planning scheme can facilitate long-term protection of land for tourism purposes.

Specific planning controls are encouraged for each tourism site and precinct to set parameters for future planning, such as a structure plan or objectives for development or redevelopment.



The design principles of tourist development listed in these Guidelines (section 2.2) should be considered during site selection and planning. In prioritising tourism sites and to inform detailed planning, the following specific site values may be considered in Table 2 of these Guidelines.

## 2.4 TOURIST DEVELOPMENT IN NON-TOURISM ZONES

A local planning scheme Tourism zone is provided for in the LPS Regulations. Prior to the introduction of this zone, tourist accommodation and development may have been approved on land not zoned for tourism, including in residential, mixed use, rural and town centre zones. Where appropriate, the local planning strategy should

identify opportunities to rezone these sites to tourism in the local planning scheme review. Tourism uses can be encouraged in mixed use and town centre zones as this may assist in providing a mix and scale of development attractive to both tourists and residents.

## 2.5 NON-TOURIST DEVELOPMENT IN TOURISM ZONES

Careful consideration is required for any proposal to develop tourism zoned land for non-tourist development, or to re-zone tourism land to an alternate zone, given this may collectively lead to lost opportunities for quality tourism development in the most appropriate locations.

There is a need to consider applications and sites on an individual basis, taking into account particular locational issues, in addition to their potential strategic tourism value. Local government may consider developing assessment criteria to determine the significance of any proposed loss of tourism.

Some local governments have adopted a variety of approaches when dealing with non-tourist development and subdivision on tourism zoned land. Considerations include:

- Residential development should be secondary to the tourism use. See Appendix 1 for further information.
- Establishment of length of stay occupancy restrictions for residential uses.
- Proposals are to remain incidental to, and support, the proposed tourism use on the site.
- Demonstration that non-tourist development will not compromise or adversely impact the tourism zone objectives or surrounding uses.
- Development to incorporate facilities normally associated with tourist accommodation development such as recreation, entertainment facilities and integrated management facilities.

**Table 2: Tourism sites – criteria to inform detailed planning**

Criteria	Considerations
Suitability in a land use context	Is the tourism site located where potential tourism activity is likely to be limited by proximity to uses that might detract from the tourism character?
Capability	Is the site capable of being developed or expanded for tourism and associated servicing that will not impact its natural attributes or cause environmental damage (for example sewerage capacity, water supply and waste collection?). Preparing for climate change adaptation is important to the sustainability of many key tourism sites.
Size	Is the site of suitable size to sustain a proposed tourism development in terms of design, operation and function, without limiting future potential for expansion? Will development of the site contribute to the delivery of diversified and balanced tourism?
Function	Is the site suited to a particular type of tourist accommodation, certain tourism market needs or the desired range of tourist accommodation for the locality (e.g. beachfront caravan parks, school holiday camps, and Crown tourism leases?).





## 3. TOURISM USES

### 3.1 RURAL TOURISM

There has been a long-term trend of increasing demand for tourist accommodation in rural areas, with significant variation in the preferred type and form throughout the State. For example, in pastoral regions there is higher demand for 'station stays' as well as 'adventure tourism', whilst in the South West the demand is for holiday houses in rural settings.

Tourism uses should be incidental to a primary agricultural use. *State Planning Policy 2.5: Rural Planning* provides guidance on land use planning in rural areas.

#### 3.1.1 Strategic considerations

Rural tourism may be encouraged in areas with attractions, preferably with sealed road access. Opportunities may include small-scale caravan and camping grounds that are unlikely to compete with existing formal caravan parks as they offer a different experience, have minimal facilities, and are located in a rural setting.

Planning for rural tourism should be further informed by *draft State Planning Policy 2.9: Planning for Water*, *State Planning Policy 4.1 State Industrial Buffer Policy*, *Government Sewage Policy 2019*, *Department of Health Guidelines for separation of agricultural and residential land uses*, and *State Planning Policy 3.7 Planning in Bushfire Prone Areas*. The *Position Statement: Tourism in Bushfire Prone Areas* also provides relevant information.

#### 3.1.2 Statutory considerations

Where appropriate, small-scale tourist accommodation should generally be either a discretionary (D) or a discretionary with advertising (A) use in the zoning table of a local planning scheme to minimise potential land use conflicts and maintain the primacy of rural land uses.

### 3.2 ECO-TOURISM

Western Australia's environment and landscape character creates a unique and attractive holiday destination and ecotourism is one of the State's key tourism markets. Eco-tourism attractions are popular with locals and visitors alike, and include the coastline and waterways, mountain ranges and ancient landforms, unique karri, tingle and jarrah forests and native wildlife, as well as a range of nature-based activities such as hiking, rock climbing, swimming, kite surfing, bushwalking, four-wheel driving and caving.

#### 3.2.1 Strategic considerations

Many of the attractions that encourage tourism are located in regional and remote parts of the State. Some of these areas are prone to natural hazards, such as bushfires, flooding or waterlogging, coastal erosion or cyclones. *State Planning Policy 3.4: Natural Hazards and Disasters* (SPP3.4), *State Planning Policy 3.7: Planning in Bushfire Prone Areas* (SPP3.7) and *State Planning Policy 2.6: State Coastal Planning* (SPP2.6) provide detailed information on planning for vulnerable uses, such as tourist accommodation. The *Position Statement: Tourism in Bushfire Prone Areas* also provides pertinent information.

#### 3.2.2 Statutory considerations

Where relevant, eco-tourism proposals should consider the following:

- bushfire management in accordance with SPP3.7 and State bushfire guidance;
- consistency with relevant zone objectives;
- impact on natural landscape, environment and conservation values;
- appropriate servicing and infrastructure to accommodate the proposed use in an environmentally responsible manner;
- design guidelines and visual impact;
- coastal setbacks in accordance with relevant State planning policy;
- impact on social and cultural values of the area or site; and
- consistency with any relevant National, State and local policy and guidance.



## 4. TOURIST ACCOMMODATION

There are many different types of tourist accommodation available in Western Australia, and a variety of controls exist to manage their use. As referenced in section 3 of the Position Statement, the term tourist accommodation means short-term accommodation and includes traditional accommodation (for example chalet, serviced apartment, hotel) and short-term rentals (holiday house, holiday unit, holiday apartment, hosted accommodation).

### 4.1 EXCLUSIONS

Further to section 3.1 of the Position Statement, it is not intended to capture other forms of short-term and temporary accommodation which are:

- not associated with the issues resulting from short-term rental accommodation offered on a commercial basis; and/or
- subject to alternative guidance, legislation and approaches by local government.

The Position Statement and these Guidelines do not apply to the following forms of short-term and temporary accommodation:

#### 1. *House swapping and housesitting*

House swapping is a mutual arrangement made between owners of separate properties to 'swap' homes for a temporary period and is often for holiday accommodation purposes. House swapping is commonly organised through specialised websites.

Housesitting is a mutual arrangement whereby a person stays and cares for a property whilst the owner is away. Housesitting can be a commercial or non-commercial form of accommodation and is commonly arranged through specialised websites.

#### 2. *Lodgers and boarders*

A lodging house is defined under the *Health Act 1911* as any building or structure, permanent or otherwise, and any part thereof, in which provision is made for lodging or boarding more than six persons, exclusive of the reward, not including the family or the keeper of the house. Common boarding arrangements include backpacker hostels, crisis accommodation, and student accommodation services.

The *Health Act 1911* requires boarding or lodging houses to be registered with a local government who may establish additional local laws for premises.

#### 3. *Personal use of a holiday home or the sharing of a holiday home with the owner's family and friends*

Informal and infrequent sharing between family and friends, and the personal use of private holiday homes is considered a non-commercial arrangement.

#### 4. *Student exchange accommodation*

This is temporary accommodation whereby students stay with a host family in their home whilst studying. These arrangements are commonly organised through student hosting organisations or educational establishments.

#### 5. *Workforce accommodation*

Refers to premises, such as modular or relocatable buildings, used for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis, and for any

associated catering, sporting and recreation facilities for the occupants and authorised visitors. Workforce accommodation is regulated by local government, except where the *Mining Act 1978* and State Agreement Acts prevail (refer to the *Position Statement: Workforce accommodation* for more information).

Residential parks, park home parks and lifestyle villages are also excluded from the Position Statement and these Guidelines as they are forms of long-stay accommodation defined as 'park home park', and are dealt with by other policy and legislation.

### 4.2 GENERAL STRATEGIC CONSIDERATIONS FOR TOURIST ACCOMMODATION

The impact of tourist accommodation varies throughout the State depending on the importance and prevalence of tourism activity in the locality. The local circumstances should therefore guide management and control of the use. Areas that are known tourism 'hot spots' such as coastal locations may need special attention to ensure the location continues to grow in a controlled manner as a tourist destination.

#### 4.2.1 Land supply

If land supply pressures for tourist accommodation are evident or predicted in a local government area, the tourism component of the local planning strategy should be informed by an accommodation demand/supply study and analysis that forecast estimates of future tourism growth, including likely demand for tourist accommodation.



The detail of the accommodation demand/supply analysis should reflect the extent and importance of local tourism and land use/land supply pressures in the locality. Tourism accommodation sites are to be protected to ensure they cannot be developed exclusively as residential development. Refer to section 2.5 of these Guidelines for analysis considerations.

#### 4.2.2 Site assessment

A local planning strategy should include identification of suitable land and an assessment of its availability for future tourist accommodation. It should note private, Crown, and local government land currently used for tourist accommodation, the type of accommodation, lease/management arrangements, and future development opportunities.

The following questions should inform the consideration of sites suitable for tourist accommodation:

- Is the site identified in a report/study as having potential for tourism?
- Does the site contain existing tourist accommodation development?
- Is the site located in an area of high tourist amenity and of adequate size to develop tourism facilities?

For short-term rental accommodation, the local planning strategy may identify localities/suburbs where this form of tourist accommodation may be suitable.

### 4.3 TRADITIONAL ACCOMMODATION

Traditional Accommodation refers to the following land uses:

- cabin
- chalet
- caravan park
- hotel
- motel
- serviced apartment
- tourist development.

#### 4.3.1 Caravan parks

These Guidelines support sections 5.2.1 and 5.3.1 of the Position Statement to provide direction on matters to be taken into consideration when planning for caravan parks, including the development of new, or redevelopment of existing parks.

Caravan parks provide a range of accommodation and facilities that contribute to the diversity of Western Australia's tourist accommodation, particularly in regional areas. Caravan parks provide a comparatively affordable form of short-term accommodation serving caravanning and camping recreation and leisure needs.

Camping grounds, transit and informal camping sites are more likely to be in remote regional areas. Typically, these areas consist of cleared land with no or few facilities (for example toilets or bins). Transit sites may form part of a roadhouse or service station.

Separate to these Guidelines, the requirements of the *Caravan Parks and Camping Grounds Act 1995* and associated regulations, as administered by the Department of Local Government, Sport and Cultural Industries must be met.

Long term residential occupancy of a caravan park (for example residential parks, park home parks, lifestyle villages, transient workforce accommodation parks, and transit parks) is not addressed in these Guidelines.

#### 4.3.1.1 Strategic considerations

##### 4.3.1.1.1 Existing situation

The local planning strategy should identify existing and potential transit and informal camping sites and provide local governments with a sound rationale for determining the future land allocation, planning controls and infrastructure needs for caravan parks. The retention and development of caravan parks as affordable tourist accommodation is encouraged and subject to the following strategic considerations:

- the commercial sustainability of caravan parks and flexibility in product mix;
- facilitation of growth in the caravan park industry;
- the suitable separation of short and long-stay uses within a caravan park;
- development and redevelopment of caravan parks that responds to the site context, environment and economy; and
- caravan park locations and function based on market analysis.



Caravan parks experience competing demands and face many challenges including short-stay and long-stay demands, redevelopment pressures, regulatory requirements, ageing infrastructure and changing market demands. These demands and challenges have contributed to closures throughout the State.

#### 4.3.1.1.2 Considerations for the location and siting of caravan parks

The purpose and design of the caravan park should be justified in relation to its location and context. The purpose for a caravan park may include a stop-over/transit caravan park, and/or a destination caravan park for tourists. Details of land tenure and lease agreements should inform any high-level planning.

The local planning strategy should identify potential future caravan park sites in tourism areas where high occupancy rates occur throughout the year. Once identified, future caravan park sites are encouraged to be retained in public ownership and zoned Caravan Park as freehold land is at risk of rezoning for other purposes.

Where practical, caravan parks comprising a long-stay component should be located where there is access to urban facilities and amenities.

There is a presumption against caravan parks comprised of long-stay residents being in areas of high tourism value because it is preferable that these sites/locations are secured for tourism purposes.

#### 4.3.1.1.3 Topography, drainage, soils and vegetation

Caravan parks should not be located on flood prone or water-logged land, nor steep slopes unless suitable mitigation measures are demonstrated. Cleared sites are preferred and any clearing of vegetation for a caravan park development should be minimal and retain mature trees and vegetation.

Caravan parks are not supported in Priority 1 and Priority 2 water resource protection areas, however may be considered in Priority 3 areas provided deep sewerage is available.

Acid sulphate soils and other soil types may not be suitable for development as they are susceptible to slipping and slumping.

#### 4.3.1.1.4 Coastal or fire hazard constraints

Proposed new coastal caravan parks or the redevelopment of an existing caravan park adjacent to the coast must consider coastal processes, landform stability, coastal hazards, climate change and biophysical criteria as part of the application. They may require a coastal hazard risk management and adaptation plan and a foreshore management plan. A bushfire hazard assessment and/or bushfire management plan may be required to inform caravan parks at risk from bushfire hazards. Refer to SPP2.6 and SPP3.7.

#### 4.3.1.1.5 Visual impact

A proposed caravan park should consider impacts on the landscape character and visual amenity from scenic points to minimise visual impacts on high value public views (refer to the *Visual Landscape Planning in Western Australia – a manual for evaluation, assessment, siting and design*).

#### 4.3.1.2 Statutory considerations

In addition to section 5.3.1 of the Position Statement, local planning schemes should address the following in relation to caravan parks and camping:

- facilitate the long-term retention, of caravan parks and camping grounds as a form of affordable short-term accommodation primarily for leisure tourists;
- caravan parks should not be located on land at risk from natural hazards, for example steep slopes or coastal land, due to the temporary and vulnerable nature of accommodation typically found in caravan parks (for example tents, caravans, campervans);
- caravan parks should be flexibly designed to provide a range of accommodation options to facilitate long-term viability, however short-term accommodation options should be the predominant use;
- minimise potential for conflict between short-term and long-stay users of caravan parks through appropriate separation including separate facilities and access;
- park home parks should be identified as not permitted (X) in the Tourism or Special Use – Caravan Park zones;
- caravan parks should identify overflow areas for peak periods where additional space is likely to be required;
- suitable access and egress should be provided to ensure safety of pedestrians, vehicles and cyclists;
- caravan parks should be connected to appropriate services, such as electricity and wastewater supplies;
- the local planning strategy should identify existing and potential transit and informal camping sites; and



- green title subdivision of caravan parks is generally not supported to ensure retention of the caravan park use and avoid management issues associated with private park sites.

Appendix 2 provides further design considerations for local government when assessing proposals for new, or redevelopment of existing caravan parks.

#### 4.3.1.2.1 Accommodation products and permanent structures

Caravan parks may provide a range of accommodation products to meet visitor demand such as powered and unpowered camp sites, minimal service recreational vehicle (RV) sites, on-site vans, cabins, chalets and eco/safari tents. Caravan parks may also provide permanent structures including, but not limited to caretaker's dwelling/manager's residence, shop/office, café, games/recreation room, ablution facilities, camp kitchen and camp laundry. It should also be noted that not all of these accommodation types may be permitted under the *Caravan Parks and Camping Grounds Act 1995* administered by the Department of Local Government, Sport and Cultural Industries.

For the purposes of these Guidelines, constrained areas refer to a specific portion of land that may have restrictions in use due to environmental factors (for example flood plains, coastal land, bushfire prone areas).

#### 4.3.1.2.2 Redevelopment and reinvestment in caravan parks

If a caravan park is proposed to be redeveloped to cater for other forms of tourist accommodation, the range of existing facilities on offer should be retained. Converting entire caravan parks into other forms of tourist accommodation is discouraged. The local planning strategy may suggest a local development plan be prepared when caravan parks are proposed for significant changes. Refer to Appendix 2 Design assessment for proposed or redeveloped caravan parks.

#### 4.3.2 Hotels

Hotel developments are one of the more expensive tourist accommodation ventures and take a significant length of time to obtain a return on investment. Therefore, if a local government seeks to encourage development of a hotel in a tourism precinct or a particular tourism site, incentives to attract developers or measures to promote viability of a hotel or reduce costs may assist in drawing interest. Planning incentives may include plot ratio bonuses, facilitation of mixed-use outcomes and floor space and height inducements. Hotel developments also require other statutory approvals in addition to a development approval (for example liquor licence).

## 4.4 SHORT-TERM RENTAL ACCOMMODATION

Short-term rentals are the common name given to holiday homes, units or apartments (usually built for residential purposes in areas zoned for residential use) offered for short-term letting, usually through an online booking platform. The prevalence of residential properties being let as short-term rentals in residential areas has increased rapidly in Western Australia since the emergence of online e-commerce booking platforms.

Depending on the type and scale of the short-term rental accommodation proposed, a variety of controls may be applicable to manage the use. These Guidelines propose tailoring of local planning schemes and local planning policies to address the specific issues encountered by individual local governments around tourist accommodation.

Local government is best placed to know the needs of its community and what requirements may need to be placed on short-term rental accommodation providers. Local government is responsible for establishing local regulatory frameworks to manage short-term rental accommodation and for carrying out ongoing management and enforcement.

In addition to local government framework considerations addressed in section 5.2.2 of the Position Statement, the following statutory considerations will assist local governments to address short-term rental accommodation in their locality.



#### 4.4.1 Statutory considerations

##### 4.4.1.1 Zoning

**Table 3: Short-term rental zoning considerations**

Criteria	Considerations
Determine where short-term accommodation is best located within the local government area	Siting considerations may include: <ul style="list-style-type: none"> <li>• areas of high tourism amenity (e.g. beach access, views, facilities and availability of services)</li> <li>• natural hazards (for example bushfire, cyclone and floods).</li> </ul>
Determine appropriate use classes and permissibility in each zone	The following zoning options are suggested approaches for local government consideration: <ul style="list-style-type: none"> <li>• hosted accommodation – P use (exempt development 365 days of the year) in the Residential zone and any other zones deemed appropriate by a local government</li> <li>• all other forms of short-term rental accommodation – D use in local planning scheme and requires planning approval                             <ul style="list-style-type: none"> <li>– This could apply to all forms of short-term rental accommodation, different types of short-term rental accommodation or be differentiated based on scale such as number of individuals to be accommodated.</li> <li>– For accommodation offering sleeping arrangements for 6 or less, could be D use, for 7 or more could be an A use to allow for advertising.</li> </ul> </li> <li>• specific types of short-term rental accommodation – X use in local planning scheme.</li> </ul>

##### 4.4.1.2 Local planning policies

Local planning policies can be prepared to inform land use and development control. Please refer to section 5.3.2 of the Position Statement for specific guidance on preparing local planning policies to outline local government's approach to short-term rental accommodation.

#### 4.4.2 Management plans

As referenced in section 5.3.2 of the Position Statement, where appropriate, local government may require the applicant to prepare a management plan to address

potential amenity impacts arising from short-term rental accommodation and necessary emergency protocols. A management plan may include, but not be limited to the following:

- Mitigation plan –  
 To control anti-social behaviour, noise and any other potential conflicts a mitigation plan may be appropriate. Anti-social behaviour should be dealt with by local governments/police in the same manner as a property being used as a residential dwelling.

- Complaints management procedure –  
 The manager of short-term accommodation should be contactable in the event that a complaint is made. The guest should have 24-hour access to the manager via phone, email or an online app. Some local governments may wish to receive from the operator a record of complaints made against short-term rentals and this should be reflected/included in the complaints management procedure.
- Guest check-in and check-out procedures  
 Clear check-in and check-out procedures should be outlined in the management plan.
- Health and safety protocols  
 Other legislation and standards govern the need to provide and maintain appropriate health and safety requirements in short-term rental accommodation. Local government may wish to advise short-term rental operators of these requirements in the management plan.
- Management and provision of car parking  
 On-site parking provision should be considered to accommodate additional vehicles within the property boundary and should align with existing local government parking policies.
- Waste management  
 Must specify the requirements of general waste and recycling, bin collection days and location of bins for collection.





### 4.4.3 Other local government considerations

Local governments may consider it appropriate to provide guidance to short-term rental accommodation operators on the variety of non-planning requirements necessary for the operation of short-term rental accommodation. This section outlines some non-planning requirements which may be relevant.

**Note:** The Department of Mines, Industry Regulation and Safety and the Real Estate Institute of Western Australia provide information for owners, real estate agents, property managers and purchasers, to address public health and safety, taxation, insurance and amenity requirements, as well as due-diligence processes for short-term rental operations. Further information can be found at [www.dmirs.wa.gov.au](http://www.dmirs.wa.gov.au).

#### 4.4.3.1 National Construction Code requirements

Short-term rental accommodation is provided for in a range of classifications used in the National Construction Code, available at [ncc.abcb.gov.au](http://ncc.abcb.gov.au).

#### 4.4.3.2 Insurance and liability

As many residential public liability insurance policies exclude the use of premises for short-term rentals, it is recommended that landowners/managers check this matter with their insurance providers.

#### 4.4.3.3 Health and safety standards

Other health and safety requirements may be applicable to the operation, such as standards for the serving of food and maintenance of aquatic facilities such as pools and spas.

## 5. LOCAL LAWS

### Note for consultation:

Concurrent with the release of the draft Position Statement and Guidelines, the State Government is working towards implementation of a registration scheme for hosted and unhosted short-term rental accommodation, which was a key recommendation of the 2019 Economics and Industry Standing Committee's inquiry "Levelling the playing field: Managing the impact of the rapid increase of Short-Term Rentals in Western Australia".

Some local governments currently have local laws requiring short-term rental accommodation operators register with the local government for an annual licence. How these existing local government registration systems will interact with or be superseded by the State registration scheme is currently under consideration. Further information on the registration scheme is available from <https://www.dlgsc.wa.gov.au/>

Under the *Local Government Act 1995*, a local government may create a local law when considered necessary. As such, local governments may consider introducing a local law where individuals running short-term rental accommodation must meet certain requirements in order to register with the State's mandatory registration scheme. The local government could outline conditions of operation such as parking requirements, emergency evacuation plans, and number of guests. Requirements could apply to all forms of short-term rental accommodation, different types of accommodation or be differentiated based on scale such as the number of individuals to be accommodated.

## 6. STRATA AND COMMUNITY SCHEME DEVELOPMENT

Under the *Strata Titles Act 1985* and *Community Titles Act 2018* strata and community schemes are comprised of by-laws; the scheme plan (depicting lots); and upon registration, the strata company or community corporation.

The *Strata Titles Act 1985* requires subdivision approval by the WAPC under the *Planning and Development Act 2005* and *Strata Titles Act 1985* prior to the registration of a strata plan to create a strata scheme. Section 6 of the *Strata Titles Act 1985* allows a strata/survey-strata plan to legally restrict uses on strata land.

For strata schemes, the subdivider/developer can supplement the deemed by-laws and add restrictions regarding short-term letting. For community schemes, the community corporation can also apply by-laws to allow or restrict uses within the community scheme as a whole or for schemes within certain tiers. Planning approval for short-term rental accommodation within a strata or community scheme does not override the need for body corporate approval.

The *Community Titles Act 2018* requires WAPC approval of the community development statement, which governs the subdivision and development of land subject to a community scheme, and subdivision. Sections 25 and 43 of the *Community Titles Act 2018* allows a community titles scheme plan to legally restrict uses on community titled land or development.

**Note:** The applicable strata or community titles scheme plan for grouped and multiple dwellings should be checked for consistency prior to an approval being issued.



## 6.1 SHORT-TERM RENTAL ACCOMMODATION IN RESIDENTIAL STRATA AND COMMUNITY TITLES SCHEME DEVELOPMENT

The use of a residential strata or community titles scheme property (for example apartment, unit, villa, flat, townhouse) for tourist accommodation has additional obligations to a single house on a freehold lot.

Strata and community titles scheme complexes could be more susceptible to the potential negative impacts of short-term rental accommodation due to:

- the proximity of neighbours
- the reliance on shared facilities
- the high proportion of whole-premise short-term accommodation (i.e. un-hosted).

Where development approval is required and is supported by the strata company or community corporation, one or more units or an entire development may be approved by the strata company or community corporation for short-term rental accommodation, subject to conditional requirements or restrictions. Strata companies and community corporations are suitably positioned to address neighbour concerns rather than individual strata or community titles owners. The strata company or community corporation may also vote to:

- prohibit the use of strata/community titles units for tourist accommodation;
- allow the use of particular properties for short-term rental accommodation;

- apply restrictions and management plans; or
- allow the use of all strata/community titles units for short-term rental accommodation.

Under current strata laws, strata companies can adopt model by-laws which enable them to:

- manage some of the impacts that may arise from uses such as short-term rental accommodation, including management of common property; and
- require that an owner/occupier must notify the strata company of a change of use of that lot including if it is to be used for short-term rental accommodation.

Strata companies and community corporations can also formulate their own by-laws to:

- help manage the behaviour of owners/occupiers and invitees, noise, vehicle parking, the appearance of a lot and waste disposal;
- vary the insurance payable by owner/occupiers who short-term let; and
- restrict the use of tenancies for the purpose of short-stay rental accommodation.

The *Strata Titles Act 1985* and *Community Titles Act 2018* do not include model by-laws to prohibit or restrict short-term rental accommodation. However, a strata company or community corporation may vote to set their own by-laws to prohibit or restrict the use.

The requirements of the *Strata Titles Act 1985* and *Community Titles Act 2018* must be observed in all circumstances. If strata or community scheme by-laws do not permit the use and the strata company has not approved the use, the use remains illegal under the *Strata*

*Titles Act 1985* and *Community Titles Act 2018*. A planning approval does not override the need for an approval of the strata company or community corporation. Where it is proposed to use a strata or community titles property for short-term rental accommodation (or other form of tourist accommodation) the onus is on the owner to confirm the permissibility of the use under the relevant by-laws.

Landgate has prepared guidance to assist strata companies in managing short-term rentals in strata schemes. The Guide to Strata Titles can be found at [www.landgate.wa.gov.au](http://www.landgate.wa.gov.au).





## APPENDIX 1: MIXED USE RESIDENTIAL DEVELOPMENT

Factors to consider in determining the proportion of mixed use and/or residential development in areas of primary tourism.

- What are the tourism values of the site?
- What site, precinct and location factors support residential or mixed use of the tourism site?
- Is the site sufficiently large enough to cater for a residential component in addition to the intended sustainable tourism use?
- Is the proposed residential development appropriate and sustainable in the broader planning context?
- Isolated and new residential settlements should not be supported.
- What tourist accommodation facilities exist or are proposed in the area? Has the capacity for new tourism development and the projected demand and range of tourist accommodation been identified for the tourism site, precinct, locality and region?
- Residential development should complement tourism development.
- Tourism uses should be located in areas of greatest tourism amenity within a site (for example beachfront), not proposed residential uses.
- Residential dwellings should be designed and integrated into the tourism use and its management.
- Has a structure plan been prepared (or should it be) to integrate residential and tourism uses ensuring the proposed tourism use is enhanced and avoids potential land use conflict (for example noise from tourist accommodation impacting permanent residential amenity)?
- Do proposed residential lot sizes reflect and enhance the desired tourism use?
- Should length of stay residential occupancy restrictions be implemented?
- Are non-tourism land uses and development, and proposed tourism uses compatible in terms of proposed lot sizes, building heights, scale and character of development?
- Are there potential impacts to surrounding areas from combining tourism and residential uses?
- Relevant State and local government policies and guidelines should be considered in assessment.
- The design of the overall proposal should ensure ease of access in and around the site for tourists.
- Tourism uses should incorporate recreation, entertainment and integrated management traditionally provided in tourist accommodation (for example swimming pool, lookout area, cycle paths, barbecue area).
- Separate staging of tourism and mixed use/residential development is discouraged.
- Strata or community titling of tourist accommodation (including serviced apartments) should include an appropriate management statement to ensure tourist accommodation is restricted to short-term use, prohibit use as permanent accommodation and, preferably include on-site management.
- Proposing the inclusion of permanent residential accommodation into an existing tourism development should only be supported where it is demonstrated as facilitating a quality tourism outcome or benefit (for example major refurbishment of tourism use, increased capacity of tourist accommodation, renovation or development of new public space, new pool and restaurant facilities).



## APPENDIX 2: DESIGN ASSESSMENT FOR PROPOSED OR REDEVELOPED CARAVAN PARKS

Caravan parks should separate short-term from long-term accommodation to reduce risk of noise and anti-social behaviour. Separate facilities and access for long and short-term accommodation is encouraged.

Small portions of long-term accommodation may be considered in caravan parks provided that short-term accommodation (tourist accommodation) is located in areas where the highest tourism amenity occurs (for example the beachfront, proximity to shared ablution blocks).

Where relevant, overflow caravan parking locations should be included in caravan park proposals. Local governments endorse the provision of overflow facilities as part of licences required under the *Caravan Parks and Camping Grounds Act 1995*.

Design should consider:

- (a) **Access** – Suitable access and egress must be demonstrated in proposals to ensure traffic, cyclist and pedestrian safety within the caravan park. Secondary or alternative access routes should be included in proposals to cater for emergency evacuation (for example fire or flood). Internal roads should be designed to minimise potential conflict between pedestrians and vehicles and allow manoeuvring space for recreational vehicles and vehicles towing caravans.
- (b) **Amenity** – Vegetation and landscape plans that integrate the proposed caravan park into the surrounding landscape should be included and assessed as part of any application. Design minimising opportunity for crime, the use of complementary structure styles, colours, materials, suitable fencing, and separate recreational areas (for example playgrounds and pools) and quiet activity areas should be considered in proposals and their assessment.
- (c) **Services** – Utility services such as electricity, landline telephone or mobile phone network accessibility, demonstrable water supply and the proposed system for wastewater treatment should form part of any proposal. Written confirmation by service providers of the availability and capacity of services, particularly in peak season, is to be submitted with applications for proposed caravan parks.

If reticulated sewerage is not available, on-site wastewater disposal must be proposed and provided to the satisfaction of the Department of Health.

Caravan parks used for short-term accommodation must have facilities that accept waste from caravans. Known as chemical toilet dump points, they should be located away from accommodation in areas with no tourism amenity. If seeking an exemption from providing a dump point in the proposed caravan park, access to an alternative off-site dump point must be identified as part of the application. Waste from mobile toilet and sanitation fixtures is not permitted in dump points as it will interfere with the efficient operation of conventional onsite water disposal systems. Further information is available from the Department of Health.

If a caravan park is proposed to cater for both long and short-term accommodation consideration should be given to the provision of additional services and infrastructure. Long-term caravan park sites must be fitted with individual meters for electricity and water tap or connection.

Section	Comment
Hosted accommodation	<p>The draft Position Statement proposes that a new definition of ‘hosted accommodation’ be incorporated into the Local Planning Scheme Regulations as a model provision. It is proposed that the definition of hosted accommodation will encompass all low-scale proposals where a host resides on site, this would include bed and breakfasts. The current definition of bed and breakfast would be deleted from the model provisions. The proposed definition of hosted accommodation would apply to all dwelling types and limit the number of visitors to 4 adult persons in a maximum of 2 bedrooms, this aligns with the current definition of bed and breakfast. Comments received in response to WALGA’s discussion paper in 2017 and in response to this consultation indicate broad support for the new definition of hosted accommodation and the subsequent deletion of bed and breakfast from the Local Planning Scheme Regulations. WALGA supports this change.</p> <p>It is also proposed that hosted accommodation be exempt from requiring development approval through an amendment to clause 61 of the Deemed Provisions. That is to say that where the proposal meets certain conditions, such as the number of rooms and number of guests, there would be no requirement to seek development approval for the use. Local Governments indicated broad support for the use of exemptions for hosted accommodation. The Association supports this change.</p> <p>The draft Position Statement indicates that all hosted accommodation (including those not requiring development approval) would be required to be registered on the State-wide registration scheme. This would ensure that Local Governments are aware of relevant matters that would enable suitable regulation of the land uses to protect amenity issues should they arise.</p> <p>The draft Position Statement indicates that Local Governments should consider including hosted accommodation as a ‘permitted’ land use in the residential zone and as Local Governments deem appropriate in other zones. Current practice generally specifies bed and breakfast as either an ‘A’ or ‘D’ use in most suitable zones. It is unusual for a bed and breakfast to be a ‘P’ use. DPLH will need to consider transitional arrangements for existing schemes and definitions and how the exemption will be incorporated into the deemed provisions to facilitate the policy objectives of the draft Position Statement.</p> <p><b>Recommendation:</b>  <b>Establish new definitions for hosted accommodation.</b></p> <p><b>Include hosted accommodation as a matter exempt from seeking development approval in clause 61 of the Deemed Provisions, subject to suitable conditions relating to number of guests and number of rooms.</b></p>
Unhosted short-term accommodation	<p>The draft Position Statement proposes that two new and one amended definition related to unhosted accommodation be incorporated into the Local Planning Scheme Regulations as a model provision. Currently the model provisions provide a single definition for ‘holiday house’. It is proposed to split this definition into three definitions that reflect the three types of dwellings in the Residential Design Codes: Single House,</p>

	<p>Grouped Dwelling, and Multiple Dwelling. The definitions are identical except for the type of dwelling.</p> <p>Several Local Governments currently use definitions to distinguish between holiday homes in single houses and either grouped or multiple dwellings. Generally, land-use permissibility and number of guests vary between the two definitions with lower maximum guests' numbers on proposals in grouped and multiple dwellings. The draft Position Statement proposes that guest numbers and room caps would be managed through the local planning framework.</p> <p>There is merit in splitting the land-use definitions by dwelling type, and this is supported. It is recommended that the words, 'for hire or reward' be added to the end of all three draft definitions. This will clarify that this land use is only to be applied to those holiday houses/units that are being used in a commercial manner and not for the personal use of a holiday home by the owner.</p> <p>The draft Position Statement indicates that Local Governments should consider including holiday house/unit/apartments as a 'discretionary' land use in appropriate zone and suggest that advertising be required for proposals with more than 7 or more guests. This is generally consistent with current practice and supported.</p> <p>Lastly, it is proposed that unhosted short-term accommodation (in a single house, grouped or multiple dwelling) will be exempt from requiring development approval where it is let for less than 60 days per calendar year. As already stated, no justification has been provided to support this proposal and this proposal was not contemplated or deemed necessary by the Parliamentary Inquiry. Submissions from Local Governments indicate that the practicalities of enforcing this requirement would be impossible and for many Local Governments that have established comprehensive regulatory regimes the change would mean a significant reduction in the ability to adequately manage short-term accommodation and manage the amenity issues in line with community expectations.</p> <p>It is noted that all unhosted accommodation, including those exempt from development approval, would be required to be registered through the State-wide scheme, and that this may allow for adequate regulatory oversight of unhosted accommodation. The lack of information in this consultation on how the scheme will operate, the data reporting requirements, and how local requirements will be incorporated into the scheme does not allow positions to be taken or recommendations made by WALGA. Until such a time that additional information is provided, WALGA is not able to support or oppose the exemption for unhosted accommodation. This position will be reassessed following the release of information on the Scheme and further consultation with WALGA.</p>
<p>State-wide registration scheme</p>	<p>WALGA supports the establishment of a state-wide registration scheme for short-term accommodation. Consultation with members demonstrates overwhelming support for a scheme and the benefits it would bring to the regulation of short-term accommodation in their localities.</p>

	<p>Local Government experience of local regulation of short-term accommodation through local laws shows the benefits of registration and regulation outside the planning system. The planning system has traditionally not been a useful instrument to manage ongoing compliance, and the use of local laws has shown to be successful at ensuring amenity is maintained and hosts are held to account for the behaviour of their guests and the suitability of the premises.</p> <p>Experience shows that local laws, and their registration scheme in Western Australia, has had limited success in compelling peer-to-peer hosting platforms to ensure compliance with local requirements prior to accepting properties for hire. As has been experienced in New South Wales and Tasmania, state-managed schemes have the power to compel such platforms to follow the rules and ensure compliance. This is vital for the success of any scheme.</p> <p>As has been identified in the draft Position Statement, several Local Governments in Western Australia currently operate local registration and regulatory schemes. This is reflective of the varying impact short-term accommodation has on different communities. It is important that any State-wide scheme be able to capture this variation and reflect the desire of some communities to restrict and/or manage short-term accommodation.</p> <p>In the Government’s response to Inquiry recommendation 7 it was noted that the design of the system ‘...needs to be flexible and not too onerous’ and ‘simple, low cost and user friendly’. Considering these requirements alongside the need to incorporate local requirements into registration, the development of a system similar in design to the section 39 and 40 requests in the liquor licencing regime has merit. This operates by an applicant lodging a request for registration with a state agency, as part of the application process a request for a certificate of compliance from the Local Government would be issued. This would allow the Local Government to determine if all local requirements, such as local registration, development approval, pool permit and food licence etc, had been met. Should those items not be required, this would be indicated in the response. This system would be consistent with the intent of Inquiry recommendation 10 and if adequately resourced would not act as an impediment to registration.</p> <p>As previously stated, as there is limited detail on the scheme, WALGA’s support for the scheme should be read alongside several features already mentioned in the general comments.</p>
<p>Implications for Building Classification</p>	<p>Under the National Construction Code apartments are designated as Class 2 Buildings while buildings hosting tourist accommodation are generally classified as Class 3. There are significant differences between the two classes, such as sprinkler protection in Class 3. The design of Class 2 buildings regularly relies on performance solutions that assume a level of resident familiarity with the building, which is not the case for short-term guests. Class 3 buildings address this through higher safety standards.</p> <p>The existence of short-term accommodation in residential class 2 buildings causes difficulties for Local Governments when approving uses. Under current legislation, a change in the classification trigger s</p>

	<p>compliance with the current standards. This would likely be onerous upgrades, particularly in older buildings. Secondly, it is unclear if the trigger would apply to only the apartment or the whole building. More guidance is needed on this issue.</p> <p><b><i>Recommendation:</i></b></p> <p><b>DLGSC should seek guidance from DMIRS on possible solutions regarding the different safety standards for Class 2 and 3 buildings for short-term accommodation. This issue should be discussed in collaboration with Local Government.</b></p>
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## 8.1.2 Proposed subdivision of Lots 21 and 23 Crossman Road and Lot 22 Fraser Road, Boddington

File Reference:	161908
Applicant:	Dynamic Planning and Developments
Disclosure of Interest:	Edge Planning & Property receive a payment for planning advice to the Shire and declare a Financial Interest (section 5.70 of the Local Government Act 1995)
Author:	Steve Thompson – Consultant Planner
Attachments:	8.1.2A Subdivision Plan 8.1.2B Letter from applicant 8.1.2C Bushfire Management Plan (extract) 8.1.2D Site and Soil Evaluation (extract) 8.1.2E Staging Plan 8.1.2F Extract from Shire of Boddington Local Planning Scheme No.3 8.1.2G Approved Subdivision Guide Plan (Local Structure Plan)

### Summary

A subdivision application proposing residential and rural residential lots, on Lots 21 and 23 Crossman Road and Lot 22 Fraser Road, is recommended for approval subject to conditions.

### Background

The Western Australian Planning Commission (WAPC) has referred subdivision application No. 161908 to the Shire for comment. The WAPC is the decision-making authority for subdivision applications. The subdivision plan, outlined in Attachment 8.1.2A, proposes 175 lots ranging between 2000m<sup>2</sup> and 1.86 hectares. Additionally, a community purpose site (1 hectare), public open space (6.21 hectares and 6219m<sup>2</sup>) and a foreshore reserve (4.28 hectares) are proposed. Details provided by the applicant, including technical reports, are set out in Attachments 8.1.2B to 8.1.2E.

Various plans and studies have previously been undertaken including a flood study, a land capability report, stormwater management plan and environmental investigations. These reports have been complemented with recent technical investigations, in particular a Bushfire Management Plan and Site and a Soil Evaluation (see Attachments 8.1.2C and 8.1.2D).

Relevant matters relating to the application site include:

- The Council has considered planning and development matters associated with the site on various occasions and has supported the planning to date. This included on 28 June 2011 where a subdivision application for 121 lots was conditionally supported. The Council supported the Subdivision Guide Plan for 150 residential and rural residential lots at its meeting on 16 August 2013;
- The WAPC approved Subdivision Guide Plan (now called a Local Structure Plan) is outlined in Attachment 8.1.2G;
- It is gently sloping and contains a watercourse and various drainage lines;
- Portions of the site are affected by flooding as outlined in the *Shire of Boddington Floodplain Management Study* and the hydrological assessment undertaken for the site;
- It has access to both Crossman Road and Fraser Road and adjoins rural residential development;

- The site is predominantly cleared. The land also contains some remnant vegetation including a central ridge of Wandoo woodland along with some having some trees with hollows suitable for cockatoos;
- Portions of the site is classified as Bush Fire Prone a <https://maps.slip.wa.gov.au/landgate/bushfireprone/>;
- The site is zoned 'Special Use' (SU2) in the *Shire of Boddington Local Planning Scheme No. 3 (LPS3)* and portions of the site are within Special Control Area No. 1 – Flood Prone Area. Various site-specific statutory provisions relate to the property (see Attachment 8.1.2F);
- The site is identified as 'Existing Residential – low density' in the endorsed *Shire of Boddington Local Planning Strategy*; and
- The legal tests for valid subdivision conditions are that it is imposed for a planning purpose, it fairly and reasonably relates to development (nexus) and that it is reasonable.

### Comment

#### *A) Overview*

The subdivision is conditionally supported for reasons including:

- It is consistent with the Local Planning Strategy and is generally consistent with the endorsed Subdivision Guide Plan (including the provision of public open space, road pattern and size of perimeter lots);
- The Department of Planning, Lands and Heritage recently confirmed they are comfortable in the applicant proceeding directly to a subdivision application without updating the Local Structure Plan;
- It appears that the proposed lots can achieve suitable planning outcomes including bushfire and on-site sewerage disposal, noting there is a need for detailed civil engineering design and associated works including possible fill on some lower lying lots;
- It will be appropriately serviced;
- Shire officers raise no objections; and
- If implemented, it will provide an important boost to the on-going development of Boddington.

The application does however raise various considerations which are outlined below. Some of the key considerations with the subdivision application are summarised below.

#### *B) Clearing of native vegetation*

The endorsed Subdivision Guide Plan and former subdivision approvals would have resulted in clearing considerable portions of the central ridge of Wandoo woodland. Based on modified bushfire management requirements (from a decade ago) and the submitted subdivision application (which increases the lot yield in the central area compared to former plans), there will be increased clearing of the Wandoo woodland to facilitate proposed



subdivision/development. It is expected relevant State Government agencies will review the appropriateness of the clearing on the Wandoo woodland vegetation.

The Subdivision Guide Plan shows 'trees with hollows' which may be suitable for protected cockatoos. To protect the nominated trees, there is a need to identify these on site and ensure that future subdivision works and buildings are appropriately located to ensure on-going conservation. To ensure that all nominated trees with hollows are retained, this may involve minor changes to some lot boundaries at the detailed civil design stage.

### *C) Revegetation*

Based on the approved Subdivision Guide Plan, the developer is responsible for appropriate revegetation in portions of the site. For example:

- The site is visible from Crossman Road which is an important gateway into Ranford and Boddington. LPS3 Condition 7 requires a 10 metre wide landscape buffer strip with local indigenous vegetation for much of the Crossman Road frontage (not adjoining the POS and community purpose site);
- Page 15 of the Scheme Amendment No. 16 documentation, in part, states 'The developer proposes to plant up the winter creek (located within the Building Exclusion Zone) on the eastern side of the subdivision with some mature local seedlings. This will assist the remnant vegetation in this area in being a wildlife corridor from the river vegetated area to native bushland to the south side of Crossman Road'; and
- Page 15 of the Scheme Amendment No. 16 documentation, in part, states 'The developer has also agreed to the planting up of the perimeter of the 6ha POS area on the south western boundary of the subdivision with mature local seedlings, in consultation with the Shire of Boddington'.

To enhance the amenity of the estate, it is expected the developer will support the planting of appropriate street trees to the satisfaction of the Shire. Considerations of preferred species will include on-going management, safety and impacts on services.

In relation to Conditions 16 and 17, the public open space in the south-west section, the community purpose site and the foreshore reserve should be provided as part of the stage 1 subdivision.

### *D) Bushfire Management Plan*

A Bushfire Management Plan has been submitted with the subdivision application (Attachment 8.1.2C). This outlines the subdivision complies with State planning requirements. This includes that there is sufficient area on each lot to accommodate a dwelling which achieves BAL-29 or below. Implementation of the Bushfire Management Plan needs to be consistent with the requirements to protect trees with hollows and conserve other identified remnant vegetation.

Given the subdivision will be staged, commencing near Fraser Road, appropriate interim arrangements are required to provide secondary access for emergency purposes.

### *E) On-site sewerage disposal*

A Site and Soil Evaluation (SSE) has been prepared (Attachment 8.1.2D) which is accepted by the Shire. The SSE demonstrates there is a suitable area on each proposed lot for a Land Application Area (area for on-site sewerage disposal) that addresses the Government Sewerage Policy.

The SSE is supported by information on highest groundwater levels. In addition to the Hotham River and the north-south watercourse on the eastern boundary, there are also other drainage lines that may have SSE implications including near the southern boundary, with a possible need for some fill.

#### *F) Stormwater management*

A Local Water Management Strategy has previously been prepared which provides the framework for the more detailed *Urban Water Management Plan* (UWMP). The UWMP will be imposed as condition of the subdivision approval.

There is a need to ensure that the UWMP suitably addresses stormwater management, nutrient stripping, flood protection and opportunities for effectively using water. Given the proposed lot sizes, it is expected that stormwater can be suitably detained on each lot which can be enhanced through measures such as rainwater tanks and soakwells. Stormwater management measures are required to be appropriately designed and constructed which meet high environmental standards and which can be effectively maintained by the Shire.

#### *G) Public open space and community purpose site*

In relation to the public open space (POS), the subdivision application is generally consistent with the endorsed Subdivision Guide Plan. The subdivision plan shows a large POS area of 6.22 hectares in the south-west section of the site plus a centrally located area of 6219m<sup>2</sup>. The POS will benefit future estate residents and the broader community. The POS (in the south-west) adjoins a proposed community purpose site (1 hectare). The POS and the community purpose site will be provided free of cost by the developer to the Shire.

The subdivision application however proposes to remove an area of 9027m<sup>2</sup> of POS of in the northern section of the site. Accordingly, a key consideration is the lack of convenient public access, to future residents, in the northern section to the foreshore. This needs to be suitably addressed such as through the provision of a public access way between Lots 21 and 22.

At this stage, there has not been any detailed planning relating to the POS or community purpose reserve by the developer or the Shire. The Shire administration will seek to progress matters with the developer and seek further direction from the Council. There is a need, in time, to:

- Consider uses, anticipated facilities and management;
- Prepare concept plans, which gain Council approval, before progressing to detailed design;
- Ensure that improvements can be appropriately sustained/maintained by the Shire;
- Consider water availability including groundwater and dams; and
- Consider possible naming of the POS.

It is suggested that the POS is likely to be used predominantly for recreation purposes e.g. equestrian activities, walking, cycling and opportunities for informal active recreation such as a 'kick around area'. There is no proposal for a recreation centre and it will not duplicate facilities and the standard of the Town Oval. Accordingly, the POS is not likely to be used for formal sporting facilities. The POS should complement the community site which could incorporate a community hall, tennis court, barbeque facilities and a children's playground.

Page 19 of the Scheme Amendment No. 16 documentation in part states:

“The developer is also committed to developing the areas of POS, the larger for informal active recreation which includes some heritage interpretation, and a smaller pocket park for a children’s playground and revegetation opportunities.”

The community purpose site should enhance the amenity and attractiveness of the estate and assist to create opportunities for community activities and interaction. The community purpose site could accommodate a possible children’s playground (or on the adjoining POS). There is also a need to prepare concept plans, which gain Council approval, before progressing to detailed design and to consider the on-going management of the site.

It is noted that the subdivision plan has deleted the 9027m<sup>2</sup> POS in the north-west. This needs further consideration including ensuring there is suitable public access between the estate and the foreshore in the northern part of the estate.

The Shire administration would prefer that the POS in the south-west section and the community purpose site are provided as part of the stage 1 subdivision. This would provide increased certainty for relevant stakeholders, including the Shire, in relation to tenure, management and maintenance. There is no requirement to provide the centrally located POS until stage 9.

#### *H) Hotham River foreshore reserve*

An existing foreshore reserve, reserved as Public Open Space in LPS3, currently adjoins the site and is largely vegetated. The Subdivision Guide Plan proposes to widen the foreshore reserve which amongst matters will ensure paths/tracks can be provided on cleared land.

The Subdivision Application proposes to widen the foreshore reserve in accordance with the endorsed Subdivision Guide Plan. The widened foreshore reserve is required to:

- Provide a suitable alignment, on cleared land which avoids environmental assets, to accommodate the construction of a proposed track. The track will be for walking, cycling and possible horse riding, along with vehicular emergency access/emergency escape route;
- Assist to improve public access to and along the Hotham River in accordance with the Subdivision Guide Plan, as well as assisting to protect riparian vegetation; and
- Provide areas for drainage swales and revegetation opportunities.

As set out in Condition 16 of the LPS3 provisions (Attachment 8.1.2F), the developer is required to prepare and implement a Foreshore Management Plan as a condition of subdivision approval. The main elements of the Foreshore Management Plan are to include addressing:

- Weed control;
- Restrict vehicular access (other than for emergency situations);
- Ensure appropriate fencing between the public and private domain;
- Identify revegetation opportunities and the recommended species;
- Restrict stock within the foreshore reserve;
- Address drainage swale construction and treatment; and,
- Prevent activities or access that may result in erosion.

The required Foreshore Management Plan should ideally be prepared upfront for all of the foreshore adjoining the entire site to provide increased guidance and certainty for relevant

stakeholders including the Shire. In terms of implementation, the works would be staged as appropriate to relevant sections of the foreshore.

#### *I) Traffic and crossovers*

The road pattern set out in the subdivision application is consistent with the endorsed Subdivision Guide Plan.

The first stages will generate limited traffic with traffic utilising Fraser Road. In time, the intersection of the western subdivision road and Crossman Road, will however accommodate moderate traffic (particularly relative to a country town). As part of the detailed civil engineering designs, there may be a need for traffic calming treatments at the intersection of the western subdivision road to Crossman Road along with internal treatments to manage traffic safety. A possible vehicle turning lane at the western subdivision road/Crossman Road intersection should be separately considered by the developer's consulting engineer for future stages.

As the subdivision is progressively implemented, there may be a need to request that Main Roads Western Australia review the speed zoning on this section of Crossman Road.

In accordance with Council's *Local Planning Policy No. 9 Car Parking and Vehicular Access*, it is recommended that Council seek the imposition of a condition requiring the sealing and draining of crossovers to all lots.

#### *J) Paths and tracks/cycling and walking paths*

There is a need to provide safe, convenient and appropriate dual use paths (for walking and cycling) and other paths/tracks through the site and which connect the estate to Ranford.

LPS3 Development Standard/Condition 17 states:

*'A dual use path between River Road and the subject land is to be provided, generally in the location depicted on the Subdivision Guide Plan, to the satisfaction of the local government.'*

Accordingly, the above requirement is a recommended subdivision condition. There is a need to consider the timing of the subdivider constructing the dual use path between where the dual use path finishes (west of the property, around River Road) and the application site.

Additionally, the Council at its meeting on 18 July 2013 required that a dual use path to be provided as a minimum on one side of all roads.

The endorsed Subdivision Guide Plan (Attachment 8.1.2G) shows a system of dual use paths throughout the site. A subdivision condition is recommended to provide dual use paths based on the Subdivision Guide Plan.

#### *K) Fencing*

LPS3 Development Standard/Condition 14 states:

*'All fencing within the Special Use zone shall retain the rural character of the area and the use of asbestos, metal sheeting or wooden pickets shall be prohibited. The local government may impose fencing requirements as a condition of its approval to protect substantial vegetation or the river environs.'*

It is recommended that the developer install suitable uniform fencing of lots adjoining the foreshore reserve, POS, the community purpose site and backing onto Crossman Road. For areas within the floodplain, fence design should be consistent with the above development standard and ensure the design does not impede floodwaters.

It is suggested that the developer not be responsible for fencing the western, southern and eastern boundaries of the POS in the south-west section, only where it backs onto proposed Lot 1.

While not a condition of subdivision, it is also expected that the developer will install suitable fencing on common lot boundaries prior to sale.

#### *L) Local Planning Policy No. 3 - Urban Drainage Contribution*

The Council, at its meeting on 28<sup>th</sup> June 2011 agreed that no contribution of \$2000 per lot is sought for the proposed lots. Local Planning Policy No. 3 sets out that contributions only apply for lots below 1 hectare (other than industrial lots). Given the site's location, no proposed lot will be connected to the Shire's existing stormwater network. Accordingly, it is suggested that the developer is not required to make an urban drainage contribution for any lot.

#### *M) Developer/subdivider contributions*

Given the scale of the subdivision, the requested off-site contributions are minor. The identified subdivider contribution is the construction of a dual use path between the site and River Road to ensure safe and convenient pedestrian/cyclist links. This contribution is consistent with LPS3 Condition 17, WAPC policy and the Council's *Local Planning Policy No. 5 Developer and Subdivider Contributions*.

It is acknowledged that the developer will provide land (POS, community purpose site) and facilities (community hall) that will not only benefit estate residents but also the broader community. Based on WAPC policy, the developer will establish and maintain the POS for two summers.

#### *N) Building and Landscaping Guidelines*

Development Standard/Condition 18 sets out the need to consider the approach to building design guidelines, which take account of the Planning Regulations, and how they are implemented e.g. restrictive covenants, local planning policy or other measures. Clarification is required whether there will be site specific guidelines or that matters are addressed in Local Planning Policy 16.

At this stage, a condition has been recommended requiring the developer to prepare and implement Building and Landscaping Design Guidelines. The guidelines are ideally backed up by Restrictive Covenants and/or a Council Local Planning Policy to assist in providing a quality estate and to control future development on the subject land. The guidelines should generally be consistent with *Local Planning Policy No.16 Residential Development and Design*.

#### *O) Model Subdivision Conditions*

Based on WAPC requirements, conditions and advice from local government should reflect the WAPC's Model Subdivision Conditions unless there are site specific matters to be addressed. Accordingly, the conditions set out in the Officer Recommendation are generally based on the Model Subdivision Conditions.

## P) Conclusion

It is recommended that the subdivision application be conditionally approved given it is consistent with past Council decisions relating to the site and importantly consistent with the endorsed Subdivision Guide Plan (Structure Plan).

Should the subdivision be approved and implemented, the proposed estate should positively enhance Boddington/Ranford. The estate has the potential to deliver an attractive, higher quality and well serviced estate which provides a range of lot sizes that are typically not available in Boddington/Ranford. The subdivision, if approved and implemented, will also provide POS, a community purpose site, community facilities and improved access to the Hotham River foreshore.

There is a requirement for some detailed plans and strategies to be commissioned by the developer to ensure the proposed subdivision/development suitably addresses relevant issues. These include an Urban Water Management Plan, Revegetation and Landscaping Plan, Foreshore Management Plan and civil engineering drawings.

## Consultation

The WAPC invites comments from the Shire and other government/servicing agencies on the subdivision application. Previously, community consultation occurred through the Shire advertising Scheme Amendment No. 16 and through advertising the revised Subdivision Guide Plan.

## Strategic Implications

<b>Pillar 1</b>	<b>A vibrant and connected community</b>
Outcome 1.1	Encourage development of vacant residential land to provide affordable housing

The application is consistent with the Local Planning Strategy and generally consistent with the endorsed Local Structure Plan and the *Boddington-Ranford Townsite Strategy*.

The *Shire of Boddington Strategic Community Plan 2019-2029* sets out a vision of 'A vibrant and connected community providing employment and lifestyle opportunities, a beautiful environment, and easy access to the city.'

The site is zoned 'Special Use' in LPS3 with subdivision/development to be generally in accordance with the endorsed Structure Plan. The Structure Plan allocates land for residential, rural residential, community purpose and POS. The Structure Plan is important in facilitating a co-ordinated approach to the subdivision and development of the land.

The provision of enhanced public access to and along the Hotham River foreshore is considered beneficial to future estate residents and the broader community.

The proposal, if approved and implemented, can provide Boddington/Ranford with a considerable number of residential and rural residential lots of different sizes.

## Legislative Implications

*Planning and Development Act 2005* and *Shire of Boddington Local Planning Scheme No. 3*.

## Policy Implications

Several State Planning Policies and Local Planning Policies are of relevance to the application and to the site:

*State Planning Policy 2 – Environment and Natural Resources Policy*

*State Planning Policy 2.9 – Water Resources*

*State Planning Policy 3.0 – Urban Growth and Settlement*

*State Planning Policy 3.6 - Infrastructure Contributions*

*State Planning Policy 3.7 – Planning in Bushfire Prone Areas*

*Government Sewerage Policy*

*Liveable Neighbourhoods*

*Local Planning Policy 4 – Rural Residential Lots and Water Supplies*

*Local Planning Policy 5 – Developer and Subdivider Contributions*

*Local Planning Policy 6 - Development in Flood Affected Areas*

*Local Planning Policy 8 – Fire Protection Measures for New Development and Subdivisions*

*Local Planning Policy 9 – Car Parking and Vehicular Access*

*Local Planning Policy 10 – Boddington-Ranford Townsite Strategy*

*Local Planning Policy 17 – Stormwater Management*

## Financial Implications

The developer will meet the cost of new infrastructure to service proposed lots and will pay for the construction of a dual use path between Ranford and the site in accordance with State Planning Policy, *Local Planning Policy No. 5 Developer and Subdivider Contributions Policy* and LPS3.

There are no immediate financial implications for the Council from this subdivision application, however over time they could be considerable. It will therefore be imperative, for example, that the developer is required to install appropriate drainage systems that achieve effective stormwater management that meets best practice environmental standards and which ensure lower on-going operating costs for the Shire.

The Shire would, in time, be responsible for maintaining the POS, drainage basins, paths etc. The Council should adequately increase budget accounts to ensure that the land, infrastructure and services are appropriately funded and maintained. e.g. maintenance of foreshore reserves, POS and street trees. The Council will separately need to consider the funding and management of the community purpose site.

Should the subdivision application be approved and implemented, it will increase Shire responsibilities and costs, however it will be partially off-set through increased rates.

## Economic Implications

The application, if approved and implemented, will result in the additional release of residential and rural residential lots and associated dwellings that will assist to provided economic benefits to the local economy supporting enhanced and additional services.

## Social Implications

These were addressed at the scheme amendment and structure plan stages. The additional population resulting from implementation of the subdivision should add to the strength of the community and make better use of available services. However, it will also tend to create the demand for increased levels of service and it will be important that service providers keep pace with the demands.

The additional population, anticipated for Boddington and Ranford, should add to the strength of the community and make better use of available services. However, it will also create the demand for increased levels of service and it will be important that service providers keep pace with the demands.

A key consideration, which requires further consideration by the Council and other stakeholders, is seeking to appropriately manage the anticipated population increase. This should seek to, where possible, effectively integrate newcomers into the area with existing residents to build a stronger community.

The subject land is visible from Crossman Road which is an important gateway into Ranford and Boddington. The Subdivision Guide Plan proposes revegetation and other measures to assist in addressing the site's location.

### Environmental Considerations

It is suggested the key environmental issues for the site are protecting native vegetation, managing stormwater and appropriate on-site wastewater disposal systems.

Previously, environmental investigations were carried out as part of the scheme amendment which reported on the site's hydrology, land capability, environmental assets and fire management. These issues were taken into consideration when formulating the endorsed Subdivision Guide Plan. More detailed investigations will occur at the subdivision stage (prior to the issue of titles) and at the development stages.

Any construction needs to minimise the impact on native vegetation wherever possible and practical. In particular, there is a need to avoid impacts on nominated trees with hollows.

### Risk Considerations

Risk Statement and Consequence	Reputation, Compliance and Natural Environment
Risk Rating (prior to treatment or control)	Moderate
Principal Risk Theme	Compliance
Risk Action Plan (controls or treatment proposed)	The WAPC to determine the subdivision application. Proposed conditions will assist to minimise risks. There is a need to address statutory requirements.

### Options

The Council can:

1. Support the subdivision application with no conditions;
2. Support the subdivision application with conditions;
3. Support an amended plan; or
4. Not support the subdivision application (giving reasons).

### Voting Requirements

Simple Majority



## Officer Recommendation

Moved Cr Webster

That Council advise the Western Australian Planning Commission that it supports the subdivision of Lots 21 and 23 Crossman Road and Lot 22 Fraser Road, Boddington (WAPC 161908) subject to the following conditions:

No.	Code	Condition
1	AM4	The landowner/applicant installing suitable rural fencing of good standing abutting the public open space, community purpose site and foreshore reserve in accordance with the approved plan (attached). (Local Government)
2	AM10	A notification, pursuant to Section 165 of the Planning and Development Act 2005 is to be placed on the certificate(s) of title of the proposed lot(s) advising of the existence of a hazard or other factor. Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:  <i>“This lot is located within the floodway / flood fringe of the Hotham River and may be affected by flooding. Additional planning and building requirements may apply to development on this lot to ensure flood risk is managed.”</i> (Western Australian Planning Commission)
3	B8 Modified	Prior to commencement of subdivisional works, a detailed plan identifying building envelope(s) or building exclusion areas on all lots on the approved plan of subdivision is to be prepared in consultation with the local government to ensure the appropriate siting of development. (Local Government)
4	B9	The landowner/applicant shall provide a written undertaking to advise prospective purchasers of the provisions of the local government’s local planning scheme that relate to the use and management of the land. (Local Government)
5	B15	A restrictive covenant to the benefit of the Western Australian Planning Commission, pursuant to Section 129BA of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s) advising of the existence of a restriction on the use of the land. Notice of this restriction is to be included on the diagram or plan of survey (deposited plan). The restrictive covenant is to state as follows:  <i>“No development is to take place unless it is designed to minimise impact on the movement of flood water and complies with the minimum habitable floor level of 0.5 metres above the 1 in 100 Annual Exceedance Probability flood level to provide an adequate measure of flood protection”.</i> (Western Australian Planning Commission)
6	D2	Prior to the commencement of subdivisional works, an urban water management plan is to be prepared and approved, in consultation with the Department of Water and Environment Regulation, consistent with any approved Local Water Management Strategy. (Local Government)

7	D3	Engineering drawings and specifications are to be submitted and approved, and works undertaken in accordance with the approved engineering drawings and specifications and approved plan of subdivision, for the filling and/or draining of the land, including ensuring that stormwater is contained on-site, or appropriately treated and connected to the local drainage system. Engineering drawings and specifications are to be in accordance with an approved Urban Water
		Management Plan (UWMP) for the site, or where no UWMP exists, to the satisfaction of the Western Australian Planning Commission. (Local Government)
8	D8	Drainage easements and reserves as may be required by the local government for drainage infrastructure being shown on the diagram or plan of survey (deposited plan) as such, granted free of cost, and vested in that local government under Sections 152 and 167 of the <i>Planning and Development Act 2005</i> . (Local Government)
9	E1	Arrangements being made with a licensed electricity network operator for the provision of an underground electricity distribution system that can supply electricity to each lot shown on the approved plan of subdivision. (Western Power / Horizon Power)
10	EN1	Prior to the commencement of subdivisional works a foreshore management plan for the Hotham River is to be prepared and approved to ensure the protection and management of the sites environmental assets with satisfactory arrangements being made for the implementation of the approved plan. (Local Government)
11	EN2	Prior to the commencement of subdivisional works, measures being undertaken to identify any 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 subdivisional works. (Local Government)
12	EN3 Modified	A revegetation plan being prepared, approved and implemented for the revegetation of the landscape buffer/revegetation as shown on the Subdivision Guide Plan with appropriate native species to the specifications of the Local Government. (Local Government)
13	EN12	A restrictive covenant, to the benefit of the local government, pursuant to section 129BA of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s) advising of the existence of a restriction on the use of the land. Notice of this restriction is to be included on the diagram or plan of survey (deposited plan). The restrictive covenant is to state as follows:  “No development or is to take place within the defined building exclusion area(s), unless otherwise approved by the local government.” (Local Government)
14	F1	Information is to be provided to demonstrate that the measures contained in Section 6; Table 5 of the bushfire management plan (dated December 2021) have been implemented during subdivisional works. This information should include a completed ‘Certification by Bushfire Consultant’ from the bushfire management plan. (Local Government)

15	F2	<p>A notification, pursuant to Section 165 of the Planning and Development Act 2005, is to be placed on the certificate(s) of title of the proposed lot(s) with a Bushfire Attack Level (BAL) rating of 12.5 or above, advising of the existence of a hazard or other factor.</p> <p>Notice of this notification is to be included on the diagram or plan of survey (deposited plan).</p> <p>The notification is to state as follows:</p> <p>“This land is within a bushfire prone area as designated by an Order made by the Fire and Emergency Services Commissioner and may be subject to a Bushfire Management Plan. Additional planning and building</p>
		<p>requirements may apply to development on this land” (Western Australian Planning Commission)</p>
16	R1	<p>A foreshore reserve in accordance with the approved plan, as established by survey, being shown on the diagram or plan of survey (deposited plan) as a reserve for recreation and for foreshore management and vested in the Crown under Section 152 of the <i>Planning and Development Act 2005</i>, such land to be ceded free of cost and without any payment of compensation by the Crown. (Western Australian Planning Commission)</p>
17	R2	<p>The proposed reserve(s) shown on the approved plan of subdivision being shown on the diagram or plan of survey (deposited plan) as reserve(s) for recreation and the community purpose site and vested in the Crown under Section 152 of the <i>Planning and Development Act 2005</i>, such land to be ceded free of cost and without any payment of compensation by the Crown. (Local Government)</p>
18	R4	<p>Arrangements being made for the proposed public open space to be developed by the landowner/applicant to a minimum standard and maintained for two summers through the implementation of an approved landscape plan providing for the development and maintenance of the proposed public open space in accordance with the requirements of Liveable Neighbourhoods and to the specifications of the local government. (Local Government)</p>
19	T1	<p>Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, to ensure that those lots not fronting an existing road are provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) are constructed and drained at the landowner/applicant’s cost.</p> <p>As an alternative, and subject to the agreement of the Local Government the Western Australian Planning Commission (WAPC) is prepared to accept the landowner/applicant paying to the local government the cost of such road works as estimated by the local government and the local government providing formal assurance to the WAPC confirming that the works will be completed within a reasonable period as agreed by the WAPC. (Local Government)</p>

20	T3	Engineering drawings and specifications are to be submitted, approved, and subdivisional works undertaken in accordance with the approved plan of subdivision, engineering drawings and specifications, for the provision of shared paths through and connecting to the application area in accordance with the endorsed Subdivision Guide Plan.  The approved shared paths are to be constructed by the landowner/ applicant. (Local Government)
21	T11	All local streets within the subdivision being truncated in accordance with the Western Australian Planning Commission's Liveable Neighbourhoods policy. (Local Government)
22	T20	Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision. (Local Government)
23	W1	Arrangements being made with a licensed water provider for the provision of a suitable water supply service to each lot shown on the approved plan of subdivision. (Water Corporation)

**Seconded: Cr Erasmus**

**AMENDMENT TO THE MOTION**

**Moved Cr Erasmus**

**That Council**

**Defers the consideration of this item to a future council meeting**

**Seconded: Cr Webster**

**Note: Reason for decision: to allow Councillors time to consider the matter further.**

**The MOTION as AMENDED**

**COUNCIL RESOLUTION: 03/22**

**Moved: Cr Erasmus**

**Defers the consideration of this item to a future council meeting**

**Seconded: Cr Webster**

**Carried: 4/0**

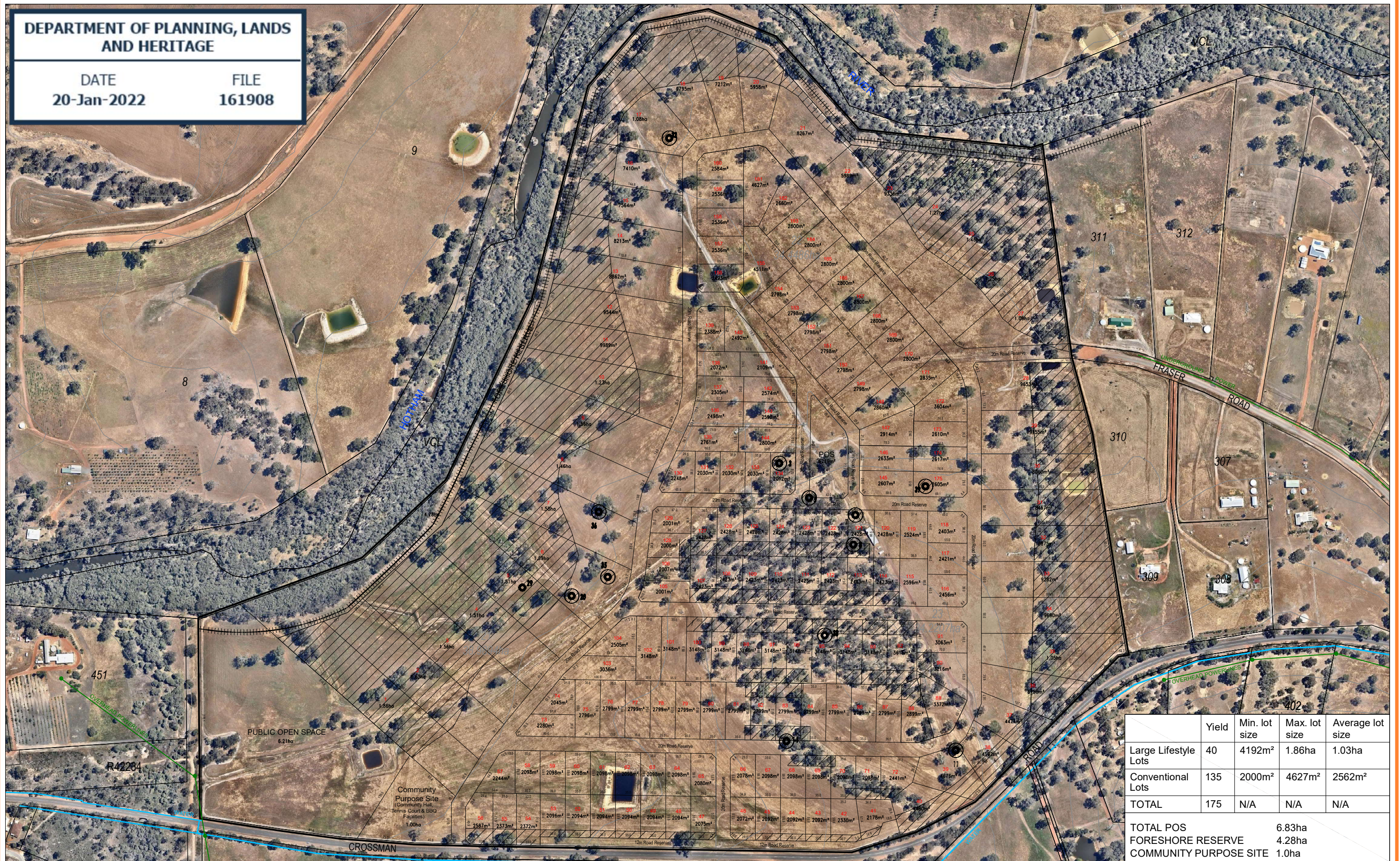
**Seconded: Cr Erasmus**



DEPARTMENT OF PLANNING, LANDS AND HERITAGE

DATE  
20-Jan-2022

FILE  
161908

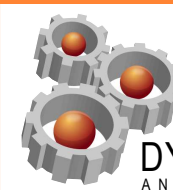


**PROPOSED FREEHOLD SUBDIVISION**  
 LOTS 21, 22 & 23 CROSSMAN ROAD  
 RANFORD

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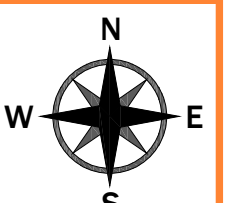
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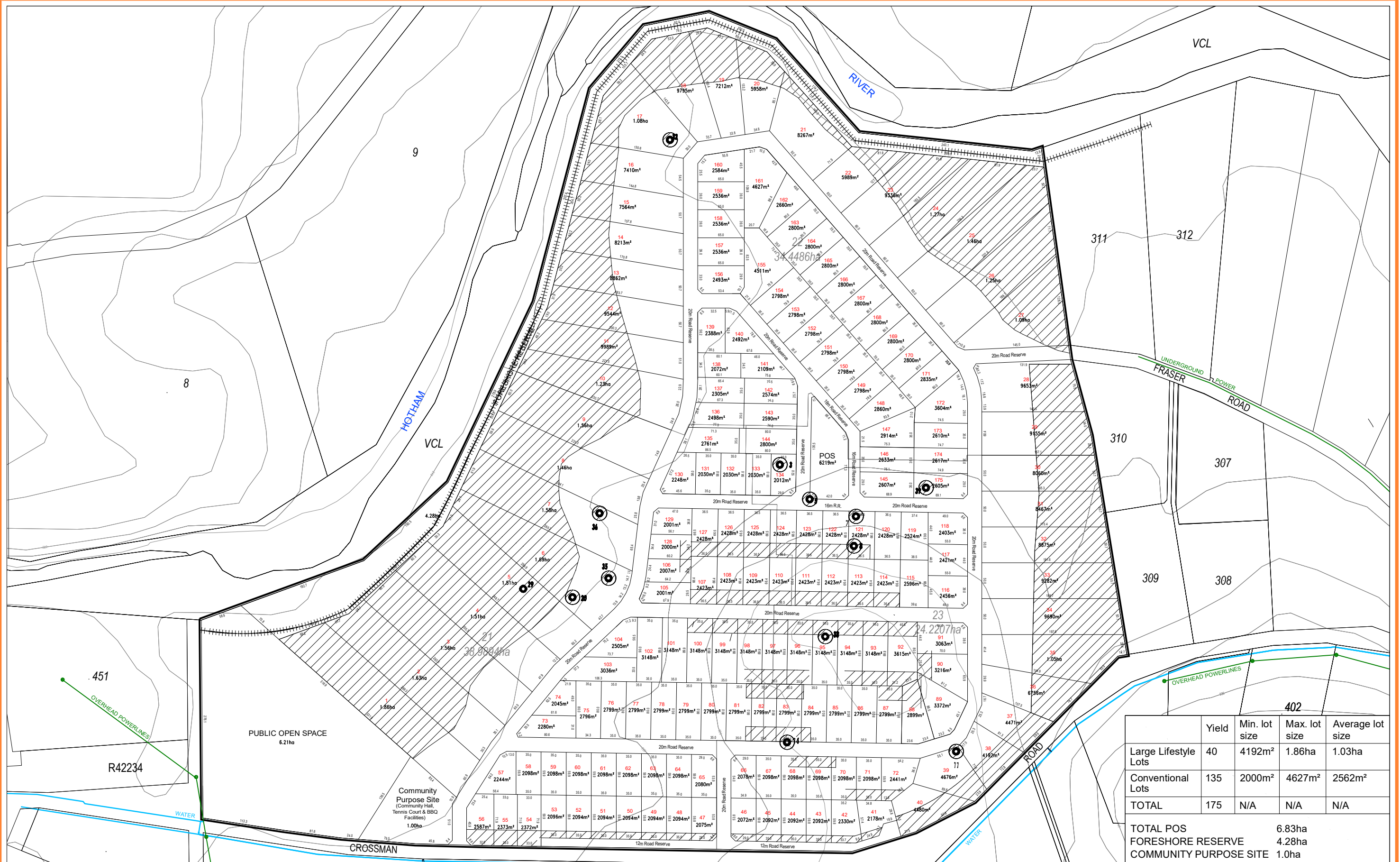
**DYNAMIC PLANNING AND DEVELOPMENTS**

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 MORLEY WA 6062  
 ABN: 99 169 411 705







# PROPOSED FREEHOLD SUBDIVISION

LOTS 21, 22 & 23 CROSSMAN ROAD  
RANFORD

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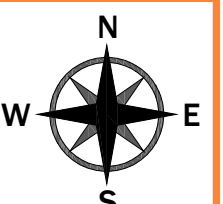
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**DYNAMIC PLANNING**  
AND DEVELOPMENTS

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MORLEY WA 6062  
ABN: 99 169 411 705



Our Ref: 1292

22 December 2021

The Secretary  
Western Australian Planning Commission  
Locked Bag 2506  
PERTH WA 6001

Dear Sir / Madam,

**LOTS 21, 22 & 23 CROSSMAN ROAD, RANFORD**  
**FORM 1A APPLICATION FOR APPROVAL OF A FREEHOLD SUBDIVISION**

Dynamic Planning and Developments Pty Ltd (DPD) act on behalf of TAQWA Holdings Pty Ltd, OZ Division Holdings Pty Ltd, and M & A Holding Group Pty Ltd, the registered proprietors of Lots 21, 22 and 23 Crossman Road, Ranford (herein referred to as the 'subject site').

The purpose of this application is to seek conditional approval from the Western Australian Planning Commission (WAPC) for the Freehold (Green Title) subdivision of the subject site.

For submission purposes, we provide the following information as part of this submission:

- This detailed submission providing details of the proposed subdivision of the subject site;
- Copy of the applicable Certificate of Title(s) pertaining the subject site (**Attachment 1**);
- Proposed Subdivision Plan (**Attachment 2**);
- Existing Subdivision Guide Plan (**Attachment 3**);
- Proposed Staging Plan (**Attachment 4**);
- Bushfire Management Plan Summary (**Attachment 5**);
- Site and Soil Evaluation; (**Attachment 6**); and
- Executed WAPC Form 1A.

It is noted that payment of the requisite application fee being \$13,118 in this instance will be satisfied via the WAPC elodgement portal.

The sections below will explain the details of the proposal further.

## **BACKGROUND**

Through planning processes which occurred circa 2014, the site has been the subject of an amendment (Amendment No. 16) to the Shire of Boddington Planning Scheme to rezone the site to 'Special Use' in accordance with the associated Subdivision Guide Plan (SGP). The SGP effectively acts as a Structure Plan in that development of the site must generally be in accordance with the plan and the associated Special Use conditions as contained within Table 4 of the Scheme.

As such, this application proposes to commence subdivision of the site in accordance with an amended SGP, which has been based off the existing SGP and varies only in terms of an increase to lot yield. While discussed in greater detail throughout the succeeding sections of this support, it is noted that the amended SGP has received preliminary (albeit informal) favourable consideration from the Western Australian Planning Commission (WAPC) via past meetings with officers of the Department of Planning, Lands and Heritage (DPLH), and Shire of Boddington representatives.

## **SITE DETAILS**

### Legal Description

Lots 21, 22 and 23 Crossman Road, Ranford are legally described as "Lot 21 on Deposited Plan 404802", "Lot 22 on Deposited Plan 404802" and "Lot 23 on Deposited Plan 404802" and is wholly contained on Volume 2876; Folio 398, Volume 2876; Folio 399, and Volume 2876; Folio 400, respectively.

The three lots are situated adjacent to each other, with Lot 21 measuring 38.989ha, Lot 22 measuring 34.449ha, and Lot 23 measuring 24.221ha.

The subject site has a combined total area of 97.659 hectares.

A copy of the Certificate of Title of the subject site (each of the three lots) is contained within the appendices as **Attachment 1**.

### Regional & Local Context

The subject site is located within the municipal locality of the Shire of Boddington and is located in the suburb of Ranford.

The subject site is located on land bounded to the north by the Hoffman River and to the south by Crossman Road. To the east of the site is the Boddington town centre, approximately 3.5kms away. To the immediate west of the site is existing rural residential properties. Crossman Road provides access between the subject site and the broader Peel area, and ultimately provides connection to the Perth Metropolitan Region.



Figure 1 depicts the subject site within its local context. Figure 2 depicts the subject site within its regional context.

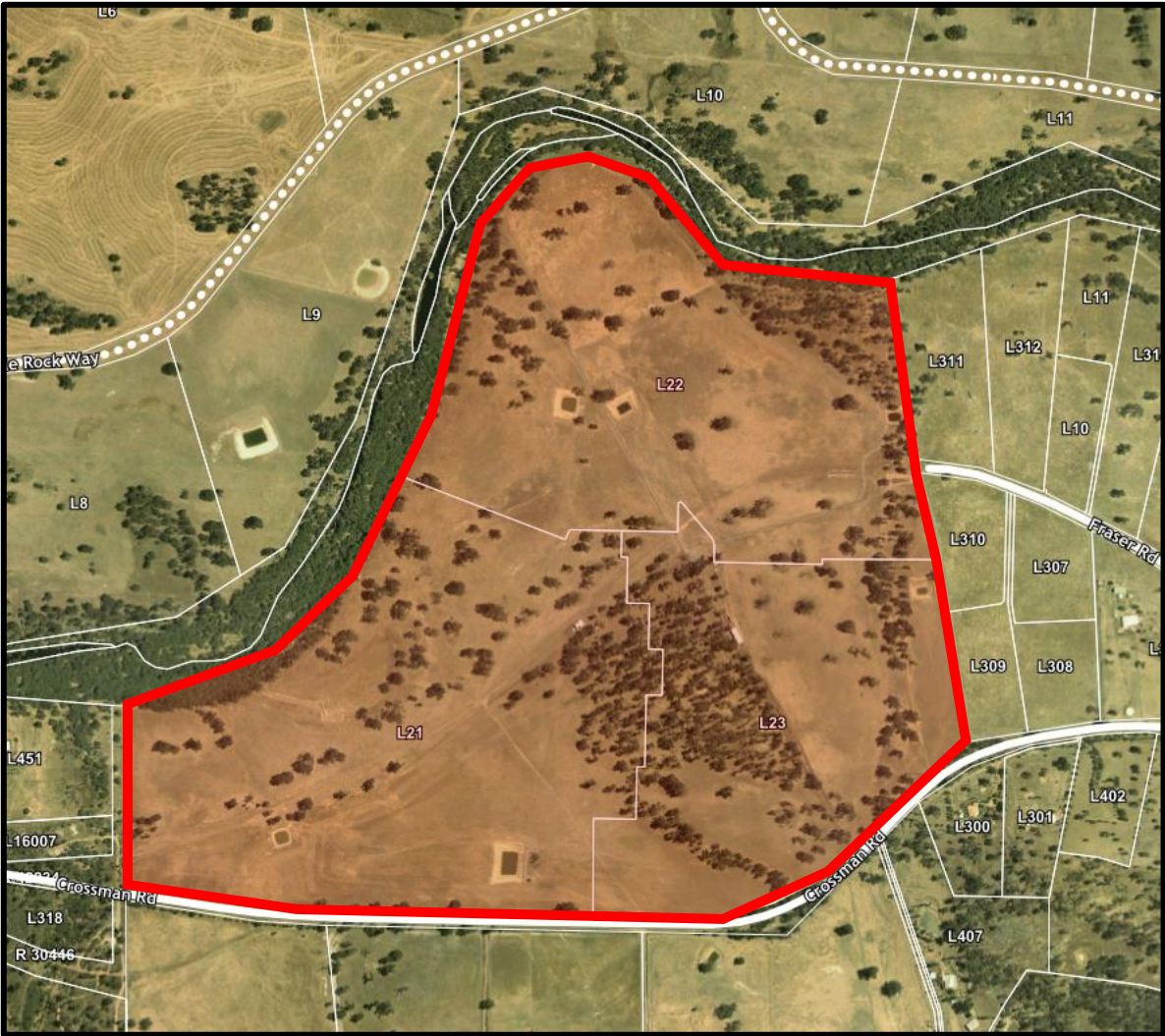


Figure 1 – Local Context of Subject Site (Source: MNG Access)

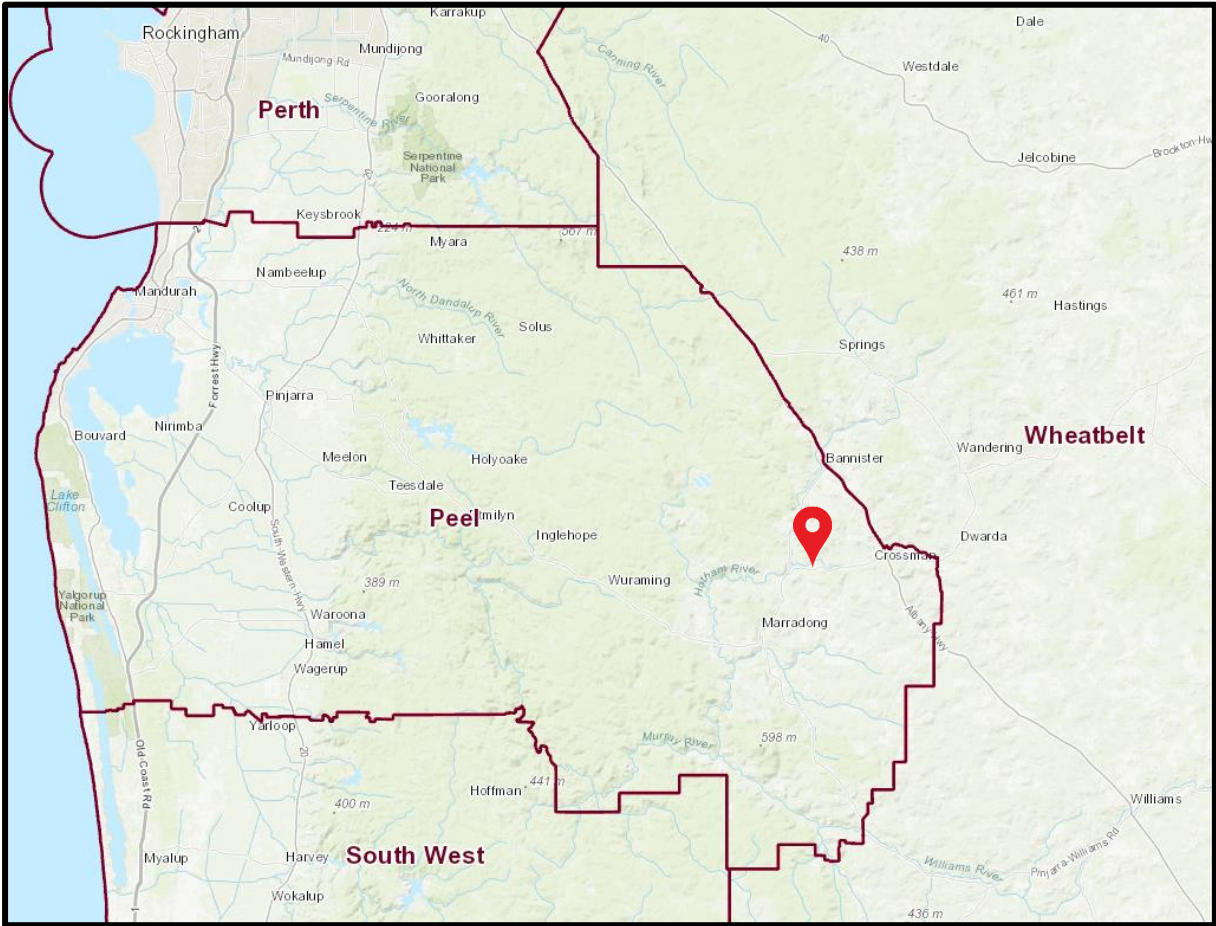


Figure 2 – Regional Context of Subject Site (Source: PlanWA)

**PROPOSAL: FREEHOLD (GREEN TITLE) SUBDIVISION**

This application seeks WAPC approval for the subdivision of the subject site into 175 freehold (Green Title) lots. Table 1 below provides a summary of the subdivision proposal.

Lot Description	Number	Minimum Lot Size	Maximum Lot Size	Average Lot Size
Large Lifestyle Lots	40	4,192 m <sup>2</sup>	1.86 ha	1.03 ha
Conventional Lots	135	2,000 m <sup>2</sup>	4,627 m <sup>2</sup>	2,562 m <sup>2</sup>
Public Open Space (POS)				6.83 ha
Community Purpose Site				1 ha
Foreshore Reserve				4.28 ha

**Table 1 – Subdivision Summary**

It is acknowledged that the subject site is governed by a previously prepared Subdivision Guide Plan (2013) which did not eventuate to formal subdivision and lot creation at the time. Given the period of time which has elapsed, the proposed subdivision required the re-evaluation of site characteristics to ensure the lot layout would be able to adequately accommodate for forecasted market conditions and subsequent residential development. As such the proposed plan of subdivision proposes to:

- Improve the configuration and size of lots within the central portion of the site to better respond to the topography and the retention of mature remnant vegetation. In this regard it is noted that lots are categorised as either ‘Large Lifestyle Lots’ or ‘Conventional Lots’, the latter being smaller in size than the Large Lifestyle Lots which are generally located around the perimeter of the site;
- Reconfigure the Development Exclusion Zones and lots in the central and southern portion of the site to improve the capability of each lot to accommodate a single residential dwelling and associated structures, and to use the vegetation (in consideration of the contours) to assist with screening development from Crossman Road;
- To increase the lot yield from 150 Lots to 175 Lots;
- To increase the density in the central and southern portion of the site. The adopted SGP proposed a minimum 4,000m<sup>2</sup> and average 6,272m<sup>2</sup> lot size. The amended SGP proposes a minimum 2,352m<sup>2</sup> and average 4,952m<sup>2</sup> lot size;
- Retain the larger lots on the western, northern and eastern boundaries of the site; and
- Increase the area of the central public open space from 2,046m<sup>2</sup> to 8,161m<sup>2</sup> to improve the useability and function of the parkland, create a focus for surrounding lots, improve access to open space for a greater number of lots within the estate and to encapsulate a number of mature trees, including a tree with a hollow.

A copy of the proposed subdivision plan is contained within **Attachment 2**, and a copy of the existing subdivision guide plan produced in 2013 is contained within **Attachment 3**.

It is acknowledged that the modifications that have been made to the proposed plan of subdivision from the original SGP intends to, primarily, increase lot yield from 150 lots to 175 lots. To this end it is maintained that the increase in yield results in minimal impact to the amenity outcome for surrounding residential areas.

#### Staging of Subdivision

Due to the scale of the proposal, it is proposed that the subdivision will occur in a staged manner from the eastern portion of the site, comprising a total of nine (9) stages. The proposed staging plan is included within the appendices as **Attachment 4** and depicts the first four (4) stages of subdivision in hatched pink overlay, while the second five (5) stages in green.

It is acknowledged that there is a desire by the Shire of Boddington to commence staging from the west of the site rather than the east. While this desire is acknowledged and respected, it is noted that beginning staging from the west would render the entire development unfeasible from an economic perspective, due to the costs associated with connecting power, which currently only exists off Fraser Road at the east of the site. Ultimately, this is the primary reason as to how the stages were determined. It is requested that any subdivision approval conditions, and advice notes have an appreciation of the staging intent.

### **PLANNING CONSIDERATIONS**

#### Shire of Boddington Local Planning Scheme No. 3 (LPS3)

The subject site is zoned 'Special Use' (SU2) under the provisions of LPS3. The general objectives of the 'Special Use' zone are:

- *To facilitate special categories of land uses which do not sit comfortably within any other zone;*  
*and*
- *To enable the Council to impose specific conditions associated with the special use.*

The proposed residential subdivision meets the objectives of the zone as it will enable the development of additional dwellings to enhance the surrounding locality. Accordingly, it is concluded that the proposal for residential subdivision aligns with the intended and objective purpose of the subject site.

Accordingly, Clause 21 of LPS3 provides for Table 4 – Special Use zones in the Scheme Area. This table sets out the following:

- a) special use zones for specified land that are in addition to the zones in the zoning table;
- b) the classes of special use that are permissible in that zone; and
- c) the conditions that apply in respect of the special uses.

The subject site is delineated as Special Use Area 2 (SU2) and incorporates accompanying development conditions as part of any proposal to develop or subdivide the land. A table summary of the SU2 conditions is detailed below.

Special Use No.	Description of Land	Special Use	Conditions
SU2	Lots 21, 22 and 23 Crossman Road, Ranford	Structure plan area for Subdivision and Development in accordance with the Residential zone, Rural Residential zone, Public Purpose reserve and Public Open Space reserve.	<ol style="list-style-type: none"> <li>1. Subdivision should generally be in accordance with a Structure Plan approved by the Western Australian Planning Commission</li> <li>2. Connection to reticulated water is required for all lots.</li> <li>3. No more than one dwelling will be permitted on each lot.</li> <li>4. Where depicted on the Structure Plan, all buildings are to be located outside of the designated building exclusion zones and not within 10 metres of the front lot boundary and 5 metres from side boundaries.</li> <li>5. In the interest of landscape and soil preservation, no trees or substantial vegetation shall be removed or felled except where:               <ol style="list-style-type: none"> <li>a) trees are dead, diseased or dangerous; or</li> <li>b) access to a building site or for bush fire management is required and approved; or</li> <li>c) erection of a building or outbuilding; or</li> <li>d) an area up to one metre in width for the purpose of erecting and maintaining a fence line; or</li> <li>e) a clearing permit has been issued or the clearing is exempt from requiring a clearing permit.</li> </ol> </li> <li>6. The removal of trees or substantial vegetation for any purpose other than the above exceptions shall require the consent of the local government. As a condition of granting</li> </ol>



			<p>consent, the local government may require tree planting in locations approved by the local government.</p> <ol style="list-style-type: none"> <li>7. The 10-metre-wide Landscape Buffer strip nominated along Crossman Road as shown on the Structure Plan is to be planted with locally indigenous vegetation species by the developer at the time of subdivision and maintained for two summer periods.</li> <li>8. Vegetation shown for retention on the Structure Plan is not permitted to be removed.</li> <li>9. A Vegetation Management Plan shall be prepared and implemented as a condition of subdivision approval to the satisfaction of the local government.</li> <li>10. A Bushfire Management Plan is to be prepared prior to subdivision being supported.</li> <li>11. No dwelling shall be constructed or approved for construction unless provided with an effluent disposal system approved by the local government and/or the Department of Health.</li> <li>12. An Urban Water Management Plan is to be prepared to the satisfaction of the Department of Water and Environmental Regulation prior to any subdivision approval of the subject land.</li> <li>13. The structure plan is to detail how the design requirements for buildings should be addressed to ensure that all buildings are compatible with and contribute to the desired amenity of the locality, including whether the preparation of any subsequent planning instruments is required.</li> <li>14. All fencing within the Special Use zone shall retain the rural character of the area and the use of asbestos, metal sheeting or wooden pickets shall be prohibited. The local government may impose fencing requirements as a condition of its approval to protect substantial vegetation or the river environs.</li> <li>15. With the intention of preventing overstocking, erosion or other practices detrimental to the amenity of the land, the land uses 'agriculture</li> </ol>
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			<p>– intensive’, ‘animal establishment’ and ‘animal husbandry – intensive’ shall not be permitted. Stocking rates will be in line with those recommended by the Department of Primary Industries and Regional Development. Provision of an adequate water supply to the stock may also be required as a condition of approval.</p> <p>16. A Foreshore Management Plan addressing, but not restricted to, weed control, revegetation, fencing, stock control, pedestrian access and restrictions on vehicular access shall be prepared and implemented as a condition of subdivision approval.</p> <p>17. A dual use path between River Road and the subject land is to be provided, generally in the location depicted on the Structure Plan, to the satisfaction of the local government.</p> <p>18. All development to comply with the provisions set out in Table 5 which are applicable to the zones specified by any structure plan, and/or any other planning instrument prepared under this scheme to the satisfaction of the local government, including a local planning policy or design guideline which applies to the land.</p>
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With respect to the above conditions of development, it is noted that following a meeting with the Department of Planning, Lands and Heritage and as part of subsequent liaisons, it has been agreed that the provision of an Urban Water Management Plan can be facilitated as a condition of subdivision approval.

Additionally, we refer to the references in the condition table above that highlight the provision of a structure plan. Similarly to the above, it is acknowledged that as part of discussions with the DPLH and Shire representatives, there is no requirement for an updated structure plan to be prepared.

WAPC Operational Policy 1.1 – Subdivision of Land

The Western Australian Planning Commission (WAPC) Operational Policy 1.1 (OP 1.1) is a state level policy document that provides general principles to guide the WAPC in determining applications for subdivision

The policy’s general objectives are to:

- *To control the subdivision of land, number, size and arrangement of lots within the framework of the relevant legislation, regulations and policy.*
- *To ensure the subdivision pattern is responsive to the characteristics of the site, including environmental features, sustainability principles and the local planning context.*
- *To create a site-responsive design through a street and lot layout that provides local amenity and safe and efficient modes of transport including cycling and walking.*
- *To facilitate development that achieves appropriate community standards of health, safety and amenity.*

The proposed subdivision of the subject site is considered to be conducive to these objectives, as it takes into account the relevant environmental features, whilst the utilisation of existing road networks in among similar surrounding development are considered efficient networks to facilitate active transport.

It is justified that the proposed subdivision will not prejudice the proper and orderly planning of the land, and further prescribed through consistency with the following legislation, regulations and policy:

- State Planning Policy No. 1 – State Planning Framework;
- Perth and Peel @ 3.5 Million; and
- The provisions of the relevant Local Planning Scheme as detailed above.

With consideration of the above, the proposed subdivision does not present any constraints to the subject site and appropriately satisfies the objectives and provisions of the WAPC's OP 1.1. Accordingly, support and approval of the proposed subdivision is warranted.

#### WAPC Development Control Policy 2.2 – Residential Subdivision

The Western Australian Planning Commission (WAPC) Development Control Policy 2.2 (DC 2.2) is a State level policy document providing the planning framework for the subdivision of residential land.

The policy's general objectives are to:

- *Establish a consistent and coordinated approach to the creation of residential lots throughout the State;*
- *To adopt criteria for residential lots which will ensure that each lot is provided with a suitable level of amenity, services and access; and,*
- *To facilitate the supply of residential lots of a wide range of sizes and shapes.*



Specifically, Clause 4.1.3 of DC 2.2 applies to subdivision proposals and provides a range of criteria that such proposals will be assessed against. The following section below summarises the proposal's compliance with the provisions of Clause 4.1.3 of DC 2.2:

- *Capable of development in accordance with the Codes assigned to it by local town planning schemes, together with any local variations that apply.*

As detailed above, the proposed subdivision is consistent with the applicable Scheme requirements and the Special Use zone conditions applicable.

- *Located within an area which is suitable for subdivision in terms of its physical characteristics, such as topography, soils, drainage, vegetation and natural features.*

The accompanying SSE has been prepared to demonstrate that the site is suitable for subdivision in terms of soils, drainage, and land capability. Through addressing the specific conditions associated with the Special Use zone in which the property is situated, it has been demonstrated that assigned the land is appropriate for residential development.

- *Located within a system of vehicle and pedestrian movement consistent with the principles of the Commission's policy on Residential Road Design (DC 2.6) in terms of the hierarchy of roads, matters of road safety and lot access and the provision of cycle ways and pedestrian walkways.*

The proposed Green Title lots will all have direct frontage to a public road in a network consistent with what has been planned for through previous development and subdivision approvals. In this regard the system of vehicle and pedestrian movement throughout the subdivision is considered to be consistent with the Residential Road Design Policy.

- *Convenient to areas of passive and active open space.*

It is acknowledged that in accordance with the requirements of DC 2.2 and the associated DC 2.3 – Public Open Space in Residential Areas, the proposed subdivision provides an allocation of Public Open Space (POS) in the south-western corner of the subject site, totalling an area of 6.21ha.

- *Serviced by a suitable level of community services, schools, retail facilities, etc.*

The locality in which the proposed subdivision is located has been facilitated in accordance with the relevant planning provisions over the past two or so decades. It is also noted that the developer for this proposal has historically been responsible for a large majority of the development and planning in the suburb of Waikiki. In this regard, it is submitted that the subject site forms one of four remaining vacant portions of land, with the majority of the locality already significantly developed with

appropriate amenities such as the Waikiki Primary School and South Coast Baptist College, Community Recreation Centres and Commercial Retail Centres, among many other existing amenities.

State Planning Policy 3.7 – Planning in Bushfire Prone Areas

As the subject site is located in a bushfire prone area in accordance with State Planning Policy 3.7 and the Department of Fire and Emergency Services (DFES) declared bushfire prone mapping, a Bushfire Attack Level (BAL) contour map and Bushfire Management Plan (BMP) has been prepared to support the proposed subdivision application. It is noted that at time of lodgement, the comprehensive BMP report is awaiting finalisation and will be submitted shortly to support the application. In the absence of a comprehensive BMP, the BAL contour mapping and a short summary of the findings of the BMP have been prepared by the engaged bushfire practitioner and included within the appendices as **Attachment 3**.

The findings of the BMP demonstrate that the proposed building envelopes and other lots have a BAL-29 or lower rating. As such, the proposed subdivision complies with the objectives of State Planning Policy 3.7 as:

- 1) It avoids any increase in the threat of bushfire to people, property and infrastructure.**  
Development with a maximum BAL-29 rating it does not increase the threat of bushfire. The proposed subdivision design does not increase the bushfire threat as the proposed development areas will have a BAL-29 rating or less.
- 2) It reduces vulnerability to bushfire through the identification and consideration of bushfire risks in the design of the development and the decision-making process.**  
The bushfire hazard and risks have been identified and assessed in this report.
- 3) The design of the subdivision and the development takes into account bushfire protection requirements and includes specific bushfire protection measures.**  
The proposed development complies with the Bushfire Protection Criteria as contained in the Guidelines for Planning in bushfire Prone Areas (Version 1.3 Dec 2017).
- 4) Achieves an appropriate balance between bushfire risk management measures and biodiversity, conservation values, and environmental protection.**  
The clearing of remnant vegetation for the development is in accordance with the approved structure plan and the Shire's Bush Fire Notice.

Accordingly, the proposal poses no risk by way of bushfire hazard to the future residential lots and warrants favourable consideration and support from the WAPC.

Government Sewerage Policy (2019)

The *Government Sewerage Policy* (DPLH 2019) establishes the State's position on the provision of sewerage services in the State through the planning and development of land. In instances where reticulated sewerage cannot be provided, it adopts a best practice approach to the provision of on-site sewage treatment and disposal, in accordance with AS1547 – *On-site domestic wastewater management* (Standards Australia and New Zealand 2012).

The objective of this SSE report is to assess and guide on-site wastewater disposal to ensure sustainable and effective on-site sewage management, thereby protecting public health and the environment. To support a development application, the SSE report includes:

- Estimating the capacity of the site to contain proposed development and sewage on-site;
- Designing a treatment/on-site sewage management system; and
- Identifying management and monitoring options and defining adequate on-site sewage management locations (DoH 2019a).

Perth Geotechnics was engaged to undertake a site and soil evaluation for on-site wastewater management for the proposed residential subdivision at the subject site.

The sewage management strategy for the site, as outlined in this SSE report, has been developed to be consistent with the approach and requirements detailed in the *Government Sewerage Policy* (DPLH 2019) and AS/NZS 1547 *On-site domestic wastewater management* (Standards Australia and New Zealand 2012). The approach for sewage management within the site includes:

- Using primary and secondary treatment systems with nutrient removal.
- Appropriate sizing of land disposal areas based on geotechnical studies and classification of the one soil-terrain unit.
- Ensuring sufficient space is available for treated sewage application within the site.
- Special design of the disposal system to reduce any risk of groundwater pollution as per AS1547.
- Setting the disposal point of the system at a minimum of 0.6m higher than the average groundwater level.
- Locating the sewage system such that it is not subject to inundation within a 10% AEP rainfall event.
- Providing the appropriate setbacks for systems outlined in **Section 2.11**, where applicable.
- Ensuring appropriate installation, monitoring and maintenance of systems is conducted. The above management responses demonstrate that the site is able to accommodate the onsite treatment and disposal of sewage within the site, and that this can be achieved in a way that mitigates potential risks to receiving environments or the public

## CONCLUSION

In light of the above, the proposed Green Title subdivision of the subject site is considered appropriate and justified on the basis that:

- The proposed residential subdivision is consistent with the intent of the 'Special Use' zone and the associated SU2 development conditions, as applicable under the provisions of the Shire of Boddington LPS3;
- The proposed residential density within the subdivision provides a varied mix of lot sizes which accord with the existing rural character of the Boddington area;
- The proposal is consistent with applicable state level planning framework and guiding policies; namely DC Policy 2.2 – Residential Subdivision and DC Policy 2.3 – Public Open Space in Residential Areas;
- The proposal represents the logical subdivision of a Greenfield site;
- The proposal demonstrates compliance with the provisions of State Planning Policy 3.7 – Planning in Bushfire Prone Areas; and
- The submitted Site and Soil Evaluation has demonstrated that the proposed lots are suitable for accommodating on-site wastewater disposal without risk to the environmental values that exist.

As the proposal is consistent with the planning principles applicable at the State and Local level, the proposed Green Title subdivision of the subject site warrants favourable consideration and approval.

Should you have any queries or require any clarification in regard to the matters raised, please do not hesitate to contact the undersigned on 9275-4433.

Yours faithfully,



---

**NEIL TEO**  
**DIRECTOR**

File Ref: 211209 1292 Subdivision Application Letter

DEPARTMENT OF PLANNING, LANDS  
AND HERITAGE

DATE  
20-Jan-2022

FILE  
161908



# **Bushfire Management Plan (Subdivision Application)**

## **Lots 21, 22 & 23 Crossman Road Ranford**

Ref 20-044  
Ver A  
December 2021



**LUSHFIRE & PLANNING**

3 Paterson Rd  
Pinjarra WA 6208  
0418 954 873  
ABN 74 232 678 543

## Bushfire Management Plan Coversheet

This Coversheet and accompanying Bushfire Management Plan has been prepared and issued by a person accredited by Fire Protection Association Australia under the Bushfire Planning and Design (BPAD) Accreditation Scheme.

### Bushfire Management Plan and Site Details

<b>Site Address / Plan Reference:</b>	Lots 21, 22 & 23 Crossman Road		
<b>Suburb:</b>	Ranford	<b>State:</b>	WA
		<b>P/code:</b>	6390
<b>Local government area:</b>	Boddington		
<b>Description of the planning proposal:</b>	Residential subdivision		
<b>BMP Plan / Reference Number:</b>	21-044	<b>Version:</b>	A
		<b>Date of Issue:</b>	28/12/2021
<b>Client / Business Name:</b>	TAQWA Holdings Pty Ltd		

### Reason for referral to DFES

	Yes	No
Has the BAL been calculated by a method other than method 1 as outlined in AS3959 (tick no if AS3959 method 1 has been used to calculate the BAL)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Have any of the bushfire protection criteria elements been addressed through the use of a performance principle (tick no if only acceptable solutions have been used to address all of the BPC elements)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Is the proposal any of the following special development types (see SPP 3.7 for definitions)?

Unavoidable development (in BAL-40 or BAL-FZ)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Strategic planning proposal (including rezoning applications)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Minor development (in BAL-40 or BAL-FZ)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
High risk land-use	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vulnerable land-use	<input type="checkbox"/>	<input checked="" type="checkbox"/>

If the development is a special development as listed above, explain why the proposal is considered to be one of the above listed classifications (E.g. considered vulnerable land-use as the development is for accommodation of the elderly, etc.)?

Note: The decision maker (e.g. the local government or the WAPC) should only refer the proposal to DFES for comment if one (or more) of the above answers are ticked "Yes".

### BPAD Accredited Practitioner Details and Declaration

Name	Accreditation Level	Accreditation No.	Accreditation Expiry
Geoffrey Lush	Level 2	BPAD 27682	28/02/2022
Company	Contact No.		
Lush Fire & Planning	0418 954 873		

I declare that the information provided in this bushfire management plan is to the best of my knowledge true and correct.

Signature of Practitioner



Date

28/12/2021

## **Lots 21, 22 & 23 Crossman Road - Executive Summary**

---

This bushfire management plan is prepared for the proposed subdivision of Lots 21, 22 and 23 Crossman Road, Ranford. The site is located approximately 3kms north east of the Boddington town centre.

The site is adjacent to the Ranford townsite which is contiguous with the Boddington townsite. Crossman Road is a development corridor extending to Albany Highway which contains a large number of rural residential and rural small holding lots.

The subject land has a total area of 97.64 hectares with a frontage of approximately 1.4kms to Crossman Road. Fraser Road provides a second access point to the eastern boundary. The Hotham River extends along the northern boundary of the site for approximately 1.8kms.

The site is vacant apart from some sheds and is used for broad acre grazing. The land to the east and south east has been developed for rural residential purposes. On the southern side of Crossman Road are several large rural lots. To the west of the site there is a variety of lot sizes extending into the Ranford townsite.

There is extensive remnant vegetation along the river corridor which extends into portions of the site. There is also a drainage line extending along the eastern boundary from Crossman Road to the river which also has scattered remnant vegetation. Much of the site is cleared with isolated paddock trees. In the central portion of the site, there is a ridge which has approximately 7 hectares of Wandoo woodland.

The primary access to the site is from Crossman Road which is a local distributor road extending from the Boddington townsite to Albany Highway 8kms east of the site. Secondary access is from Fraser Road on the eastern boundary. This is a local subdivision road extending for 650m from Days Road. Days Road then connects south back to Crossman and north over the river to the Bannister - Marradong Road.

Portions of the site are designated as being bushfire prone and this reflects the above vegetated areas with the associated 100m buffer.

There is an approved structure plan for the site which:

- Shows 150 lots ranging size from 2,300sqm to 2.7 hectares;
- Public open space and a foreshore reserve;
- A community purposes site;
- A bridal path along the foreshore;
- Habitat trees to be retained;
- Building exclusion areas; and
- Proposed landscaping/revegetation areas.

The subject land is included in Special Use Zone No 2 under Local Planning Scheme No 3. The zone provisions applying to the site include:

- Subdivision to be in accordance with the structure plan;
- All lots being connected to a reticulated water supply; and
- Buildings are not to be located within 10 metres of the front lot boundary and 5 metres from the side boundaries.

The proposed subdivision will create 175 lots. This will consist of 135 lots with a minimum size of 2,000sqm and 40 lots with a minimum size of 4192sqm (average 1.03ha). The total POS is 6.83ha with a 4.28ha foreshore reserve and a 1.0ha community purpose site. The primary access will be from Crossman Road connecting to Fraser Road.

The subdivision plan has identified building envelopes for lots which exclude:

- The minimum boundary setbacks in the Scheme;
- The building exclusion areas shown on the structure plan; and
- Land with a BAL-40/FZ rating.

## Lots 21, 22 & 23 Crossman Road - Executive Summary

---

A large portion of the Wandoo woodland area will be cleared for the development as the lots in this area have a minimum size of 2,000sqm. Selected groups of trees in the building exclusion areas will be retained and have been classified as bushfire vegetation. In addition, other single trees will be retained where they can comply with the specifications for an asset protection zone in accordance with Schedule 1 of Appendix 4 of the Guidelines for Planning in bushfire Prone Areas (Version 1.3 Dec 2017).

A BAL Assessment / BAL Contour Plan has been prepared to show the expected BAL ratings for the completed development being the designated building envelopes and/or lot boundaries. All of the proposed building envelopes and/or lots will have a BAL-29 or lower rating. The assigned BAL rating may be further reduced depending upon the final location of the dwelling within the building envelope and/or lot.

Fifty (50) of the building envelopes and/or lots are not designated as being bushfire prone and potentially won't require either a BAL Assessment nor the imposition of the AS3959 construction standards. Despite this, it is still recommended that the dwellings be constructed in accordance with the assigned BAL rating.

The proposed subdivision complies with the objectives of State Planning Policy 3.7 as:

- 1. It avoids any increase in the threat of bushfire to people, property and infrastructure.**  
The subdivision will be introducing additional people and assets into the area which can intensify the level of risk. Conversely, it will also result in more of the site being maintained as low threat vegetation, with a corresponding reduction in the bushfire risk. Development with a maximum BAL-29 rating is considered acceptable under SPP3.7 Planning in Bushfire Prone Areas as having a manageable level of risk. The proposed subdivision design does not increase the bushfire threat as the proposed:

  - Subdivision and development areas will have a BAL-29 rating or less; and
  - Management measures can be practically implemented and maintained in perpetuity.
- 2. It reduces vulnerability to bushfire through the identification and consideration of bushfire risks in the design of the development and the decision-making process.**  
The bushfire hazard and risks have been identified and assessed in this report.
- 3. The design of the subdivision and the development takes into account bushfire protection requirements and includes specific bushfire protection measures.**  
The proposed development complies with the Bushfire Protection Criteria as contained in the Guidelines for Planning in bushfire Prone Areas (Version 1.3 Dec 2017).
- 4. Achieves an appropriate balance between bushfire risk management measures and biodiversity, conservation values, and environmental protection.**  
The clearing of remnant vegetation for the development is in accordance with the approved structure plan and the Shire's Bush Fire Notice.



**Lots 21, 22 & 23 Crossman Road****Document Control**


Street No	Lot No	Plan	Street Name		
	21, 22 & 23	404802	Crossman Road		
Locality	Ranford	State	WA	Postcode	6390
Local Government Area	Boddington				
Project Description	Residential, rural residential subdivision				
Prepared for	TAQWA Holdings Pty Ltd				

Ref No	Revision	Date	Purpose
21-044	A	28 December 2021	Preliminary

Name	Geoffrey Lush	Company	Lushfire & Planning
BPAD	Level 2 Practitioner	Accreditation No Expiry	27682 February 2022

**Disclaimer**

The measures contained in this report do not guarantee that a building will not be damaged in a bushfire. The ultimate level of protection will be dependent upon the design and construction of the dwelling and the level of fire preparedness and maintenance under taken by the landowner. The severity of a bushfire will depend upon the vegetation fuel loadings; the prevailing weather conditions and the implementation of appropriate fire management measures. All information and recommendations made in this report are made in good faith based on information and accepted methodology used at that time. All plans are subject to survey and are not to be used for calculations. Notwithstanding anything contained therein, Lushfire & Planning will not, except as the law may require, be liable for any loss claim, damage, loss or injury to any property and any person caused by fire or by errors or omissions in this report.



Geoffrey Lush  
28 December 2021  
geoffrey@lushfire.com.au



**Lots 21, 22 & 23 Crossman Road**

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**Lots 21, 22 & 23 Crossman Road**

## 1.0 Proposal Details

### 1.1 Introduction

This bushfire management plan is prepared for the proposed subdivision of Lots 21, 22 & 23 Crossman Road, Radford.

The site is located approximately 3kms north east of the Boddington town centre as shown in Figure 1. The property details are documented in Table 1.

The aim of this Report is to demonstrate that the proposed subdivision will comply with State Planning Policy SPP3.7 Planning in Bushfire Prone Areas; and the associated Guidelines for Planning in Bushfire Prone Areas (Version 1.3 December 2017). It documents how the hazard level will be reduced and maintained for the life of the development.

*Table 1 Land Details*

No	Lot	Plan	Vol	Folio	Registered Proprietor	Area(ha)
	21	404802	2876	398	M & A Holding Group Pty Ltd	38.9894
	22	404802	2876	399	Oz Division Holdings Pty Ltd	34.4486
	23	404802	2876	400	Taqwa Holdings Pty Ltd	24.2207

### 1.2 Existing Conditions

The existing site conditions are shown in Figure 2.

The subject land has a total area of 97.64 hectares with a frontage of approximately 1.4kms to Crossman Road. Fraser Road provides a second access point to the eastern boundary. The Hotham River extends along the northern boundary of the site for approximately 1.8kms.

The site is vacant apart from some sheds and is used for broad acre grazing. The land to the east and south east has been developed for rural residential purposes. On the southern side of Crossman Road are several large rural lots. To the west of the site there is a variety of lot sizes extending into the Ranford townsite.

There are three main landforms on the site being:

- The river corridor including an associated embankment in the north western portion of the site;
- The river floodplain and gently sloping land with deeper soils and an elevation of between 210 and 220m AHD; and
- The central ridge rising to approximately 233m AHD with gravelly thin soils.

The existing vegetation on the site reflects the above landforms with:

- The river corridor predominantly containing Melaleuca / Paperbark and some Eucalypts (Photo A);
- Valley low slopes gently sloping land containing scattered Marri trees (Photo B); and
- The central ridge containing Wandoo / White Gum (Photo C).

The primary access to the site is from Crossman Road which is a local distributor road extending from the Boddington townsite to Albany Highway 8kms east of the site. Secondary access is from Fraser Road on the eastern boundary. This is a local subdivision road extending for 650m from Days Road. Days Road then connects south back to Crossman and north over the river to the Bannister - Marradong Road.





SUBJECT LAND

Job No 21-044  
 Rev Description  
 A Preliminary

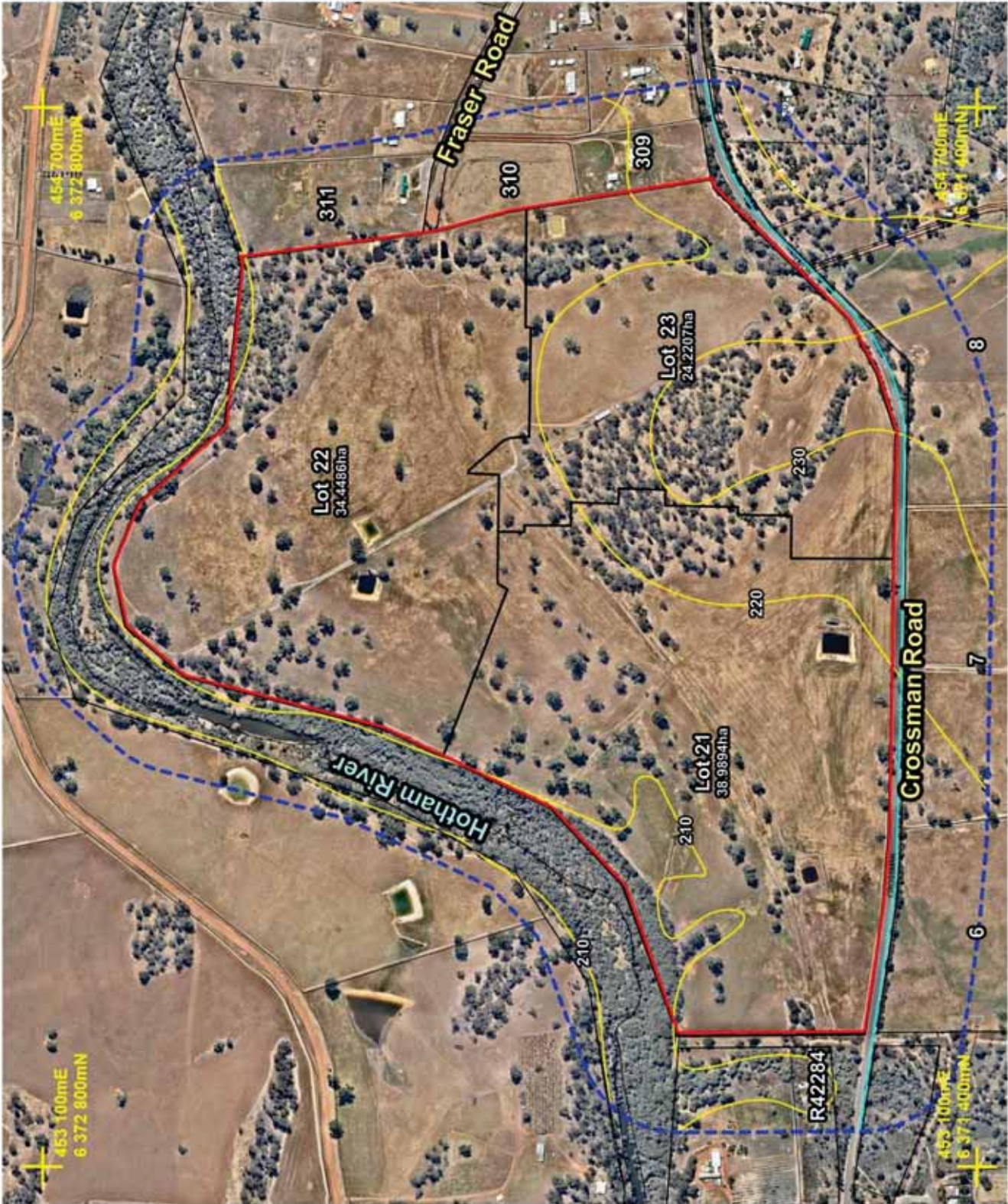
Date  
 15/10/2021

**FIGURE 1**  
**LOCATION AND CONTEXT**



**LEGEND**

- SUBJECT LAND —
- 150m ASSESSMENT BUFFER - - -
- CONTOURS —
- WATER MAIN —
- GEO REFERENCE +



Job No 21-044  
 Rev Description Preliminary  
 Date 15/10/2021



**FIGURE 2  
 EXISTING CONDITIONS**

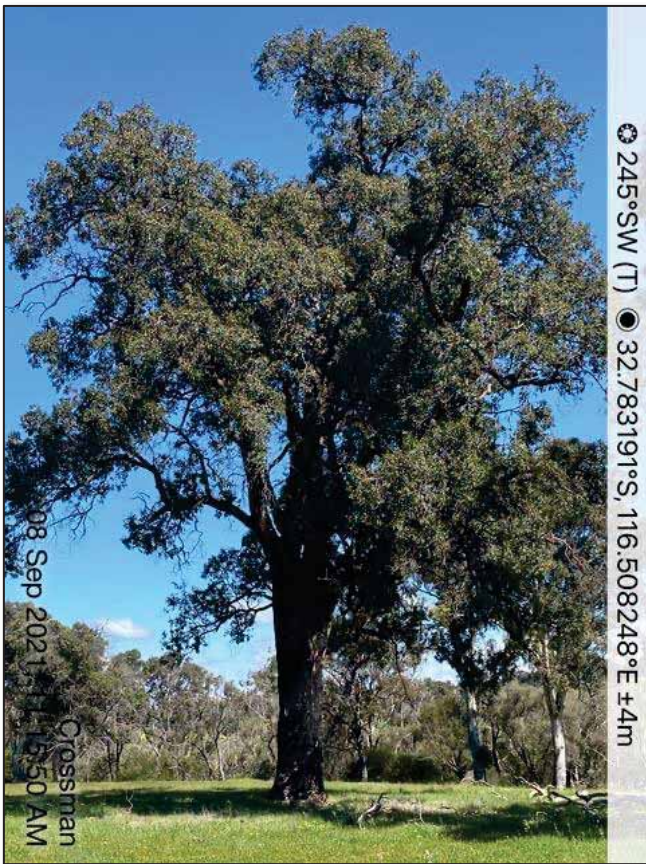


**Lots 21, 22 & 23 Crossman Road**

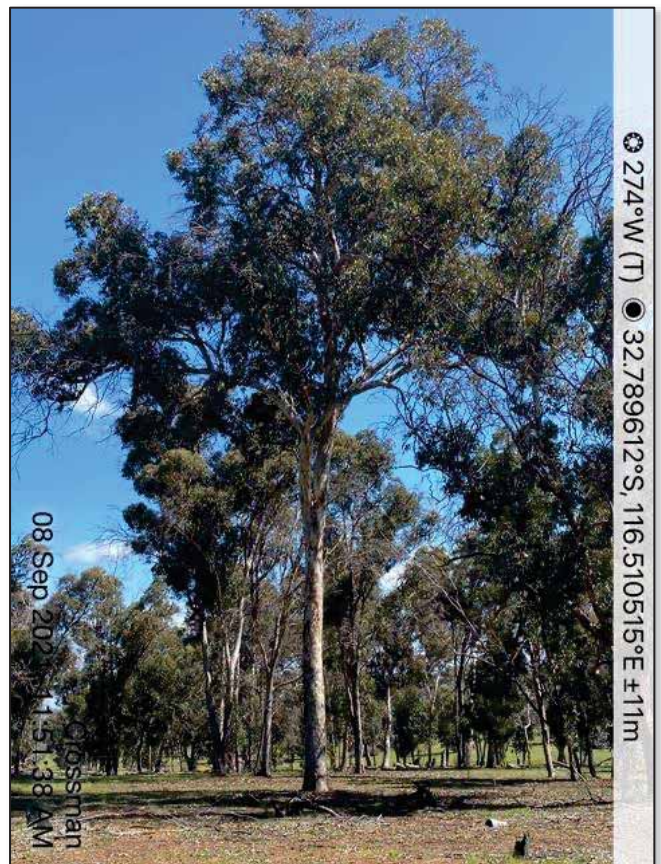
*Photo A River corridor vegetation*



*Photo B Isolated Paddock Marri*



*Photo C Wandoo*



## **Lots 21, 22 & 23 Crossman Road**

---

### **1.3 Bushfire Prone Land**

Portions of the subject are designated as being bushfire prone land as shown in Figure 3. The designation of bushfire prone areas triggers:

- The application of Australian Standard AS3959 Construction of Buildings in Bushfire Prone Areas under the Building Code of Australia;
- The provisions of the Planning and Development (Local Planning Schemes) Regulations 2015; and
- The application of State Planning Policy SPP3.7 Planning in Bushfire Prone Areas.

State Planning Policy SPP3.7 Planning in Bushfire Prone Areas requires that any subdivision application must be accompanied by a bushfire management plan which includes:

- a) a Bushfire Attack Level (BAL) Assessment or a BAL Contour Map to show the expected BAL ratings for the developed site. The BAL Contour Map shows the proposed BAL ratings based upon any clearing or landscaping;
- b) the identification of any bushfire hazard issues arising from the BAL Contour Map or the BAL assessment; and
- c) an assessment against the bushfire protection criteria requirements contained within the Guidelines demonstrating compliance within the boundary of the development site.

### **1.4 Town Planning**

The subject land is included in Special Use Zone No 2 under Local Planning Scheme No 3. The zone provisions applying to the site include:

- Subdivision to be in accordance with the structure plan;
- All lots being connected to a reticulated water supply; and
- Buildings are not to be located within 10 metres of the front lot boundary and 5 metres from the side boundaries.

There is an approved structure plan for the site (Figure 4) which:

- a) Shows 150 lots ranging size from 2,300sqm to 2.7 hectares;
- b) Public open space and a foreshore reserve;
- c) A community purposes site;
- d) A bridal path along the foreshore;
- e) Habitat trees to be retained;
- f) Building exclusion areas; and
- g) Proposed landscaping/revegetation areas.



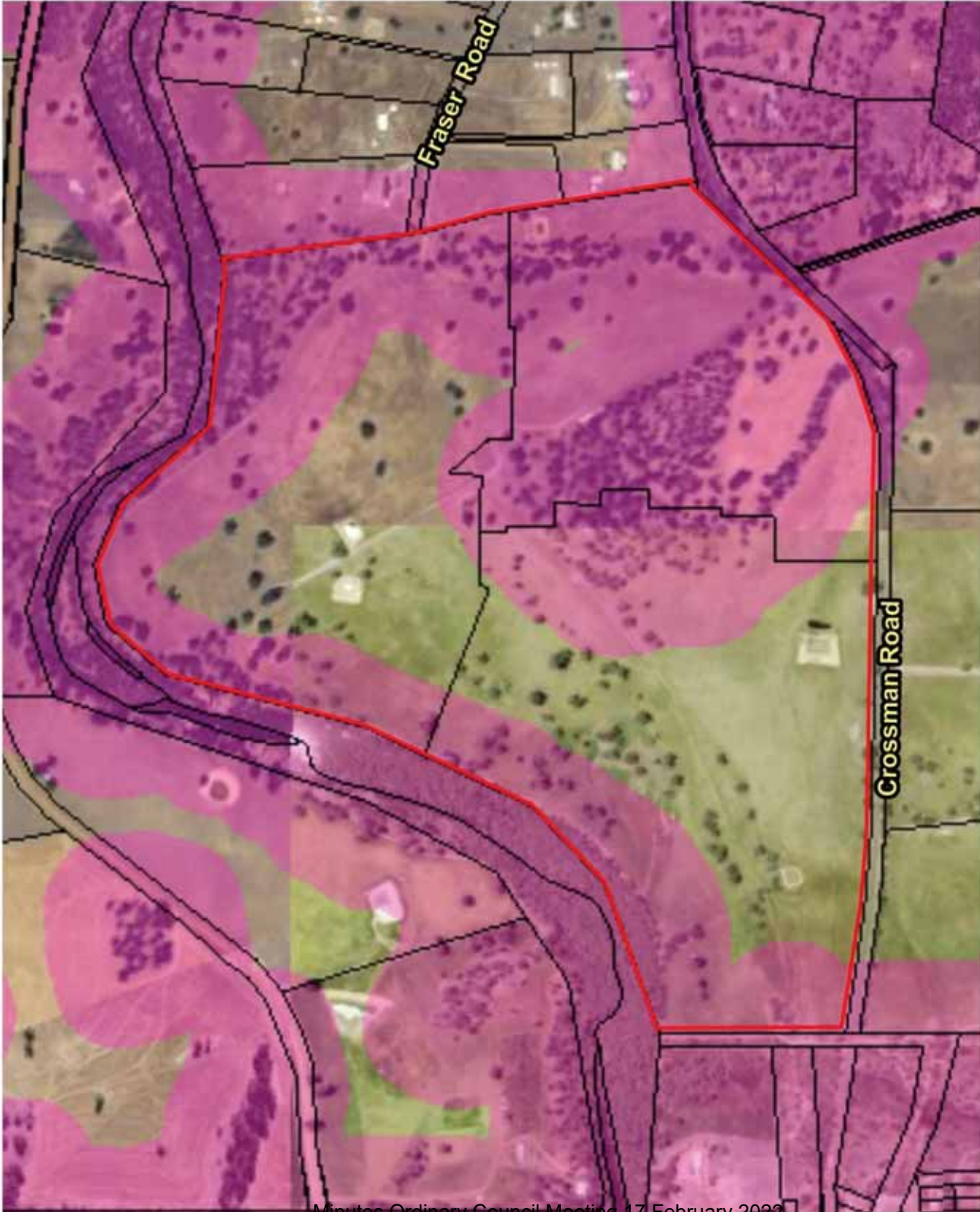
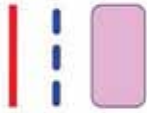
**LEGEND**

SUBJECT LAND

150m ASSESSMENT AREA

BUSHFIRE PRONE LAND (2021)

Includes bushfire prone vegetation and a 100m buffer.



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A Preliminary

Date  
15/10/2021



**FIGURE 3  
BUSHFIRE PRONE LAND**





## **Lots 21, 22 & 23 Crossman Road**

---

### **1.5 Bush Fire Notice**

The Shire's 2020 - 2021 Bush Fire Notice requires the following measures:

A) In the Boddington and Ranford townsites that:

- All town lots under 10,000 square metres in area and all fuel depots within the Shire are required to be cleared of all debris and flammable material to a height not more than 50mm.
- Lots 10,000 square metres and over are to have a minimum 2.5metre wide and 4.0 metre vertical clearance Fire Access Track installed immediately inside all external boundaries. An area 20metres wide cleared of all flammable material shall be established immediately around the perimeter of all buildings and fuel storage areas.

B) Hobby Farms of 20 hectares or less:

- A Fire Access Track not less than 2.5 metres wide and have a 4.0 metre vertical clearance must be established along, inside and as close as practically possible to all external boundaries of each property (i.e. cleared/part cleared or uncleared land) and where the boundary is adjacent to or adjoins a used gazetted road but can deviate up to 250 metres around natural rock formations, deep gullies and the like, without submitting an exemption request.
- All lot/property holders provide for a Fire Access Track around the entire perimeter of their property.
- An area 20 metres wide cleared of all flammable material shall be established immediately around the perimeter of all homesteads, buildings, haystacks and fuel storage areas. A 2.5 metre diameter low fuel area cleared of flammable material around all "green electrical domes" where underground power is provided to a lot, perimeter of all homesteads, buildings, haystacks and fuel storage areas.
- Building Protection Zone of an area at least 20 metres wide cleared of all flammable material shall be established immediately around the perimeter of all homesteads, buildings, haystacks and fuel storage areas. A 2.5m diameter low fuel area cleared of flammable material around all "green electrical domes" where underground power is provided to a lot.

### **1.6 Proposed Development**

The proposed subdivision will create 175 lots as shown in Figure 5. This will consist of 135 lots with a minimum size of 2,000sqm and 40 lots with a minimum size of 4,192sqm (average 1.03ha). The total POS is 6.83ha with a 4.28ha foreshore reserve and a 1.0ha community purpose site. The primary access will be from Crossman Road connecting to Fraser Road.

The subdivision plan has identified building envelopes for lots which exclude:

- The minimum boundary setbacks in the Scheme;
- The building exclusion areas shown on the structure plan; and
- Land with a BAL-40/FZ rating.

A large portion of the Wandoo woodland area will be cleared for the development as the lots in this area have a minimum size of 2,000sqm. Selected groups of trees in the building exclusion areas will be retained and have been classified as bushfire vegetation. In addition, other single trees will be retained where they can comply with the specifications for an asset protection zone in accordance with Schedule 1 of Appendix 4 of the Guidelines for Planning in bushfire Prone Areas (Version 1.3 Dec 2017).



**LEGEND**

SUBJECT LAND

PROPOSED LOTS

BUILDING ENVELOPES

(Other lots have minimum setbacks of 10m from front and rear boundaries and 5m from side boundaries)

BUILDING EXCLUSION AREA

**NOTE:**

- The building envelopes exclude:
- Minimum boundary setbacks prescribed in the Scheme;
  - Building exclusion areas shown on the structure plan; and
  - Land with a BAL-40/FZ rating.



	Yield	Min. lot size	Max. lot size	Average lot size
Large Lifestyle Lots	40	4192m <sup>2</sup>	1.86ha	1.03ha
Conventional Lots	135	2000m <sup>2</sup>	4627m <sup>2</sup>	2562m <sup>2</sup>
<b>TOTAL</b>	<b>175</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
<b>TOTAL POS FORESHORE RESERVE COMMUNITY PURPOSE SITE</b>			<b>6.83ha</b>	
			<b>4.28ha</b>	
			<b>1.0ha</b>	













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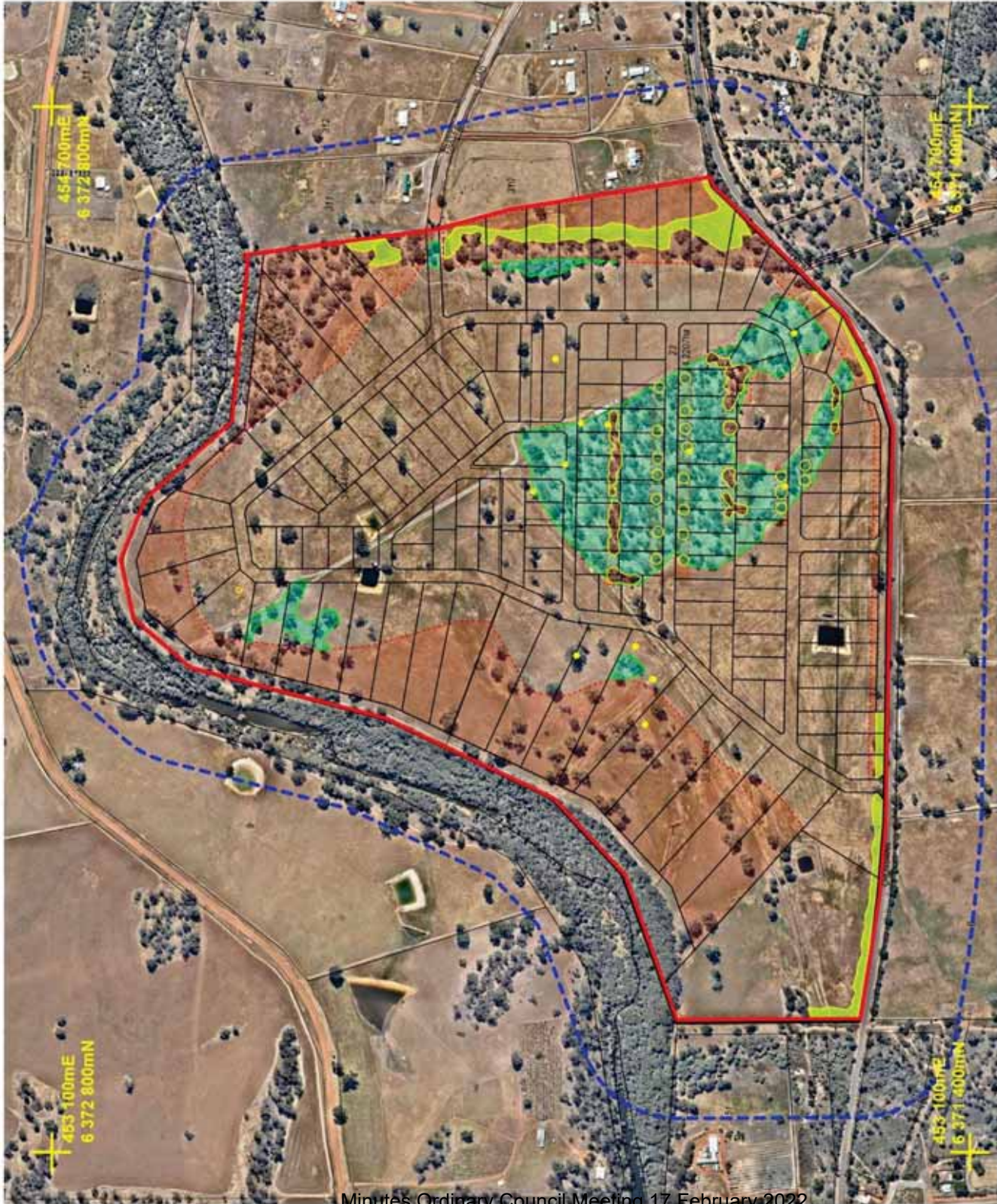


**FIGURE 5  
 PROPOSED SUBDIVISION**



**LEGEND**

-  SUBJECT LAND
-  VEGETATION ASSESSMENT AREA (150m from the external boundary of the subject land)
-  GEO REFERENCE
-  PROPOSED LOTS
-  BUILDING EXCLUSION AREA
-  CLEARING (Not including grassland)
-  HABITAT TREES
-  REVEGETATION
-  RETAINED TREES (In accordance with the Asset Protection Zone specifications)
-  RETAINED TREE GROUP (Class B Woodland)



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A

Date 15/10/2021



**FIGURE 6**  
**VEGETATION CLEARING**



## Lots 21, 22 & 23 Crossman Road

### 2.0 Environmental Considerations

State Planning Policy 3.7 (SPP3.7) policy objective 5.4 recognises the need to consider bushfire risk management measures alongside environmental, biodiversity and conservation values. The primary environmental features relating to the site are the Hotham River corridor and the items shown in the local structure plan being:

- Habitat trees to be retained;
- Building exclusion areas; and
- Proposed landscaping/revegetation areas.

Portions of the site will be cleared for the proposed development as shown in Figure 6. This is predominantly the Wandoo woodland area where it is proposed to have 2,000sqm lots and the clearing will be required for the construction of the subdivision and dwellings.

Some additional clearing may be required along the river foreshore for the proposed trail and fire service access route.

### 3.0 Bushfire Assessment Results

#### 3.1 Assessment Inputs - Vegetation Classification

All vegetation within 150m of the site / proposed development was classified in accordance with:

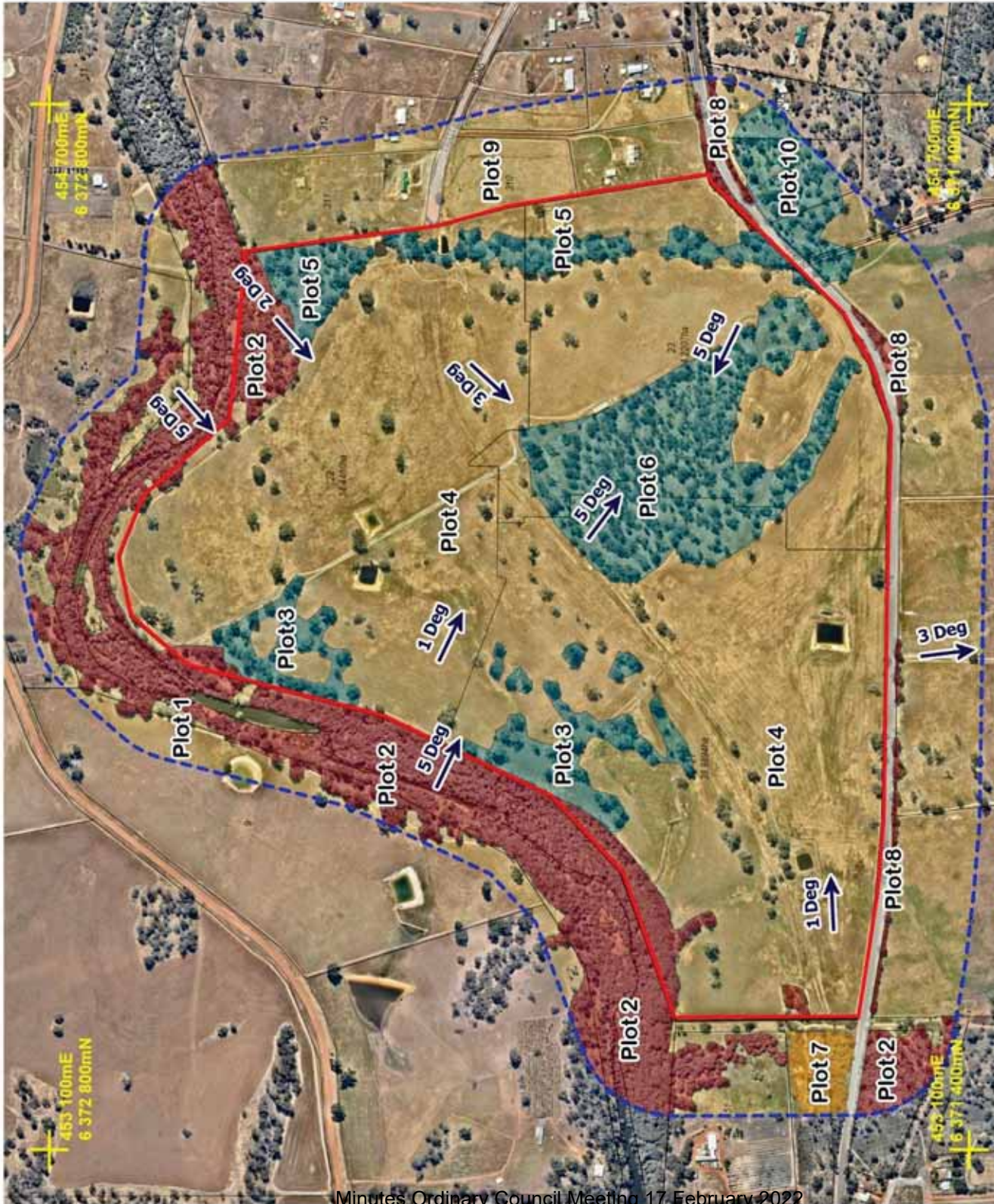
- Clause 2.2.3 of Australian Standard AS3959 Construction of Buildings in Bushfire Prone Areas;
- The Visual Guide for Bushfire Risk Assessment in Western Australia; and
- Applicable Fire Protection Australia BPAD Practice Notes.

The vegetation plots are shown in Figure 7 and described in Table 2. The location of the vegetation photos is shown in Figure 8.

*Table 2 Vegetation Summary*

Plot	Vegetation Class	Description
1	Class G Grassland	Broad acre grassland / pasture on adjoining farming properties.
2	Class A - Forest	River corridor and foreshore vegetation predominantly Melaleuca and Eucalypts.
3	Class B Woodland	Paddock trees over pasture, typically Marri / Jarrah.
4	Class G Grassland	Broad acre grassland / pasture within the subject land.
5	Class B Woodland	Eucalypts along internal the internal drainage line over grassland.
6	Class B Woodland	Wandoo / White Gums on gravelly ridge area over grassland or bare ground.
7	Class D Scrub	Melaleuca scrub in low lying area adjacent to the river.
8	Class A - Forest	Road side verge vegetation. Marri / Jarrah with other species over shrubs.
9	Class G Grassland	Unmanaged grassland within rural residential lots.
10	Class B Woodland	Eucalypts over grassland and gardens within rural residential lots on the southern side of Crossman Road being and extension of Plot 5.

- LEGEND**
- SUBJECT LAND
  - VEGETATION ASSESSMENT AREA (150m from the external boundary of the subject land)
  - GEO REFERENCE
  - VEGETATION PLOTS
  - UPSLOPE
  - VEGETATION CLASS
    - A FOREST
    - B WOODLAND
    - D SCRUB
    - G GRASSLAND
    - EXCLUDED CI 2.2.3.2 (F) MANAGED



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FIGURE 7  
 VEGETATION CLASSIFICATION



**LEGEND**

- SUBJECT LAND 
- VEGETATION ASSESSMENT AREA (150m from the external boundary of the subject land) 
- GEO REFERENCE 
- PHOTO LOCATIONS 



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**FIGURE 8**  
**PHOTOGRAPH LOCATIONS**



**Lots 21, 22 & 23 Crossman Road**

---

**Photo No 1      Plot No 1**

**Vegetation Classification**

Class G Grassland – Sown pasture  
G-26

**Description**

Broad acre grassland / pasture on adjoining farming properties.



**Photo No 2      Plot No 1**

**Vegetation Classification**

Class G Grassland – Sown pasture  
G-26

**Description**

Broad acre grassland / pasture on adjoining farming properties.



**Photo No 3      Plot No 1**

**Vegetation Classification**

Class G Grassland – Sown pasture  
G-26

**Description**

Broad acre grassland / pasture on adjoining farming properties.





**Lots 21, 22 & 23 Crossman Road**

**Photo No 4 Plot No 2**

**Vegetation Classification**

Class A Forest - Open forest A-03

**Description**

River corridor and foreshore vegetation predominantly Melaleuca and Eucalypts to 15m variable foliage coverage 40 - 60% over juvenile plants and dead material. Very heavy near surface fuel loads.



**Photo No 5 Plot No 2**

**Vegetation Classification**

Class A Forest - Open forest A-03

**Description**

River corridor and foreshore vegetation predominantly Melaleuca and Eucalypts to 15m variable foliage coverage 40 - 60% over juvenile plants and dead material. Very heavy near surface fuel loads.



**Photo No 6 Plot No 2**

**Vegetation Classification**

Class A Forest - Open forest A-03

**Description**

River corridor and foreshore vegetation predominantly Melaleuca and Eucalypts to 15m variable foliage coverage 40 - 60% over juvenile plants and dead material. Very heavy near surface fuel loads.





**Lots 21, 22 & 23 Crossman Road**

**Photo No 7 Plot No 2**

**Vegetation Classification**

Class A Forest - Open forest A-03

**Description**

River corridor and foreshore vegetation predominantly Melaleuca and Eucalypts to 15m variable foliage coverage 40 - 60% over juvenile plants and dead material. Very heavy near surface fuel loads.



**Photo No 8 Plot No 2**

**Vegetation Classification**

Class A Forest - Open forest A-03

**Description**

River corridor and foreshore vegetation predominantly Melaleuca and Eucalypts to 15m variable foliage coverage 40 - 60% over juvenile plants and dead material. Very heavy near surface fuel loads. Revegetation area shown.



**Photo No 9 Plot No 2**

**Vegetation Classification**

Class A Forest - Open forest A-03

**Description**

Eucalypts adjacent to river corridors to 18m with 40% foliage coverage.



**Lots 21, 22 & 23 Crossman Road**

---

**Photo No 10      Plot No 3**

**Vegetation Classification**

Class B Woodland - Woodland B-05

**Description**

Paddock trees over pasture, typically Marri / Jarrah to 25m with less than 30% foliage coverage and low surface fuel loads.



**Photo No 11      Plot No 3**

**Vegetation Classification**

Class B Woodland - Woodland B-05

**Description**

Paddock trees over pasture, typically Marri / Jarrah to 25m with less than 30% foliage coverage and low surface fuel loads.



**Photo No 12      Plot No 3**

**Vegetation Classification**

Class B Woodland - Woodland B-05

**Description**

Paddock trees over pasture, typically Marri / Jarrah to 25m with less than 30% foliage coverage and low surface fuel loads.





**Lots 21, 22 & 23 Crossman Road**

---

**Photo No 13      Plot No 4**

**Vegetation Classification**  
Class G Grassland – Sown pasture  
G-26

**Description**  
Broad acre grassland / pasture  
within the subject land.



**Photo No 14      Plot No 4**

**Vegetation Classification**  
Class G Grassland – Sown pasture  
G-26

**Description**  
Broad acre grassland / pasture  
within the subject land.



**Photo No 15      Plot No 4**

**Vegetation Classification**  
Class G Grassland – Sown pasture  
G-26

**Description**  
Broad acre grassland / pasture  
within the subject land.



**Lots 21, 22 & 23 Crossman Road**

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**Photo No 16**      **Plot No 4**

**Vegetation Classification**  
Class G Grassland – Sown pasture  
G-26

**Description**  
Broad acre grassland / pasture  
within the subject land.



**Photo No 17**      **Plot No 4**

**Vegetation Classification**  
Class G Grassland – Sown pasture  
G-26

**Description**  
Broad acre grassland / pasture  
within the subject land.



**Photo No 18**      **Plot No 4**

**Vegetation Classification**  
Class G Grassland – Sown pasture  
G-26

**Description**  
Broad acre grassland / pasture  
within the subject land.





**Lots 21, 22 & 23 Crossman Road**

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**Photo No 19 Plot No 5**

**Vegetation Classification**

Class B Woodland - Woodland B-05

**Description**

Dispersed Eucalypts along internal the internal drainage line with less than 30% foliage coverage over grassland.



**Photo No 20 Plot No 5**

**Vegetation Classification**

Class B Woodland - Woodland B-05

**Description**

Dispersed Eucalypts along internal the internal drainage line with less than 30% foliage coverage over grassland.



**Photo No 21 Plot No 5**

**Vegetation Classification**

Class B Woodland - Woodland B-05

**Description**

Dispersed Eucalypts along internal the internal drainage line with less than 30% foliage coverage over grassland.



**Lots 21, 22 & 23 Crossman Road**

**Photo No 22 Plot No 6**

**Vegetation Classification**

Class B Woodland - Woodland B-05

**Description**

Wandoo / White Gums on gravelly ridge area over grassland or bare ground Overall foliage coverage less than 30% with moderate to low surface fuels.



**Photo No 23 Plot No 6**

**Vegetation Classification**

Class B Woodland - Woodland B-05

**Description**

Wandoo / White Gums on gravelly ridge area over grassland or bare ground Overall foliage coverage less than 30% with moderate to low surface fuels.



**Photo No 24 Plot No 6**

**Vegetation Classification**

Class B Woodland - Woodland B-05

**Description**

Wandoo / White Gums on gravelly ridge area over grassland or bare ground Overall foliage coverage less than 30% with moderate to low surface fuels.





**Lots 21, 22 & 23 Crossman Road**

**Photo No 25      Plot No 6**

**Vegetation Classification**

Class B Woodland - Woodland B-05

**Description**

Wandoo / White Gums on gravelly ridge area over grassland or bare ground Overall foliage coverage less than 30% with moderate to low surface fuels.



**Photo No 26      Plot No 7**

**Vegetation Classification**

Class D Scrub - Closed scrub D-13

**Description**

Melaleuca scrub to 6m with scattered gums in low lying area adjacent to the river. Variable foliage coverage over grass with typical dead material on lower limbs with very high near surface fuel loads.



**Photo No 27      Plot No 7**

**Vegetation Classification**

Class D Scrub - Closed scrub D-13

**Description**

Melaleuca scrub to 6m with scattered gums in low lying area adjacent to the river. Variable foliage coverage over grass with typical dead material on lower limbs with very high near surface fuel loads.





**Lots 21, 22 & 23 Crossman Road**

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**Photo No 28**      **Plot No 8**

**Vegetation Classification**

Class A Forest - Open forest A-03

**Description**

Road side verge vegetation to 25m.  
Marri, Jarrah, White Gum with other  
species over shrubs.



**Photo No 29**      **Plot No 8**

**Vegetation Classification**

Class A Forest - Open forest A-03

**Description**

Road side verge vegetation to 25m.  
Marri, Jarrah, White Gum with other  
species over shrubs.



**Photo No 30**      **Plot No 8**

**Vegetation Classification**

Class A Forest - Open forest A-03

**Description**

Road side verge vegetation to 25m.  
Marri, Jarrah, White Gum with other  
species over shrubs.



**Lots 21, 22 & 23 Crossman Road**

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**Photo No 31      Plot No 9**

**Vegetation Classification**

Class G Grassland – Sown pasture G-26

**Description**

Unmanaged grassland within rural residential lots.



**Photo No 32      Plot No 9**

**Vegetation Classification**

Class G Grassland – Sown pasture G-26

**Description**

Unmanaged grassland within rural residential lots.



**Photo No 33      Plot No 10**

**Vegetation Classification**

Class B Woodland - Woodland B-05

**Description**

Eucalypts over grassland and gardens within rural residential lots on the southern side of Crossman Road being and extension of Plot 5.



**Lots 21, 22 & 23 Crossman Road**

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### 3.2 Assessment Outputs - BAL Contour Map

A BAL Contour Map is a plan of the subject lot/s illustrating the potential radiant heat impacts and associated indicative BAL ratings in reference to any classified vegetation remaining within 100 metres of the assessment area after the development is completed. They may be subject to change arising from alterations to site conditions, amendments to AS3959, practice notes, or methodology. Individual BAL Assessments may vary depending upon the characteristics of the vegetation when the BAL Assessment is undertaken.

The modified vegetation plots for the developed site are shown in Figure 9 and this relates to the subject land being cleared for the construction of the subdivision as shown in Figure 6. This will result in:

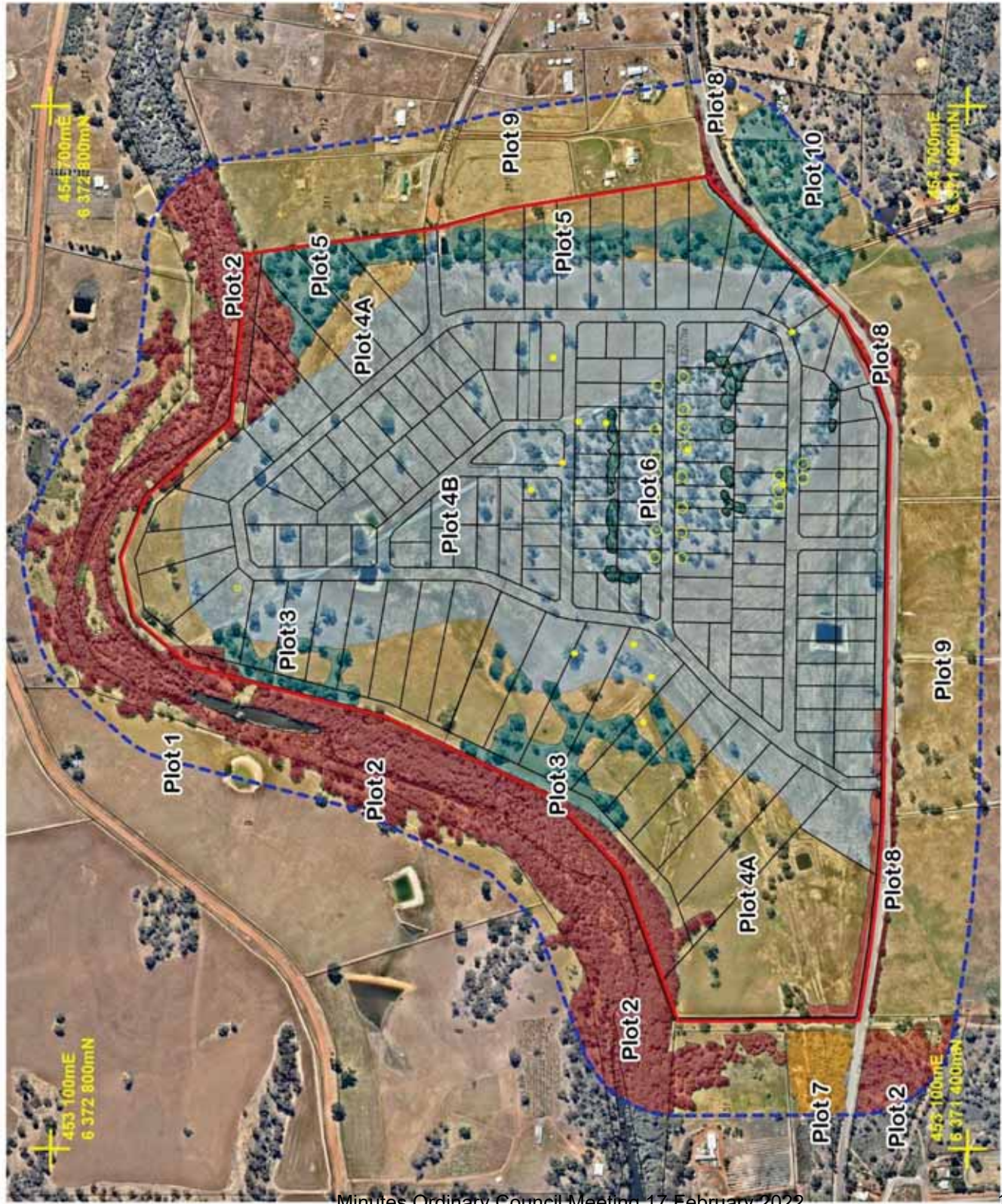
- Plot 3 being reduced in size with some minor clearing to reflect the boundary of the building exclusion area.
- Plot 4 being substantially reduced in size with its boundary reflecting the building exclusion area;
- Plot 5 being reduced in size with one area of clearing to reflect the boundary of the building exclusion area. There is also some additional revegetation being included.
- Plot 6 being substantially reduced in size to incorporate the proposed building envelopes and BAL-29 setbacks while retaining selected areas within the building exclusion zone; and
- Plot 8 being increased in size to incorporate the proposed landscaping areas on the structure plan.

The BAL Contour Map is shown in Figure 10 and the setbacks to the lots are documented in Table 3.

All of the proposed building envelopes and/or lots have a BAL-29 or lower rating. The assigned BAL rating may be reduced depending upon the final location of the dwelling within the building envelope and/or lot.

The BAL Contour Map also shows the boundary of land designated as being bushfire prone. A number of the building envelopes and/or lots are not designated as being bushfire prone and potentially won't require either a BAL Assessment nor the imposition of the AS3959 construction standards. Despite this, it is still recommended that the dwellings be constructed in accordance with the assigned BAL rating.





**LEGEND**

- SUBJECT LAND
- VEGETATION ASSESSMENT AREA (150m from the external boundary of the subject land)
- GEO REFERENCE
- PROPOSED LOTS
- UPSLOPE
- VEGETATION CLASS
  - A FOREST
  - B WOODLAND
  - D SCRUB
  - G GRASSLAND
  - AREA TO BE MODIFIED TO LOW THREAT STATE
  - HABITAT TREES
  - EXCLUDED 2.2.3.2(f) (Trees retained in accordance with the Asset Protection Zone specifications)

Location Details: Lots 21, 22 & 23  
 Crossman Rd, Ranford  
 Assessment Date: 08/09/2021  
 Prepared by: G Lush  
 Accreditation Level: Level 2  
 Accreditation Number: BPAD 27682  
 Accreditation Expiry Date: February 2022  
 Date of Aerial Photo: January 2018



**FIGURE 9**  
 MODIFIED VEGETATION CLASSIFICATION

BPAD  
 Bushfire Planning & Design  
 Accredited Practitioner  
 Level 2

Job No 21-044  
 Rev Description Preliminary  
 Date 15/10/2021

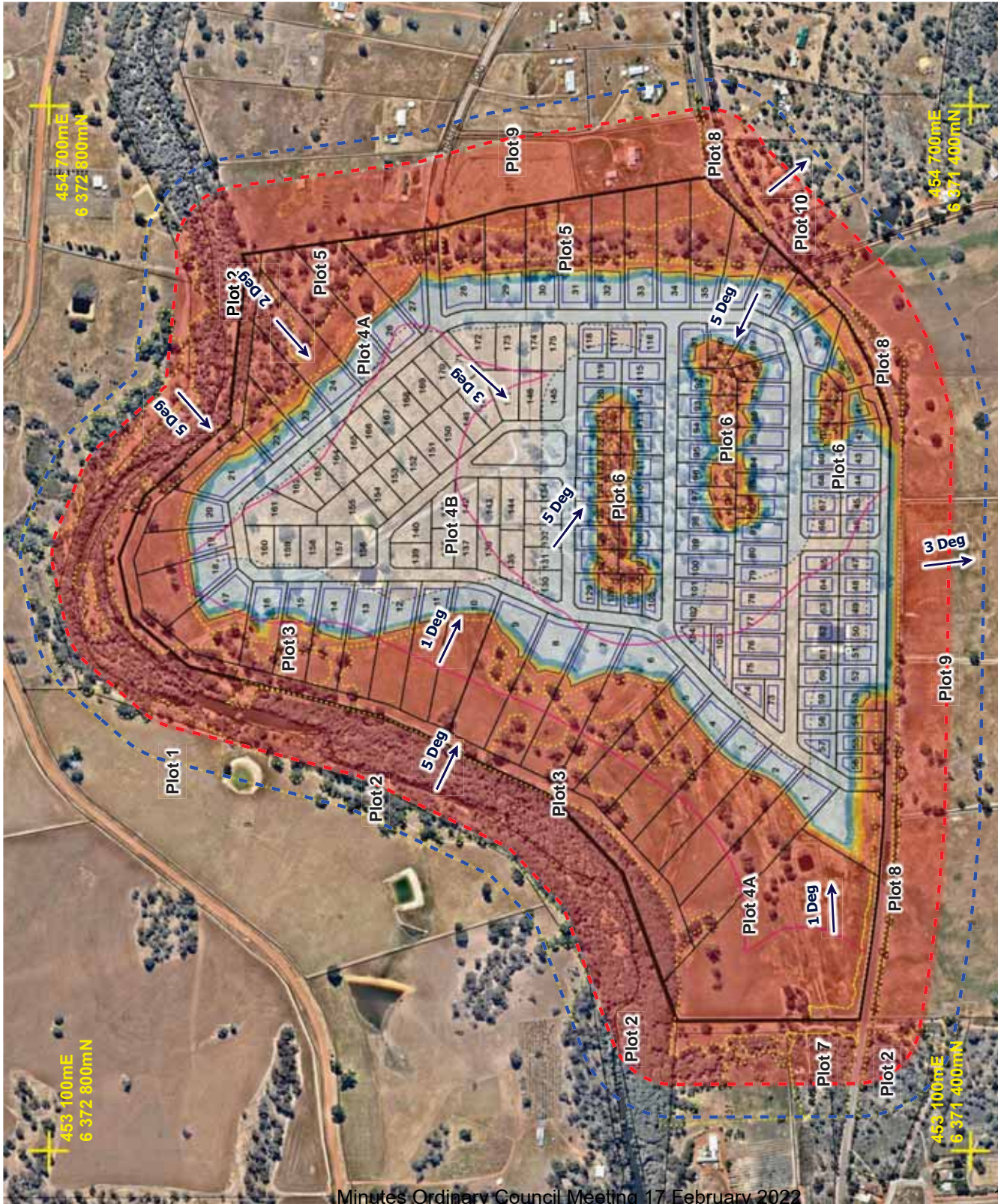
**LUSHfire**  
 and planning  
 geoffrey@lushfire.com.au  
 0418 954873



**LEGEND**

- SUBJECT LAND
- VEGETATION ASSESSMENT AREA (150m from the external boundary of the subject land)
- BAL CONTOUR ASSESSMENT AREA (100m from the external boundary of the subject land)
- BUILDING ENVELOPES
- BUSHFIRE PRONE LAND
- UPSLOPE
- VEGETATION PLOTS
- GEO REFERENCE
- INDICATIVE BUSHFIRE ATTACK LEVELS
  - BAL - FZ
  - BAL - 40
  - BAL - 29
  - BAL - 19
  - BAL - 12.5
  - BAL - Low

Location Details: Lots 21, 22 & 23  
 Crossman Rd, Ranford  
 Assessment Date: 08/09/2021  
 Prepared by: G Lush  
 Accreditation Level: Level 2  
 Accreditation Number: BPAD 27682  
 Accreditation Expiry Date: February 2022  
 Date of Aerial Photo: January 2018



The BAL Contours shown on this plan are indicative and reflect the anticipated ratings for the completed development, based upon the assumptions referenced in the report. They should not be used for BAL Assessments and may be subject to change arising from alterations to the site conditions, AS3959, the Bushfire Guidelines, practice notes, or methodology.

FIGURE 10  
BAL CONTOUR MAP

Job No 21-044  
 Rev Description Date  
 A Preliminary 15/10/2021





**Lots 21, 22 & 23 Crossman Road**

Table 3 BAL Setbacks

Lot	Veg Plot (1)	Vegetation Classification	Slope	Building Envelope / Lot Boundary (2)	Assigned BAL Rating (3)	Designated Bushfire Prone Land (3)
1	4A	Class G Grassland	>0-5	9m	BAL – 29	No
2	4A	Class G Grassland	>0-5	9m	BAL – 29	No
3	4A	Class G Grassland	>0-5	9m	BAL – 29	No
4	4A	Class G Grassland	>0-5	9m	BAL – 29	No
5	3	Class B Woodland	>0-5	14m	BAL – 29	No
6	3	Class B Woodland	>0-5	14m	BAL – 29	
7	3	Class B Woodland	>0-5	14m	BAL – 29	
8	3	Class B Woodland	>0-5	14m	BAL – 29	No
9	3	Class B Woodland	>0-5	14m	BAL – 29	No
10	4A	Class G Grassland	>0-5	9m	BAL – 29	No
11	4A	Class G Grassland	>0-5	9m	BAL – 29	No
12	4A	Class G Grassland	>0-5	9m	BAL – 29	No
13	3	Class B Woodland	>0-5	14m	BAL – 29	
14	3	Class B Woodland	>0-5	14m	BAL – 29	
15	3	Class B Woodland	>0-5	14m	BAL – 29	
16	3	Class B Woodland	>0-5	14m	BAL – 29	
17	3	Class B Woodland	>0-5	14m	BAL – 29	
18	4A	Class G Grassland	>0-5	9m	BAL – 29	
19	4A	Class G Grassland	>0-5	9m	BAL – 29	
20	4A	Class G Grassland	>0-5	9m	BAL – 29	
21	2	Class A - Forest	>0-5	27m	BAL – 29	
22	2	Class A - Forest	>0-5	27m	BAL – 29	
23	2	Class A - Forest	>0-5	27m	BAL – 29	
24	4A	Class G Grassland	>0-5	9m	BAL – 29	
25	4A	Class G Grassland	>0-5	9m	BAL – 29	
26	4A	Class G Grassland	>0-5	9m	BAL – 29	
27	4A	Class G Grassland	>0-5	9m	BAL – 29	
28	5	Class B Woodland	>0-5	14m	BAL – 29	
29	5	Class B Woodland	>0-5	14m	BAL – 29	
30	5	Class B Woodland	>0-5	14m	BAL – 29	
31	5	Class B Woodland	>0-5	14m	BAL – 29	
32	5	Class B Woodland	>0-5	14m	BAL – 29	
33	5	Class B Woodland	>0-5	14m	BAL – 29	
34	5	Class B Woodland	>0-5	14m	BAL – 29	
35	5	Class B Woodland	>0-5	14m	BAL – 29	
36	5	Class B Woodland	>0-5	14m	BAL – 29	



**Lots 21, 22 & 23 Crossman Road**

<b>Lot</b>	<b>Veg Plot (1)</b>	<b>Vegetation Classification</b>	<b>Slope</b>	<b>Building Envelope / Lot Boundary (2)</b>	<b>Assigned BAL Rating (3)</b>	<b>Designated Bushfire Prone Land (3)</b>
37	5	Class B Woodland	Upslope	19m	BAL – 29	
38	5	Class B Woodland	Upslope	15m	BAL – 29	
39	8	Class A - Forest	Upslope	27m	BAL – 29	
40	8	Class A - Forest	Upslope	21m	BAL – 29	
41	8	Class A - Forest	Upslope	21m	BAL – 29	
42	8	Class A - Forest	Upslope	21m	BAL – 29	
43	8	Class A - Forest	Upslope	50m	BAL – 12.5	
44	9	Class G Grassland	Upslope	44m	BAL – 12.5	
45	9	Class G Grassland	Upslope	44m	BAL – 12.5	
46	9	Class G Grassland	Upslope	44m	BAL – 12.5	
47	9	Class G Grassland	Upslope	44m	BAL – 12.5	No
48	9	Class G Grassland	Upslope	44m	BAL – 12.5	No
49	9	Class G Grassland	Upslope	44m	BAL – 12.5	No
50	9	Class G Grassland	Upslope	44m	BAL – 12.5	No
51	9	Class G Grassland	Upslope	44m	BAL – 12.5	No
52	8	Class A - Forest	Upslope	42m	BAL – 12.5	No
53	8	Class A - Forest	Upslope	21m	BAL – 29	No
54	8	Class A - Forest	Upslope	21m	BAL – 29	No
55	8	Class A - Forest	Upslope	21m	BAL – 29	No
56	8	Class A - Forest	Upslope	21m	BAL – 29	No
57	8	Class A - Forest	Upslope	70m	BAL – 12.5	No
58	8	Class A - Forest	Upslope	70m	BAL – 12.5	No
59	8	Class A - Forest	Upslope	75m	BAL – 12.5	No
60	8	Class A - Forest	Upslope	80m	BAL – 12.5	No
61	8	Class A - Forest	Upslope	103m	BAL – LOW	No
62	9	Class G Grassland	Upslope	102m	BAL – LOW	No
63	9	Class G Grassland	Upslope	102m	BAL – LOW	No
64	9	Class G Grassland	Upslope	102m	BAL – LOW	
65	9	Class G Grassland	Upslope	102m	BAL – LOW	
66	6	Class B Woodland	Upslope	92m	BAL – 12.5	
67	6	Class B Woodland	Upslope	92m	BAL – 12.5	
68	6	Class B Woodland	>0-5	62m	BAL – 12.5	
69	6	Class B Woodland	>0-5	27m	BAL – 12.5	
70	6	Class B Woodland	>0-5	17m	BAL – 29	
71	6	Class B Woodland	>0-5	17m	BAL – 29	
72	6	Class B Woodland	>0-5	17m	BAL – 29	
73	4A	Class G Grassland	>0-5	102m	BAL – LOW	No

**Lots 21, 22 & 23 Crossman Road**

<b>Lot</b>	<b>Veg Plot (1)</b>	<b>Vegetation Classification</b>	<b>Slope</b>	<b>Building Envelope / Lot Boundary (2)</b>	<b>Assigned BAL Rating (3)</b>	<b>Designated Bushfire Prone Land (3)</b>
74	4A	Class G Grassland	>0-5	90m	BAL – LOW	No
75	4A	Class G Grassland	>0-5	>100m	BAL – LOW	No
76	4A	Class G Grassland	>0-5	>100m	BAL – LOW	No
77	4A	Class G Grassland	>0-5	>100m	BAL – LOW	
78	4A	Class G Grassland	>0-5	>100m	BAL – LOW	
79	6	Class B Woodland	Upslope	80m	BAL – 12.5	
80	6	Class B Woodland	Upslope	47m	BAL – 12.5	
81	6	Class B Woodland	Upslope	14m	BAL – 29	
82	6	Class B Woodland	Upslope	14m	BAL – 29	
83	6	Class B Woodland	Upslope	14m	BAL – 29	
84	6	Class B Woodland	Upslope	14m	BAL – 29	
85	6	Class B Woodland	Upslope	14m	BAL – 29	
86	6	Class B Woodland	Upslope	14m	BAL – 29	
87	6	Class B Woodland	Upslope	14m	BAL – 29	
88	6	Class B Woodland	Upslope	14m	BAL – 29	
89	6	Class B Woodland	Upslope	14m	BAL – 29	
90	6	Class B Woodland	Upslope	14m	BAL – 29	
91	6	Class B Woodland	>0-5	17m	BAL – 29	
92	6	Class B Woodland	>0-5	17m	BAL – 29	
93	6	Class B Woodland	>0-5	17m	BAL – 29	
94	6	Class B Woodland	>0-5	17m	BAL – 29	
95	6	Class B Woodland	>0-5	17m	BAL – 29	
96	6	Class B Woodland	>0-5	17m	BAL – 29	
97	6	Class B Woodland	>0-5	17m	BAL – 29	
98	6	Class B Woodland	>0-5	17m	BAL – 29	
99	6	Class B Woodland	Upslope	30m	BAL – 12.5	
100	6	Class B Woodland	Upslope	63m	BAL – 12.5	
101	6	Class B Woodland	Upslope	60m	BAL – 12.5	
102	6	Class B Woodland	Upslope	70m	BAL – 12.5	
103	3	Class B Woodland	>0-5	95m	BAL – 12.5	
104	3	Class B Woodland	>0-5	90m	BAL – 12.5	
105	6	Class B Woodland	Upslope	14m	BAL – 29	
106	6	Class B Woodland	Upslope	14m	BAL – 29	
107	6	Class B Woodland	>0-5	17m	BAL – 29	
108	6	Class B Woodland	>0-5	17m	BAL – 29	
109	6	Class B Woodland	>0-5	17m	BAL – 29	
110	6	Class B Woodland	>0-5	17m	BAL – 29	

**Lots 21, 22 & 23 Crossman Road**

<b>Lot</b>	<b>Veg Plot (1)</b>	<b>Vegetation Classification</b>	<b>Slope</b>	<b>Building Envelope / Lot Boundary (2)</b>	<b>Assigned BAL Rating (3)</b>	<b>Designated Bushfire Prone Land (3)</b>
111	6	Class B Woodland	>0-5	17m	BAL – 29	
112	6	Class B Woodland	>0-5	17m	BAL – 29	
113	6	Class B Woodland	>0-5	17m	BAL – 29	
114	6	Class B Woodland	>0-5	19m	BAL – 29	
115	6	Class B Woodland	Upslope	52m	BAL – 12.5	
116	6	Class B Woodland	Upslope	71m	BAL – 12.5	
117	6	Class B Woodland	Upslope	88m	BAL – 12.5	
118	6	Class B Woodland	Upslope	88m	BAL – 12.5	
119	6	Class B Woodland	Upslope	45m	BAL – 12.5	
120	6	Class B Woodland	Upslope	14m	BAL – 29	
121	6	Class B Woodland	Upslope	14m	BAL – 29	
122	6	Class B Woodland	Upslope	14m	BAL – 29	
123	6	Class B Woodland	Upslope	14m	BAL – 29	
124	6	Class B Woodland	Upslope	14m	BAL – 29	
125	6	Class B Woodland	Upslope	14m	BAL – 29	
126	6	Class B Woodland	Upslope	14m	BAL – 29	
127	6	Class B Woodland	Upslope	14m	BAL – 29	
128	6	Class B Woodland	Upslope	14m	BAL – 29	
129	6	Class B Woodland	Upslope	14m	BAL – 29	
130	6	Class B Woodland	Upslope	66m	BAL – 12.5	
131	6	Class B Woodland	Upslope	66m	BAL – 12.5	
132	6	Class B Woodland	Upslope	66m	BAL – 12.5	
133	6	Class B Woodland	Upslope	66m	BAL – 12.5	
134	6	Class B Woodland	Upslope	66m	BAL – 12.5	
135	3	Class B Woodland	>0-5	92m	BAL – 12.5	
136	4A	Class G Grassland	>0-5	>100m	BAL – LOW	
137	4A	Class G Grassland	>0-5	>100m	BAL – LOW	No
138	4A	Class G Grassland	>0-5	>100m	BAL – LOW	No
139	4A	Class G Grassland	>0-5	>100m	BAL – LOW	No
140	4A	Class G Grassland	>0-5	>100m	BAL – LOW	No
141	4A	Class G Grassland	>0-5	>100m	BAL – LOW	No
142	4A	Class G Grassland	>0-5	>100m	BAL – LOW	
143	4A	Class G Grassland	>0-5	>100m	BAL – LOW	
144	4A	Class G Grassland	>0-5	>100m	BAL – LOW	
145	6	Class B Woodland	Upslope	66m	BAL – 12.5	
146	5	Class B Woodland	>0-5	>100m	BAL – LOW	
147	5	Class B Woodland	>0-5	>100m	BAL – LOW	

## Lots 21, 22 & 23 Crossman Road

Lot	Veg Plot (1)	Vegetation Classification	Slope	Building Envelope / Lot Boundary (2)	Assigned BAL Rating (3)	Designated Bushfire Prone Land (3)
148	5	Class B Woodland	>0-5	>100m	BAL – LOW	
149	5	Class B Woodland	>0-5	>100m	BAL – LOW	
150	5	Class B Woodland	>0-5	>100m	BAL – LOW	
151	5	Class B Woodland	>0-5	>100m	BAL – LOW	No
152	5	Class B Woodland	>0-5	>100m	BAL – LOW	No
153	5	Class B Woodland	>0-5	>100m	BAL – LOW	No
154	5	Class B Woodland	>0-5	>100m	BAL – LOW	No
155	5	Class B Woodland	>0-5	>100m	BAL – LOW	No
156	3	Class B Woodland	>0-5	>100m	BAL – LOW	No
157	3	Class B Woodland	>0-5	>100m	BAL – LOW	No
158	3	Class B Woodland	>0-5	96m	BAL – 12.5	No
159	3	Class B Woodland	>0-5	96m	BAL – 12.5	No
160	3	Class B Woodland	>0-5	96m	BAL – 12.5	No
161	2	Class A - Forest	>0-5	90m	BAL – 12.5	
162	2	Class A - Forest	>0-5	86m	BAL – 12.5	
163	2	Class A - Forest	>0-5	86m	BAL – 12.5	
164	2	Class A - Forest	>0-5	89m	BAL – 12.5	
165	2	Class A - Forest	>0-5	89m	BAL – 12.5	
166	2	Class A - Forest	>0-5	96m	BAL – 12.5	
167	5	Class B Woodland	>0-5	>100m	BAL – LOW	No
168	5	Class B Woodland	>0-5	>100m	BAL – LOW	No
169	5	Class B Woodland	>0-5	>100m	BAL – LOW	No
170	5	Class B Woodland	>0-5	>100m	BAL – LOW	No
171	5	Class B Woodland	>0-5	98m	BAL – 12.5	
172	5	Class B Woodland	>0-5	90m	BAL – 12.5	
173	5	Class B Woodland	>0-5	90m	BAL – 12.5	
174	5	Class B Woodland	>0-5	96m	BAL – 12.5	
175	6	Class B Woodland	Upslope	92m	BAL – 12.5	

Notes	
(1)	The selected vegetation plot is the plot with the highest BAL rating.
(2)	The separation distance is measured to the nearest point on the defined building envelope boundary or lot boundary as designated. For the lots shown in <b>grey</b> , the BAL setback has been measured to the lot boundary.
(3)	The assigned BAL rating is the highest rating for the building envelope or lot boundary. This may be reduced depending upon where the dwelling is located. The lots with no building envelope shown are still subject to the development setbacks in the Scheme.
(4)	Identifies building envelopes and/or lots which are not designated as being bushfire prone.



## 4.0 Identification of Bushfire Hazard Issues

The context of the subject land to the surrounding district is shown in Figure 1.

Bushfires occur regularly within the district and the proposed subdivision and development will introduce substantial values (property and people) which must be protected from the risk posed by the potential bushfire hazard. The bushfire risk is recognised in the Local Emergency Arrangements as potentially have catastrophic consequences for the community but only in rare or exceptional circumstances.

The bushfire hazard primarily relates to the vegetation on the site and in the surrounding area, the type and extent (area) of vegetation and its characteristics. The primary bushfire hazard is the Hotham River corridor and associated vegetation. This extends along the northern boundary of the site for 1.8kms and is up to 100m wide. The immediately surrounding land is predominantly cleared land being either broad acre grazing land or existing rural residential development. This typically has a moderate bushfire hazard level, with patches of local vegetation with an extreme bushfire hazard level.

There are large separate parcels of remnant vegetation within the district, up to 5kms from the site.

The consideration of the bushfire hazard issues also relates to the type of bushfire event being:

- A large scale "landscape" fire which extends for over a kilometre and is likely to occur over lengthy period which could be several days; or
- A local or neighbourhood fire with a relatively smaller fire run, noting that the models used to quantify bushfire behaviour in Australian Standard AS3959 are based on observations of fire behaviour burning in contiguous vegetation over distances that exceed 100m.

It is potentially possible for either a large scale "landscape" fire or a local neighbourhood fire to threaten the site from any direction. However, there is district access in multiple directions from the site to the east, west and north which will allow for safe egress by residents.

The bushfire hazard will also be addressed by the proposed management measures outlined in the flowing sections.

**Lots 21, 22 & 23 Crossman Road****5.0 Assessment Against the Bushfire Protection Criteria****5.1 BPC Elements**

The proposed mitigation measures are referenced below.

**5.1.1 Element 1 Location**

<b>Intent:</b> To ensure that strategic planning proposals, subdivision and development applications are located in areas with the least possible risk of bushfire to facilitate the protection of people, property and infrastructure.	
<b>Acceptable Solution</b>	<b>Compliance</b>
<p><u>A1.1 Development location</u></p> <p>The strategic planning proposal, subdivision and development application is located in an area that is or will, on completion, be subject to either a moderate or low bushfire hazard level, or BAL-29 or below.</p>	<p>The primary bushland hazard is on the northern side of the property being the Hotham River. This is a linear corridor of vegetation approximately 100m wide. All the proposed building envelopes / lots have a BAL rating of BAL - 29 or below.</p>

**5.1.2 Element 2 Siting and Design of Development**

<b>Intent:</b> To ensure that the siting and design of development minimises the level of bushfire impact.	
<b>Acceptable Solution</b>	<b>Compliance</b>
<p><u>A2.1 Asset Protection Zone</u></p> <p>Every habitable building is surrounded by, and every proposed lot can achieve, an APZ depicted on submitted plans, which meets the following requirements:</p> <ul style="list-style-type: none"> <li>• Width: Measured from any external wall or supporting post or column of the proposed building, and of sufficient size to ensure the potential radiant heat impact of a bushfire does not exceed 29kW/m<sup>2</sup> (BAL-29) in all circumstances.</li> <li>• Location: the APZ should be contained solely within the boundaries of the lot on which the building is situated, except in instances where the neighbouring lot or lots will be managed in a low-fuel state on an ongoing basis, in perpetuity.</li> <li>• Management: the APZ is managed in accordance with the requirements of 'Standards for Asset Protection Zones'.</li> </ul>	<p>The minimum development setbacks in the Scheme are generally smaller than the required BAL-29 setbacks.</p> <p>The larger (4,000sqm plus) sized lots can potentially contain the APZ within their boundaries.</p> <p>The smaller (2,00sqm) lots are unlikely to be able contain the APZ within their boundaries and this will be shared with adjacent properties.</p> <ul style="list-style-type: none"> <li>• To ensure that there is an appropriate development setback and provision of the APZ: The building envelopes for these lots have been modified; and</li> <li>• These lots will be cleared as part of the subdivision construction.</li> </ul>

**Lots 21, 22 & 23 Crossman Road**5.1.3 Element 3 Vehicular Access

<b>Intent:</b> To ensure that the vehicular access serving a subdivision/development is available and safe during a bushfire event.	
<b>Acceptable Solution</b>	<b>Compliance</b>
<p><u>A3.1 Two access routes</u></p> <p>Two different vehicular access routes are provided, both of which connect to the public road network, provide safe access and egress to two different destinations and are available to all residents/the public at all times and under all weather conditions.</p>	<p>Crossman Road provides access in two directions connecting to major regional roads as shown in Figure 1. Fraser Road also provides an additional access from the north eastern portion of the site connecting into Days Road, which provide access to the north.</p>
<p><u>A3.2 Public road</u></p> <p>A public road is to meet the requirements in Table 6, Column 1.</p>	<p>The vehicular access technical requirements (BPC Table 6) are shown in Table 4 at the end of this section.</p> <p>The proposed subdivision roads are to be designed in accordance with Institute of Public Works Engineering Australia WA Division Inc. (2009) Local Government Subdivisional Guidelines.</p>
<p><u>A3.3 Cul-de-sac or dead-end road</u></p> <p>A cul-de-sac and/or a dead end road should be avoided in bushfire prone areas. Where no alternative exists (i.e. the lot layout already exists and/or will need to be demonstrated by the proponent), the following requirements are to be achieved:</p> <ul style="list-style-type: none"> <li>• Requirements in Table 6, Column 2;</li> <li>• Maximum length: 200 metres (if public emergency access is provided between cul-de-sac heads maximum length can be increased to 600 metres provided no more than eight lots are serviced and the emergency access way is no more than 600 metres); and</li> <li>• Turn-around area requirements, including a minimum 17.5 metre diameter head.</li> </ul>	<p>Not applicable as there is no proposed cul-de-sac.</p>

**Lots 21, 22 & 23 Crossman Road**

Acceptable Solution	Compliance
<p><u>A3.4 Battle-axe</u> Battle-axe access leg should be avoided in bushfire prone areas. Where no alternative exists, (this will need to be demonstrated by the proponent) all of the following requirements are to be achieved:</p> <ul style="list-style-type: none"> <li>• Requirements in Table 6, Column 3;</li> <li>• Maximum length: 600 metres; and</li> <li>• Minimum width: six metres.</li> </ul>	<p>Not applicable as there is no proposed battle axe lot.</p>
<p><u>A3.5 Private driveway longer than 50 metres</u> A private driveway is to meet all of the following requirements:</p> <ul style="list-style-type: none"> <li>• Requirements in Table 6, Column 3;</li> <li>• Required where a house site is more than 50 metres from a public road;</li> <li>• Passing bays: every 200 metres with a minimum length of 20 metres and a minimum width of two metres (i.e. the combined width of the passing bay and constructed private driveway to be a minimum six metres);</li> <li>• Turn-around areas designed to accommodate type 3.4 fire appliances and to enable them to turn around safely every 500 metres (i.e. kerb to kerb 17.5 metres) and within 50 metres of a house; and</li> <li>• Any bridges or culverts are able to support a minimum weight capacity of 15 tonnes.</li> <li>• All-weather surface (i.e. compacted gravel, limestone or sealed).</li> </ul>	<p>Not applicable as all the building envelopes and minimum front boundary setbacks in the Scheme are less than 50m. Some of the larger lots could potentially have driveways longer than 50m and these will need to comply the driveway specifications.</p>
<p><u>A3.6 Emergency access way</u> An access way that does not provide through access to a public road is to be avoided in bushfire prone areas. Where no alternative exists (this will need to be demonstrated by the proponent), an emergency access way is to be provided as an alternative link to a public road during emergencies. An emergency access way is to meet all of the following requirements:</p> <ul style="list-style-type: none"> <li>• Requirements in Table 6, Column 4;</li> <li>• No further than 600 metres from a public road;</li> <li>• Provided as right of way or public access easement in gross to ensure accessibility to the public and fire services during an emergency; and</li> <li>• Must be signposted.</li> </ul>	<p>Not applicable as there is no emergency access way.</p>



**Lots 21, 22 & 23 Crossman Road**

Acceptable Solution	Compliance
<p><u>A3.7 Fire service access routes (perimeter roads)</u> Fire service access routes are to be established to provide access within and around the edge of the subdivision and related development to provide direct access to bushfire prone areas for fire fighters and link between public road networks for firefighting purposes. Fire service access routes are to meet the following requirements:</p> <ul style="list-style-type: none"> <li>• Requirements Table 6, Column 5;</li> <li>• Provided as right of ways or public access easements in gross to ensure accessibility to the public and fire services during an emergency</li> <li>• Surface: all-weather (i.e. compacted gravel, limestone or sealed)</li> <li>• Dead end roads are not permitted;</li> <li>• Turn-around areas designed to accommodate type 3.4 appliances and to enable them to turn around safely every 500 metres (i.e. kerb to kerb 17.5 metres);</li> <li>• No further than 600 metres from a public road;</li> </ul> <p><u>A3.8 Firebreak width</u> Lots greater than 0.5 hectares must have an internal perimeter firebreak of a minimum width of three metres or to the level as prescribed in the local firebreak notice issued by the local government.</p>	<p>A FSAR is to be provided around the northern boundary separating the development from the river corridor. This is shown on the structure plan as a trail.</p> <p>While the FSAR will be located within the proposed foreshore reserve, there will be a number connections through the proposed lots back to the subdivision road. These will be created as easements on the plan of subdivision.</p> <p>The FSAR will be provided in accordance with the stated specifications including the provision of gates and signage.</p> <p>The lots will be maintained in accordance with the Shire's Bush Fire Notice.</p>

Table 4 Vehicular Access Technical Requirements

Technical Requirements	1 Public Road	2 Cul-de- sac	3 Private Driveway	4 Emergency Access way	5 Fire service Access routes
Minimum trafficable surface (m)	6*	6*	4	6*	6*
Horizontal clearance (m)	6	6	6	6	6
Vertical clearance (m)	4.5	N/A	4.5	4.5	4.5
Maximum grade <50 metres	1:10	1:10	1:10	1:10	1:10
Minimum weight capacity (t)	15	15	15	15	15
Maximum crossfall	1 in 33	1 in 33	1 in 33	1 in 33	1 in 33
Curves min inner radius (m)	8.5	8.5	8.5	8.5	8.5
*Refer to E3.2 Public roads: Trafficable surface					

**Lots 21, 22 & 23 Crossman Road**5.1.4 Element 4 Water

<b>Intent:</b> To ensure that water is available to the subdivision, development or land use to enable people, property and infrastructure to be defended from bushfire.	
<b>Acceptable Solution</b>	<b>Compliance</b>
<p><u>A4.1 Reticulated areas</u> The subdivision, development or land use is provided with a reticulated water supply in accordance with the specifications of the relevant water supply authority and Department of Fire and Emergency Services.</p>	Yes, the subdivision will be provided with reticulated water with associated fire hydrants, as required by the provisions of Special Use Zone No 2.
<p><u>A4.2 Non-reticulated areas</u> Water tanks for fire fighting purposes with a hydrant or standpipe are provided and meet the following requirements:</p> <ul style="list-style-type: none"> <li>• Volume: minimum 50,000 litres per tank;</li> <li>• Ratio of tanks to lots: minimum one tank per 25 lots (or part thereof);</li> <li>• Tank location: no more than two kilometres to the further most house site within the residential development to allow a 2.4 fire appliance to achieve a 20 minute turnaround time at legal road speeds;</li> </ul>	Not applicable
<p><u>A4.3 Individual lots within non-reticulated areas</u> Single lots above 500 square metres need a dedicated static water supply on the lot that has the effective capacity of 10,000 litres.</p>	Not applicable

## **Lots 21, 22 & 23 Crossman Road**

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### 5.2 Additional Management Measures

#### 5.2.1 Individual Water Supply

The provision of and maintenance of reliable water supplies is essential in fire control and a suitable water supply must be readily available and accessible to Fire Appliances at all times.

While the lots will be connected to a reticulated water supply and hydrants, fire protection will be improved by having an additional water supply for each dwelling. This will also assist landowners in being able to provide protection, especially from spot fires. This is more relevant on lots **greater than 4,000sqm** which are likely to have hazard vegetation outside of the dwelling asset protection zone.

The water supply should be a minimum of 10,000L as follows:

- a) A 50mm male camlock couplings with full flow valves;
- b) The fittings positioned at the base of the tank so that the total tank capacity is available for firefighting purposes at any time;
- c) An adequate hard standing access must also be provided adjacent to such connection/s and must be readily identifiable; and
- d) A nonelectric firefighting pump (normally 5.5hp) with sufficient hose to protect the dwelling and the surrounding low fuel zone.

The tank should not form part of any domestic potable water supply.

#### 5.2.2 Purchaser Advice

All prospective purchasers must be made aware of the fire management issues, measures and responsibilities associated with the development and subdivision. This can be a notification placed upon the Certificate of Title of all lots advising landowners of this Bushfire Management Plan and BAL requirements.

#### 5.2.3 Staging

The development of the estate may have staged construction. In the event that the subdivision is staged then it is necessary to ensure that appropriate interim measures are provided. These may include:

- Ensuring that there are two access routes for each stage. This may require the provision of interim access or an emergency access way;
- Creation of additional low fuel zones to ensure that the intended BAL ratings can be applied; or
- The provision of boundary firebreaks especially on any balance lot.

For any proposed stage of the subdivision a statement and plan of the proposed interim fire management measures will be submitted and approved by the local government.

#### 5.2.4 Bushfire Survival Plan

Before the start of the fire season landowners need to decide what to do in the event of a bushfire including:

- Property preparation and maintenance;
- Knowing the bushfire warning levels and triggers for when to leave;
- Knowing where to go; and
- Knowing which way to go.

This can be accomplished by the preparation of a Bushfire Survival Plan and Preparedness-Toolkit is available online at:

- ❖ <https://mybushfireplan.wa.gov.au/> or can be downloaded from;
- ❖ <https://www.dfes.wa.gov.au/safetyinformation/fire/bushfire/BushfireManualsandGuides/DFES-Fire-Chat-Bushfire-Preparedness-Toolkit.pdf>

**Lots 21, 22 & 23 Crossman Road**

## 6.0 Responsibilities for Implementation and Management of the Bushfire Measures

The management of the risk posed by bushfires is a shared responsibility between landowners, government and industry. These responsibilities are documented in Table 5 and shown spatially in Figure 11.

The management measures listed below should not be construed to assure total bushfire protection and do not guarantee that a building will not be damaged in a bushfire. The severity of a bushfire will depend upon the vegetation fuel loadings; the prevailing weather conditions and the implementation of appropriate fire management measures.

*Table 5 Implementation*

No	MANAGEMENT ACTION
<b>1.0 Developer Prior to Issue of Titles - Subdivision</b>	
1.1	Compliance with the applicable measures in this Bushfire Management Plan relating to the subdivision construction including those outlined in Section 5.0, Figure 11 Spatial Measures and any vegetation modifications required to achieve the proposed BAL ratings.
1.2	A restrictive covenant, or other approved mechanism, to be implemented to ensure that no habitable buildings are constructed in the portions of the proposed lots that have been assessed as BAL- 40 or BAL-Flame Zone.
1.3	Clearing of vegetation as shown in Figure 6 to ensure that the assigned BAL ratings are provided.
1.4	Construction of the subdivision roads to standards outlined in the BMP to ensure safe access and egress.
1.5	Construction of the Fire Service Access Route (FSAR) in accordance with the standards: <ul style="list-style-type: none"> <li>• 6m trafficable surface;</li> <li>• 6m horizontal clearance to vegetation;</li> <li>• 4.5m vertical clearance to vegetation;</li> <li>• Minimum weight capacity of 15 tonnes;</li> <li>• Minimum 8.5m inner radius for curves;</li> <li>• All-weather surface (i.e. compacted gravel, limestone or sealed);</li> <li>• Provision of gates being a minimum width of 3.6m at all boundary crossings;</li> <li>• Provision of turn-around areas designed to accommodate type 3.4 appliances (17.5m diameter) as shown on Figure 11;</li> <li>• Provision of signage stating "For Emergency Access Only" where the FSAR connects to public roads.</li> </ul>
1.6	Where the Fire Service Access Route (FSAR) is located on the proposed lots, it shall be provided as right of way or public access easement.
1.7	Provision of boundary firebreaks in accordance with the Shire's Bush Fire Notice during the prescribed fire season.
1.8	Preparing a notification be included on the certificate of titles for lots having a BAL-12.5 rating or higher advising that the land is bushfire prone and subject to a Bushfire Management Plan.
1.9	For any proposed stage of the subdivision a statement and plan of the proposed interim fire management measures is to be submitted and approved by the Shire as an adjunct to Figure 11.
1.10	Provision of a reticulated water supply and hydrants to service all lots.



**Lots 21, 22 & 23 Crossman Road**

<b>2.0 Developer Prior to Sale of Lots - Purchase</b>	
2.1	Providing prospective purchasers with a summary of this BMP.
2.2	<p>Establish the Asset Protection Zone (APZ) in accordance with the specifications in Schedule 1 Appendix 4 of the Guidelines for Planning in Bushfire Prone Areas as follows:</p> <ol style="list-style-type: none"> <li>1) Fences: within the APZ are constructed from non-combustible materials (e.g. iron, brick, limestone, metal post and wire). It is recommended that solid or slatted non-combustible perimeter fences are used.</li> <li>2) Objects: within 10 metres of a building, combustible objects must not be located close to the vulnerable parts of the building i.e. windows and doors.</li> <li>3) Fine Fuel load: combustible dead vegetation matter less than 6 millimetres in thickness reduced to and maintained at an average of two tonnes per hectare.</li> <li>4) Trees (&gt; 5 metres in height): trunks at maturity should be a minimum distance of 6 metres from all elevations of the building, branches at maturity should not touch or overhang the building, lower branches should be removed to a height of 2 metres above the ground and or surface vegetation, canopy cover should be less than 15% with tree canopies at maturity well spread to at least 5 metres apart as to not form a continuous canopy.</li> <li>5) Shrubs (0.5 metres to 5 metres in height): should not be located under trees or within 3 metres of buildings, should not be planted in clumps greater than 5m<sup>2</sup> in area, clumps of shrubs should be separated from each other and any exposed window or door by at least 10 metres. Shrubs greater than 5 metres in height are to be treated as trees.</li> <li>6) Ground covers (&lt;0.5 metres in height): can be planted under trees but must be properly maintained to remove dead plant material and any parts within 2 metres of a structure, but 3 metres from windows or doors if greater than 100 millimetres in height. Ground covers greater than 0.5 metres in height are to be treated as shrubs.</li> <li>7) Grass: should be managed to maintain a height of 100 millimetres or less.</li> </ol>
<b>3.0 Landowner Prior to Occupancy - Development Application</b>	
3.1	Ensuring that any application for a building permit for a dwelling on bushfire prone land is to include an individual BAL assessment to confirm that sufficient land has been cleared to provide for BAL-29 setbacks.
3.2	<p>Where any driveway is proposed to be more than 50m in length it is comply with the following:</p> <ul style="list-style-type: none"> <li>• A minimum 4m trafficable surface (0.5m shoulders);</li> <li>• Minimum 6m horizontal clearance to vegetation;</li> <li>• Minimum 4.5m vertical clearance to vegetation;</li> <li>• Have an all-weather surface (i.e. compacted gravel, limestone or sealed); and</li> <li>• Provide a 17.5m diameter turning circle adjacent to the dwelling.</li> </ul>
3.3	<p>On all lots greater than 4,000sqm each dwelling shall be provided with a static water supply tank having a minimum capacity of 10,000L specifically for firefighting with:</p> <ol style="list-style-type: none"> <li>a) A 50mm male camlock coupling with full flow valves;</li> <li>b) The fittings positioned at the base of the tank so that the total tank capacity is available for firefighting purposes at any time;</li> <li>c) An adequate hard standing access must also be provided adjacent to such connection/s and must be readily identifiable; and</li> <li>d) A nonelectric firefighting pump (normally 5.5hp) with sufficient hose to protect the dwelling and the surrounding low fuel zone.</li> </ol>

**Lots 21, 22 & 23 Crossman Road**

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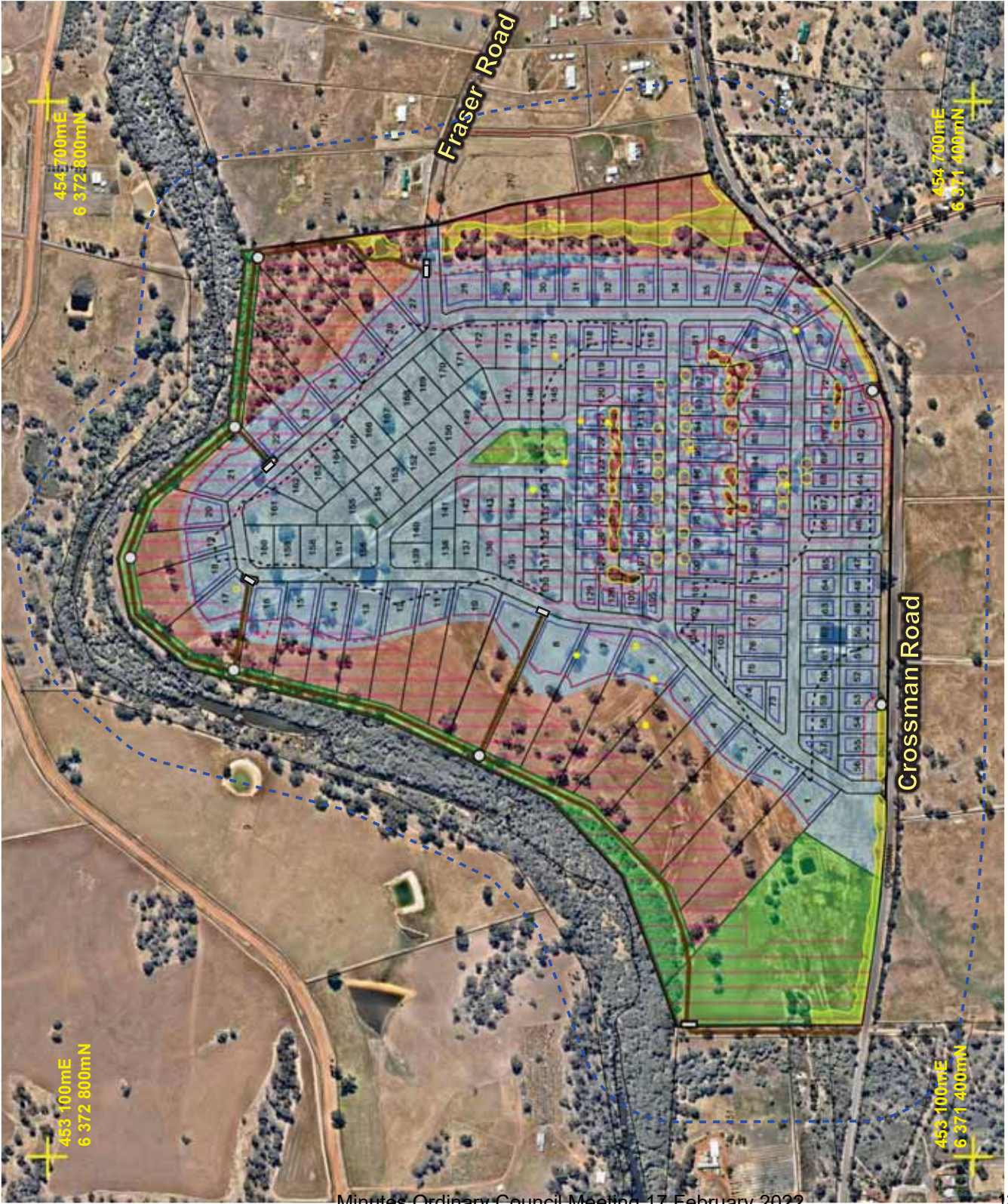
<b>4.0 Landowner - Ongoing</b>	
4.1	To be aware that they live in a bushfire prone environment and need to take the initiative in learning about, preparing for and responding to bushfires.
4.2	Prepare a bushfire survival plan and review this annually prior to the fire season.
4.3	Undertaking regular maintenance of their property in preparation for the annual fire season.
4.4	Providing a 20m asset protection zone around the dwelling in accordance with Item 2.2 above.
4.5	Ensuring that all fire mitigation measures shall be completed by the date prescribed in Shire's Bush Fire Notice.
<b>5.0 Local Government - Ongoing</b>	
5.1	Ensuring Building Permit Applications and Development Applications are compliant with the building and land use planning provisions.
5.2	Enforce compliance with its annual Bush Fire Notice.



**LEGEND**

- SUBJECT LAND
- GEO REFERENCE
- 150m BUFFER
- BUILDING ENVELOPES
- BUILDING EXCLUSION AREA
- DESIGNATED BUSHFIRE PRONE LAND (2021)
- LOW THREAT VEGETATION (In accordance with the Asset Protection Zone specifications)
- PUBLIC OPEN SPACE
- HABITAT TREES
- REVEGETATION / LANDSCAPING
- RETAINED TREES (In accordance with the Asset Protection Zone specifications)
- RETAINED TREE GROUP (Class B Woodland)
- BAL - 29 SETBACK
- BAL - Low SETBACK
- FIRE SERVICE ACCESS ROUTE (6m trafficable surface)
- TURNING CIRCLE 17.5m diameter
- FSAR GATE & SIGN "Emergency Access Only"

**ATTACHMENT 8.1.2C**



Job No 21-044  
 Rev A  
 Description Preliminary  
 Date 28/12/2021

FIGURE 11  
 SPATIAL MEASURES





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## Report

# Site and Soil Evaluation for Onsite Wastewater Management Lots 21, 22 and 23 Crossman Road, Ranford WA

## Client:

TAQWA Holdings Pty Ltd

C/o Dynamic Planning and Developments

Reference:SSE123621PG\_Rev0

Date: 10 December 2021





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## Quality Information

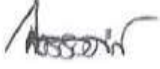
Document Report - Site and Soil Evaluation for Onsite Wastewater Management  
Lots 21, 22 and 23 Crossman Road, Ranford WA

Project Ref SSE123621PG\_Rev0

Date 10 December 2021

Prepared for TAQWA Holdings Pty Ltd

### Revision History

Rev.	Date	Details	Prepared by	Reviewed by	
0	10/12/2021	Final Issue	RK	Dr Md Saleqquzzaman (Environmental Scientists)	
				Authorised	
				Name/Position	Signature
				Mohammad Amzad Hossain Sr Geotechnical Engineer	

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## 1.0 INTRODUCTION

### 1.1 Project Background

Perth Geotechnics (PG) was engaged by Mr. Cody Meyer from Dynamic Planning and Developments on behalf of TAQWA Holdings Pty Ltd to undertake a site and soil evaluation for on-site wastewater management for the proposed residential subdivision at Lots 21, 22 and 23 Crossman Road, Ranford WA (the site).

The size of the site area is approximately 97.65 ha. The site is proposed to be divided into 175 sub-lots as a residential subdivision. Public Open Space (POS) of 6.83 ha, community purpose site of 1 ha and foreshore reserve of 4.28 ha are included within the total site area. Average size of lot varying between 2,562 m<sup>2</sup> and 1.03 ha.

The site location map is presented in Figure 1.



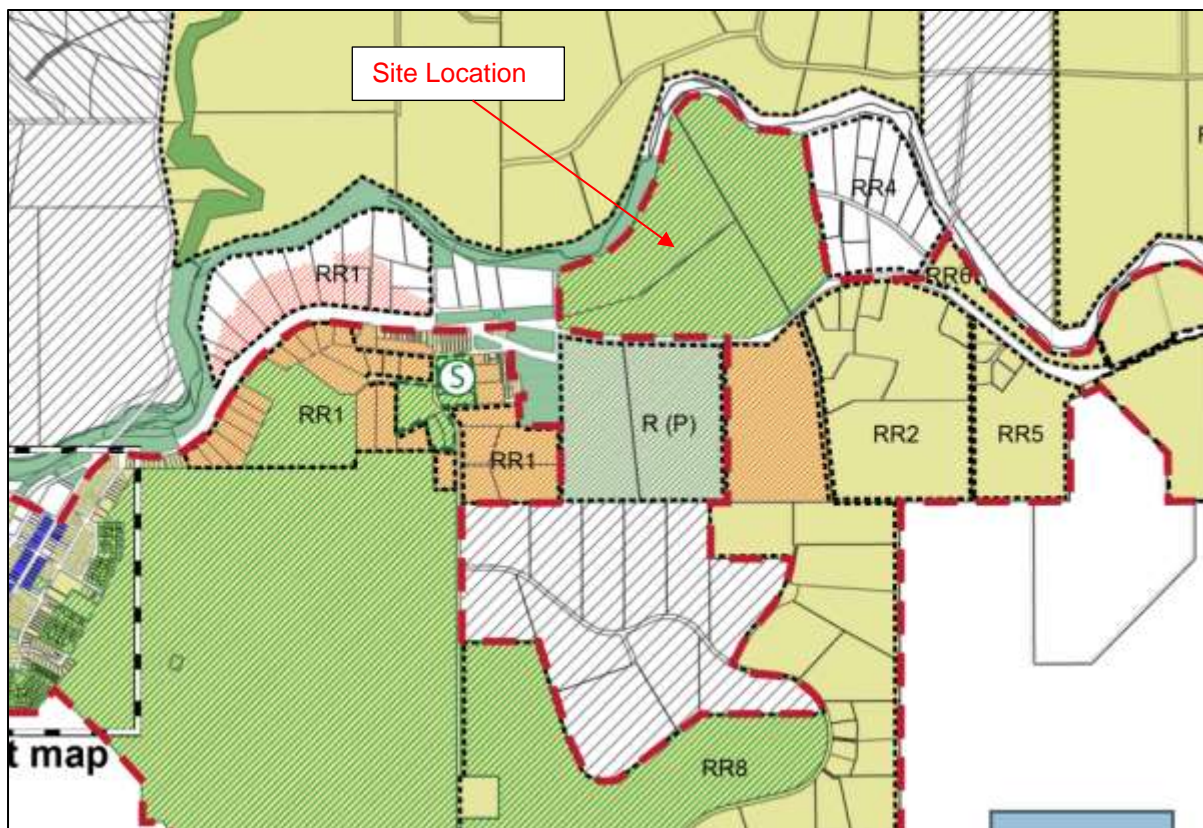
**Figure 1.** Site Location Map (Source: Google Maps)

### 1.2 Planning Context

The site is currently zoned as 'Rural Residential Area 8 (RR8)' under the Shire of Boddington Local Planning Scheme 3 (Ref. Growth Plan Fig 19). The RR8 is described to be comprised of proposed and marketed residential subdivisions, development and rezoning.

Extract of the local growth planning scheme map is shown in Figure 2.





**Figure 2.** Extract of Shire of Boddington’s Local Planning Scheme3 (Ref. Growth Plan Fig 19)

**1.3 Proposed Development**

The site is proposed to be subdivided into 175 sub-lots as a residential subdivision. The lots will be developed in 9 stages. Public Open Space (POS) of 6.83 ha, community purpose site of 1 ha and foreshore reserve of 4.28 ha are proposed within the site. Table 1 shows the other allocated areas and lot sizes.

**Table 1.** Proposed Lot size and Other Spaces

Lot Description	Number	Minimum Lot Size	Maximum Lot Size	Average Lot Size
Large Lifestyle Lots	40	4,192 m <sup>2</sup>	1.86 ha	1.03 ha
Conventional Lots	135	2,000 m <sup>2</sup>	4,627 m <sup>2</sup>	2,562 m <sup>2</sup>
Public Open Space (POS)				6.83 ha
Community Purpose Site				1 ha
Foreshore Reserve				4.28 ha

The subdivided lots are proposed to be developed with residential building, garden, farm, drains, driveway, access road and internal roads. The proposed development layout is included in **Appendix A**.

Reticulated sewage will not be available within the site and thus provision for the disposal of wastewater will need to be considered and accommodated on-site, consistent with the requirements of the *Government Sewerage Policy* (DPLH 2019), *AS/NZS 1547 On-site domestic wastewater management* (AS 1547) (Standards Australia and Standards New Zealand 2012) and other relevant guidelines.

#### **1.4 Objective of this Report**

The *Government Sewerage Policy* (DPLH 2019) requires that developments that will not be connected to reticulated sewer are required to prepare a site and soil evaluation (SSE) in accordance with AS 1547 (Standards Australia and New Zealand 2012). This report is intended to satisfy this requirement.

The objective of this SSE report is to assess and guide on-site wastewater disposal to ensure sustainable and effective on-site sewage management, thereby protecting public health and the environment.

To support a development application, the SSE report includes:

- Estimating the capacity of the site to contain proposed development and sewage on-site
- Designing a treatment/on-site sewage management system, and
- Identifying management and monitoring options and defining adequate on-site sewage management locations (DoH 2019a).

## **2.0 SITE ASSESSMENT**

### **2.1 Site Setting**

The site comprises partly a floodplain of Hotham River and the remaining area as grassland or farmland. The site is located at approximately 135 km south, south-east of the Perth City centre and 100 km east of Mandurah City.

The site is bounded by Hotham River to the north, Crossman Road to the south and similar type floodplain, farmland & grassland to the east and west sides.

Scattered grownup trees, long grass, a number of ponds, unsealed paths were observed during the site inspection on October 2021.

A hillock was observed at the south-eastern part of the site. The hillock crest had the highest level and the northern boundary of the site along the Hotham River had the lowest level.

The site photograph was taken during the field investigation are shown in **Appendix E**.

### **2.2 Climate**

The closest Bureau of Meteorology (BoM) weather station to the site which records rainfall and temperature data is located in Wandering (Station No. 010917), situated approximately 30 km north-east of the site. Based on weather data collected from 1998 to 2021 at this weather station, the local area experiences an average of 505 mm of annual rainfall, mean annual maximum temperature of 23.8°C and a mean annual minimum temperature of 8.6°C (BoM 2021).

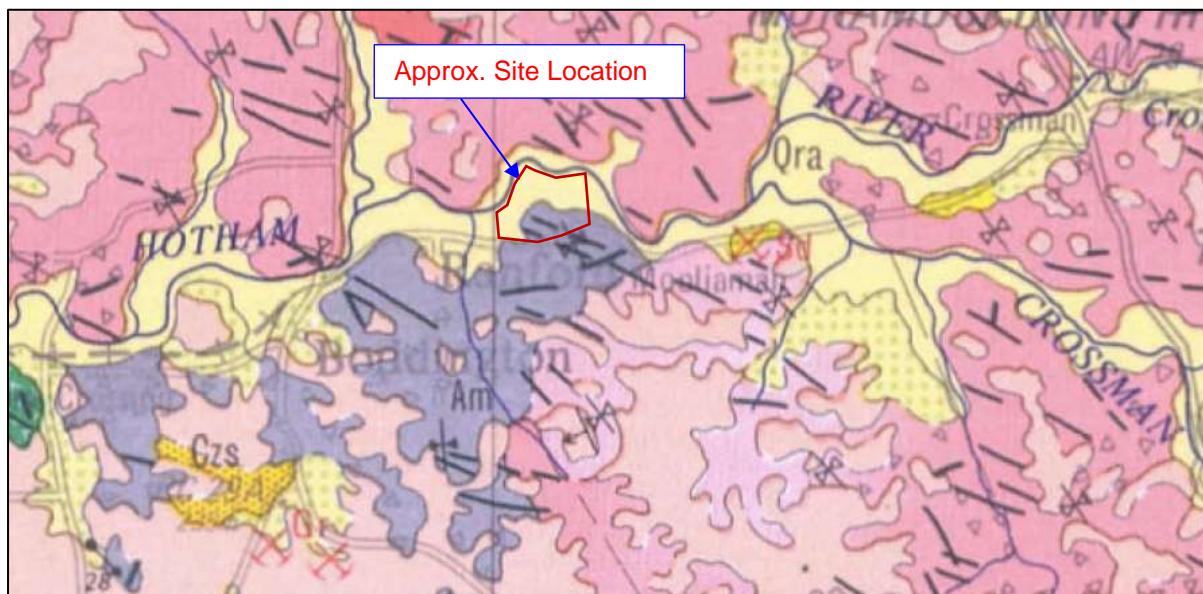
### **2.3 Topography**

Regional topographic contours show that the site is gently undulating landforms associated with the local geology. Existing site surface elevations range from approximately 236 metres Australian height datum (m AHD) at the hill crest in the north-west hillock portion of the site to approximately 210 m AHD along the bank of Hotham River, northern floodplain strip of the site. Topographic contours over the site and within the vicinity are shown in the Site Plan in **Appendix A**.

## 2.4 Landforms, Soils (Geology) and Land Capability

A review of Environmental Geological Western Australia survey Map of Pinjarra 1:250,000, Sheet SI 50-2 and part of SI 50-1 revealed that the site is underlain by Alluvium (Qra), Migmatite Rock (Am) and Granite Rock (Age). Details of the geological units are given below.

- Qra – Quaternary Recent Deposit- Alluvium – clay, sand and loam mainly alongside of the Hotham River flood plain.
- Am – Archaean aged Migmatite Rock – banded and nebulitic, often strongly contorted, rocks are usually banded gneissic (banded) and felsic, metamorphic.
- Age - Archaean aged Granitic Rock – even-grained, fine to coarse grained granodiorite, adamellite and granite



**Figure 3.** Extract of Site Geology Map (Ref. Pinjarra 1:250,000 Map)

Land capability assessment study for the site was undertaken by Land Assessment Report (2009). The study presented the following landform.

Landforms and soils in the vicinity of project site are representative of the central portion of the Hotham River catchment where valley incision of the Darling Plateau has occurred within an area of predominantly granitic geology (Quindanning System – Michibin Subsystem, MN) and lateritic residuals (Dwellingup Subsystem, DW) to create a broad valley floor (Williams Subsystem, WL) as originally described and mapped by CSIRO (McArthur et al 1977) and then enhanced by Department of Agriculture (2005).

The relevant portion of the broad soil-landscape mapping is shown in **Figure 4**. Land Assessment Pty Ltd (1997) interpreted the specific capability assessments for rural-residential land use (buildings and on-site effluent disposal) on a proportional basis as follows;

### 2.4.1 Dwellingup Subsystem, DW

DW comprises lower to upper slopes and hillcrests. Duplex sandy gravels and loamy gravels with minor areas of shallow gravels, deep sandy gravels, yellow deep sands and yellow and pale deep sands, often gravelly. Assessed capability:

- 40 % 'Fair' capability (yellow sandy gravels on gentle slopes)
- 15 % 'Fair – Low' capability (yellow sandy soils in heads of valleys)
- 45 % 'Low' capability (lateritic duricrust areas).



### 2.4.2 Michibin Subsystem, MN

Generally moderate irregular valley slopes on colluvium over granite, gneiss and sometimes dolerite in the Eastern Darling Range, Murray River Catchment (includes Hotham River). Brown deep loamy duplexes, yellow/brown deep sandy duplexes, grey deep sandy duplexes, red shallow loams and gravels. Assessed capability:

- 30 % 'High' capability (Red / yellow 'earths and red / brown duplex soils on slopes)
- 20 % 'Fair – High' capability (Yellow duplex soils on lower slopes)
- 40% 'Fair' capability (Variable soils with some rock outcrop)
- 5 % 'Low' capability (Areas of extensive rock outcrop).

### 2.4.3 Williams Subsystem, WL

Valley floor subtended by the steep slopes of the Michibin unit; yellow duplex soils and a lower sandy terrace. Assessed capability:

- 10 % 'High' capability (Yellow duplex soils on lower slopes flanking valley floor)
- 60 % 'Fair' capability (Yellow duplex soils on terraces)
- 30% 'Very low' capability (Variable loamy soils on lower terraces).



**Figure 4.** Broad Scale Soil Landscape Mapping (Ref. Land Assessment Report, 2009)

The capability assessment results for rural-residential development of the subject land are shown by colour coded mapping and associated comments in Table 4 of that report. **Appendix A** of this report included the colour coded land capability mapping as an overlay to the proposed plan of subdivision.

### 2.5 Acid sulfate soils

National Acid sulfate soil (ASS) risk mapping prepared by the Geoscience Australia (online mapping database) indicates that no ASS data is available for the site.

### 2.6 Groundwater

National Groundwater Resource mapping prepared by the Geoscience Australia (online mapping database) indicates that no groundwater data is available for the site.

However, groundwater monitoring and investigation for the site was undertaken by Perth Geotechnics (2021). A total of 5 groundwater Monitoring Wells (MW1 to MW5) were



constructed across the site on 7 October 2021 and subsequent monitoring of groundwater levels was undertaken by Perth Geotechnics on 20 October 2021. **Figure 5** and the **Table 2** shows the plan of the MWs and groundwater depth and approximate levels.



**Figure 5.** Plan of Groundwater Monitoring Wells (MWs), Ref. Report Perth Geotechnics (2021)

**Table 2.** Groundwater (GW) Levels and Depth

MW No.	GW Depth (m, bgl)	Approximate Ground Surface Level (m AHD)	Groundwater Level (m AHD)
MW1	3.0	214	211.0
MW2	0.9	213	212.1
MW3	5.3	215	209.7
MW4	1.6	218	216.4
MW5	Not Encountered within 6.5m well depth	233	<226.5

Variable groundwater levels indicate that the water is held as a perched water within or above the Clayey Sand or Sandy Clayey layer, which is considered to be the Hotham River alluvium.

**2.7 Sewage Sensitive Areas**

In Site Plan Drawing, No. 123621\_Rev0 in **Appendix A**, two types of subsoil profiles have been identified, namely:

- **Area A** (Hillock, Green Line Bounded Zone) which is underlain by Subsoil Profile 1 that comprises Clayey Sandy Gravel/Gravelly Clay. This profile belongs to the ‘Dwellingup

Subsystem (DW, Ref. Figure 5)'. In this area groundwater was not encountered with 2 m depth of investigation.

- **Area B** (Hotham River Floodplain) which is underlain by Subsoil Profile 2 that comprises Sand overlies Sandy Clay/Clayey Sand. This profile belongs to the 'Williams Subsystem, (WL, Ref. Figure 5)'.

Sewage sensitive areas are proclaimed under the *Government Sewerage Policy* (DPLH 2019) to protect groundwater and surface water systems. A review of the *Government Sewerage Policy* dataset (DPLH 2021) indicates the "Area B" of the site is identified as a sewage sensitive area. This is due to the following causes:

- The whole site is bounded by Hotham River and situated on its floodplain and catchment.
- The subsoil profile is sand overlying clay loam or clayey sand.
- The 'Area B' has shallow groundwater/perched water.
- The groundwater gradient is unknown or seasonably variable.

## 2.8 Public Drinking Water Source Areas

Publicly available Public Drinking Water Source Area (PDWSA) mapping indicates that the site is not located within or adjacent to any declared PDWSA (DWER 2021d). The nearest PDWSA is the Samson Brook Dam, Waroona Dam and South Dandalup Dam.

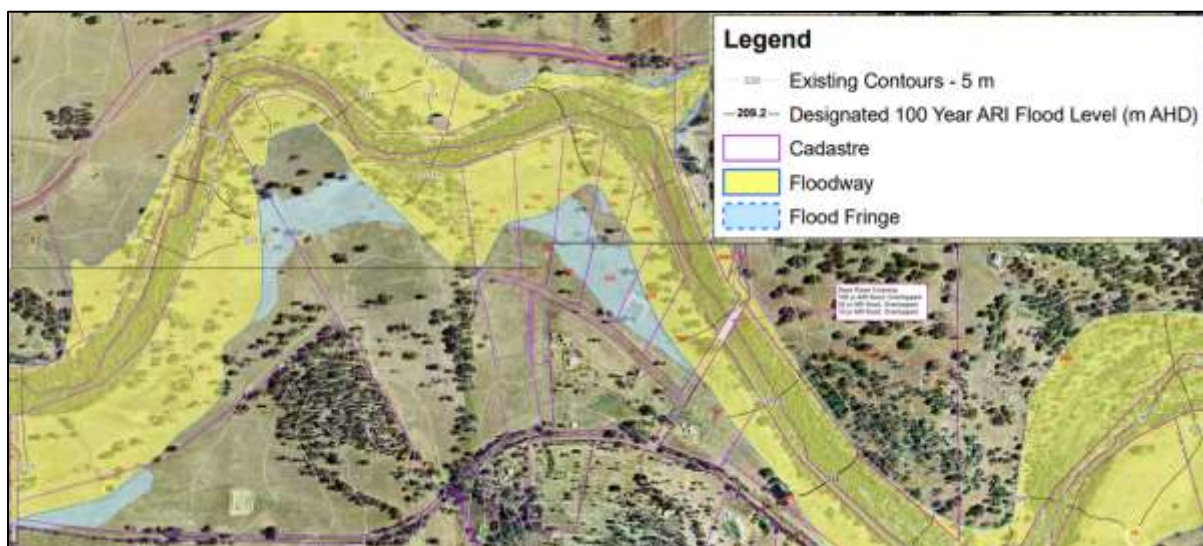
These dams and their catchment boundaries are located approximately 45 km west, north-west of the site.

## 2.9 Flood Potential

**Figure 6** shows the flood mapping plan of Shire of Boddington, undertaken by SKM for the site. Floodway and flood fringe zone are indicated with yellow and blue colours.

The 1 in 100 (1%) annual exceedance probability (AEP) flood is typically recommended as the defined flood event (DFE) for land use planning and development controls in Western Australia. 100 year ARI flood level was indicated as between 212.8 m AHD and 214.4 m AHD.

As can be seen from the **Figure 6**, significant part of the proposed development site is located within the defined flood event (DFE) floodplain. However, a minimum building floor level of 0.50 m above the adjacent DFE flood level is recommended.



**Figure 6.** Floodplain Mapping for the Site (Ref. Boddington Shire Floodplain Maps)



## 2.10 Bush Forever and Wetlands

No records of Bush Forever and Wetlands sites found within the site.

## 2.11 Horizontal and Vertical Setback Distances

The siting plan of on-site wastewater system, setbacks will be determined based on site subsoil profiles. In Site Plan Drawing, No. 123621\_Rev0 in **Appendix A**, two types of subsoil profiles have been identified, namely:

- **Area A** (Hillock, Green Line Bounded Zone) which is underlain by Subsoil Profile 1 that comprises Clayey Sandy Gravel/Gravelly Clay. This profile belongs to the 'Dwellingup Subsystem (DW, Ref. Figure 5)'.
- **Area B** (Hotham River Floodplain) which is underlain by Subsoil Profile 2 that comprises Sand overlies Sandy Clay/Clayey Sand. This profile belongs to the 'Williams Subsystem, (WL, Ref. Figure 5)'.

The horizontal distance to relevant features (e.g., property boundaries, watercourses, wetlands and other water bodies, buildings) from both proposed Aerobic Treatment Units (ATU) and Land Application Area (LAA) is shown in below **Table 3**. Vertical setback from PDWSA and sensitive water resource areas is shown in **Table 4**.

**Table 3.** Horizontal Setback Distances

Site Feature	Horizontal Setback (m)
Treatment tanks to buildings, property boundaries, driveways, paths and other tanks	1.2
Trenches, beds and soak wells to boundary, building, tanks and other land application systems	1.8
Trenches, beds and soak wells to trafficable areas	1.2
Any land application system to wells, stream, private bores or underground source of water intended for human consumption	30
Trenches, beds and soak wells to subsoil drainage or open drainage channel (a separation of 100 m is required if there is discharge into a waterway or significant wetland without treatment of the discharge, see Section 5.2.2 of the Government Sewerage Policy 2019 (GSP))	6.0
Spray Irrigation:	
• Boundaries, buildings, driveways etc	1.8
• Sub-soil and open drain	6.0
• Swimming pool	3.0
• Treatment tanks	1.2

Site Feature	Horizontal Setback (m)
Subsurface Dripper: <ul style="list-style-type: none"> <li>Boundaries, buildings, treatment tanks, driveways etc</li> <li>Sub-soil and open drain</li> <li>Swimming pool</li> <li>Garden bore</li> </ul>	0.5 3.0 2.0 10.0
On-site wastewater system to water resources (for more details refer to Section 5.2.2 of the GSP)	100
<b>On-site wastewater system must not be located within any area subject to inundation and/or flooding in a 10 per cent Annual Exceedance Probability (AEP) rainfall event.</b>	

Note: GSP= Government Sewerage Policy 2019.

**Table 4.** Vertical Setback Distances

Site Feature	Vertical Setback Distance(m)
Discharge point of the on-site wastewater system to the highest known groundwater level: <ul style="list-style-type: none"> <li>PDWSA</li> <li>Sensitive water resource areas</li> <li>All other areas - <ul style="list-style-type: none"> <li>Sands</li> <li>Gravels</li> <li>Loams and heavy soils</li> </ul> </li> </ul>	2.0 1.5 1.5 1.0 0.6
Hardpan or bedrock (depends on quality of treated wastewater and type of LAS)	0.6-1.5

### 2.12 Available Land Application Area (LAA)

The size of the land application area was determined in accordance with the conversion factors prescribed in Table 2 and AS/NZS 1547 On-site domestic wastewater management as follows:

- Hydraulic load (L/day) = occupancy rate (persons) x design loading rate (L/person/day)
- Land application area (m<sup>2</sup>) = hydraulic load (L/day) x conversion factor (ref. Table 2 of GSP2019).

Corresponding Hydraulic Loading and LAA for the adopted dwelling types is presented in Sections 4.1 and 4.3.

## 3.0 SOIL ASSESSMENT

### 3.1 General

Perth Geotechnics (PG) undertook a geotechnical site investigation on 20 October 2021. The geotechnical site investigation comprised the following:

- Site walkover survey.
- Excavation of 30 Boreholes (BH1 to BH30) across the whole site by using an 8-tonne excavator equipped with a mechanical auger. BHs were drilled up to the target depth of 2 m from the ground surface.
- Logging of the each BH's soil profile as per AS1726.
- Collecting soil samples for laboratory testing.



- Conducting 15 Field Permeability Tests (FPT1 to FPT15) across the whole site by Guelph permeameter.

Test location plan is included in **Appendix A**. Detail BH logs, Field Permeability Tests reports are included in **Appendix B**.

Summary of the borehole soil profiles are given in **Table 5**.

**Table 5. Summary of Borehole Soil Profile**

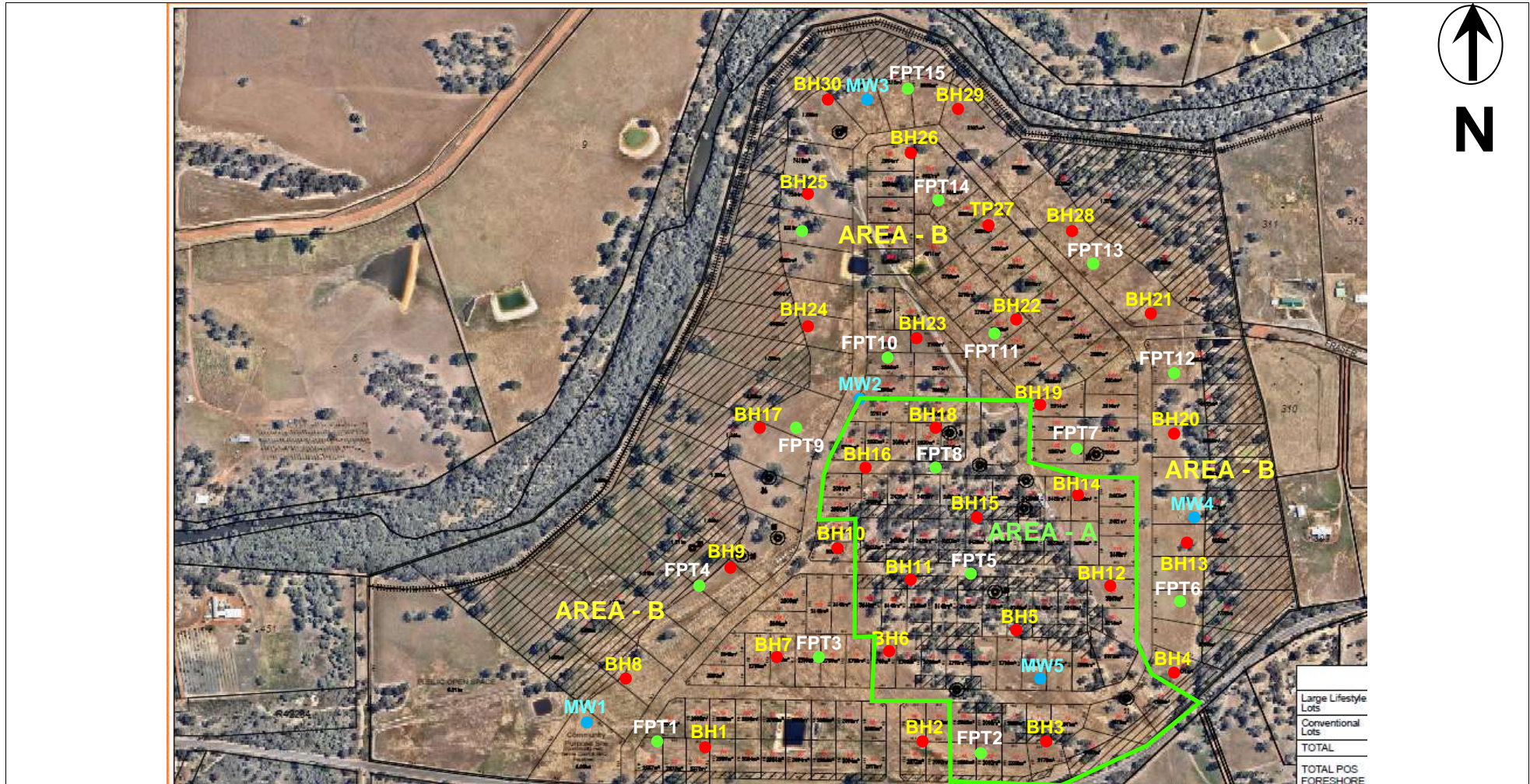
BH No.	Coordinates (GDA 94)		Depth (m) - Soil Profile		GW Depth (m)	Hole Depth (m)
	Easting	Northing	Layer 1 (top)	Layer 2		
01	453755	6371595	0.0-1.2 = Sand	1.2-2 = Gravelly Sandy Clay	0.7	2.0
02	454015	6371584	0.0-0.6 = Sand	0.6-2.0 = Sandy Clay	0.6	2.0
03	45 318	6371587	-	0.0-1.3 = Sandy Clay	NE	1.3
04	454443	6 371729	0.0-0.15 = Sand	0.15-2 = Gravelly Clayey Sand	0.15	2.0
05	454 245	6 371 774	0.0-1 = Sandy Clay	1.0-2 = Gravelly Clayey Sand	NE	1.9
06	454 004	6 371 765	0.0-1.2=Clayey Sandy Gravel	1.2-2=Sandy Clayey Gravel	NE	2.0
07	453 838	6 371 736	0.0-1.5=Clayey Sandy Gravel	1.5-2=Gravelly Clayey Sand	NE	2.0
08	453 632	6 371 704	0.0-0.4=Sand	0.4-2.0=Sandy Clay	0.4	2.0
09	453 820	6 371 918	0.0-0.5=Sand	0.5-2.0=Sandy Clay/Gravelly Clayey Sand	0.4	2.0
10	454 016	6 372 077	0.0-0.8=Sand	0.8-2= Gravelly Clayey Sand	0.8	2.0
11	454 135	6 371 773	0.0-0.3=Clayey Sand	0.3-2= Gravelly Sandy Clay	NE	2.0
12	454 337	6 371 790	0.0-0.3=Gravelly Clayey Sand	0.3-2= Sandy Clay	NE	2.0
13	454 465	6 371 875	0.0-0.5=Sand	0.5-2= Clayey Sand/Gravelly Sandy Clay	0.5	2.0
14	454 293	6 371 927	0.0-1.5=Sand/Sandy Gravel	1.5-2= Gravelly Clayey Sand	NE	2.0
15	454 213	6 371 822	-	0.0-2 = Gravelly Sandy Clay	NE	2.0
16	454 111	6 371 859	0.0-0.35 = Sand/Sandy Gravel	0.35-2= Gravelly Clayey Sand	NE	2.0
17	453 898	6 372 037	0.0-1.2 = Sand	1.2-2 = Gravelly Clayey Sand	0.9	2.0
18	454 144	6 372 066	0.0-0.6=Sand/Sandy Gravel	0.6-1.5 = Clayey Sandy Gravel	NE	1.5
19	454 202	6 372 003	0.0-0.8=Sand/Sandy Gravel	0.8-2.0 = Clayey Sandy Gravel /Gravelly Clayey Sand	NE	2.0
20	454 426	6 372 054	0.0-0.8=Sand	0.8-2= Clayey Sand / Sandy Clay	0.5	2.0
21	454 406	6 372 264	0.0-0.1=Sand	0.1-2= Gravelly Clayey Sand	NE	2.0
22	454 251	6 372 087	0.0-1.2=Sand/Sandy Gravel	1.2-2 = Gravelly Clayey Sand	NE	2.0
23	454 097	6 372 130	0.0-0.5=Sand	0.5-2.0= Gravelly Clayey Sand/Sandy Clay	0.5	2.0
24	453 914	6 372 247	0.0-0.4=Sand	0.4-2.0=Sandy Clay	0.4	2.0
25	453 926	6 372 418	0.0-0.6=Sand	0.6-2.0= Clayey Sand	NE	2.0
26	454 057	6 372 485	0.0-0.6=Sand	0.6-2.0=Clayey Sand /Sandy Clay	0.5	2.0
27	454 191	6 372 384	0.0-0.8=Sand	0.8-2.0= Clayey Sand	0.5	2.0
28	454 350	6 372 363	0.0-0.15=Sand	0.15-2.0= Clayey Sand	NE	2.0
29	454 092	6 372 543	0.0-0.8=Sand	0.8-2.0= Clayey Sand	NE	2.0
30	453 944	6 372 565	0.0-0.7=Sand	0.7-2.0= Clayey Sand	NE	2.0

**Note:** GW = Groundwater, NE = Not Encountered

**Soil Profile Legend:**

Area A (Hillock, Green Line Bounded): Subsoil Profile 1 - Clayey Sandy Gravel/Gravel

Area B (Hotham River Floodplain): Subsoil Profile 2 - Sand overlies Sandy Clay/Clayey Sand

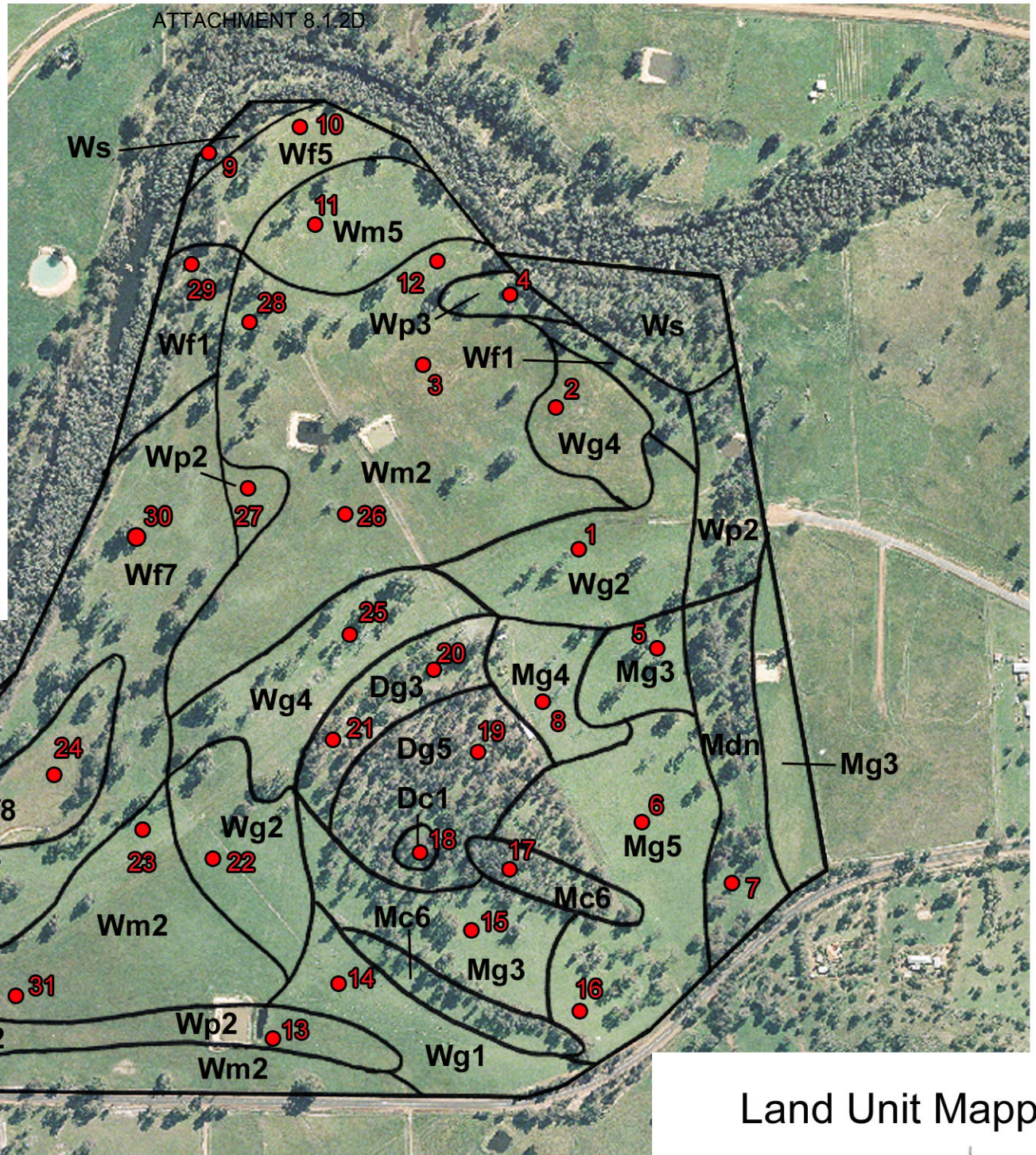


<p><b>Perth Geotechnics</b>                  ABN: 78 532 814 778                  Tel: 08 6396 2675; M: 0430 130 677                  PO Box 165, Gosnells WA 6990                  E: info@perthgeotechnics.com.au                  www.perthgeotechnics.com.au</p>	<p><b>Project:</b> SSE Investigation</p>		<p><b>Site Plan:</b>                  Test Pit (TP), Monitoring Well (MW) and Field Permeability Test (FPT) Locations</p>
	<p><b>Location:</b> Lot 21, 22 and 23 Crossman Road, Ranford WA</p>		
	<p><b>Client:</b> TAQWA Holdings</p>		<p><b>Drawing No.:</b> 123621_Rev0</p>
	<p><b>Reference:</b> SSE123621PG</p>	<p><b>Scale:</b> N.T.S.</p>	
<p><b>Date:</b> 19/10/2021</p>	<p><b>Drawn By:</b> MH</p>		



**LEGEND**

LANDFORM		SOILS	
<b>D Dwellingup – upland lateritic residuals</b>			
<b>Dc</b>	Crests (< 3 % gradient)	1	Shallow gravels; common laterite
<b>Dg</b>	Gentle slopes (3 – 10%)	3	Deep sandy gravel
		5	Loamy gravels or Duplex sandy gravel
<b>M Michibin – hill-slopes with soils formed by weathering of fresh rock (migmatite)</b>			
<b>Mc</b>	Crests and rocky ridges	3	Yellow brown deep sandy duplex.
<b>Mg</b>	Gentle slopes (3 – 10%)	4	Yellow deep sands (often gravelly)
<b>Mdn</b>	Drainage pathways - non-incised	5	Loamy gravels
		6	Shallow loams with common rock
<b>W Williams – broad valley floor with soils formed from colluvium and alluvium</b>			
<b>Wg</b>	Very gentle to gentle slopes (<5% gradient).	1	Yellow brown deep sandy duplex.
<b>Wm</b>	Moderately well drained flats	2	Grey deep sandy duplex.
<b>Wp</b>	Poorly to imperfectly drained flats	3	Grey shallow sandy duplex.
<b>Wf</b>	Floodplain (designated floodway)	4	Pale deep sand
<b>Ws</b>	Slopes and terraces adjacent to river.	5	Yellow deep sand
		6	Brown deep loamy duplex
		7	Yellow brown shallow loamy duplex
		8	Semi wet soil (shallow loamy duplex, or grey clay).

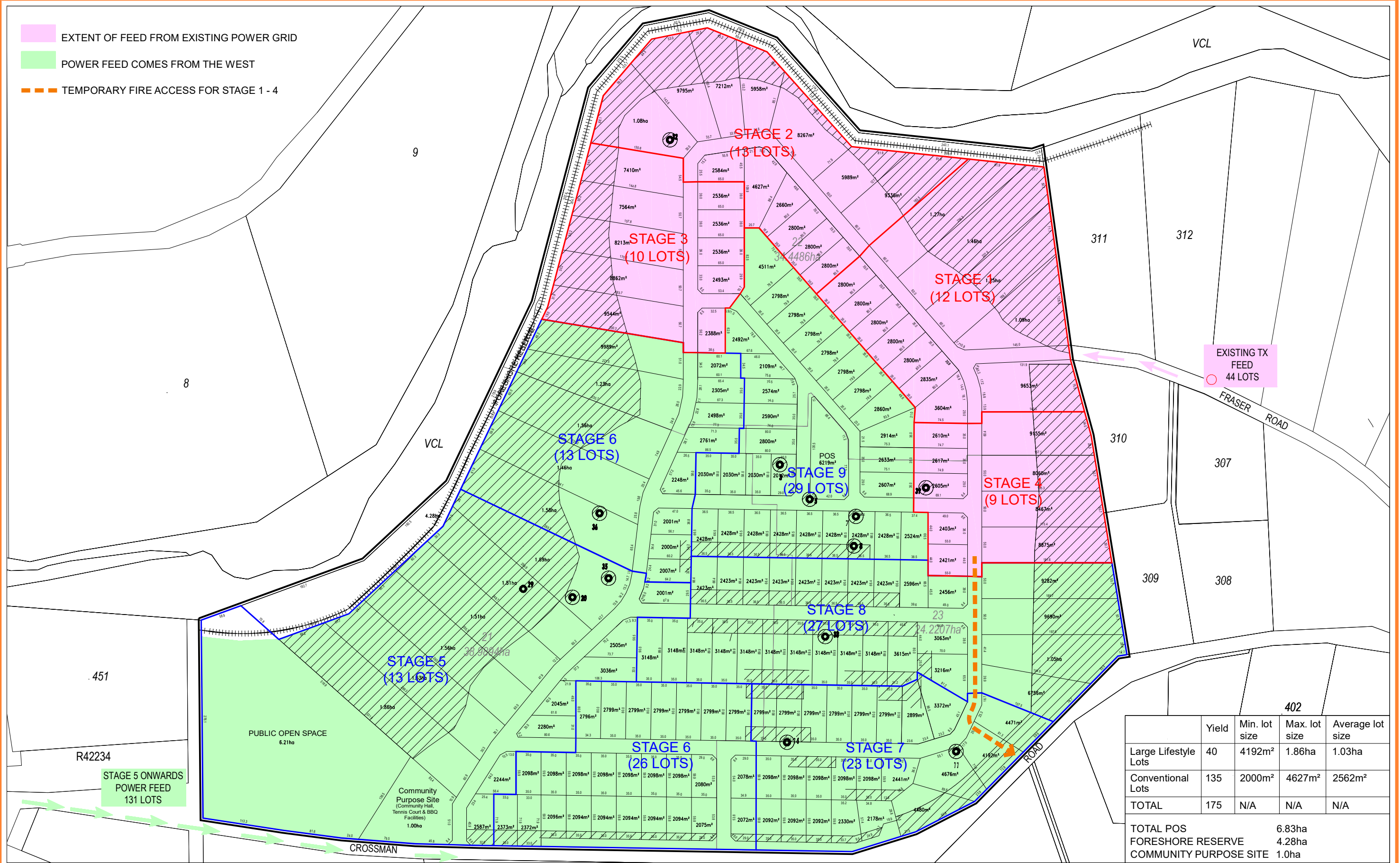


**Land Unit Mapping**





- EXTENT OF FEED FROM EXISTING POWER GRID
- POWER FEED COMES FROM THE WEST
- TEMPORARY FIRE ACCESS FOR STAGE 1 - 4



	Yield	Min. lot size	Max. lot size	Average lot size
Large Lifestyle Lots	40	4192m <sup>2</sup>	1.86ha	1.03ha
Conventional Lots	135	2000m <sup>2</sup>	4627m <sup>2</sup>	2562m <sup>2</sup>
<b>TOTAL</b>	<b>175</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
TOTAL POS			6.83ha	
FORESHORE RESERVE			4.28ha	
COMMUNITY PURPOSE SITE			1.0ha	

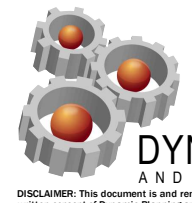
# STAGING PLAN

LOTS 21, 22 & 23 CROSSMAN ROAD  
RANFORD

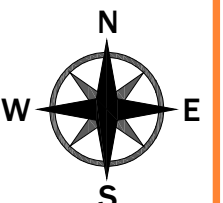
COPYRIGHT RESERVED BASE PLAN COURTESY OF LANDGATE



SCALE: 1:150 @ A3  
DATE: 4th OCTOBER 2021  
FILE: 1292\_04.10.2021.dwg  
DRAW: - SB  
CHECKED: -



e: admin@dynamicplanning.net.au  
t: (08) 9275 4433  
f: (08) 9275 4455  
SUITE 15, 29 COLLIER ROAD  
MORLEY WA 6062  
ABN: 99 169 411 705





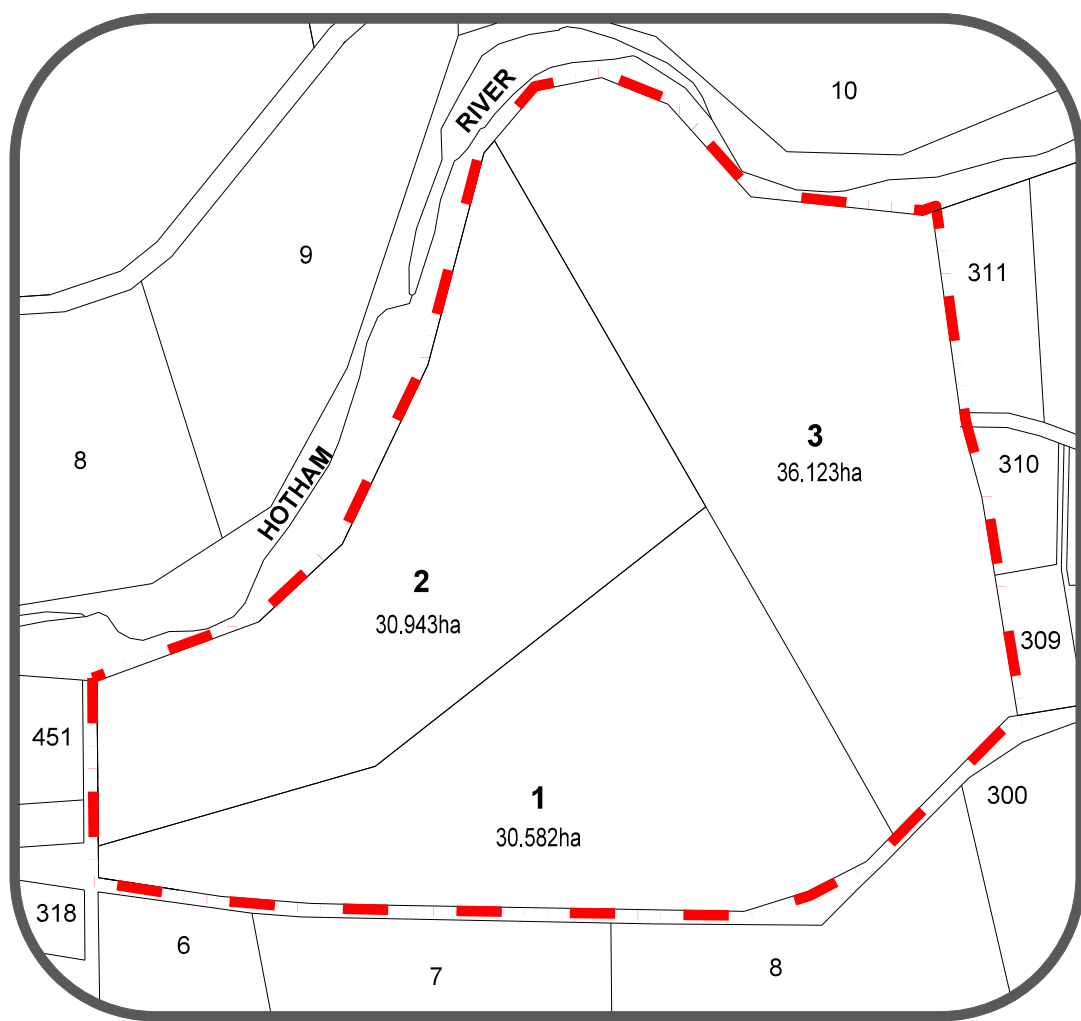
No.	Description of land	Special use	Conditions
			<p>7. The removal of trees or substantial vegetation for any purpose other than the above exceptions shall require the consent of the local government. As a condition of granting consent, the local government may require tree planting in locations approved by the local government.</p> <p>8. All development to comply with the provisions set out in Table 5 which are applicable to the zones specified by any structure plan, and/or any other planning instrument prepared under this scheme to the satisfaction of the local government, including a local planning policy or design guideline which applies to the land.</p>
SU2	Lots 21, 22 and 23 Crossman Road, Ranford	Structure plan area for Subdivision and Development in accordance with the Residential zone, Rural Residential zone, Public Purpose reserve and Public Open Space reserve.	<p>1. Subdivision should generally be in accordance with a Structure Plan approved by the Western Australian Planning Commission.</p> <p>2. Connection to reticulated water is required for all lots.</p> <p>3. No more than one dwelling will be permitted on each lot.</p> <p>4. Where depicted on the Structure Plan, all buildings are to be located outside of the designated building exclusion zones and not within 10 metres of the front lot boundary and 5 metres from side boundaries.</p> <p>5. In the interest of landscape and soil preservation, no trees or substantial vegetation shall be removed or felled except where:</p> <ul style="list-style-type: none"> <li>(a) trees are dead, diseased or dangerous; or</li> <li>(b) access to a building site or for bush fire management is required and approved; or</li> <li>(c) erection of a building or outbuilding; or</li> <li>(d) an area up to one metre in width for the purpose of</li> </ul>

No.	Description of land	Special use	Conditions
			<p>erecting and maintaining a fence line; or</p> <p>(e) a clearing permit has been issued or the clearing is exempt from requiring a clearing permit.</p> <p>6. The removal of trees or substantial vegetation for any purpose other than the above exceptions shall require the consent of the local government. As a condition of granting consent, the local government may require tree planting in locations approved by the local government.</p> <p>7. The 10 metre wide Landscape Buffer strip nominated along Crossman Road as shown on the Structure Plan is to be planted with locally indigenous vegetation species by the developer at the time of subdivision and maintained for two summer periods.</p> <p>8. Vegetation shown for retention on the Structure Plan is not permitted to be removed.</p> <p>9. A Vegetation Management Plan shall be prepared and implemented as a condition of subdivision approval to the satisfaction of the local government.</p> <p>10. A Bushfire Management Plan is to be prepared prior to subdivision being supported.</p> <p>11. No dwelling shall be constructed or approved for construction unless provided with an effluent disposal system approved by the local government and/or the Department of Health.</p> <p>12. An Urban Water Management Plan is to be prepared to the satisfaction of the Department of Water and Environmental Regulation prior to any subdivision approval of the subject land.</p>

No.	Description of land	Special use	Conditions
			<p>13. The structure plan is to detail how the design requirements for buildings should be addressed to ensure that all buildings are compatible with and contribute to the desired amenity of the locality, including whether the preparation of any subsequent planning instruments is required.</p> <p>14. All fencing within the Special Use zone shall retain the rural character of the area and the use of asbestos, metal sheeting or wooden pickets shall be prohibited. The local government may impose fencing requirements as a condition of its approval to protect substantial vegetation or the river environs.</p> <p>15. With the intention of preventing overstocking, erosion or other practices detrimental to the amenity of the land, the land uses 'agriculture – intensive', 'animal establishment' and 'animal husbandry – intensive' shall not be permitted. Stocking rates will be in line with those recommended by the Department of Primary Industries and Regional Development. Provision of an adequate water supply to the stock may also be required as a condition of approval.</p> <p>16. A Foreshore Management Plan addressing, but not restricted to, weed control, revegetation, fencing, stock control, pedestrian access and restrictions on vehicular access shall be prepared and implemented as a condition of subdivision approval.</p> <p>17. A dual use path between River Road and the subject land is to be provided, generally in the location depicted on the Structure Plan, to the satisfaction of the local government.</p>

No.	Description of land	Special use	Conditions
			18. All development to comply with the provisions set out in Table 5 which are applicable to the zones specified by any structure plan, and/or any other planning instrument prepared under this scheme to the satisfaction of the local government, including a local planning policy or design guideline which applies to the land.
SU3	Part Lot 2 Gold Mine Road, Boddington	Mining Camp.  The following uses are 'D' uses:  <ul style="list-style-type: none"> <li>• Workforce accommodation</li> <li>• Ancillary uses.</li> </ul>	Any new development, other than for outbuildings, and all changes of use require development approval.
SU4	Lot 2, 10 and 11 on Plan 2767; Lot 68 on Deposited Plan 36563; and Lot 123 on Diagram 10744,  Albany Highway, Bannister	Agri-Industry Precinct.  The following uses are 'D' uses:  <ul style="list-style-type: none"> <li>• Abattoir</li> <li>• Agriculture-intensive</li> <li>• Animal husbandry intensive</li> <li>• Commercial vehicle parking</li> <li>• Fuel depot</li> <li>• Industry</li> <li>• Industry-extractive</li> <li>• Industry-primary production</li> <li>• Industry-rural</li> <li>• Mining operations</li> <li>• Renewable energy facility</li> <li>• Resource recovery centre</li> <li>• Roadhouse</li> <li>• Service station</li> <li>• Tree farm</li> <li>• Telecommunications infrastructure</li> <li>• Transport depot</li> <li>• Warehouse/storage</li> <li>• Waste disposal facility</li> <li>• Waste storage facility.</li> </ul> The following uses are 'P' uses:  <ul style="list-style-type: none"> <li>• Agriculture-extensive.</li> </ul> The following are 'I' uses:  	1. All new development is to be provided with an appropriate means of legal and practical vehicular access to the satisfaction of the local government.  2. Land uses which propose:  (a) the composting of organic wastes through a process of pasteurization and microbiological transformation under aerobic and thermophilic conditions into compost, mulch or manure, including animal and liquid organic wastes, but not any liquid wastes classed as Listed Waste, Radioactive Waste or Hazardous Waste; and/or  (b) the disposal and/or storage for later recovery and off-site reprocessing of residues or waste generated by or resulting from mining operations,  are deemed, where applicable, to fall under the following definitions:  <ul style="list-style-type: none"> <li>• Resource recovery centre;</li> <li>• Waste disposal facility; and</li> <li>• Waste storage facility.</li> </ul>



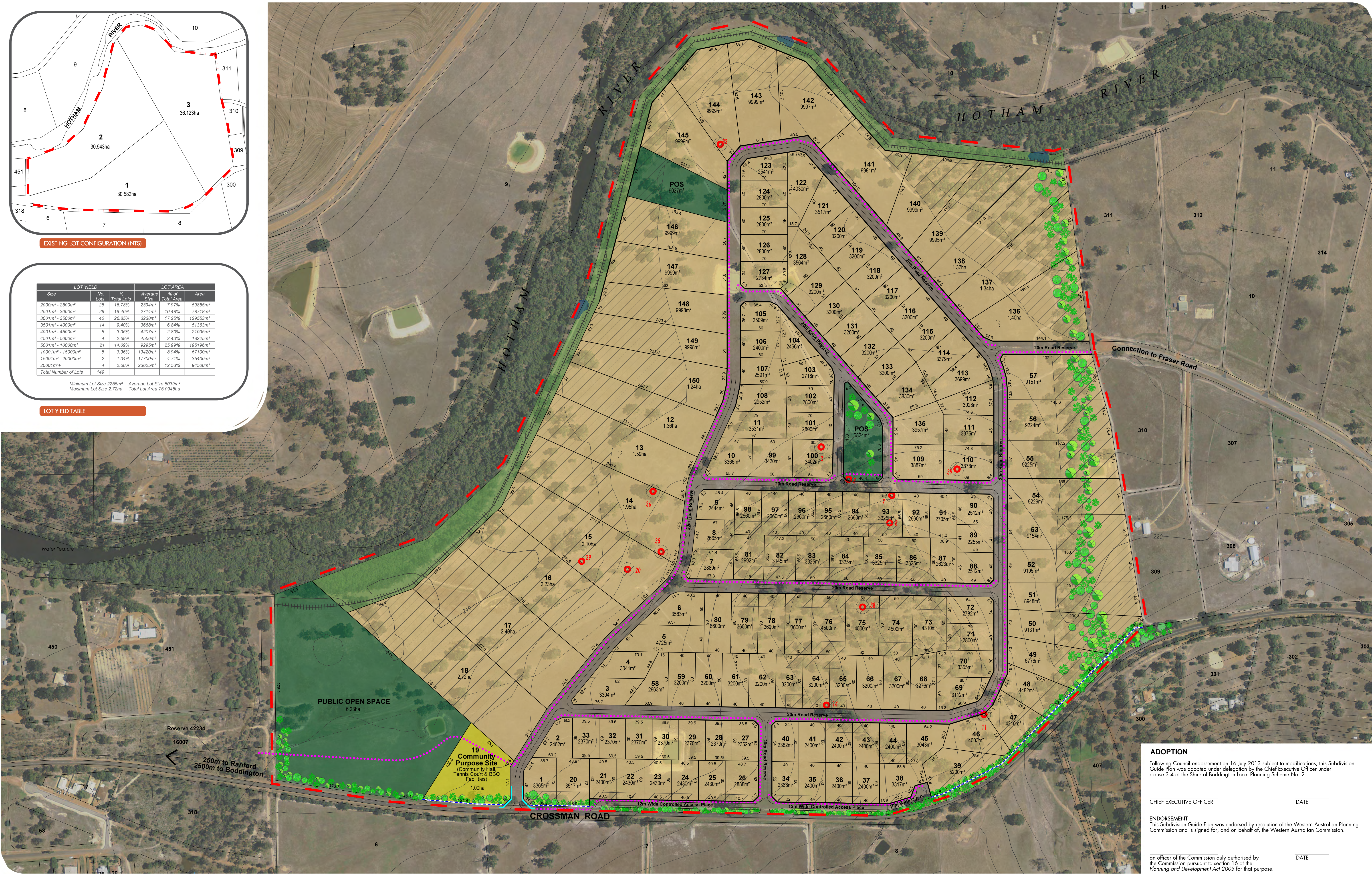


EXISTING LOT CONFIGURATION (NTS)

LOT YIELD		LOT AREA	
Size	No. Lots	Average Size	% of Area
2000m <sup>2</sup> - 2500m <sup>2</sup>	25	2394m <sup>2</sup>	7.97%
2501m <sup>2</sup> - 3000m <sup>2</sup>	29	2714m <sup>2</sup>	10.48%
3001m <sup>2</sup> - 3500m <sup>2</sup>	40	3238m <sup>2</sup>	17.25%
3501m <sup>2</sup> - 4000m <sup>2</sup>	14	3668m <sup>2</sup>	6.84%
4001m <sup>2</sup> - 4500m <sup>2</sup>	5	4207m <sup>2</sup>	2.80%
4501m <sup>2</sup> - 5000m <sup>2</sup>	4	4556m <sup>2</sup>	2.43%
5001m <sup>2</sup> - 10000m <sup>2</sup>	21	8295m <sup>2</sup>	25.99%
10001m <sup>2</sup> - 15000m <sup>2</sup>	5	13420m <sup>2</sup>	8.94%
15001m <sup>2</sup> - 20000m <sup>2</sup>	2	17700m <sup>2</sup>	4.71%
20001m <sup>2</sup> +	4	23625m <sup>2</sup>	12.56%
<b>Total Number of Lots</b>	<b>149</b>		

Minimum Lot Size 2255m<sup>2</sup> Average Lot Size 5039m<sup>2</sup>  
Maximum Lot Size 2.72ha Total Lot Area 76,0945ha

LOT YIELD TABLE



**ADOPTION**  
Following Council endorsement on 16 July 2013 subject to modifications, this Subdivision Guide Plan was adopted under delegation by the Chief Executive Officer under clause 3.4 of the Shire of Boddington Local Planning Scheme No. 2.

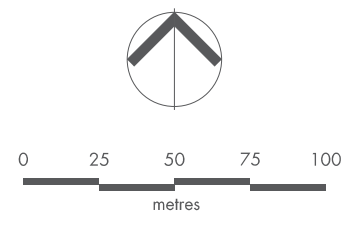
CHIEF EXECUTIVE OFFICER \_\_\_\_\_ DATE \_\_\_\_\_

ENDORSEMENT  
This Subdivision Guide Plan was endorsed by resolution of the Western Australian Planning Commission and is signed for, and on behalf of, the Western Australian Commission.

an officer of the Commission duly authorised by the Commission pursuant to section 16 of the Planning and Development Act 2005 for that purpose. \_\_\_\_\_ DATE \_\_\_\_\_

(the spatial group) planning + design

Client: Argil Pty Ltd  
Plan No.: SGP Rev G  
Revision: G  
Date: 16 AUGUST 2013  
Drawn: BDL  
Scale: 1:2,500(BA1), 1:5,000(BA3)



- NOTES**
- All areas and dimensions are subject to survey, engineering and detailed design and may change without notice, subject to gaining necessary approvals from the Shire of Boddington and/or the Western Australian Planning Commission.
  - Carriageways are diagrammatic only. The provisions of the Shire of Boddington Local Planning Scheme apply to this Subdivision Guide Plan.
  - Dual use paths/footpaths within the subject site are to be provided by the developer as outlined on the endorsed Subdivision Guide Plan.
  - Buildings are to be located outside of the designated Building Exclusion Areas and not within 10 metres of lot boundaries.
  - A detailed plan outlining the dimensions of the Building Exclusion Zones shall be prepared by the proponent, to be reflected as a condition of subdivision approval.
  - The width of the foreshore reserve expansion area is indicative only, and shall be confirmed at the subdivision stage.
  - On site effluent disposal systems shall be provided to the satisfaction of the Shire and the Department of Health. Alternative treatment units may be required for lots adjacent to watercourses or where geotechnical investigations reveal limitations for conventional on site effluent disposal systems.

**LEGEND**

- Subject Land
- Residential & Rural Residential Lots
- Public Open Space
- Community Purpose Site
- Additional Foreshore Reserve to be ceded (see Note 4)
- Building Exclusion Zone (see Notes 4 & 5)
- Dual Use Path
- Landscape Buffer / Revegetation
- 2m Contours with 10m Labels
- Indicative 5m wide Track
- Restricted Vehicle Access
- Landscape Drainage Swale
- Trees with Hollows to be retained in accordance with a 'Trees with Hollows Management Plan'
- Estate Entry



## **8.2 CHIEF EXECUTIVE OFFICER**

### **8.2.1 Local Government Reform Submission**

File Ref. No:	GOVR009
Applicant:	Not Applicable
Disclosure of Interest:	Nil
Author:	Chief Executive Officer
Attachments:	8.2.1 Draft Submission, Local Government Reform

#### Summary

Council is requested to endorse the Submission on the proposed Local Government Reform as contained in Attachment 8.2.1.

#### Background

On 10 November 2021, reforms to the Local Government Act were released for consultation. These reforms represent the largest change to local government in more than 25 years, with the aim to improve transparency, accountability and efficiency of the sector.

As a part of finalising the reform package, the Local Government Minister has provided an opportunity for the local government sector to provide feedback, with consultation closing on 25 February 2022.

#### Comment

The reform package is based on six major themes:

1. Earlier intervention, effective regulation and stronger penalties;
2. Reducing red tape, increasing consistency and simplicity;
3. Greater transparency and accountability;
4. Stronger local democracy and community engagement;
5. Clear roles and responsibilities; and
6. Improved financial management and reporting.

A large focus on the new reform is oversight and intervention where there are significant problems arising within a local government. These reforms are based on extensive consultation undertaken over the last five years, and have been developed considering:

- The Local Government Review Panel Final Report (mid 2020)
- The City of Perth Inquiry Report (mid 2020)
- Department of Local Government, Sport and Cultural Industries (DLGSC) consultation on Act Reform (2017-2020)
- The Victorian Local Government Act 2020 and other State Acts
- The Parliament's Select Committee Report into Local Government (late 2020)
- Western Australian Local Government Association (WALGA) Submissions
- Direct engagement with local governments
- Correspondence and complaints
- Miscellaneous past reports.

Central to the reforms will be new measures to proactively address potential dysfunction in local government earlier. This includes the establishment of a new Local Government Inspector, who will be appointed to investigate and manage complaints, and will have the powers of a standing inquiry. The Inspector will be supported by specialist independent monitors who can be appointed to work within a local government to resolve problems. Local

governments will also be able to proactively request the assistance of monitors, who will have a range of expertise such as governance, financial management and conflict resolution.

A separate Conduct Panel will replace the existing Standards Panel. The Conduct Panel will review more serious complaints and assess evidence provided by the Local Government Inspector. Penalties will be strengthened to ensure better standards of compliance and behaviour, including fines and suspensions for breaching the Act.

The reform package includes a range of new measures including the requirement for all Councils to record meetings and make them available online. New online registers will be set up to provide greater accountability to ratepayers covering areas such as leases, community grants, contracts and declared conflicts of interest.

Other proposed reforms include:

- The introduction of preferential voting.
- Limits to the number of elected members on Council, based on a local government population.
- The introduction of a mandatory state-wide caretaker period for all local governments
- A new requirement for all local governments to implement a rates and revenue strategy to provide ratepayers with greater clarity around the setting of rates of spending
- The role and responsibilities of councillors and local government CEOs will be further defined in the Act, helping provide a clearer delineation between the functions of council and the CEO
- Cutting red tape by streamlining procedures, approvals and local laws across local government. This will help to drive better efficiency and consistency across local governments, and deliver significant benefits for small business, community organisations, residents and ratepayers

While a large portion of the proposed reforms represent positive change for the sector, there are several elements that either have resource implications, or could result in a potentially poor or inefficient outcome. It is these elements that represent the key components of the proposed Submission contained in Attachment 8.2.1.

For each proposed reform, the attached submission details whether the Shire supports the proposal, supports with conditions, or does not support the proposal and details the concerns. In addition, the WALGA position is outlined.

It is proposed to forward a copy of the submission following adoption by Council, to the DLGSC, by 25 February 2022. Individual Councillors and members of the public may also submit comments on the proposed reforms by email to [actreview@dlgsc.wa.gov.au](mailto:actreview@dlgsc.wa.gov.au).

### Consultation

Initial discussions were held in relation to the proposed reforms at the Councillor Information Session on Thursday 2 December 2021.

### Strategic Links

Nil

### Legislative Considerations

Following the consultation period, the feedback received from local governments and the wider community will inform the drafting of a Bill to amend provisions in the Local Government Act 1995 (LG Act).

### Policy Considerations

The proposed reforms will require the introduction of new policies as well as some existing policies to be updated. This will occur on a periodic basis as the legislation is introduced over time.

### Financial Considerations

Some of the proposed reforms will have financial implications on the Shire such as the recording and live streaming of all Council meetings. Comments are included in the attached submission where budget implications arise.

### Economic Considerations

Nil

### Social Considerations

Nil

### Environmental Considerations

Nil

### Options

Council may choose to:

1. Approve the draft Submission as presented.
2. Make amendments to the draft Submission.
3. Not make a submission in relation to Local Government Reform.

### Risk Considerations

Risk Statement and Consequence	Failure to comment on the proposed reforms may result in a lack of sufficient industry feedback on proposals of concern. The risk of not submitting the submission is the loss of opportunity for Council to inform the drafting of legislation relevant to the function and operation of local government in Western Australia.
Risk Rating (prior to treatment or control)	Medium
Principal Risk Theme	Reputational
Risk Action Plan (controls or treatment proposed)	No further actions are proposed.

### Voting Requirements

Simple Majority



**Officer Recommendation**

**COUNCIL RESOLUTION: 4/22**

**Moved Cr Smalberger**

That Council endorses the attached submission to the Local Government Reform, proposed by the Department of Local Government, Sport and Cultural Industries

**Seconded: Cr Webster**

**Carried: 4/0**

## Theme 1: Early Intervention, Effective Regulation and Stronger Penalties

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
<b>1.1 Early Intervention Powers</b>		
<ul style="list-style-type: none"> <li>• The Act provides the means to regulate the conduct of local government staff and council members and sets out powers to scrutinise the affairs of local government. The Act provides certain limited powers to:               <ul style="list-style-type: none"> <li>○ Suspend or dismiss councils</li> <li>○ Appoint Commissioners</li> <li>○ Suspend or, order remedial action (such as training) for individual councillors.</li> </ul> </li> <li>• The Act also provides the Director General with the power to:               <ul style="list-style-type: none"> <li>○ Conduct Authorised Inquiries</li> <li>○ Refer allegations of serious or recurrent breaches to the State Administrative Tribunal</li> <li>○ Commence prosecution for an offence under the Act.</li> </ul> </li> <li>• Authorised Inquiries are a costly and a relatively slow response to significant issues. Authorised Inquiries are currently the only significant tool for addressing significant issues within a local government.</li> <li>• The Panel Report, City of Perth Inquiry, and the Select Committee Report made various recommendations related to the establishment of a specific office for local government oversight.</li> </ul>	<ul style="list-style-type: none"> <li>• It is proposed to establish a Chief Inspector of Local Government (the <b>Inspector</b>), supported by an Office of the Local Government Inspector (the <b>Inspectorate</b>).</li> <li>• The Inspector would receive minor and serious complaints about elected members.</li> <li>• The Inspector would oversee complaints relating to local government CEOs.</li> <li>• Local Governments would still be responsible for dealing with minor behavioural complaints.</li> <li>• The Inspector would have powers of a standing inquiry, able to investigate and intervene in any local government where potential issues are identified.</li> <li>• The Inspector would have the authority to assess, triage, refer, investigate, or close complaints, having regard to various public interest criteria – considering laws such as the <i>Corruption, Crime and Misconduct Act 2003</i>, the <i>Occupational Safety and Health Act 1984</i>, the <i>Building Act 2011</i>, and other legislation.</li> <li>• The Inspector would have powers to implement minor penalties for less serious breaches of the Act, with an appeal mechanism.</li> <li>• The Inspector would also have the power to order a local government to address non-compliance with the Act or Regulations.</li> <li>• The Inspector would be supported by a panel of <b>Local Government Monitors</b> (see item</li> </ul>	<p><b>Current WALGA Position Recommendation</b></p> <ol style="list-style-type: none"> <li>1. Support the proposed reforms as they align with the sectors position on external oversight and support.</li> <li>2. Request the Minister to explore alternate mechanisms for resolving local level complaints.</li> </ol> <p><b>Shire of Boddington Position</b></p> <p>The proposed reforms are conditionally supported, subject to the resource requirements of the Inspectorate are BEING funded by the State Government.</p> <p>Best practice around minor complaint resolution that removes a local government CEO from the process is suggested as a companion to this change, to ensure impartiality and consistent treatment of minor complaints across the industry.</p>

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
	<p>1.2).</p> <ul style="list-style-type: none"> <li>The existing Local Government Standards Panel would be replaced with a new <b>Conduct Panel</b> (see item 1.3).</li> <li><b>Penalties</b> for breaches to the Local Government Act and Regulations will be reviewed and are proposed to be generally strengthened (see item 1.4).</li> <li>These reforms would be supported by new powers to more quickly resolve issues within local government (see items 1.5 and 1.6).</li> </ul>	
<b>1.2 Local Government Monitors</b>		
<ul style="list-style-type: none"> <li>There are currently no legislative powers for the provision of monitors/ temporary advisors.</li> <li>The DLGSC provides support and advice to local governments, however there is no existing mechanism for pre-qualified, specialised assistance to manage complex cases.</li> </ul>	<ul style="list-style-type: none"> <li>A panel of <b>Local Government Monitors</b> would be established.</li> <li>Monitors could be appointed by the Inspector to go into a local government and try to resolve problems.</li> <li>The purpose of Monitors would be to proactively fix problems, rather than to identify blame or collect evidence.</li> <li>Monitors would be qualified specialists, such as: <ul style="list-style-type: none"> <li>Experienced and respected former Mayors, Presidents, and CEOs - to act as mentors and facilitators</li> <li>Dispute resolution experts - to address the breakdown of professional working relationships</li> <li>Certified Practising Accountants and other financial specialists - to assist with financial management and reporting issues</li> <li>Governance specialists and lawyers - to assist councils resolve legal issues</li> </ul> </li> </ul>	<p><b>Current WALGA Position</b></p> <p>As per 1.1</p> <p><b>Shire of Boddington Position</b></p> <p>The concept of Local Government monitors is supported as a broad principle.</p> <p>It is noted that Local Governments are likely to bear the cost of the appointment of a Monitor. This raises the following complexity:</p> <ul style="list-style-type: none"> <li>The CEO will have the authority to request a Monitor, however, without a Budget provision, this request would need to be approved by Council. It is suggested that a provision similar to that for 'emergency expenditure' be considered, which may involve approval subject to certain limits and with the approval of the Inspectorate.</li> </ul>



CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
	<ul style="list-style-type: none"> <li>○ HR and procurement experts - to help with processes like recruiting a CEO or undertaking a major land transaction.</li> <li>● Only the Inspector would have the power to appoint Monitors.</li> <li>● Local governments would be able to make requests to the Inspector to appoint Monitors for a specific purpose.</li> </ul> <p><b>Monitor Case Study 1 – Financial Management</b></p> <p>The Inspector receives information that a local government is not collecting rates correctly under the <i>Local Government Act 1995</i>. Upon initial review, the Inspector identifies that there may be a problem. The Inspector appoints a Monitor who specialises in financial management in local government. The Monitor visits the local government and identifies that the system used to manage rates is not correctly issuing rates notices. The Monitor works with the local government to rectify the error, and issue corrections to impacted ratepayers.</p> <p><b>Monitor Case Study 2 – Dispute Resolution</b></p> <p>The Inspector receives a complaint from one councillor that another councillor is repeatedly publishing derogatory personal attacks against another councillor on social media, and that the issue has not been able to be resolved at the local government level. The Inspector identifies that there has been a relationship breakdown between the two councillors due to a disagreement on council.</p> <p>The Inspector appoints a Monitor to host</p>	

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
	<p>mediation sessions between the councillors. The Monitor works with the councillors to address the dispute. Through regular meetings, the councillors agree to a working relationship based on the council's code of conduct. After the mediation, the Monitor occasionally makes contact with both councillors to ensure there is a cordial working relationship between the councillors.</p>	
<b>1.3 Conduct Panel</b>		
<ul style="list-style-type: none"> <li>The Local Government Standards Panel was established in 2007 to resolve minor breach complaints relatively quickly and provide the sector with guidance and benchmarks about acceptable standards of behaviour.</li> <li>Currently, the Panel makes findings about alleged breaches based on written submissions.</li> <li>The City of Perth Inquiry report made various recommendations that functions of the Local Government Standards Panel be reformed.</li> </ul>	<ul style="list-style-type: none"> <li>The Standards Panel is proposed to be replaced with a new Local Government <b>Conduct Panel</b>.</li> <li>The Conduct Panel would be comprised of suitably qualified and experienced professionals. Sitting councillors will not be eligible to serve on the Conduct Panel.</li> <li>The Inspector would provide evidence to the Conduct Panel for adjudication.</li> <li>The Conduct Panel would have powers to impose stronger penalties – potentially including being able to suspend councillors for up to three months, with an appeal mechanism.</li> <li>For very serious or repeated breaches of the Local Government Act, the Conduct Panel would have the power to recommend prosecution through the courts.</li> <li>Any person who is subject to a complaint before the Conduct Panel would have the right to address the Conduct Panel before the Panel makes a decision.</li> </ul>	<p><b>Current WALGA Position</b> As per 1.1</p> <p><b>Shire of Boddington Position</b> The concept is supported, noting that timeliness of decisions will be critical given that the Inspectorate will determine the level of misconduct and the Conduct Panel will determine the level of penalty. Splitting these two processes may result in delays in relation to the imposition of penalties. Clear KPI's should be set for the Conduct Panel to ensure this continues to be an effective component of the process.</p>
<b>1.4 Review of Penalties</b>		

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
<ul style="list-style-type: none"> <li>There are currently limited penalties in the Act for certain types of non-compliance with the Local Government Act.</li> </ul>	<ul style="list-style-type: none"> <li>Penalties for breaching the Local Government Act are proposed to be strengthened.</li> <li>It is proposed that the suspension of councillors (for up to three months) is established as the main penalty where a councillor breaches the Local Government Act or Regulations on more than one occasion.</li> <li>Councillors who are disqualified would not be eligible for sitting fees or allowances. They will also not be able to attend meetings, or use their official office (such as their title or council email address).</li> <li>It is proposed that a councillor who is suspended multiple times may become disqualified from office.</li> <li>Councillors who do not complete mandatory training within a certain timeframe will also not be able to receive sitting fees or allowances.</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported, noting that Councillors who are suspended or disqualified should not be eligible for sitting fees or allowances (dot point three only refers to disqualified Councillors).</p>
<b>1.5 Rapid Red Card Resolutions</b>		
<ul style="list-style-type: none"> <li>Currently, local governments have different local laws and standing orders that govern the way meetings run. Presiding members (Mayors and Presidents) are reliant on the powers provided in the local government standing orders local laws.</li> <li>Differences between local governments is a source of confusion about the powers that presiding members have to deal with disruptive behaviours at council meetings.</li> <li>Disruptive behaviour at council meetings is a very common cause of complaints. Having the Presiding Member be able to deal with these problems should more quickly resolve</li> </ul>	<ul style="list-style-type: none"> <li>It is proposed that Standing Orders are made consistent across Western Australia (see item 2.6). Published recordings of all meetings would also become standard (item 3.1).</li> <li>It is proposed that Presiding Members have the power to “red card” any attendee (including councillors) who unreasonably and repeatedly interrupt council meetings. This power would: <ul style="list-style-type: none"> <li>Require the Presiding Member to issue a clear first warning</li> <li>If the disruptions continue, the Presiding Member will have the power to “red card” that person, who must be silent for the rest of the meeting. A councillor issued with a</li> </ul> </li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p> <p>Standing Orders should be made compulsory across the sector to ensure clarity around meeting procedures, and to ensure both a Mayor/President and Councillors have a mechanism to curb unreasonable conduct.</p> <p>Clarity is also needed where Councillors are suspended resulting in the lack of ability to achieve a quorum, or sufficient numbers for absolute</p>



CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
<p>problems that occur at council meetings.</p>	<p>red card will still vote, but must not speak or move motions</p> <ul style="list-style-type: none"> <li>○ If the person continues to be disruptive, the Presiding Member can instruct that they leave the meeting.</li> <li>● Any Presiding Member who uses the “red card” or ejection power will be required to notify the Inspector.</li> <li>● Where an elected member refuses to comply with an instruction to be silent or leave, or where it can be demonstrated that the presiding member has not followed the law in using these powers, penalties can be imposed through a review by the Inspector.</li> </ul>	<p>majority decisions.</p>
<b>1.6 Vexatious Complaint Referrals</b>		
<ul style="list-style-type: none"> <li>● No current provisions.</li> <li>● The Act already provides a requirement for Public Question Time at council meetings.</li> </ul>	<ul style="list-style-type: none"> <li>● Local governments already have a general responsibility to provide ratepayers and members of the public with assistance in responding to queries about the local government’s operations. Local governments should resolve queries and complaints in a respectful, transparent and equitable manner.</li> <li>● Unfortunately, local government resources can become unreasonably diverted when a person makes repeated vexatious queries, especially after a local government has already provided a substantial response to the person’s query.</li> <li>● It is proposed that if a person makes repeated complaints to a local government CEO that are vexatious, the CEO will have the power to refer that person’s complaints to the Inspectorate, which after assessment of the facts may then</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p> <p>The concept of introducing a means to limit unreasonable complainants negatively impacting Local Governments is welcomed.</p> <p>It is considered that a local government CEO should be able to determine the vexatious nature of complaints, rather than requiring a referral to the Inspectorate. A guideline could be produced to assist the sector with the assessment.</p>

CURRENT PROVISIONS	PROPOSED REFORMS	COMMENTS
	rule the complaint vexatious.	
<b>1.7 Minor Other Reforms</b>		
<ul style="list-style-type: none"> <li>Other minor reforms are being considered to enhance the oversight of local government.</li> <li>Ministerial Circulars have traditionally been used to provide guidance to the local government sector.</li> </ul>	<ul style="list-style-type: none"> <li>Potential other reforms to strengthen guidance for local governments are being considered.</li> <li>For example, one option being considered is the potential use of sector-wide guidance notices. Guidance notices could be published by the Minister or Inspector, to give specific direction for how local governments should meet the requirements of the Local Government Act and Regulations. For instance, the Minister could publish guidance notices to clarify the process for how potential conflicts of interests should be managed.</li> <li>It is also proposed (see item 1.1) that the Inspector has the power to issue notices to individual local governments to require them to rectify non-compliance with the Act or Regulations.</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported, with further consultation to occur around updated guidance notes to provide clear direction for the sector.</p>

**Theme 2: Reducing Red Tape, Increasing Consistency and Simplicity**

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<b>2.1 Resource Sharing</b>		
<ul style="list-style-type: none"> <li>The Act does not currently include specific provisions to allow for certain types of resource sharing – especially for sharing CEOs.</li> <li>Regional local governments would benefit from having clearer mechanisms for voluntary resource-sharing.</li> </ul>	<ul style="list-style-type: none"> <li>Amendments are proposed to encourage and enable local governments, especially smaller regional local governments, to share resources, including Chief Executive Officers and senior employees.</li> <li>Local governments in bands 2, 3 or 4 would be able to appoint a shared CEO at up to two salary bands above the highest band. For example, a band 3 and a band 4 council sharing a CEO could remunerate to the level of band 1.</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported Guidelines should be produced to assist Local Governments proposing to share a CEO / other resources. This should include how kpi's are to be set across multiple employers, performance review processes, and provisions such as ending agreements by one or more parties.</p>
<b>2.2 Standardisation of Crossovers</b>		
<ul style="list-style-type: none"> <li>Approvals and standards for crossovers (the section of driveways that run between the kerb and private property) are inconsistent between local government areas, often with very minor differences.</li> <li>This can create confusion and complexity for homeowners and small businesses in the construction sector.</li> </ul>	<ul style="list-style-type: none"> <li>It is proposed to amend the <i>Local Government (Uniform Local Provisions) Regulations 1996</i> to standardise the process for approving crossovers for residential properties and residential developments on local roads.</li> <li>A Crossover Working Group has provided preliminary advice to the Minister and DLGSC to inform this.</li> <li>The DLGSC will work with the sector to develop standardised design and construction standards.</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported, noting that the final detail will need to include provisions for both regional and metropolitan local governments to cater for the varied environments.</p>



CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<b>2.3 Introduce Innovation Provisions</b>		
<ul style="list-style-type: none"> <li>The <i>Local Government Act 1995</i> currently has very limited provisions to allow for innovations and responses to emergencies to (such as the Shire of Bruce Rock Supermarket).</li> </ul>	<ul style="list-style-type: none"> <li>New provisions are proposed to allow exemptions from certain requirements of the <i>Local Government Act 1995</i>, for:               <ul style="list-style-type: none"> <li>Short-term trials and pilot projects</li> <li>Urgent responses to emergencies.</li> </ul> </li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>
<b>2.4 Streamline Local Laws</b>		
<ul style="list-style-type: none"> <li>Local laws are required to be reviewed every eight years.</li> <li>The review of local laws (especially when they are standard) has been identified as a burden for the sector.</li> <li>Inconsistency between local laws is frustrating for residents and business stakeholders.</li> </ul>	<ul style="list-style-type: none"> <li>It is proposed that local laws would only need to be reviewed by the local government every 15 years.</li> <li>Local laws not reviewed in the timeframe would lapse, meaning that old laws will be automatically removed and no longer applicable.</li> <li>Local governments adopting Model Local Laws will have reduced advertising requirements.</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported with the provision that a size and scale approach should be considered. This will ensure that the proposal does not in fact create more red-tape for smaller local governments than exists currently.</p>
<b>2.5 Simplifying Approvals for Small Business and Community Events</b>		
<ul style="list-style-type: none"> <li>Inconsistency between local laws and approvals processes for events, street activation, and initiatives by local businesses is frustrating for business and local communities.</li> </ul>	<ul style="list-style-type: none"> <li>Proposed reforms would introduce greater consistency for approvals for:               <ul style="list-style-type: none"> <li>alfresco and outdoor dining</li> <li>minor small business signage rules</li> <li>running community events.</li> </ul> </li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>
<b>2.6 Standardised Meeting Procedures, Including Public Question Time</b>		
<ul style="list-style-type: none"> <li>Local governments currently prepare individual standing order local laws.</li> <li>The <i>Local Government Act 1995</i> and regulations require local governments to</li> </ul>	<ul style="list-style-type: none"> <li>To provide greater clarity for ratepayers and applicants for decisions made by council, it is proposed that the meeting procedures and standing orders for all local government</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b></p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<p>allocate time at meetings for questions from the public.</p> <ul style="list-style-type: none"> <li>Inconsistency among the meeting procedures between local governments is a common source of complaints.</li> </ul>	<p>meetings, including for public question time, are standardised across the State.</p> <ul style="list-style-type: none"> <li>Regulations would introduce standard requirements for public question time, and the procedures for meetings generally.</li> <li>Members of the public across all local governments would have the same opportunities to address council and ask questions.</li> </ul>	<p>Supported, subject to a size and scale approach being introduced.</p>
<p><b>2.7 Regional Subsidiaries</b></p>		
<ul style="list-style-type: none"> <li>Initiatives by multiple local governments may be managed through formal Regional Councils, or through less formal “organisations of councils”, such as NEWROC and WESROC.</li> <li>These initiatives typically have to be managed by a lead local government.</li> <li>In 2016-17, provisions were introduced to allow for the formation of Regional Subsidiaries. Regional Subsidiaries can be formed in line with the <i>Local Government (Regional Subsidiaries) Regulations 2017</i>.</li> <li>So far, no Regional Subsidiary has been formed.</li> </ul>	<ul style="list-style-type: none"> <li>Work is continuing to consider how Regional Subsidiaries can be best established to: <ul style="list-style-type: none"> <li>Enable Regional Subsidiaries to provide a clear and defined public benefit for people within member local governments</li> <li>Provide for flexibility and innovation while ensuring appropriate transparency and accountability of ratepayer funds</li> <li>Where appropriate, facilitate financing of initiatives by Regional Subsidiaries within a reasonable and defined limit of risk</li> <li>Ensure all employees of a Regional Subsidiary have the same employment conditions as those directly employed by member local governments.</li> </ul> </li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>

### Theme 3: Greater Transparency & Accountability

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<b>3.1 Recordings and Live-Streaming of All Council Meetings</b>		
<ul style="list-style-type: none"> <li>• Currently, local governments are only required to make written minutes of meetings.</li> <li>• While there is no legal requirement for livestreaming or video or audio recording of council meetings, many local governments now stream and record their meetings.</li> <li>• Complaints relating to behaviours and decisions at meetings constitute a large proportion of complaints about local governments.</li> <li>• Local governments are divided into bands with the largest falling in bands 1 and 2, and smaller local governments falling bands 3 and 4. The allocation of local governments into bands is determined by The Salaries and Allowances Tribunal based on factors<sup>1</sup> such as: <ul style="list-style-type: none"> <li>○ Growth and development</li> <li>○ Strategic planning issues</li> <li>○ Demands and diversity of services provided to the community</li> <li>○ Total expenditure</li> <li>○ Population</li> <li>○ Staffing levels.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• It is proposed that all local governments will be required to record meetings.</li> <li>• Band 1 and 2 local governments would be required to livestream meetings, and make video recordings available as public archives.</li> <li>• Band 1 and 2 are larger local governments are generally located in larger urban areas, with generally very good telecommunications infrastructure, and many already have audio-visual equipment.</li> <li>• Several local governments already use platforms such as YouTube, Microsoft Teams, and Vimeo to stream and publish meeting recordings.</li> <li>• Limited exceptions would be made for meetings held outside the ordinary council chambers, where audio recordings may be used.</li> <li>• Recognising their generally smaller scale, typically smaller operating budget, and potential to be in more remote locations, band 3 and 4 local governments would be required to record and publish audio recordings, at a minimum. These local governments would still be encouraged to livestream or video record meetings.</li> <li>• All council meeting recordings would need to be published at the same time as the meeting</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Partially supported with the following provisions:</p> <ul style="list-style-type: none"> <li>• Transitional provisions, or State Government funding, to allow for smaller local governments who do not currently have the IT capability, to budget for this and implement over time, with minimal impact to community.</li> <li>• Recording of meetings is supported for internal and review purposes, however the publication of audio recordings is not supported due to legal and governance concerns. These include; increased likelihood of complaints from the public who may not understand relevant processes, increased administration time dealing with complaints, and a reduction in open debate within the Council meeting.</li> <li>• Confidential meetings to be retained by the local government and produced on request of the Inspectorate rather than implementing a process by which all confidential recordings are to be submitted to the Inspectorate in the event that they are needed. The additional process will be both inefficient, result in a duplication of data, and increase</li> </ul>

<sup>1</sup> See page 3 of the [2018 Salaries and Allowance Tribunal Determination](#)



CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	minutes. Recordings of all confidential items would also need to be submitted to the DLGSC for archiving.	cybersecurity risks around the security of the confidential items.
<b>3.2 Recording All Votes in Council Minutes</b>		
<ul style="list-style-type: none"> <li>A local government is only required to record which councillor voted for or against a motion in the minutes of that meeting if a request is made by an elected member at the time of the resolution during the meeting.</li> <li>The existing provision does not mandate transparency.</li> </ul>	<ul style="list-style-type: none"> <li>To support the transparency of decision-making by councillors, it is proposed that the individual votes cast by all councillors for all council resolutions would be required to be published in the council minutes, and identify those for, against, on leave, absent or who left the chamber.</li> <li>Regulations would prescribe how votes are to be consistently minuted.</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>
<b>3.3 Clearer Guidance for Meeting Items that may be Confidential</b>		
<ul style="list-style-type: none"> <li>The Act currently provides broad definitions of what type of matters may be discussed as a confidential item.</li> <li>There is limited potential for review of issues managed as confidential items under the current legislation.</li> </ul>	<ul style="list-style-type: none"> <li>Recognising the importance of open and transparent decision-making, it is considered that confidential meetings and confidential meeting items should only be used in limited, specific circumstances.</li> <li>It is proposed to make the Act more specific in prescribing items that may be confidential, and items that should remain open to the public.</li> <li>Items not prescribed as being confidential could still be held as confidential items only with the prior written consent of the Inspector.</li> <li>All confidential items would be required to be audio recorded, with those recordings</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported, with the exception of the confidential recording being submitted to the DLGSC – see comment in Item 3.1 (above), and for operational matters where confidentiality may need to be preserved due to significant risk (e.g. cybersecurity audits).</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	submitted to the DLGSC.	
<b>3.4 Additional Online Registers</b>		
<ul style="list-style-type: none"> <li>Local governments are required to provide information to the community through annual reports, council minutes and the publication of information online.</li> <li>Consistent online publication of information can substitute for certain material in annual reports.</li> <li>Consistency in online reporting across the sector will provide ratepayers with better information.</li> <li>These registers supplement the simplification of financial statements in Theme 6.</li> </ul>	<ul style="list-style-type: none"> <li>It is proposed to require local governments to report specific information in online registers on the local government's website. Regulations would prescribe the information to be included.  The following new registers, each updated quarterly, are proposed: <ul style="list-style-type: none"> <li><b>Lease Register</b> to capture information about the leases the local government is party to (either as lessor or lessee)</li> <li><b>Community Grants Register</b> to outline all grants and funding provided by the local government</li> <li><b>Interests Disclosure Register</b> which collates all disclosures made by elected members about their interests related to matters considered by council</li> <li><b>Applicant Contribution Register</b> accounting for funds collected from applicant contributions, such as cash-in-lieu for public open space and car parking</li> <li><b>Contracts Register</b> that discloses all contracts above \$100,000.</li> </ul> </li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Conditionally support. While there is no particular concern around the information being publicly available, an assessment of value should be undertaken in relation to the new registers, especially for smaller local governments who have limited resources for additional governance related activities. Additional staffing required for governance, removes the capacity to deliver value for the community in other areas.</p>
<b>3.5 Chief Executive Officer Key Performance Indicators (KPIs) be Published</b>		
<ul style="list-style-type: none"> <li>It is a requirement of the <i>Local Government Act 1995</i> that CEO performance reviews are conducted annually.</li> </ul>	<ul style="list-style-type: none"> <li>To provide for minimum transparency, it is proposed to mandate that the KPIs agreed as performance metrics for CEOs: <ul style="list-style-type: none"> <li>Be published in council meeting minutes</li> </ul> </li> </ul>	<p><b>Current WALGA Position</b></p> <ol style="list-style-type: none"> <li>Conditionally Support the reporting of CEO KPIs that are consistent with the strategic direction and operational function of the Local</li> </ol>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<ul style="list-style-type: none"> <li>• The Model Standards for CEO recruitment and selection, performance review and termination require that a local government must review the performance of the CEO against contractual performance criteria.</li> <li>• Additional performance criteria can be used for performance review by agreement between both parties.</li> </ul>	<p>as soon as they are agreed prior to (before the start of the annual period)</p> <ul style="list-style-type: none"> <li>○ The KPIs and the results be published in the minutes of the performance review meeting (at the end of the period)</li> <li>○ The CEO has a right to provide written comments to be published alongside the KPIs and results to provide context as may be appropriate (for instance, the impact of events in that year that may have influenced the results against KPIs).</li> </ul>	<p>Government, subject to exemptions for publishing KPI's of a confidential nature;</p> <p>2. Do not support the results of performance reviews being published.</p> <p><b>Shire of Boddington Position</b> Partially Support Performance indicators that link to strategy, such as Corporate Business Plan projects and activities could be argued to be relevant to the public scrutiny, however, the achievement of such indicators are already reported in the Annual Report. This process would seem to duplicate the one already in existence.</p> <p>If the Department progresses with the requirement to publish CEO KPI's, these should be limited to those linked to strategies, rather than softer metrics such as leadership style, staff engagement and employee culture (for example).</p>



#### Theme 4: Stronger Local Democracy and Community Engagement

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<b>4.1 Community and Stakeholder Engagement Charters</b>		
<ul style="list-style-type: none"> <li>There is currently no requirement for local governments to have a specific engagement charter or policy.</li> <li>Many local governments have introduced charters or policies for how they will engage with their community.</li> <li>Other States have introduced a specific requirement for engagement charters.</li> </ul>	<ul style="list-style-type: none"> <li>It is proposed to introduce a requirement for local governments to prepare a community and stakeholder engagement charter which sets out how local government will communicate processes and decisions with their community.</li> <li>A model Charter would be published to assist local governments who wish to adopt a standard form.</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>
<b>4.2 Ratepayer Satisfaction Surveys (Band 1 and 2 local governments only)</b>		
<ul style="list-style-type: none"> <li>Many local governments already commission independent surveying consultants to hold a satisfaction survey of residents/ratepayers.</li> <li>These surveys provide valuable data on the performance of local governments.</li> </ul>	<ul style="list-style-type: none"> <li>It is proposed to introduce a requirement that every four years, all local governments in bands 1 and 2 hold an independently-managed ratepayer satisfaction survey.</li> <li>Results would be required to be reported publicly at a council meeting and published on the local government's website.</li> <li>All local governments would be required to publish a response to the results.</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> No comment</p>
<b>4.3 Introduction of Preferential Voting</b>		
<ul style="list-style-type: none"> <li>The current voting method for local government elections is first past the post.</li> <li>The existing first-past-the-post does not allow for electors to express more than one preference.</li> <li>The candidate with the most votes wins, even if that candidate does not have a majority.</li> </ul>	<ul style="list-style-type: none"> <li>Preferential voting is proposed be adopted as the method to replace the current first past the post system in local government elections.</li> <li>In preferential voting, voters number candidates in order of their preferences.</li> <li>Preferential voting is used in State and Federal elections in Western Australia (and in</li> </ul>	<p><b>Current WALGA Position</b> Currently undertaking consultation with local government to receive feedback on WALGA's position. Previous position: Supportive of first past the post system. <u>Comment</u> It should be noted that the sector's advocacy</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<ul style="list-style-type: none"> <li>• Preferential voting better captures the precise intentions of voters and as a result may be regarded as a fairer and more representative system. Voters have more specific choice.</li> </ul>	<p>other states). This provides voters with more choice and control over who they elect.</p> <ul style="list-style-type: none"> <li>• All other states use a form of preferential voting for local government.</li> </ul>	<p>against compulsory voting and “All in All out” 4 year terms has been successful and these items are not included in the reform proposals.</p> <p>The introduction of preferential voting will be a return to the system of voting prior to the <i>Local Government Act 1995</i>. The Local Government Advisory Board reported on voting systems in 2006 (<i>Local Government Structural Reform in Western Australia: Ensuring the Future Sustainability of Communities</i>) and provided the following comments in support of both first past the post voting and preferential voting:  <i>‘Comments in support of retaining first past the post include:</i></p> <ul style="list-style-type: none"> <li>• <i>Quick to count. Preferential voting is time consuming to count.</i></li> <li>• <i>Easily understood.</i></li> <li>• <i>Removes politics out of campaigning. Preferential will encourage alliances formed for the distribution of preferences and party politics into local government.</i></li> <li>• <i>Preferential voting allows election rigging through alliances or ‘dummy’ candidates.</i></li> <li>• <i>In a preferential system, the person that receives the highest number of first preference votes does not necessarily get elected.’</i></li> </ul> <p><i>‘Comments in support of replacing first past the post include:</i></p> <ul style="list-style-type: none"> <li>• <i>Preferential voting is more democratic and removes an area of confusion.</i></li> <li>• <i>Preferential voting ensures that the most popular candidates are elected who best reflect the will of the voters.</i></li> <li>• <i>Preferential system should be introduced. In</i></li> </ul>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
		<p><i>FPP elections, candidates work together to get votes for each other. Preferential would make it more difficult for this practice to take place.</i></p> <ul style="list-style-type: none"> <li>• <i>FPP does not adequately reflect the wishes of electors when there are three candidates or more.</i></li> <li>• <i>FPP is unsuitable when there is more than one vacancy.</i></li> <li>• <i>Allows for a greater representation from a range of interest groups and prevents domination of elections by mainstream party politics.'</i></li> </ul> <p><b>Shire of Boddington Position</b> Not Supported - First past the post is considered to be a more appropriate method.</p>
<b>4.4 Public Vote to Elect the Mayor and President</b>		
<ul style="list-style-type: none"> <li>• The Act currently allows local governments to have the Presiding Member (the Mayor or President) elected either: <ul style="list-style-type: none"> <li>○ by the electors of the district through a public vote; or</li> <li>○ by the council as a resolution at a council meeting.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Mayors and Presidents of all local governments perform an important public leadership role within their local communities.</li> <li>• Band 1 and 2 local governments generally have larger councils than those in bands 3 and 4.</li> <li>• Accordingly, it is proposed that the Mayor or President for all band 1 and 2 councils is to be elected through a vote of the electors of the district. Councils in bands 3 and 4 would retain the current system.</li> <li>• A number of Band 1 and Band 2 councils have already moved towards Public Vote to Elect the Mayor and President in recent years, including City of Stirling and City of Rockingham.</li> </ul>	<p><b>Current WALGA Position</b> Not currently supported – seeking sector feedback.</p> <p><b>Shire of Boddington Position</b> No comment</p>
<b>4.5 Tiered Limits on the Number of Councillors</b>		



CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<ul style="list-style-type: none"> <li>The number of councillors (between 5-15 councillors) is decided by each local government, reviewed by the Local Government Advisory Board, and if approved by the Minister.</li> <li>The Panel Report recommended electoral reforms to improve representativeness.</li> </ul>	<ul style="list-style-type: none"> <li>It is proposed to limit the number of councillors based on the population of the entire local government.</li> <li>Some smaller local governments have already been moving to having smaller councils to reduce costs for ratepayers.</li> <li>The <a href="#">Local Government Panel Report</a> proposed: <ul style="list-style-type: none"> <li>For a population of up to 5,000 – five councillors (including the President)</li> <li>population of between 5,000 and 75,000 – five to nine councillors (including the Mayor/President)</li> <li>population of above 75,000 – nine to fifteen councillors (including Mayor).</li> </ul> </li> </ul>	<p><b>Current WALGA Position</b></p> <p>Recommend 5 to 7 Council Members for populations up to 5,000 and support the remaining proposed reforms.</p> <p><b>Shire of Boddington Position</b></p> <p>Support limits being imposed on the number of Councillors based on population as follows:</p> <ul style="list-style-type: none"> <li>population of up to 5,000 – five to seven councillors (including the President)</li> <li>population of between 5,000 and 75,000 – five to nine councillors (including the Mayor/President)</li> <li>population of above 75,000 – nine to fifteen councillors (including Mayor).</li> </ul> <p>A limit of 5 Councillors would mean that Absolute Majority decisions can be made for a community with the vote of 3 Councillors. 3 Councillors does not provide sufficient representation of community need.</p>
<p><b>4.6 No Wards for Small Councils (Band 3 and 4 Councils only)</b></p>		

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<ul style="list-style-type: none"> <li>A local government can make an application to be divided into wards, with councillors elected to those wards.</li> <li>Only about 10% of band 3 and 4 local governments currently have wards.</li> </ul>	<ul style="list-style-type: none"> <li>It is proposed that the use of wards for councils in bands 3 and 4 is abolished.</li> <li>Wards increase the complexity of elections, as this requires multiple versions of ballot papers to be prepared for a local government's election.</li> <li>In smaller local governments, the population of wards can be very small.</li> <li>These wards often have councillors elected unopposed, or elect a councillor with a very small number of votes. Some local governments have ward councillors elected with less than 50 votes.</li> <li>There has been a trend in smaller local governments looking to reduce the use of wards, with only 10 councils in bands 3 and 4 still having wards.</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>

#### 4.7 Electoral Reform – Clear Lease Requirements for Candidate and Voter Eligibility

<ul style="list-style-type: none"> <li>A person with a lease in a local government district is eligible to nominate as a candidate in that district.</li> <li>A person with a lease in a local government district is eligible to apply to vote in that district.</li> <li>The City of Perth Inquiry Report identified a number of instances where dubious lease arrangements put to question the validity of candidates in local government elections, and subsequently their legitimacy as councillors.</li> </ul>	<ul style="list-style-type: none"> <li>Reforms are proposed to prevent the use of “sham leases” in council elections. Sham leases are where a person creates a lease only to be able to vote or run as a candidate for council.</li> <li>The City of Perth Inquiry Report identified sham leases as an issue.</li> <li>Electoral rules are proposed to be strengthened: <ul style="list-style-type: none"> <li>A minimum lease period of 12 months will be required for anyone to register a person to vote or run for council.</li> <li>Home based businesses will not be</li> </ul> </li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>
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	<p>eligible to register a person to vote or run for council, because any residents are already the eligible voter(s) for that address.</p> <ul style="list-style-type: none"> <li>○ Clarifying the minimum criteria for leases eligible to register a person to vote or run for council.</li> <li>● The reforms would include minimum lease periods to qualify as a registered business (minimum of 12 months), and the exclusion of home based businesses (where the resident is already eligible) and very small sub-leases.</li> <li>● The basis of eligibility for each candidate (e.g. type of property and suburb of property) is proposed to be published, including in the candidate pack for electors.</li> </ul>	
<b>4.8 Reform of Candidate Profiles</b>		
<ul style="list-style-type: none"> <li>● Candidate profiles can only be 800 characters, including spaces. This is equivalent to approximately 150 words.</li> </ul>	<ul style="list-style-type: none"> <li>● Further work will be undertaken to evaluate how longer candidate profiles could be accommodated.</li> <li>● Longer candidate profiles would provide more information to electors, potentially through publishing profiles online.</li> <li>● It is important to have sufficient information available to assist electors make informed decisions when casting their vote.</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>
<b>4.9 Minor Other Electoral Reforms</b>		
<ul style="list-style-type: none"> <li>● Other minor reforms are proposed to improve local government elections.</li> </ul>	<ul style="list-style-type: none"> <li>● Minor other electoral reforms are proposed to include: <ul style="list-style-type: none"> <li>○ The introduction of standard processes for vote re-counts if there is a very small margin between candidates (e.g. where there is a margin of less than 10 votes a</li> </ul> </li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>



	<p>recount will always be required)</p> <ul style="list-style-type: none"> <li>○ The introduction of more specific rules concerning local government council candidates' use of electoral rolls.</li> </ul>	
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## Theme 5: Clear Roles and Responsibilities

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<b>5.1 Introduce Principles in the Act</b>		
<ul style="list-style-type: none"> <li>• The Act does not currently outline specific principles.</li> <li>• The Act contains a short "Content and Intent" section only.</li> <li>• The Panel Report recommended greater articulation of principles</li> </ul>	<ul style="list-style-type: none"> <li>• It is proposed to include new principles in the Act, including: <ul style="list-style-type: none"> <li>○ The recognition of Aboriginal Western Australians</li> <li>○ Tiering of local governments (with bands being as assigned by the Salaries and Allowances Tribunal)</li> <li>○ Community Engagement</li> <li>○ Financial Management.</li> </ul> </li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>
<b>5.2 Greater Role Clarity</b>		
<ul style="list-style-type: none"> <li>• The Act provides for the role of council, councillor, mayor or president and CEO.</li> <li>• The role of the council is to: <ul style="list-style-type: none"> <li>○ govern the local government's affairs</li> <li>○ be responsible for the performance of the local government's functions.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• The <a href="#">Local Government Act Review Panel</a> recommended that roles and responsibilities of elected members and senior staff be better defined in law.</li> <li>• It is proposed that these roles and responsibilities are further defined in the legislation.</li> <li>• These proposed roles will be open to further consultation and input.</li> <li>• These roles would be further strengthened through <b>Council Communications Agreements</b> (see item 5.3).</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<p><b>5.2.1 - Mayor or President Role</b></p> <ul style="list-style-type: none"> <li>• It is proposed to amend the Act to specify the roles and responsibilities of the Mayor or President.</li> <li>• While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the Mayor or President is responsible for: <ul style="list-style-type: none"> <li>○ Representing and speaking on behalf of the whole council and the local government, at all times being consistent with the resolutions of council</li> <li>○ Facilitating the democratic decision-making of council by presiding at council meetings in accordance with the Act</li> <li>○ Developing and maintaining professional working relationships between councillors and the CEO</li> <li>○ Performing civic and ceremonial duties on behalf of the local government</li> <li>○ Working effectively with the CEO and councillors in overseeing the delivery of the services, operations, initiatives and functions of the local government.</li> </ul> </li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>
	<p><b>5.2.2 - Council Role</b></p> <ul style="list-style-type: none"> <li>• It is proposed to amend the Act to specify the roles and responsibilities of the Council, which is the entity consisting of all of the councillors and led by the Mayor or President.</li> <li>• While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the Council</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<p>is responsible for:</p> <ul style="list-style-type: none"> <li>○ Making significant decisions and determining policies through democratic deliberation at council meetings</li> <li>○ Ensuring the local government is adequately resourced to deliver the local governments operations, services and functions - including all functions that support informed decision-making by council</li> <li>○ Providing a safe working environment for the CEO;</li> <li>○ Providing strategic direction to the CEO;</li> <li>○ Monitoring and reviewing the performance of the local government.</li> </ul>	
	<p><b>5.2.3 - Elected Member (Councillor) Role</b></p> <ul style="list-style-type: none"> <li>• It is proposed to amend the Act to specify the roles and responsibilities of all elected councillors.</li> <li>• While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that every elected councillor is responsible for: <ul style="list-style-type: none"> <li>○ Considering and representing, fairly and without bias, the current and future interests of all people who live, work and visit the district (including for councillors elected for a particular ward)</li> <li>○ Positively and fairly contribute and apply their knowledge, skill, and judgement to the democratic decision-making process of council</li> <li>○ Applying relevant law and policy in</li> </ul> </li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>



CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<p>contributing to the decision-making of the council</p> <ul style="list-style-type: none"> <li>○ Engaging in the effective forward planning and review of the local governments' resources, and the performance of its operations, services, and functions</li> <li>○ Communicating the decisions and resolutions of council to stakeholders and the public</li> <li>○ Developing and maintaining professional working relationships with all other councillors and the CEO</li> <li>○ Maintaining and developing their knowledge and skills relevant to local government</li> <li>○ Facilitating public engagement with local government.</li> </ul> <ul style="list-style-type: none"> <li>● It is proposed that elected members should not be able to use their title (e.g. "Councillor", "Mayor", or "President") and associated resources of their office (such as email address) unless they are performing their role in their official capacity.</li> </ul>	
	<p><b>5.2.4 - CEO Role</b></p> <ul style="list-style-type: none"> <li>● The <i>Local Government Act 1995</i> requires local governments to employ a CEO to run the local government administration and implement the decisions of council.</li> <li>● To provide greater clarity, it is proposed to amend the Act to specify the roles and responsibilities of all local government CEOs.</li> <li>● While input and consultation will inform precise wording, it is proposed that the Act is</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<p>amended to generally outline that the CEO of a local government is responsible for:</p> <ul style="list-style-type: none"> <li>○ Coordinating the professional advice and assistance necessary for all elected members to enable the council to perform its decision-making functions</li> <li>○ Facilitating the implementation of council decisions</li> <li>○ Ensuring functions and decisions lawfully delegated by council are managed prudently on behalf of the council</li> <li>○ Managing the effective delivery of the services, operations, initiatives and functions of the local government determined by the council</li> <li>○ Providing timely and accurate information and advice to all councillors in line with the Council Communications Agreement (see item 5.3)</li> <li>○ Overseeing the compliance of the operations of the local government with State and Federal legislation on behalf of the council</li> <li>○ Implementing and maintaining systems to enable effective planning, management, and reporting on behalf of the council.</li> </ul>	

### 5.3 Council Communication Agreements

<ul style="list-style-type: none"> <li>• The Act provides that council and committee members can have access to any information held by the local government that is relevant to the performance of the</li> </ul>	<ul style="list-style-type: none"> <li>• In State Government, there are written Communication Agreements between Ministers and agencies that set standards for how information and advice will be provided.</li> </ul>	<p><b>Current WALGA Position</b> Supports a consistent, regulated Communications Agreement.</p>
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<p>member in their functions.</p> <ul style="list-style-type: none"> <li>The availability of information is sometimes a source of conflict within local governments.</li> </ul>	<ul style="list-style-type: none"> <li>It is proposed that local governments will need to have Council Communications Agreements between the council and the CEO.</li> <li>These Council Communication Agreements would clearly specify the information that is to be provided to councillors, how it will be provided, and the timeframes for when it will be provided.</li> <li>A template would be published by DLGSC. This default template will come into force if a council and CEO do not make a specific other agreement within a certain timeframe following any election.</li> </ul>	<p><b>Shire of Boddington Position</b> Supported.</p>
<p><b>5.4 Local Governments May Pay Superannuation Contributions for Elected Members</b></p>		
<ul style="list-style-type: none"> <li>Elected members are eligible to receive sitting fees or an annual allowance.</li> <li>Superannuation is not paid to elected members. However, councillors can currently divert part of their allowances to a superannuation fund.</li> <li>Councils should be reflective and representative of the people living within the district. Local governments should be empowered to remove any barriers to the participation of gender and age diverse people on councils.</li> </ul>	<ul style="list-style-type: none"> <li>It is proposed that local governments should be able to decide, through a vote of council, to pay superannuation contributions for elected members. These contributions would be additional to existing allowances.</li> <li>Superannuation is widely recognised as an important entitlement to provide long term financial security.</li> <li>Other states have already moved to allow councils to make superannuation contributions for councillors.</li> <li>Allowing council to provide superannuation is important part of encouraging equality for people represented on council – particularly for women and younger people.</li> <li>Providing superannuation to councillors recognises that the commitment to elected office can reduce a person's opportunity to undertake employment and earn superannuation contributions.</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>



<b>5.5 Local Governments May Establish Education Allowances</b>		
<ul style="list-style-type: none"> <li>• Local government elected members must complete mandatory training.</li> <li>• There is no specific allowance for undertaking further education.</li> </ul>	<ul style="list-style-type: none"> <li>• Local governments will have the option of contributing to the education expenses for councillors, up to a defined maximum value, for tuition costs for further education that is directly related to their role on council.</li> <li>• Councils will be able to decide on a policy for education expenses, up to a maximum yearly value for each councillor. Councils may also decide not to make this entitlement available to elected members.</li> <li>• Any allowance would only be able to be used for tuition fees for courses, such as training programs, diplomas, and university studies, which relate to local government.</li> <li>• Where it is made available, this allowance will help councillors further develop skills to assist with making informed decisions on important questions before council, and also provide professional development opportunities for councillors.</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>
<b>5.6 Standardised Election Caretaker period</b>		

<ul style="list-style-type: none"> <li>• There is currently no requirement for a formal caretaker period, with individual councils operating under their own policies and procedures.</li> <li>• This is commonly a point of public confusion.</li> </ul>	<ul style="list-style-type: none"> <li>• A statewide caretaker period for local governments is proposed.</li> <li>• All local governments across the State would have the same clearly defined election period, during which: <ul style="list-style-type: none"> <li>○ Councils do not make major decisions with criteria to be developed defining 'major'</li> <li>○ Incumbent councillors who nominate for re-election are not to represent the local government, act on behalf of the council, or use local government resources to support campaigning activities.</li> <li>○ There are consistent election conduct rules for all candidates.</li> </ul> </li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p> <p>Clarity will be needed around what is meant by 'not representing the local government or acting on behalf of the local government'.</p>
<b>5.7 Remove WALGA from the Act</b>		
<ul style="list-style-type: none"> <li>• The Western Australian Local Government Association (WALGA) is constituted under the <i>Local Government Act 1995</i>.</li> <li>• The Local Government Panel Report and the Select Committee Report included this recommendation.</li> </ul>	<ul style="list-style-type: none"> <li>• The <a href="#">Local Government Panel Report</a> recommended that WALGA not be constituted under the <i>Local Government Act 1995</i>.</li> <li>• Separating WALGA out of the Act will provide clarity that WALGA is not a State Government entity.</li> </ul>	<p><b>Current WALGA Position</b> No current position.</p> <p><b>Shire of Boddington Position</b> No comment</p>

<b>5.8 CEO Recruitment</b>		
<ul style="list-style-type: none"> <li>• Recent amendments introduced provisions to standardise CEO recruitment.</li> <li>• The recruitment of a CEO is a very important decision by a local government.</li> </ul>	<ul style="list-style-type: none"> <li>• It is proposed that DLGSC establishes a panel of approved panel members to perform the role of the independent person on CEO recruitment panels.</li> <li>• Councils will be able to select an independent person from the approved list.</li> <li>• Councils will still be able to appoint people outside of the panel with the approval of the Inspector.</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> While this concept is generally supported, the financial impact on Tier 3 and 4 local governments is a concern, as the ability to fund a panel member to the same extent as a Tier 1 or 2 local government is not available. Applying fixed costs such as this to all LG bands has a varied financial impact – generally more negative towards a smaller LG.</p>



## Theme 6: Improved Financial Management and Reporting

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<b>6.1 Model Financial Statements and Tiered Financial Reporting</b>		
<ul style="list-style-type: none"> <li>The financial statements published in the Annual Report is the main financial reporting currently published by local governments.</li> <li>Reporting obligations are the same for large (Stirling, Perth, Fremantle) and small (Sandstone, Wiluna, Dalwallinu) local governments, even though they vary significantly in complexity.</li> <li>The Office of the Auditor General has said that some existing reporting requirements are unnecessary or onerous - for instance, information that is not relevant to certain local governments, or that is a duplicate of other published information.</li> </ul>	<ul style="list-style-type: none"> <li>The Minister strongly believes in transparency and accountability in local government. The public rightly expects the highest standards of integrity, good governance, and prudent financial management in local government.</li> <li>It is critically important that clear information about the financial position of local governments is openly available to ratepayers. Financial information also supports community decision-making about local government services and projects.</li> <li>Local governments differ significantly in the complexity of their operations. Smaller local governments generally have much less operating complexity than larger local governments.</li> <li>The Office of the Auditor General has identified opportunities to improve financial reporting, to make statements clearer, and reduce unnecessary complexity.</li> <li>Recognising the difference in the complexity of smaller and larger local governments, it is proposed that financial reporting requirements should be tiered – meaning that larger local governments will have greater financial reporting requirements than smaller local governments.</li> <li>It is proposed to establish standard templates for <b>Annual Financial Statements</b> for band 1 and 2 councils, and simpler, clearer financial statements for band 3 and 4.</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<ul style="list-style-type: none"> <li>• <b>Online Registers</b>, updated quarterly (see item 3.4), would provide faster and greater transparency than current annual reports. Standard templates will be published for use by local governments.</li> <li>• <b>Simpler Strategic and Financial Planning</b> (item 6.2) would also improve the budgeting process.</li> </ul>	
<b>6.2 Simplify Strategic and Financial Planning</b>		
<ul style="list-style-type: none"> <li>• Requirements for plans are outlined in the Local Government Financial Management and Administration Regulations.</li> <li>• There is also the Integrated Planning and Reporting (IPR) framework.</li> <li>• While many councils successfully apply IPR to their budgeting and reporting, IPR may seem complicated or difficult, especially for smaller local governments.</li> </ul>	<ul style="list-style-type: none"> <li>• Having clear information about the finances of local government is an important part of enabling informed public and ratepayer engagement and input to decision-making.</li> <li>• The framework for financial planning should be based around information being clear, transparent, and easy to understand for all ratepayers and members of the public.</li> <li>• In order to provide more consistency and clarity across the State, it is proposed that greater use of templates is introduced to make planning and reporting clearer and simpler, providing greater transparency for ratepayers.</li> <li>• Local governments would be required to adopt a standard set of plans, and there will be templates published by the DLGSC for use or adaption by local governments.</li> <li>• It is proposed that the plans that are required are: <ul style="list-style-type: none"> <li>○ Simplified <b>Council Plans</b> that replace existing Strategic Community Plans and set high-level objectives, with a new plan required at least every eight years. These will be short-form plans, with a template</li> </ul> </li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	<p>available from the DLGSC</p> <ul style="list-style-type: none"> <li>○ Simplified <b>Asset Management Plans</b> to consistently forecast costs of maintaining the local government's assets. A new plan will be required at least every ten years, though local governments should update the plan regularly if the local government gains or disposes of major assets (e.g. land, buildings, or roads). A template will be provided, and methods of valuations will be simplified to reduce red tape</li> <li>○ Simplified <b>Long Term Financial Plans</b> will outline any long term financial management and sustainability issues, and any investments and debts. A template will be provided, and these plans will be required to be reviewed in detail at least every four years</li> <li>○ A new <b>Rates and Revenue Policy</b> (see item 6.3) that identifies the approximate value of rates that will need to be collected in future years (referencing the Asset Management Plan and Long Term Financial Plan) – providing a forecast to ratepayers (updated at least every four years)</li> <li>○ The use of simple, one-page <b>Service Proposals</b> and <b>Project Proposals</b> that outline what proposed services or initiatives will cost, to be made available through council meetings. These will become <b>Service Plans</b> and <b>Project Plans</b> added to the yearly budget if approved by council. This provides clear transparency for what</li> </ul>	

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
	the functions and initiatives of the local government cost to deliver. Templates will be available for use by local governments.	
<b>6.3 Rates and Revenue Policy</b>		
<ul style="list-style-type: none"> <li>Local governments are not required to have a rates and revenue policy.</li> <li>Some councils defer rate rises, resulting in the eventual need to drastically raise rates to cover unavoidable costs – especially for the repair of infrastructure.</li> </ul>	<ul style="list-style-type: none"> <li>The Rates and Revenue Policy is proposed to increase transparency for ratepayers by linking rates to basic operating costs and the minimum costs for maintaining essential infrastructure.</li> <li>A Rates and Revenue Policy would be required to provide ratepayers with a forecast of future costs of providing local government services.</li> <li>The Policy would need to reflect the Asset Management Plan and the Long Term Financial Plan (see item 6.2), providing a forecast of what rates would need to be, to cover unavoidable costs.</li> <li>A template would be published for use or adaption by all local governments.</li> <li>The <a href="#">Local Government Panel Report</a> included this recommendation.</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported with a Tiered approach.</p>
<b>6.4 Monthly Reporting of Credit Card Statements</b>		
<ul style="list-style-type: none"> <li>No legislative requirement.</li> <li>Disclosure requirements brought in by individual councils have shown significant reduction of expenditure of funds.</li> </ul>	<ul style="list-style-type: none"> <li>The statements of a local government's credit cards used by local government employees will be required to be tabled at council at meetings on a monthly basis.</li> <li>This provides oversight of incidental local government spending.</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>
<b>6.5 Amended Financial Ratios</b>		
<ul style="list-style-type: none"> <li>Local governments are required to report seven ratios in their annual financial statements.</li> <li>These are reported on the MyCouncil</li> </ul>	<ul style="list-style-type: none"> <li>Financial ratios will be reviewed in detail, building on work already underway by the DLGSC.</li> <li>The methods of calculating ratios and</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b></p>



CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<p>website.</p> <ul style="list-style-type: none"> <li>• These ratios are intended to provide an indication of the financial health of every local government.</li> </ul>	<p>indicators will be reviewed to ensure that the results are accurate and useful.</p>	<p>Supported</p>
<p><b>6.6 Audit Committees</b></p>		
<ul style="list-style-type: none"> <li>• Local governments must establish an Audit Committee that has three or more persons, with the majority to be council members.</li> <li>• The Audit Committee is to guide and assist the local government in carrying out the local government's functions in relation to audits conducted under the Act.</li> <li>• The Panel Report identified that Audit Committees should be expanded, including to provide improved risk management.</li> </ul>	<ul style="list-style-type: none"> <li>• To ensure independent oversight, it is proposed the Chair of any Audit Committee be required to be an independent person who is not on council or an employee of the local government.</li> <li>• Audit Committees would also need to consider proactive risk management.</li> <li>• To reduce costs, it is proposed that local governments should be able to establish shared Regional Audit Committees.</li> <li>• The Committees would be able to include council members but would be required to include a majority of independent members and an independent chairperson.</li> </ul>	<p><b>Current WALGA Position</b></p> <ol style="list-style-type: none"> <li>1. Do not support majority independent members of the Audit Committee</li> <li>2. Support Audit Committees of Local Government with an Elected Member majority including independent members, and to consider proactive risk management issues.</li> </ol> <p><b>Shire of Boddington Position</b></p> <p>Partially Supported</p> <p>The majority of independent members of the Audit Committee is not supported. A size and scale approach is suggested in relation to the Chair/membership of an Audit Committee. The proposal may be more appropriate for Tier 1 and 2 local governments. Of specific impact is the availability of regional Audit Committees to recruit a Chair and / or members, with relevant skills and availability. Adding an independent chair in rural areas will add cost and questionable benefit. It should be optional and scalable.</p> <p>Audit Committees considering pro-active risk management is supported.</p>
<p><b>6.7 Building Upgrade Finance</b></p>		

CURRENT REQUIREMENTS	PROPOSED REFORMS	COMMENTS
<ul style="list-style-type: none"> <li>The local government sector has sought reforms that would enable local governments to provide loans to property owners to finance for building improvements.</li> <li>This is not currently provided for under the Act.</li> <li>The Local Government Panel Report included this recommendation.</li> </ul>	<ul style="list-style-type: none"> <li>Reforms would allow local governments to provide loans to third parties for specific building improvements - such as cladding, heritage and green energy fixtures.</li> <li>This would allow local governments to lend funds to improve buildings within their district.</li> <li>Limits and checks and balances would be established to ensure that financial risks are proactively managed.</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>
<b>6.8 Cost of Waste Service to be Specified on Rates Notices</b>		
<ul style="list-style-type: none"> <li>No requirement for separation of waste charges on rates notice.</li> <li>Disclosure will increase ratepayer awareness of waste costs.</li> <li>The Review Panel Report included this recommendation.</li> </ul>	<ul style="list-style-type: none"> <li>It is proposed that waste charges are required to be separately shown on rate notices (for all properties which receive a waste service).</li> <li>This would provide transparency and awareness of costs for ratepayers.</li> </ul>	<p><b>Current WALGA Position</b> Supported</p> <p><b>Shire of Boddington Position</b> Supported</p>

## 8.2.2 Bushfire Risk Mitigation Coordinator Resourcing

File Reference: CORM008  
Applicant: Nil  
Disclosure of Interest: Nil  
Author: Chief Executive Officer  
Attachments: 8.2.2 Bushfire Risk Mitigation Coordinator Proposal

### Summary

Council is requested to provide in-principle support for a jointly funded Bushfire Risk Mitigation Coordinator, to progress Bushfire Risk Mitigation Activities across the Shire.

### Background

The Department of Fire and Emergency Services (DFES) manages a Bushfire Risk Management (BRM) program, involving the identification and mitigation of bushfire risks within local government areas. Through the development and implementation of LG BRM Plans, stakeholders are expected to work together to effectively manage bushfire risk to protect local communities and their assets. Although landowners and land managers are responsible for managing their risk, the extent in which this takes place is often affected by the availability of resources and funding to undertake mitigation activities.

In 2016/17, the Shire of Boddington was allocated a DFES funded Bushfire Risk Planning Coordinator to develop their BRM plan. The Plan was subsequently endorsed in May 2017, enabling the Shire to apply to the State Government's Mitigation Activity Fund Grants Program (MAFGP) for funding to treat Crown land that is owned or managed by LG.

The Shire of Boddington has completed 422 risk assessments across its LGA, of which 173 are deemed to be of significant (Extreme, Very High or High) bushfire risk.

Subsequent to the initial planning, only a small amount of work has been completed due to a lack of resources focused in this area.

### Comment

DFES have made contact with the Shire to discuss the funding of a new position. The Bushfire Risk Mitigation Coordinator (BRMC) is a position that DFES is introducing across WA. This position is responsible for ensuring LG mitigation programs (previously identified under the Bushfire Risk Planning process) are effectively planned, implemented and evaluated.

The BRMC is proposed to provide significant benefit to local governments and their communities by achieving:

- An increase in the number of mitigation activities, leading to a reduction in bushfire risk and greater protection of lives and assets.
- Improved visibility and understanding of LG mitigation works through regular reporting of annual and 3+ year mitigation programs.
- More coordinated approach to bushfire mitigation and improved consultation between landowners and land managers.

DFES are offering (subject to final endorsement) a BRMC grant for a period of three years, commencing on 01 July 2022 and ending on 30 June 2025. This position is proposed to be shared by 2 or 3 local governments (LG's), with the Shire of Boddington's contribution towards

the BRMC's grant depending on the number of LG's involved. The allocation from DFES is summarised in the payment schedule below.

Year	BRMC Budget	% Contribution	DFES Contribution \$ (Ex GST)
2022-23	\$155,083	DFES 50% Shire 50%	\$76,542
2023-24	\$155,025	DFES 30% Shire 70%	\$46,508
2024-25	\$160,385	DFES 30% Shire 70%	\$48,116

Should other Shire's join the program, the above costs will be shared. It is proposed that a minimum of 2 days per week would be required for Boddington, with the ideal resource being 3 days per week. Costs associated with 3 days per week for the Shire of Boddington are:

Year	BRMC Budget	% Contribution Shire / DFES	Boddington 3 days / week	DFES share 3 days / week
2022-23	\$153,083	50/50	\$45,924	\$45,924
2023-24	\$155,025	70/30	\$65,110	\$27,904
2024-25	\$160,385	70/30	\$67,362	\$28,869

The BRMC would be responsible for applying for and managing Mitigation Activity Funding, which is a fully funded DFES program to reduce bushfire hazards that present an extreme, very high or high risk to assets. It is likely that funding received under this program would be in excess of \$100,000 per annum.

#### Consultation

Nil

#### Strategic Implications

Nil

#### Legislative Implications

Nil

#### Policy Implications

Nil

#### Financial Considerations

The financial implications will be dependent on the number of Shires who participate. This is likely to be either a 2 day per week, or 3 day per week proposition for the Shire of Boddington.

In Year 1, the costs will range from \$30,616 (2 days) to \$45,924 (3 days). Due to the decreasing % contribution by DFES in years 2 and 3 the financial impact to the Shire of Boddington will range from \$43,406 (2 days) to \$65,110 (3 days) in Year 2, and \$44,908 (2 days) to \$67,362 (3 days) in Year 3.

Based on an assessment of the current Budget and future capacity, the Shire has the ability to fund this role.



### Economic Considerations

Bushfire can have significant impact on the local economy due to the potential loss of infrastructure. This includes roads, energy, telecommunications and community assets. Fires also disrupt tourism and agriculture which are an important component of economic activity in Boddington. Mitigation activities aim to preserve the normal functioning of the local economy.

### Social Considerations

The impact of fire on communities is wide reaching, triggering emotional responses in the short and long term due to loss of infrastructure, isolation, and can also result in divisions in communities. Mitigation activities enhance the ability to protect the community from the devastating impacts of fire.

### Environmental Considerations

Mitigation activities are completed with environmental outcomes in mind. Such activities seek to protect the environment from the risk of a high intensity fire event.

### Risk Considerations

Risk Statement and Consequence	Failing to undertake risk mitigation activities will present an increased safety risk for the community. Given the proposal from DFES provides part funding for a position to manage this activity, a reputational risk is present in terms of the Council decision and the thoughts of the community in relation to the allocation of resources to Bushfire risk management.
Risk Rating (prior to treatment or control)	High
Principal Risk Theme	Reputation, Property, People, Environmental
Risk Action Plan (controls or treatment proposed)	Nil

### Options

1. Not support the proposal for any level of resourcing
2. Support the proposal for an alternative level of resourcing (between 1 and 5 days per week)
3. Approve the recommendation for a resource up to three days per week.

### Voting Requirements

Simple Majority

### Officer Recommendation

**COUNCIL RESOLUTION: 5/22**

**Moved Cr Erasmus**

**That Council supports in-principle, the proposal for a shared Bushfire Risk Mitigation Coordinator, for up to three days per week at a cost of a maximum of \$45,924 in Year 1, \$65,110 in Year 2, and \$67,362 in Year 3.**

**Seconded: Cr**

**Smalberger**

**Carried: 4/0**



# Bushfire Risk Mitigation Coordinator

Shire of Boddington

## Background

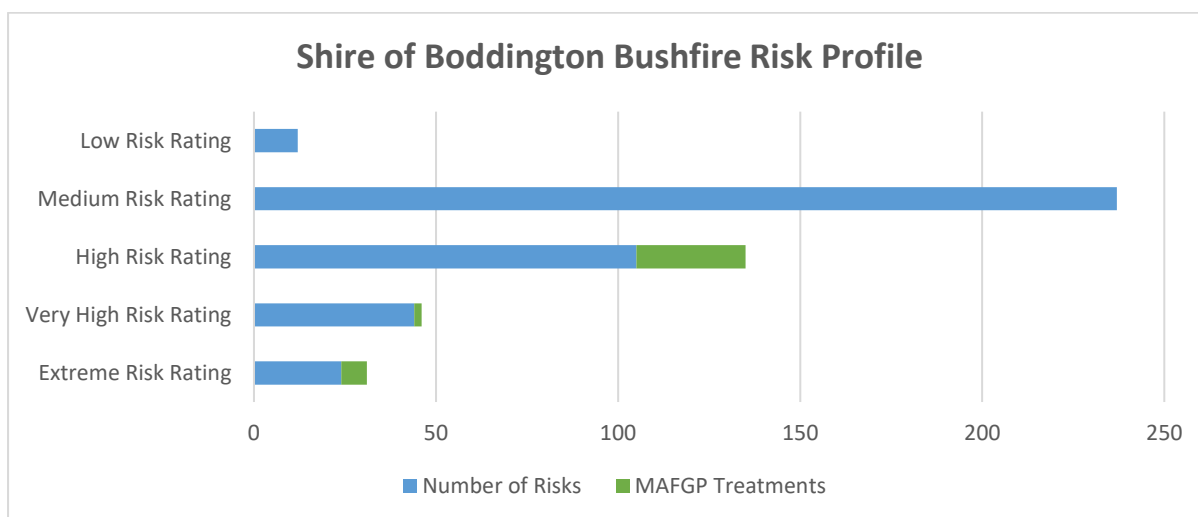
The Bushfire Risk Management (BRM) program involves the identification and mitigation of bushfire risks within local government areas. Through the development and implementation of LG BRM Plans stakeholders are expected to work together to effectively manage bushfire risk to protect local communities and their assets. Although landowners and land managers are responsible for managing their risk, the extent in which this takes place is often affected by the availability of resources and funding to undertake mitigation activities.

## Local Government Bushfire Risk Management Plan

The Shire of Boddington was allocated a fully funded Bushfire Risk Planning Coordinator to develop their BRM plan. The plan was subsequently endorsed in May 2017, enabling the Shire to apply to the State Government's Mitigation Activity Fund Grants Program (MAFGP) for funding to treat Crown land that is owned or managed by LG.

## Bushfire Risk Profile

The Shire of Boddington has completed 422 risk assessments across its LGA, of which 173 are deemed to be of significant (Extreme, Very High or High) bushfire risk. The Shire has received \$131,900 from the MAFGP to undertake 39 treatments but has not applied for funding since 2019-20.



## Bushfire Risk Mitigation Officer

The Bushfire Risk Mitigation Officer (BRMC) is a new position that the Department of Fire and Emergency Services (DFES) is introducing across WA. The BRMC will perform an integral role in regional bushfire mitigation and will be responsible for ensuring LG mitigation programs are effectively planned, implemented and evaluated.

The BRMC will provide significant benefit to local governments and their communities and will support the achievement of the following:

- An increase in the number of mitigation activities, leading to a reduction in bushfire risk and greater protection of lives and assets.
- Improved visibility and understanding of LG mitigation works through regular reporting of annual and 3+ year mitigation programs.
- More coordinated approach to bushfire mitigation and improved consultation between landowners and land managers.

## Funding Model

Although the BRMC will fundamentally manage LG mitigation programs, it is recognised that LG treatments will assist in the development and delivery of larger, more strategic mitigation activities. DFES acknowledges and values the importance LG treatments perform in cross-tenure mitigation and has proposed a funding model that reflects this.

The BRMC grant will be for three years, commencing on 01 July 2022 and ending on 30 June 2025. The Shire of Boddington's contribution towards the BRMC's grant will depend on the number of LG's involved, however DFES' allocation is summarised in the payment schedule below.

Financial Year	Recommended BRMC Budget	Percentage Contribution	DFES Contribution (EX GST)
2022-23	\$153,083	DFES 50% funding LG(s) 50% funding	Grant Amount TOTAL \$76,542
2023-24	\$155,025	DFES 30% funding LG(s) 70% funding	Grant Amount TOTAL \$46,508
2024-25	\$160,385	DFES 30% funding LG(s) 70% funding	Grant Amount TOTAL \$48,116

## Supporting Documentation

The rollout of the BRMCs across the State will coincide with the development of several supporting documents. In addition to a comprehensive BRMC induction package, DFES will provide relevant LGs with a Grant Agreement and JDF. These documents are currently in draft but are available on request.



## 8.3 CORPORATE SERVICES

### 8.3.1 Monthly Financial Statements

File Reference:	FINM/5
Applicant:	Not Applicable
Disclosure of Interest:	Nil
Author:	Executive Manager Corporate Services
Attachments:	8.3.1A Monthly Financial Report period ended 31 December 2021 8.3.1B Monthly Financial Report period ended 31 January 2022

#### Summary

The Monthly Financial Report for December 2021 and January 2022 is presented for Councils consideration.

#### Background

In accordance with the Local Government Act 1995, a statement of financial activity must be presented at an Ordinary Meeting of Council. This is required to be presented within two months, after the end of the month, to which the statement relates.

The statement of financial activity is to report on the revenue and expenditure as set out in the annual budget for the month, including explanations of any variances. Regulation 34, from the Local Government (Financial Management) Regulations 1996 sets out the detail that is required to be included in the reports.

#### Comment

The attached monthly financial statements and supporting information have been compiled to meet compliance with the Local Government Act 1995 and associated Regulations.

#### Consultation

Nil

#### Strategic Implications

Nil

#### Legislative Implications

##### *Local Government Act 1995*

Section 6.4 Specifies that a local government is to prepare such other financial reports as are prescribed.

##### *Local Government (Financial Management) Regulations 1996*

Regulation 34 states:

- (1) A local government is to prepare each month a statement of financial activity reporting on the sources and applications of funds, as set out in the annual budget under regulation 22(1)(d) for that month in the following detail:
  - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);
  - (b) budget estimates to the end of month to which the statement relates;
  - (c) actual amounts of expenditure, revenue and income to the end of the month to

- which the statement relates;
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c);
- (e) the net current assets at the end of the month to which the statement relates.

Sub regulations 2, 3, 4, 5, and 6 prescribe further details of information to be included in the monthly statement of financial activity.

Policy Implications

Nil

Financial Implications

As disclosed in the financial statements.

Economic Implications

Timely submission of detailed monthly financial reports allows Council to monitor the financial performance of the Shire and review any adverse financial trends that may impact on the Shire's financial sustainability.

Social Implications

Nil

Environmental Considerations

Nil

Risk Considerations

Risk Statement and Consequence	Failure to monitor the Shire's ongoing financial performance would increase the risk of a negative impact on the Shire's financial position. As the monthly report is a legislative requirement, non-compliance may result in a qualified audit.
Risk Rating (prior to treatment or control)	Minor (2)
Principal Risk Theme	Reputational / Legislative
Risk Action Plan (controls or treatment proposed)	Nil

Options

1. Council may choose to receive the monthly financial reports as presented.
2. Council may choose not to receive the monthly financial reports as presented.

Voting Requirements

Simple Majority

**Officer Recommendation**

**COUNCIL RESOLUTION: 6/22**

**Moved Cr Erasmus**

**That the financial statements presented for the period ending December 2021 and January 2022 be received by Council.**

**Seconded: Cr Webster**

**Carried: 4/0**



**MONTHLY FINANCIAL REPORT**  
**(Containing the Statement of Financial Activity)**

**For the Period Ended 31 December 2021**

**LOCAL GOVERNMENT ACT 1995**  
**LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996**

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**MONTHLY FINANCIAL REPORT  
FOR THE PERIOD ENDED 31 DECEMBER 2021**

**BASIS OF PREPARATION**

**BASIS OF PREPARATION**

The financial report has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board, and the *Local Government Act 1995* and accompanying regulations.

The *Local Government Act 1995* and accompanying Regulations take precedence over Australian Accounting Standards where they are inconsistent.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost. All right-of-use assets (other than vested improvements) under zero cost concessionary leases are measured at zero cost rather than at fair value. The exception is 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.

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.

**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.

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

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

**SIGNIFICANT ACCOUNTING POLICES**

**CRITICAL ACCOUNTING 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 that are 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.

**GOODS AND SERVICES TAX**

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

**ROUNDING OFF FIGURES**

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

**PREPARATION TIMING AND REVIEW**

Date prepared: All known transactions up to 31 January 2022

**KEY TERMS AND DESCRIPTIONS  
FOR THE PERIOD ENDED 31 DECEMBER 2021**

**STATUTORY REPORTING PROGRAMS**

Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

<b>PROGRAM NAME AND OBJECTIVES</b>	<b>ACTIVITIES</b>
<p><b>GOVERNANCE</b> To provide a decision making process for the efficient allocation of scarce resources</p>	Administration and operation of members of Council. Other costs that relate to the tasks of assisting elected members and ratepayers on matters which do not concern specific Council services.
<p><b>GENERAL PURPOSE FUNDING</b> To collect revenue to allow for the provision of services</p>	To collect revenue in the form of rates, interest and general purpose Government grants to allow for the provision of services.
<p><b>LAW, ORDER, PUBLIC SAFETY</b> To provide services to help ensure a safer and environmentally conscious community</p>	Supervision and enforcement of various local laws relating to fire prevention, animal control and other aspects of public safety including emergency services
<p><b>HEALTH</b> To provide an operational framework for environmental and community health</p>	Inspection of food outlets and their control, noise control and waste disposal compliance
<p><b>EDUCATION AND WELFARE</b> To provide services to the elderly, children and youth</p>	The provision of childcare facilities, aged housing, and the support of youth in the community.
<p><b>HOUSING</b> To provide and maintain staff and other housing</p>	Provision and maintenance of staff and other housing
<p><b>COMMUNITY AMENITIES</b> To provide services required by the community</p>	Rubbish collection services, operation of rubbish disposal sites, litter control, construction and maintenance of urban storm water drains, protection of the environment and administration of town planning schemes, cemetery and public conveniences
<p><b>RECREATION AND CULTURE</b> To establish and effectively manage infrastructure and resource which will help the social well being of the community</p>	Maintenance of public halls, civic centres, swimming pool, recreation centres and various sporting facilities. Provision and maintenance of parks, gardens and playgrounds. Operation of library and other cultural facilities
<p><b>TRANSPORT</b> To provide safe, effective and efficient transport services to the community</p>	Construction and maintenance of roads, streets, footpaths, depots, cycle ways, parking facilities and traffic control. Cleaning of streets and maintenance of street trees, street lighting etc.
<p><b>ECONOMIC SERVICES</b> To help promote the shire and its economic wellbeing</p>	Tourism and area promotion including the maintenance and operation of a caravan park. Provision of rural services including weed control, vermin control and standpipes. Building Control
<p><b>OTHER PROPERTY AND SERVICES</b> To monitor and control Shire's overheads operating accounts</p>	Private works operation, plant repair and operation costs and engineering operation costs, administration costs allocated and other unclassified works and services

**STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 DECEMBER 2021**
**STATUTORY REPORTING PROGRAMS**

	Ref Note	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
<b>Opening funding surplus / (deficit)</b>	2(c)	1,043,000	1,043,000	<b>1,130,431</b>	87,431	8%	
<b>Revenue from operating activities</b>							
Governance		42,435	23,403	<b>53,397</b>	29,994	128%	▲
General purpose funding - general rates	5	5,225,193	5,224,193	<b>5,226,886</b>	2,693	0%	
General purpose funding - other		142,176	77,191	<b>87,012</b>	9,821	13%	
Law, order and public safety		124,793	54,912	<b>60,961</b>	6,049	11%	
Health		39,290	18,811	<b>20,603</b>	1,792	10%	
Education and welfare		505,200	336,236	<b>368,377</b>	32,141	10%	
Housing		23,400	11,838	<b>13,827</b>	1,989	17%	
Community amenities		296,030	261,012	<b>301,853</b>	40,841	16%	▲
Recreation and culture		48,895	22,260	<b>56,875</b>	34,615	156%	▲
Transport		110,080	52,280	<b>60,373</b>	8,093	15%	
Economic services		291,697	153,240	<b>265,471</b>	112,231	73%	▲
Other property and services		11,005	6,866	<b>26,368</b>	19,502	284%	▲
		<b>6,860,194</b>	<b>6,242,242</b>	<b>6,542,003</b>	299,761		
<b>Expenditure from operating activities</b>							
Governance		(127,430)	(96,384)	<b>(24,788)</b>	71,596	74%	▲
General purpose funding		(22,307)	(6,966)	<b>(761)</b>	6,205	89%	
Law, order and public safety		(523,783)	(266,311)	<b>(276,332)</b>	(10,021)	(4%)	
Health		(218,897)	(112,488)	<b>(100,265)</b>	12,223	11%	▲
Education and welfare		(822,710)	(457,717)	<b>(533,523)</b>	(75,806)	(17%)	▼
Housing		(19,885)	(10,831)	<b>(90,560)</b>	(79,729)	(736%)	▼
Community amenities		(837,143)	(404,917)	<b>(429,260)</b>	(24,343)	(6%)	
Recreation and culture		(2,123,766)	(1,100,144)	<b>(1,244,322)</b>	(144,178)	(13%)	▼
Transport		(3,309,496)	(1,492,162)	<b>(1,470,162)</b>	22,000	1%	
Economic services		(827,708)	(398,259)	<b>(456,761)</b>	(58,502)	(15%)	▼
Other property and services		(4,095)	(3,300)	<b>42,370</b>	45,670	1384%	▲
		<b>(8,837,220)</b>	<b>(4,349,479)</b>	<b>(4,584,364)</b>	(234,885)		
Non-cash amounts excluded from operating activities	2(a)	2,428,735	1,196,760	<b>1,531,477</b>	334,717	28%	▲
<b>Amount attributable to operating activities</b>		<b>451,709</b>	<b>3,089,523</b>	<b>3,489,116</b>	399,593		
<b>Investing Activities</b>							
Proceeds from non-operating grants & contributions	8	1,271,930	775,200	<b>677,662</b>	(97,538)	(13%)	▼
Proceeds from disposal of assets	6	34,000	10,000	<b>7,273</b>	(2,727)	(27%)	
Payments for property, plant and equipment & infrastructure	6	(2,213,256)	(563,728)	<b>(595,899)</b>	(32,171)	(6%)	
		<b>(907,326)</b>	<b>221,472</b>	<b>89,036</b>	(132,436)		
<b>Financing Activities</b>							
Transfer from reserves	3	0	0	<b>0</b>	0	0%	
Repayment of debentures	7	(357,077)	(177,992)	<b>(177,992)</b>	0	0%	
Transfer to reserves	3	(61,202)	0	<b>0</b>	0	0%	
<b>Amount attributable to financing activities</b>		<b>(418,279)</b>	<b>(177,992)</b>	<b>(177,992)</b>	0		
<b>Closing funding surplus / (deficit)</b>	2(c)	<b>169,104</b>	<b>4,176,004</b>	<b>4,530,591</b>			

**KEY INFORMATION**

▲▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note 1 for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2021-22 year is \$10,000 or 10.00% whichever is the greater.

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

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 DECEMBER 2021**

**NOTE 1  
EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.

The material variance adopted by Council for the 2021-22 year is \$10,000 or 10.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Timing / Permanent	Explanation of Variances
	\$	%		
<b>Revenue from operating activities</b>				
Governance	29,994	128%	▲ Permanent	Reimbursements from LGIS for adjustments to insurance.
General purpose funding - rates	2,693	0%		
General purpose funding - other	9,821	13%		
Law, order and public safety	6,049	11%		
Health	1,792	10%		
Education and welfare	32,141	10%		
Housing	1,989	17%		
Community amenities	40,841	16%	▲ Permanent	Roadside collection revenue is higher than budget expectations.
Recreation and culture	34,615	156%	▲ Permanent	Clubs & Sporting leases underestimated in budget.
Transport	8,093	15%		
Economic services	112,231	73%	▲ Permanent	Community Café \$43k not included in adopted budget.
			▲ Permanent	Australia Day Grant \$20k not included in adopted budget.
			▲ Timing	Caravan Park \$49k currently exceeding budget estimates.
Other property and services	19,502	284%	▲ Permanent	Workers Compensation reimbursement \$19k.
<b>Expenditure from operating activities</b>				
Governance	71,596	74%	▲ Timing	Salaries and Contractor expenditure tracking below estimate, this may change as consultants are engaged to undertake projects.
General purpose funding	6,205	89%		
Law, order and public safety	(10,021)	(4%)		
Health	12,223	11%	▲ Timing	Expenditure still to be incurred.
Education and welfare	(75,806)	(17%)	▼ Permanent	Depreciation over budget estimate.
Housing	(79,729)	(736%)	▼ Timing	Housing allocations yet to be completed
Community amenities	(24,343)	(6%)		
Recreation and culture	(144,178)	(13%)	▼ Permanent	Depreciation over budget estimate.
Transport	22,000	1%		
Economic services	(58,502)	(15%)	▼ Permanent	Community Café \$47k not included in adopted budget. See corresponding variance in revenue.
Other property and services	45,670	1384%	▲ Timing	Works Overhead expenses lower than anticipated for reporting period. Plant Operation Cost expenses higher than anticipated for reporting period.
<b>Non-cash amounts excluded from operating activities</b>	334,717	28%	▼ Permanent	Depreciation over budget estimate.
<b>Investing activities</b>				
Proceeds from non-operating grants & contributions	(97,538)	(13%)	▼ Timing	Delay in funding received for Roads to Recovery for reporting period.
Proceeds from disposal of assets	(2,727)	(27%)		
Payments for property, plant and equipment & infrastructure	(32,171)	(6%)		
<b>Financing activities</b>				
Transfer from reserves	0	0%		
Repayment of debentures	0	0%		
Transfer to reserves	0	0%		



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 DECEMBER 2021**

**NOTE 2  
STATEMENT OF FINANCIAL ACTIVITY INFORMATION**

**(a) Non-cash items 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.

	Notes	Adopted Budget	YTD Budget (a)	YTD Actual (b)
<b>Non-cash items excluded from operating activities</b>				
		\$	\$	\$
<b>Adjustments to operating activities</b>				
Less: Profit on asset disposals	6	0	0	(2,489)
Less: Movement in liabilities associated with restricted cash		0	0	0
Movement in pensioner deferred rates (non-current)		0	0	(419)
Movement in employee benefit provisions (non-current)		34,790	0	0
Movement in other provisions (non-current)		0	0	0
Add: Loss on asset disposals	6	0	0	0
Add: Depreciation on assets		2,393,945	1,196,760	1,534,385
<b>Total non-cash items excluded from operating activities</b>		<b>2,428,735</b>	<b>1,196,760</b>	<b>1,531,477</b>

**(b) Adjustments to net current assets in the Statement of Financial Activity**

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.

		Last Year Closing 30 June 2021	This Time Last Year 31 December 2020	Year to Date 31 December 2021
<b>Adjustments to net current assets</b>				
Less: Reserves - restricted cash	3	(1,668,321)	(3,029,053)	(1,668,321)
Add: Borrowings	7	357,077	175,930	179,086
Add: Provisions - employee		0	0	0
<b>Total adjustments to net current assets</b>		<b>(1,311,244)</b>	<b>(2,853,123)</b>	<b>(1,489,235)</b>

**(c) Net current assets used in the Statement of Financial Activity**

<b>Current assets</b>				
Cash and cash equivalents	3	3,934,794	5,550,879	7,245,402
Rates receivables	4	253,668	727,508	685,436
Receivables	4	1,404,087	163,557	205,842
Other current assets		158,762	46,547	155,803
<b>Less: Current liabilities</b>				
Payables		(1,095,378)	(404,432)	(236,390)
Borrowings	7	(357,077)	(175,930)	(179,086)
Contract liabilities		(1,596,684)	(484,971)	(1,596,684)
Provisions		(260,497)	(245,545)	(260,497)
<b>Less: Total adjustments to net current assets</b>	2(b)	<b>(1,311,244)</b>	<b>(2,853,123)</b>	<b>(1,489,235)</b>
<b>Closing funding surplus / (deficit)</b>		<b>1,130,431</b>	<b>2,324,490</b>	<b>4,530,591</b>

**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 Council's operational cycle.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 DECEMBER 2021

OPERATING ACTIVITIES  
NOTE 3  
CASH AND FINANCIAL ASSETS

## CASH AND INVESTMENTS

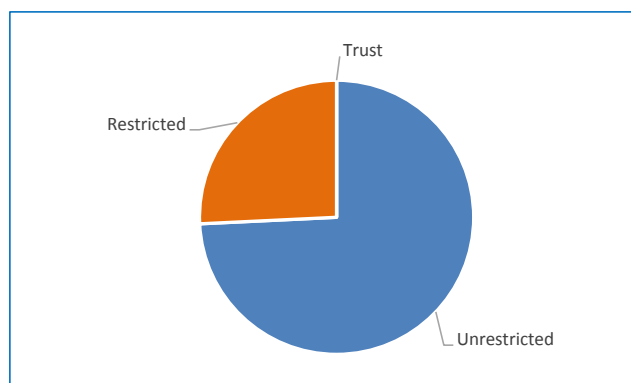
Description	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
<b>Cash on hand</b>							
Petty Cash & Floats	400	0	400			0.00%	On Hand
<b>At Call Deposits</b>							
Municipal Funds	5,378,720	0	5,378,720		NAB		At Call
Reserve Funds	0	1,668,321	1,668,321		NAB		At Call
Bonds & Deposits	0	94,315	94,315		NAB		At Call
<b>Term Deposits &amp; Overnight Cash Deposits</b>							
OCDF Boddington Supertowns	0	103,646	103,646		Treasury	0.05%	Overnight
<b>Total</b>	<b>5,379,120</b>	<b>1,866,282</b>	<b>7,245,402</b>	<b>0</b>			

## 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 and bank overdrafts. 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.



Total Cash	Unrestricted
<b>\$7.25 M</b>	<b>\$5.38 M</b>

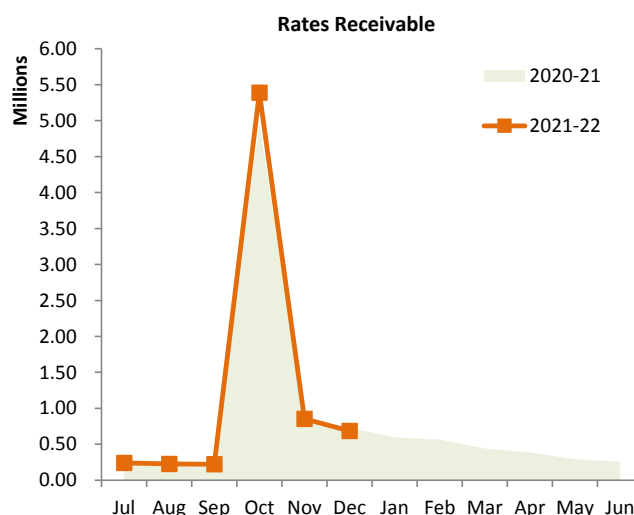
## CASH BACKED RESERVES

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Plant Reserve	221,172	265	0	0	0	0	0	221,437	221,172
Building Reserve	97,124	116	0	0	0	0	0	97,240	97,124
Local Organisation Assistance Fund Reserve	31,617	38	0	9,202	0	0	0	40,857	31,617
Refuse Site Reserve	39,470	47	0	0	0	0	0	39,517	39,470
Aged Housing Reserve	366,827	440	0	0	0	0	0	367,267	366,827
Swimming Pool Reserve	21,005	25	0	0	0	0	0	21,030	21,005
River Crossing Reserve	47,644	57	0	0	0	0	0	47,701	47,644
Prepaid Conditional Grants Reserve	199,558	239	0	0	0	0	0	199,797	199,558
Unspent Conditional Grants Reserve	376,700	452	0	0	0	0	0	377,152	376,700
Public Open Space Reserve	267,204	321	0	0	0	0	0	267,525	267,204
Town Weir Reserve	0	0	0	50,000	0	0	0	50,000	0
	1,668,321	2,000	0	59,202	0	0	0	1,729,523	1,668,321

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 DECEMBER 2021**

**OPERATING ACTIVITIES  
NOTE 4  
RECEIVABLES**

Rates receivable	30 Jun 2021	31 Dec 2021
	\$	\$
Opening arrears previous years	268,443	253,668
RATES - levied this year	4,775,251	5,227,323
RUBBISH - levied this year	231,837	253,247
ESL - levied this year	102,228	107,448
<b>TOTAL levied this year</b>	<b>5,109,316</b>	<b>5,588,018</b>
Less - collections to date	(5,124,091)	(5,156,250)
Equals current outstanding	<b>253,668</b>	<b>685,436</b>
<b>Net rates collectable</b>	<b>253,668</b>	<b>685,436</b>
% Collected	95.3%	88.3%



Receivables - general	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Receivables - general	41,678	1,891	19,520	65,733	128,822
Percentage	32.4%	1.5%	15.2%	51%	
<b>Balance per trial balance</b>					
Sundry receivable					128,822
GST receivable					77,432
Increase in Allowance for impairment of receivables from contracts with customers					(3,337)
Accrued Income					155,803
Loan Clay Target Club					2,925
<b>Total receivables general outstanding</b>					<b>361,645</b>

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. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for impairment of receivables is raised when there is objective evidence that they will not be collectible.

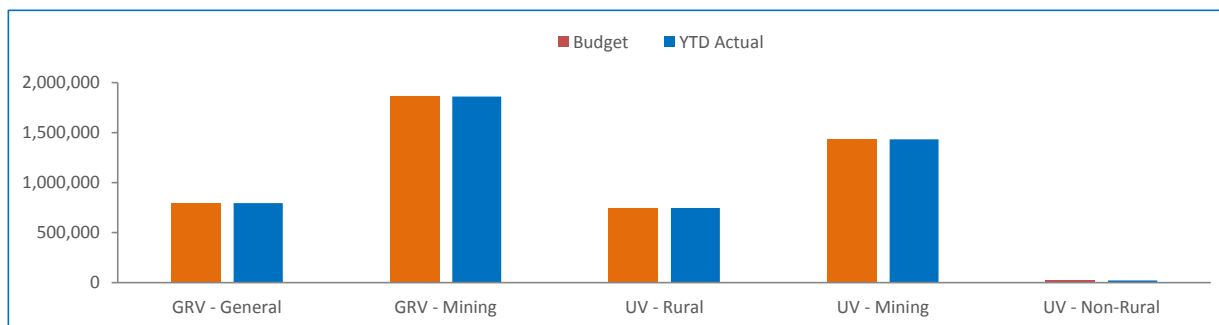
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 DECEMBER 2021

OPERATING ACTIVITIES  
NOTE 5  
RATE REVENUE

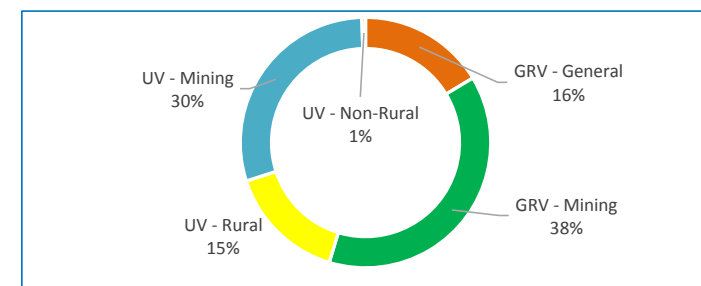
General rate revenue	Budget						YTD Actual			
	Rate in \$ (cents)	Number of Properties	Rateable Value	Rate Revenue \$	Interim Rate \$	Total Revenue \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$
<b>RATE TYPE</b>										
<b>Gross rental value</b>										
GRV - General	0.111213	475	7,119,005	791,726	0	791,726	795,485	352	0	795,837
GRV - Mining	0.090161	2	20,635,000	1,860,472	0	1,860,472	1,860,472	0	0	1,860,472
<b>Unimproved value</b>										
UV - Rural	0.006884	242	108,471,000	746,714	1,000	747,714	746,714	(790)	0	745,924
UV - Mining	0.032646	48	43,849,051	1,431,496	0	1,431,496	1,432,835	0	0	1,432,835
UV - Non-Rural	0.025432	2	883,500	22,469	0	22,469	22,469	0	0	22,469
<b>Sub-Total</b>		<b>769</b>	<b>180,957,556</b>	<b>4,852,877</b>	<b>1,000</b>	<b>4,853,877</b>	<b>4,857,975</b>	<b>(438)</b>	<b>0</b>	<b>4,857,537</b>
<b>Minimum payment</b>	<b>Minimum \$</b>									
<b>Gross rental value</b>										
GRV - General	984	155	419,914	152,520	0	152,520	150,552	0	0	150,552
GRV - Mining	984	1	20	984	0	984	984	0	0	984
<b>Unimproved value</b>										
UV - Rural	750	234	21,171,000	175,500	0	175,500	175,500	0	0	175,500
UV - Mining	984	43	190,782	42,312	0	42,312	42,312	0	0	42,312
UV - Non-Rural	984	0	0	0	0	0	0	0	0	0
<b>Sub-total</b>		<b>433</b>	<b>21,781,716</b>	<b>371,316</b>	<b>0</b>	<b>371,316</b>	<b>369,348</b>	<b>0</b>	<b>0</b>	<b>369,348</b>
<b>Amount from general rates</b>						<b>5,225,193</b>				<b>5,226,885</b>

KEY INFORMATION

Prepaid rates are, until the taxable event for the rates has occurred, refundable at the request of the ratepayer. Rates received in advance give rise to a financial liability. On 1 July 2021 the prepaid rates were recognised as a financial asset and a related amount was recognised as a financial liability and no income was recognised. When the taxable event occurs the financial liability is extinguished and income recognised for the prepaid rates that have not been refunded.



General Rates	
Budget	Actual
<b>\$5.23 M</b>	<b>\$5.23 M</b>





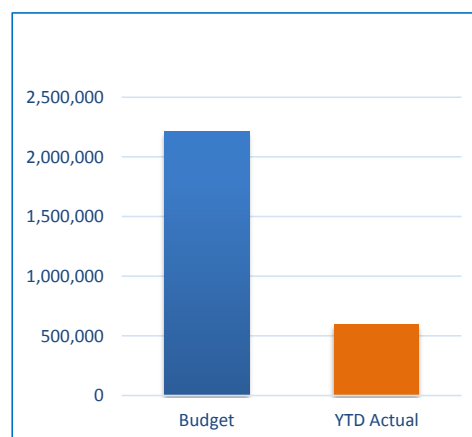
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 DECEMBER 2021

INVESTING ACTIVITIES  
NOTE 6  
CAPITAL ACQUISITIONS

Capital acquisitions	Adopted		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Furniture and Equipment	55,000	42,000	41,476	(524)
Land and Buildings	70,000	25,000	24,989	(11)
Plant and Equipment	222,233	40,000	49,647	9,647
Road Infrastructure	1,300,638	305,228	337,957	32,729
Footpath Infrastructure	111,073	75,000	74,770	(230)
Infrastructure - Parks, Gardens, Recreation Facilities	454,312	76,500	67,061	(9,439)
<b>Total Capital Acquisitions</b>	<b>2,213,256</b>	<b>563,728</b>	<b>595,899</b>	<b>32,171</b>
<b>Capital Acquisitions Funded By:</b>				
	\$	\$	\$	\$
Capital grants and contributions	1,271,930	775,200	677,662	(97,538)
Borrowings	0	0	0	0
Other (disposals & C/Fwd)	34,000	10,000	7,273	(2,727)
Cash backed reserves				
Plant Reserve	0	0	0	0
Building Reserve	0	0	0	0
Local Organisation Assistance Fund Reserve	0	0	0	0
Refuse Site Reserve	0	0	0	0
Aged Housing Reserve	0	0	0	0
Swimming Pool Reserve	0	0	0	0
River Crossing Reserve	0	0	0	0
Prepaid Conditional Grants Reserve	0	0	0	0
Unspent Conditional Grants Reserve	0	0	0	0
Public Open Space Reserve	0	0	0	0
Town Weir Reserve	0	0	0	0
Contribution - operations	907,326	(221,472)	(89,036)	132,436
<b>Capital funding total</b>	<b>2,213,256</b>	<b>563,728</b>	<b>595,899</b>	<b>32,171</b>

**SIGNIFICANT ACCOUNTING POLICIES**

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.



Acquisitions	Annual Budget	YTD Actual	% Spent
	<b>\$2.21 M</b>	<b>\$0.6 M</b>	<b>27%</b>

Capital Grants	Annual Budget	YTD Actual	% Received
	<b>\$1.27 M</b>	<b>\$0.68 M</b>	<b>53%</b>




























NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 DECEMBER 2021

INVESTING ACTIVITIES  
NOTE 6  
CAPITAL ACQUISITIONS (CONTINUED)

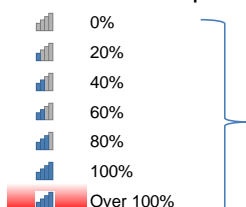
Capital Disposals

Asset description	Budget			YTD Actual		
	Net Book Value	Proceeds	Profit / (Loss)	Net Book Value	Proceeds	Profit / (Loss)
Trade in Utility - BT031	12,000	12,000	0	0	0	0
Trade in BT07	10,000	10,000	0	4,784	7,273	2,489
Trade in BT011	10,000	10,000	0	0	0	0
Trade in Mower	2,000	2,000	0	0	0	0
	<b>34,000</b>	<b>34,000</b>	<b>0</b>	<b>4,784</b>	<b>7,273</b>	<b>2,489</b>

Capital Acquisitions

Account Description	Annual Budget	YTD Budget	YTD Actual	Variance Under/(Over)
 IT Equipment - Server Replacement	45,000	42,000	41,476	524
 Office Equipment	10,000	0	0	0
<b>Total Furniture &amp; Equipment</b>	<b>55,000</b>	<b>42,000</b>	<b>41,476</b>	<b>524</b>
 Swimming Pool - Disabled Toilet & Shower	5,000	0	0	0
 Rusty Camp Oven - Commercial Kitchen Fitout	65,000	25,000	24,989	11
<b>Total Land &amp; Buildings</b>	<b>70,000</b>	<b>25,000</b>	<b>24,989</b>	<b>11</b>
 Doctors Vehicle	40,000	40,000	49,647	(9,647)
 Plant Float Trailer	50,158	0	0	0
 Truck Modifications for Towing Plant Float	6,875	0	0	0
 Mower	51,200	0	0	0
 D/Cab Utility - BT015	30,000	0	0	0
 Utility - BT011	39,000	0	0	0
 Water Pump for Road Construction	5,000	0	0	0
<b>Total Plant &amp; Equipment</b>	<b>222,233</b>	<b>40,000</b>	<b>49,647</b>	<b>(9,647)</b>
 RTR - Lower Hotham Rd - Reseal	37,410	0	0	0
 RTR - Days Rd - Reseal	70,064	70,064	108,117	(38,053)
 RTR - Chalk Brook Rd	88,164	88,164	82,963	5,201
 RTR - River Rd/Forrest St Intersection Upgrade	40,000	4,000	3,984	16
 RRG - Crossman Rd (2021/2022)	165,000	56,000	56,610	(610)
 RRG - Crossman Rd (2020/2021)	66,000	40,000	39,923	77
 RRG - Harvey Quindanning Rd	489,000	26,000	25,923	77
 RRG - Lower Hotham Rd	345,000	21,000	20,437	563
<b>Total Road Infrastructure</b>	<b>1,300,638</b>	<b>305,228</b>	<b>337,957</b>	<b>(32,729)</b>
 Footpaths - LRCI Phase 2 Grant Project	111,073	75,000	74,770	230
<b>Total Footpath Infrastructure</b>	<b>111,073</b>	<b>75,000</b>	<b>74,770</b>	<b>230</b>
 Drainage - ELC - Drainage Works	20,000	1,500	1,440	60
 Hotham Park/Foreshore Landscape & Lighting	241,312	25,000	14,802	10,198
 Ranford Playground Replacement	35,000	0	0	0
 Early Learning Centre - Shade Structure	40,000	0	0	0
 Swimming Pool - Repaint Basin	28,000	0	0	0
 Street Lighting - LRCI Phase 2 Grant Project	50,000	10,000	10,818	(818)
 Sculpture	40,000	40,000	40,000	0
<b>Total Other Infrastructure</b>	<b>454,312</b>	<b>76,500</b>	<b>67,061</b>	<b>9,439</b>
	<b>2,213,256</b>	<b>563,728</b>	<b>595,899</b>	<b>(32,171)</b>

Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 DECEMBER 2021**

**FINANCING ACTIVITIES  
NOTE 7  
BORROWINGS**

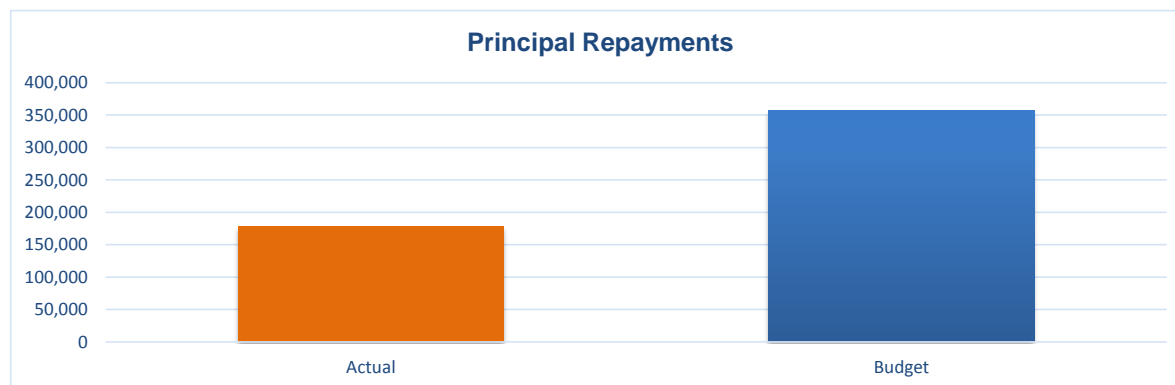
**Repayments - borrowings**

Information on borrowings Particulars	Loan No.	Interest %	1 July 2021	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
				Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
				\$	\$	\$	\$	\$	\$	\$	\$
<b>Governance</b>											
Administration Centre	105	4.01%	429,525	0	0	67,895	137,150	361,630	292,375	9,741	21,154
<b>Health</b>											
Doctors Residence	83	6.57%	12,942	0	0	6,367	12,942	6,575	0	466	632
<b>Education and welfare</b>											
Childcare Centre	100	6.42%	102,445	0	0	8,772	17,826	93,673	84,619	2,987	6,237
<b>Housing</b>											
3 Pecan Place	94	6.45%	179,384	0	0	7,507	15,256	171,877	164,128	4,632	11,328
34 Hill Street	97	6.45%	181,920	0	0	7,613	15,472	174,307	166,448	4,244	11,488
<b>Recreation and culture</b>											
Recreation Centre	106	3.36%	660,580	0	0	32,716	63,819	627,864	596,761	11,889	21,600
Recreation Centre	107	1.56%	906,847	0	0	47,122	94,612	859,725	812,235	7,073	13,779
<b>Total</b>			<b>2,473,643</b>	<b>0</b>	<b>0</b>	<b>177,992</b>	<b>357,077</b>	<b>2,295,652</b>	<b>2,116,566</b>	<b>41,033</b>	<b>86,218</b>
Current borrowings			357,077					179,086			
Non-current borrowings			2,116,566					2,116,566			
			<b>2,473,643</b>					<b>2,295,652</b>			

All debenture repayments were financed by general purpose revenue.

**KEY INFORMATION**

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.



**Principal Repayments**  
**\$177,992**

**Interest Earned**  
**\$8,504**

**Interest Expense**  
**\$41,033**

**Reserves Balance**  
**\$1,668,321**

**Loans Due**  
**\$2,295,652**

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 DECEMBER 2021NOTE 8  
GRANTS & CONTRIBUTIONS

Provider	Unspent grants, subsidies and contributions liability				Grants, subsidies & contributions revenue					
	Liability	Increase in Liability	Decrease in Liability (As revenue)	Liability	YTD Budget	Annual Budget	Budget Variations	Expected	YTD Revenue Actual	
	1 Jul 21			31 Dec 21						
	\$	\$	\$	\$	\$	\$	\$	\$	\$	
<b>Operating grants, subsidies and contributions</b>										
<b>Governance</b>										
Employee Contributions	0	0	0	0	1,156	5,200	0	5,200	0	
<b>General purpose funding</b>										
Federal Assistance Grant - General Purpose	0	0	0	0	21,476	42,951	0	42,951	18,633	
Federal Assistance Grant - Local Roads				0	32,213	64,425	0	64,425	53,392	
<b>Law, order, public safety</b>										
DFES - Fire Brigade Operating Grant	0	0	0	0	30,376	60,783	0	60,783	39,359	
DFES - SES Operating Grant	0	0	0	0	14,697	29,410	0	29,410	9,782	
<b>Education and welfare</b>										
Newmont - Community Investment Funding	0	0	0	0	45,000	45,000	0	45,000	90,000	
Seniors - Living Stronger/Longer	0	0	0	0	0	2,500	0	2,500	922	
Newmont - Youth Centre Grant	0	0	0	0	0	0	0	0	2,000	
<b>Community amenities</b>										
Cemetery Donations	0	0	0	0	0	0	0	0	545	
<b>Recreation and culture</b>										
South 32 - Events Contribution	0	0	0	0	0	2,000	0	2,000	0	
Library Technology & Inclusion Grant	0	0	0	0	5,000	5,000	0	5,000	5,000	
Library Childrens Week Grant	0	0	0	0	0	0	0	0	500	
Thank a Volunteer	0	0	0	0	0	0	0	0	0	
<b>Transport</b>										
Main Roads - Direct Road Grant	0	0	0	0	52,280	52,280	0	52,280	54,654	
Road Safety Alliance	51,666	0	0	51,666	0	57,500	0	57,500	3,230	
<b>Economic services</b>										
Rodeo Weekend - Contributions	0	0	0	0	0	870	0	870	142	
	<b>51,666</b>	<b>0</b>	<b>0</b>	<b>51,666</b>	<b>202,198</b>	<b>367,919</b>	<b>0</b>	<b>367,919</b>	<b>278,159</b>	
<b>Non-operating contributions</b>										
<b>Community amenities</b>										
Hotham Park Lighting - South 32	0	0	0	0	0	40,000	0	40,000	0	
Hotham Park Lighting - Newmont	0	0	0	0	0	50,000	0	50,000	0	
Hotham Park Lighting -Other	0	0	0	0	0	10,000	0	10,000	0	
<b>Transport</b>										
LRCI Phase 2 - Footpaths & Lighting	0	0	0	0	0	161,073	0	161,073	102,502	
Roads to Recovery Funding	51,162	0	0	51,162	0	235,657	0	235,657	0	
Regional Road Group Funding	17,600	0	0	17,600	775,200	775,200	0	775,200	374,160	
Special Bridge Funding	0	0	0	0	0	0	0	0	201,000	
	<b>68,762</b>	<b>0</b>	<b>0</b>	<b>68,762</b>	<b>775,200</b>	<b>1,271,930</b>	<b>0</b>	<b>1,271,930</b>	<b>677,662</b>	
<b>TOTALS</b>	<b>120,428</b>	<b>0</b>	<b>0</b>	<b>120,428</b>	<b>977,398</b>	<b>1,639,849</b>	<b>0</b>	<b>1,639,849</b>	<b>955,821</b>	





**MONTHLY FINANCIAL REPORT**  
**(Containing the Statement of Financial Activity)**

**For the Period Ended 31 January 2022**

**LOCAL GOVERNMENT ACT 1995**  
**LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996**

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**MONTHLY FINANCIAL REPORT  
FOR THE PERIOD ENDED 31 JANUARY 2022**

**BASIS OF PREPARATION**

**BASIS OF PREPARATION**

The financial report has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board, and the *Local Government Act 1995* and accompanying regulations.

The *Local Government Act 1995* and accompanying Regulations take precedence over Australian Accounting Standards where they are inconsistent.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost. All right-of-use assets (other than vested improvements) under zero cost concessionary leases are measured at zero cost rather than at fair value. The exception is 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.

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.

**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.

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

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

**SIGNIFICANT ACCOUNTING POLICES**

**CRITICAL ACCOUNTING 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 that are 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.

**GOODS AND SERVICES TAX**

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

**ROUNDING OFF FIGURES**

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

**PREPARATION TIMING AND REVIEW**

Date prepared: All known transactions up to 07 February 2022

**KEY TERMS AND DESCRIPTIONS  
FOR THE PERIOD ENDED 31 JANUARY 2022**

**STATUTORY REPORTING PROGRAMS**

Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

<b>PROGRAM NAME AND OBJECTIVES</b>	<b>ACTIVITIES</b>
<p><b>GOVERNANCE</b> To provide a decision making process for the efficient allocation of scarce resources</p>	Administration and operation of members of Council. Other costs that relate to the tasks of assisting elected members and ratepayers on matters which do not concern specific Council services.
<p><b>GENERAL PURPOSE FUNDING</b> To collect revenue to allow for the provision of services</p>	To collect revenue in the form of rates, interest and general purpose Government grants to allow for the provision of services.
<p><b>LAW, ORDER, PUBLIC SAFETY</b> To provide services to help ensure a safer and environmentally conscious community</p>	Supervision and enforcement of various local laws relating to fire prevention, animal control and other aspects of public safety including emergency services
<p><b>HEALTH</b> To provide an operational framework for environmental and community health</p>	Inspection of food outlets and their control, noise control and waste disposal compliance
<p><b>EDUCATION AND WELFARE</b> To provide services to the elderly, children and youth</p>	The provision of childcare facilities, aged housing, and the support of youth in the community.
<p><b>HOUSING</b> To provide and maintain staff and other housing</p>	Provision and maintenance of staff and other housing
<p><b>COMMUNITY AMENITIES</b> To provide services required by the community</p>	Rubbish collection services, operation of rubbish disposal sites, litter control, construction and maintenance of urban storm water drains, protection of the environment and administration of town planning schemes, cemetery and public conveniences
<p><b>RECREATION AND CULTURE</b> To establish and effectively manage infrastructure and resource which will help the social well being of the community</p>	Maintenance of public halls, civic centres, swimming pool, recreation centres and various sporting facilities. Provision and maintenance of parks, gardens and playgrounds. Operation of library and other cultural facilities
<p><b>TRANSPORT</b> To provide safe, effective and efficient transport services to the community</p>	Construction and maintenance of roads, streets, footpaths, depots, cycle ways, parking facilities and traffic control. Cleaning of streets and maintenance of street trees, street lighting etc.
<p><b>ECONOMIC SERVICES</b> To help promote the shire and its economic wellbeing</p>	Tourism and area promotion including the maintenance and operation of a caravan park. Provision of rural services including weed control, vermin control and standpipes. Building Control
<p><b>OTHER PROPERTY AND SERVICES</b> To monitor and control Shire's overheads operating accounts</p>	Private works operation, plant repair and operation costs and engineering operation costs, administration costs allocated and other unclassified works and services

**STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2022**
**STATUTORY REPORTING PROGRAMS**

	Ref Note	Adopted Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
<b>Opening funding surplus / (deficit)</b>	2(c)	1,043,000	1,043,000	<b>1,130,431</b>	87,431	8%	
<b>Revenue from operating activities</b>							
Governance		42,435	25,521	<b>58,014</b>	32,493	127%	▲
General purpose funding - general rates	5	5,225,193	5,224,193	<b>5,227,330</b>	3,137	0%	
General purpose funding - other		142,176	79,688	<b>89,238</b>	9,550	12%	
Law, order and public safety		124,793	79,715	<b>84,912</b>	5,197	7%	
Health		39,290	22,215	<b>25,454</b>	3,239	15%	
Education and welfare		505,200	366,222	<b>338,291</b>	(27,931)	(8%)	
Housing		23,400	13,838	<b>16,759</b>	2,921	21%	
Community amenities		296,030	276,896	<b>304,906</b>	28,010	10%	▲
Recreation and culture		48,895	25,624	<b>67,578</b>	41,954	164%	▲
Transport		110,080	52,280	<b>60,373</b>	8,093	15%	
Economic services		291,697	188,308	<b>298,294</b>	109,986	58%	▲
Other property and services		11,005	6,866	<b>44,765</b>	37,899	552%	▲
		<b>6,860,194</b>	<b>6,361,366</b>	<b>6,615,914</b>	254,548		
<b>Expenditure from operating activities</b>							
Governance		(127,430)	(88,609)	<b>(61,048)</b>	27,561	31%	▲
General purpose funding		(22,307)	(7,800)	<b>(962)</b>	6,838	88%	
Law, order and public safety		(523,783)	(316,210)	<b>(301,114)</b>	15,096	5%	
Health		(218,897)	(131,068)	<b>(110,209)</b>	20,859	16%	▲
Education and welfare		(822,710)	(521,276)	<b>(589,055)</b>	(67,779)	(13%)	▼
Housing		(19,885)	(11,732)	<b>(108,111)</b>	(96,379)	(822%)	▼
Community amenities		(837,143)	(470,722)	<b>(467,720)</b>	3,002	1%	
Recreation and culture		(2,123,766)	(1,278,673)	<b>(1,359,301)</b>	(80,628)	(6%)	
Transport		(3,309,496)	(1,725,637)	<b>(1,705,808)</b>	19,829	1%	
Economic services		(827,708)	(503,335)	<b>(496,465)</b>	6,870	1%	
Other property and services		(4,095)	(3,432)	<b>6,092</b>	9,524	278%	
		<b>(8,837,220)</b>	<b>(5,058,494)</b>	<b>(5,193,701)</b>	(135,207)		
Non-cash amounts excluded from operating activities	2(a)	2,428,735	1,393,769	<b>1,786,087</b>	392,318	28%	▲
<b>Amount attributable to operating activities</b>		<b>451,709</b>	<b>2,696,641</b>	<b>3,208,300</b>	511,659		
<b>Investing Activities</b>							
Proceeds from non-operating grants & contributions	8	1,271,930	545,737	<b>561,960</b>	16,223	3%	
Proceeds from disposal of assets	6	34,000	10,000	<b>7,273</b>	(2,727)	(27%)	
Payments for property, plant and equipment & infrastructure	6	(2,213,256)	(587,040)	<b>(640,295)</b>	(53,255)	(9%)	
		<b>(907,326)</b>	<b>(31,303)</b>	<b>(71,062)</b>	(39,759)		
Non-cash amounts excluded from investing activities		0	0	<b>0</b>	0	0%	
<b>Amount attributable to investing activities</b>		<b>(907,326)</b>	<b>(31,303)</b>	<b>(71,062)</b>	(39,759)		
<b>Financing Activities</b>							
Proceeds from new debentures	7	0	0	<b>0</b>	0	0%	
Transfer from reserves	3	0	0	<b>0</b>	0	0%	
Repayment of debentures	7	(357,077)	(184,567)	<b>(184,567)</b>	0	0%	
Transfer to reserves	3	(61,202)	0	<b>0</b>	0	0%	
<b>Amount attributable to financing activities</b>		<b>(418,279)</b>	<b>(184,567)</b>	<b>(184,567)</b>	0		
<b>Closing funding surplus / (deficit)</b>	2(c)	<b>169,104</b>	<b>3,523,771</b>	<b>4,083,102</b>			

**KEY INFORMATION**

▲ ▼ Indicates a variance between Year to Date (YTD) Actual and YTD Actual data as per the adopted materiality threshold.

Refer to Note 1 for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2021-22 year is \$10,000 or 10.00% whichever is the greater.

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



**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2022**
**NOTE 1  
EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date Actual materially.

The material variance adopted by Council for the 2021-22 year is \$10,000 or 10.00% whichever is the greater.

Reporting Program	Var. \$	Var. %	Timing / Permanent	Explanation of Variances
	\$	%		
<b>Revenue from operating activities</b>				
Governance	32,493	127%	▲ Permanent ▲ Permanent	Reimbursements from LGIS for adjustments to insurances for \$19k. Reimbursement of Leave Entitlements \$13k.
General purpose funding - rates	3,137	0%		
General purpose funding - other	9,550	12%		
Law, order and public safety	5,197	7%		
Health	3,239	15%		
Education and welfare	(27,931)	(8%)	▼ Timing	Childcare centre revenue for January 22 posted to February 22.
Housing	2,921	21%		
Community amenities	28,010	10%	▲ Permanent	Household waste collection revenue higher than budget estimate.
Recreation and culture	41,954	164%	▲ Permanent ▲ Permanent	Clubs & Sporting leases underestimated in budget. South32 grant of \$26k held as a liability, spend last year 2020/2021.
Transport	8,093	15%		
Economic services	109,986	58%	▲ Permanent ▲ Permanent ▲ Timing	Community Café \$43k not included in adopted budget. Australia Day Grant \$20k not included in adopted budget. Caravan Park \$41k currently exceeding budget expectations.
Other property and services	37,899	552%	▲ Permanent ▲ Permanent	Workers Compensation reimbursement \$19k. Contribution from South32 for Lower Hotham Rd repairs \$18k.
<b>Expenditure from operating activities</b>				
Governance	27,561	31%	▲ Timing	Salary and contractor expenditure tracking below estimates This likely to change as consultants are engaged to undertake projects.
General purpose funding	6,838	88%		
Law, order and public safety	15,096	5%		
Health	20,859	16%	▲ Timing	Expenditure still to be incurred.
Education and welfare	(67,779)	(13%)	▼ Permanent	Depreciation expense under budgeted.
Housing	(96,379)	(822%)	▼ Timing	Housing allocations yet to be completed.
Community amenities	3,002	1%		
Recreation and culture	(80,628)	(6%)	▼ Permanent	Depreciation expense under budgeted.
Transport	19,829	1%		
Economic services	6,870	1%		
Other property and services	9,524	278%	▼ Permanent ▲ Timing	Community Café \$50k not included in adopted budget. See corresponding variance in revenue. \$59k expenditure still to be incurred.
<b>Non-cash amounts excluded from operating activities.</b>	392,318	28%	▲ Permanent	Depreciation expense under budgeted.
<b>Investing activities</b>				
Proceeds from non-operating grants & contributions	16,223	3%		
Proceeds from disposal of assets	(2,727)	(27%)		
Payments for property, plant and equipment & infrastructure	(53,255)	(9%)	▼ Permanent	LRCI grant expenditure for Days Rd not included in adopted budget.
<b>Financing activities</b>				
Transfer from reserves	0	0%		
Repayment of debentures	0	0%		
Transfer to reserves	0	0%		

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2022**

**NOTE 2  
STATEMENT OF FINANCIAL ACTIVITY INFORMATION**

**(a) Non-cash items 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.

	Notes	Adopted Budget	YTD Budget (a)	YTD Actual (b)
<b>Non-cash items excluded from operating activities</b>				
		\$	\$	\$
<b>Adjustments to operating activities</b>				
Less: Profit on asset disposals	6	0	0	(2,489)
Less: Movement in liabilities associated with restricted cash		0	0	0
Movement in pensioner deferred rates (non-current)		0	0	0
Movement in employee benefit provisions (non-current)		34,790	0	0
Movement in other provisions (non-current)		0	0	0
Add: Loss on asset disposals	6	0	0	0
Add: Depreciation on assets		2,393,945	1,393,769	1,788,576
<b>Total non-cash items excluded from operating activities</b>		<b>2,428,735</b>	<b>1,393,769</b>	<b>1,786,087</b>

**(b) Adjustments to net current assets in the Statement of Financial Activity**

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.

		Last Year Closing 30 June 2021	This Time Last Year 31 January 2021	Year to Date 31 January 2022
<b>Adjustments to net current assets</b>				
Less: Reserves - restricted cash	3	(1,668,321)	(3,029,053)	(1,668,321)
Add: Borrowings	7	357,077	169,766	172,510
Add: Provisions - employee		0	0	0
<b>Total adjustments to net current assets</b>		<b>(1,311,244)</b>	<b>(2,859,287)</b>	<b>(1,495,811)</b>

**(c) Net current assets used in the Statement of Financial Activity**

**Current assets**

Cash and cash equivalents	3	3,934,794	5,479,949	7,136,385
Rates receivables	4	253,668	598,254	591,033
Receivables	4	1,404,087	70,984	124,911
Other current assets		158,762	46,547	135,425
<b>Less: Current liabilities</b>				
Payables		(1,095,378)	(354,190)	(178,148)
Borrowings	7	(357,077)	(169,766)	(172,510)
Contract liabilities		(1,596,684)	(484,971)	(1,797,684)
Provisions		(260,497)	(245,545)	(260,497)
<b>Less: Total adjustments to net current assets</b>	2(b)	<b>(1,311,244)</b>	<b>(2,859,287)</b>	<b>(1,495,811)</b>
<b>Closing funding surplus / (deficit)</b>		<b>1,130,431</b>	<b>2,081,974</b>	<b>4,083,104</b>

**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 Council's operational cycle.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2022

OPERATING ACTIVITIES  
NOTE 3  
CASH AND FINANCIAL ASSETS

## CASH AND INVESTMENTS

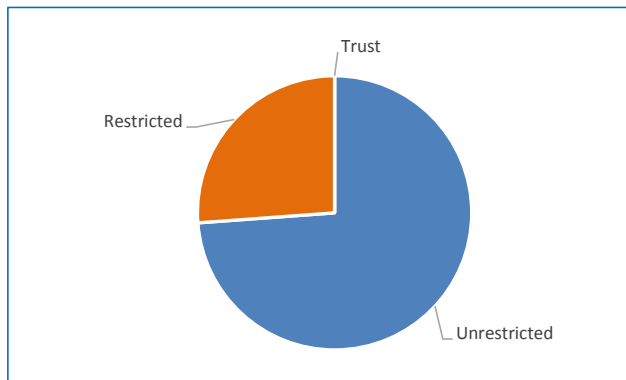
Description	Unrestricted	Restricted	Total Cash	Trust	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
<b>Cash on hand</b>							
Petty Cash & Floats	400	0	400			0.00%	On Hand
<b>At Call Deposits</b>							
Municipal Funds	3,268,738	0	3,268,738		NAB		At Call
Bonds & Deposits	0	95,278	95,278		NAB		At Call
<b>Term Deposits &amp; Overnight Cash Deposits</b>							
OCDF Boddington Supertowns	0	103,646	103,646		Treasury	0.05%	Overnight
Reserve Funds	0	1,668,322	1,668,322		NAB	0.25%	17/04/22
Municipal Funds	2,000,000	0	2,000,000		NAB	0.25%	17/04/22
<b>Total</b>	<b>5,269,138</b>	<b>1,867,246</b>	<b>7,136,385</b>	<b>0</b>			

## 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 and bank overdrafts. 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.



Total Cash	Unrestricted
<b>\$7.14 M</b>	<b>\$5.27 M</b>

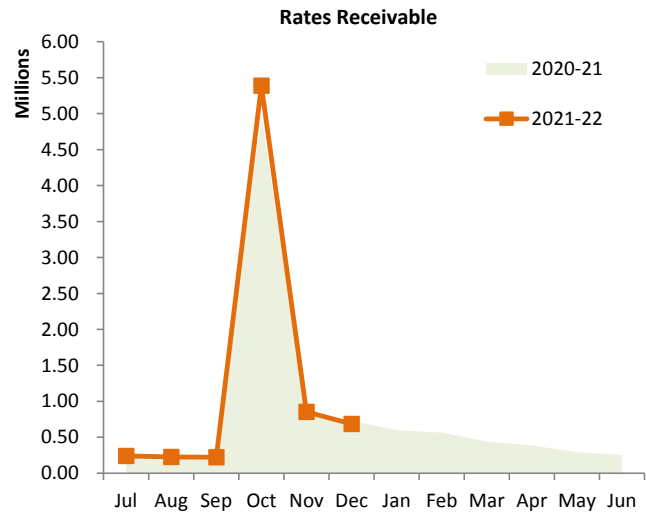
## CASH BACKED RESERVES

Reserve name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Plant Reserve	221,172	265	0	0	0	0	0	221,437	221,172
Building Reserve	97,124	116	0	0	0	0	0	97,240	97,124
Local Organisation Assistance Fund Reserve	31,617	38	0	9,202	0	0	0	40,857	31,617
Refuse Site Reserve	39,470	47	0	0	0	0	0	39,517	39,470
Aged Housing Reserve	366,827	440	0	0	0	0	0	367,267	366,827
Swimming Pool Reserve	21,005	25	0	0	0	0	0	21,030	21,005
River Crossing Reserve	47,644	57	0	0	0	0	0	47,701	47,644
Prepaid Conditional Grants Reserve	199,558	239	0	0	0	0	0	199,797	199,558
Unspent Conditional Grants Reserve	376,700	452	0	0	0	0	0	377,152	376,700
Public Open Space Reserve	267,204	321	0	0	0	0	0	267,525	267,204
Town Weir Reserve	0	0	0	50,000	0	0	0	50,000	0
	1,668,321	2,000	0	59,202	0	0	0	1,729,523	1,668,321

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2022**

**OPERATING ACTIVITIES  
NOTE 4  
RECEIVABLES**

Rates receivable	30 June 2021	31 Jan 2022
	\$	\$
Opening arrears previous years	268,443	253,668
RATES - levied this year	4,775,251	5,227,323
RUBBISH - levied this year	231,837	253,247
ESL - levied this year	102,228	107,448
<b>TOTAL levied this year</b>	<b>5,109,316</b>	<b>5,588,018</b>
Less - collections to date	(5,124,091)	(5,250,653)
<b>Equals current outstanding</b>	<b>253,668</b>	<b>591,033</b>
<b>Net rates collectable</b>	<b>253,668</b>	<b>591,033</b>
% Collected	95.3%	89.9%



Receivables - general	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Receivables - general	(12,010)	1,199	853	35,628	25,670
Percentage	-46.8%	4.7%	3.3%	138.8%	
<b>Balance per trial balance</b>					
Sundry receivable					25,670
GST receivable					99,653
Increase in Allowance for impairment of receivables from contracts with customers					(3,337)
Accrued Income					135,425
Loan Clay Target Club					2,925
<b>Total receivables general outstanding</b>					<b>260,336</b>

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. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for impairment of receivables is raised when there is objective evidence that they will not be collectible.



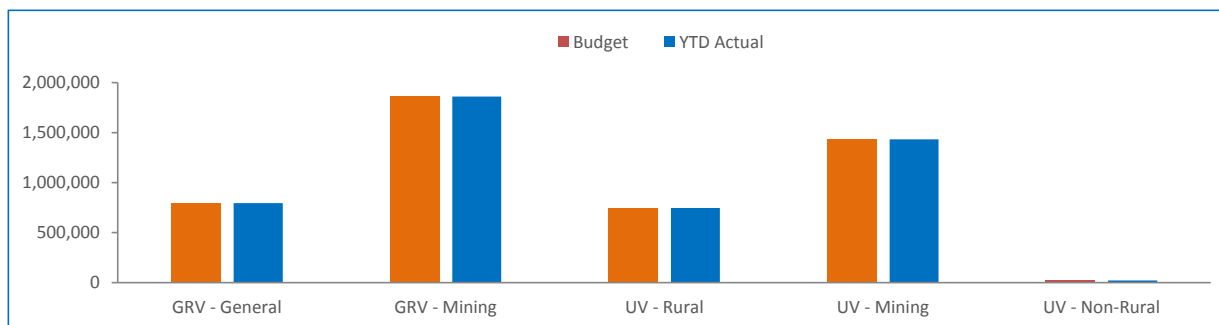
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2022

OPERATING ACTIVITIES  
NOTE 5  
RATE REVENUE

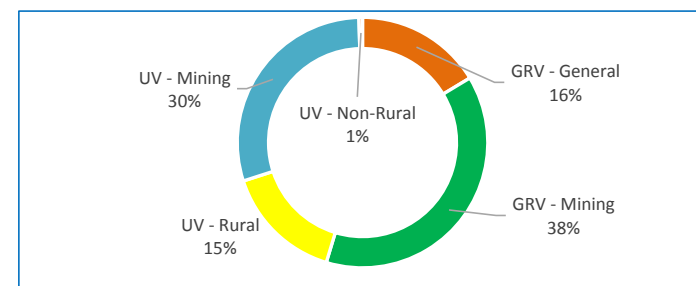
General rate revenue	Budget						YTD Actual			
	Rate in \$ (cents)	Number of Properties	Rateable Value	Rate Revenue \$	Interim Rate \$	Total Revenue \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$
<b>RATE TYPE</b>										
<b>Gross rental value</b>										
GRV - General	0.111213	475	7,119,005	791,726	0	791,726	795,485	352	0	795,837
GRV - Mining	0.090161	2	20,635,000	1,860,472	0	1,860,472	1,860,472	0	0	1,860,472
<b>Unimproved value</b>										
UV - Rural	0.006884	242	108,471,000	746,714	1,000	747,714	746,714	(346)	0	746,368
UV - Mining	0.032646	48	43,849,051	1,431,496	0	1,431,496	1,432,835	0	0	1,432,835
UV - Non-Rural	0.025432	2	883,500	22,469	0	22,469	22,469	0	0	22,469
<b>Sub-Total</b>		<b>769</b>	<b>180,957,556</b>	<b>4,852,877</b>	<b>1,000</b>	<b>4,853,877</b>	<b>4,857,975</b>	<b>6</b>	<b>0</b>	<b>4,857,981</b>
<b>Minimum payment</b>	<b>Minimum \$</b>									
<b>Gross rental value</b>										
GRV - General	984	155	419,914	152,520	0	152,520	150,552	0	0	150,552
GRV - Mining	984	1	20	984	0	984	984	0	0	984
<b>Unimproved value</b>										
UV - Rural	750	234	21,171,000	175,500	0	175,500	175,500	0	0	175,500
UV - Mining	984	43	190,782	42,312	0	42,312	42,312	0	0	42,312
UV - Non-Rural	984	0	0	0	0	0	0	0	0	0
<b>Sub-total</b>		<b>433</b>	<b>21,781,716</b>	<b>371,316</b>	<b>0</b>	<b>371,316</b>	<b>369,348</b>	<b>0</b>	<b>0</b>	<b>369,348</b>
<b>Amount from general rates</b>						<b>5,225,193</b>				<b>5,227,329</b>

KEY INFORMATION

Prepaid rates are, until the taxable event for the rates has occurred, refundable at the request of the ratepayer. Rates received in advance give rise to a financial liability. On 1 July 2020 the prepaid rates were recognised as a financial asset and a related amount was recognised as a financial liability and no income was recognised. When the taxable event occurs the financial liability is extinguished and income recognised for the prepaid rates that have not been refunded.



General Rates	
Budget	Actual
<b>\$5.23 M</b>	<b>\$5.23 M</b>



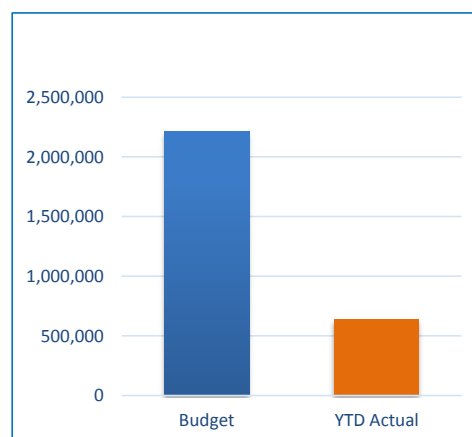
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2022

INVESTING ACTIVITIES  
NOTE 6  
CAPITAL ACQUISITIONS

Capital acquisitions	Adopted		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Furniture and Equipment	55,000	42,000	44,941	2,941
Land and Buildings	70,000	25,000	24,989	(11)
Plant and Equipment	222,233	40,000	49,647	9,647
Road Infrastructure	1,300,638	288,228	323,096	34,868
Footpath Infrastructure	111,073	87,000	87,851	851
Infrastructure - Parks, Gardens, Recreation Facilities	454,312	104,812	109,772	4,960
<b>Total Capital Acquisitions</b>	<b>2,213,256</b>	<b>587,040</b>	<b>640,295</b>	<b>53,255</b>
<b>Capital Acquisitions Funded By:</b>				
	\$	\$	\$	\$
Capital grants and contributions	1,271,930	545,737	561,960	16,223
Borrowings	0	0	0	0
Other (disposals & C/Fwd)	34,000	10,000	7,273	(2,727)
Cash backed reserves				
Plant Reserve	0	0	0	0
Building Reserve	0	0	0	0
Local Organisation Assistance Fund Reserve	0	0	0	0
Refuse Site Reserve	0	0	0	0
Aged Housing Reserve	0	0	0	0
Swimming Pool Reserve	0	0	0	0
River Crossing Reserve	0	0	0	0
Prepaid Conditional Grants Reserve	0	0	0	0
Unspent Conditional Grants Reserve	0	0	0	0
Public Open Space Reserve	0	0	0	0
Town Weir Reserve	0	0	0	0
Contribution - operations	907,326	31,303	71,062	39,759
<b>Capital funding total</b>	<b>2,213,256</b>	<b>587,040</b>	<b>640,295</b>	<b>53,255</b>

**SIGNIFICANT ACCOUNTING POLICIES**

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.



Acquisitions	Annual Budget	YTD Actual	% Spent
	<b>\$2.21 M</b>	<b>\$0.64 M</b>	<b>29%</b>

Capital Grants	Annual Budget	YTD Actual	% Received
	<b>\$1.27 M</b>	<b>\$0.56 M</b>	<b>44%</b>

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2022

INVESTING ACTIVITIES  
NOTE 6  
CAPITAL ACQUISITIONS (CONTINUED)

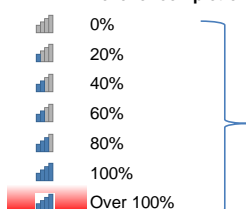
## Capital Disposals

Asset description	Budget			YTD Actual		
	Net Book Value	Proceeds	Profit / (Loss)	Net Book Value	Proceeds	Profit / (Loss)
Trade in Utility - BT031	12,000	12,000	0	0	0	0
Trade in BT07	10,000	10,000	0	4,784	7,273	2,489
Trade in BT011	10,000	10,000	0	0	0	0
Trade in Mower	2,000	2,000	0	0	0	0
	<b>34,000</b>	<b>34,000</b>	<b>0</b>	<b>4,784</b>	<b>7,273</b>	<b>2,489</b>

## Capital Acquisitions

Account Description	Annual Budget	YTD Budget	YTD Actual	Variance Under/(Over)
IT Equipment - Server Replacement	45,000	42,000	44,941	(2,941)
Office Equipment	10,000	0	0	0
<b>Total Furniture &amp; Equipment</b>	<b>55,000</b>	<b>42,000</b>	<b>44,941</b>	<b>(2,941)</b>
Swimming Pool - Disabled Toilet & Shower	5,000	0	0	0
Rusty Camp Oven - Commercial Kitchen Fitout	65,000	25,000	24,989	11
<b>Total Land &amp; Buildings</b>	<b>70,000</b>	<b>25,000</b>	<b>24,989</b>	<b>11</b>
Doctors Vehicle	40,000	40,000	49,647	(9,647)
Plant Float Trailer	50,158	0	0	0
Truck Modifications for Towing Plant Float	6,875	0	0	0
Mower	51,200	0	0	0
D/Cab Utility - BT015	30,000	0	0	0
Utility - BT011	39,000	0	0	0
Water Pump for Road Construction	5,000	0	0	0
<b>Total Plant &amp; Equipment</b>	<b>222,233</b>	<b>40,000</b>	<b>49,647</b>	<b>(9,647)</b>
RTR - Lower Hotham Rd - Reseal	37,410		0	0
RTR - Days Rd - Reseal	70,064	70,064	118,762	(48,698)
RTR - Chalk Brook Rd	88,164	88,164	74,058	14,106
RTR - River Rd/Forrest St Intersection Upgrade	40,000	6,000	6,159	(159)
RRG - Crossman Rd (2021/2022)	165,000	56,000	56,029	(29)
RRG - Crossman Rd (2020/2021)	66,000	9,000	8,920	80
RRG - Harvey Quindanning Rd	489,000	38,000	38,731	(731)
RRG - Lower Hotham Rd	345,000	21,000	20,437	563
<b>Total Road Infrastructure</b>	<b>1,300,638</b>	<b>288,228</b>	<b>323,096</b>	<b>(34,868)</b>
Footpaths - LRCI Phase 2 Grant Project	111,073	87,000	87,851	(851)
<b>Total Footpath Infrastructure</b>	<b>111,073</b>	<b>87,000</b>	<b>87,851</b>	<b>(851)</b>
Drainage - ELC - Drainage Works	20,000	1,500	1,440	60
Hotham Park/Foreshore Landscape & Lighting	241,312	41,312	45,786	(4,474)
Ranford Playground Replacement	35,000	0	0	0
Early Learning Centre - Shade Structure	40,000	0	0	0
Swimming Pool - Repaint Basin	28,000	0	0	0
Street Lighting - LRCI Phase 2 Grant Project	50,000	22,000	22,545	(545)
Sculpture	40,000	40,000	40,000	0
<b>Total Other Infrastructure</b>	<b>454,312</b>	<b>104,812</b>	<b>109,772</b>	<b>(4,960)</b>
	<b>2,213,256</b>	<b>587,040</b>	<b>640,295</b>	<b>(53,255)</b>

## Level of completion indicators



Percentage Year to Date Actual to Annual Budget expenditure where the expenditure over budget highlighted in red.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2022**

**FINANCING ACTIVITIES  
NOTE 7  
BORROWINGS**

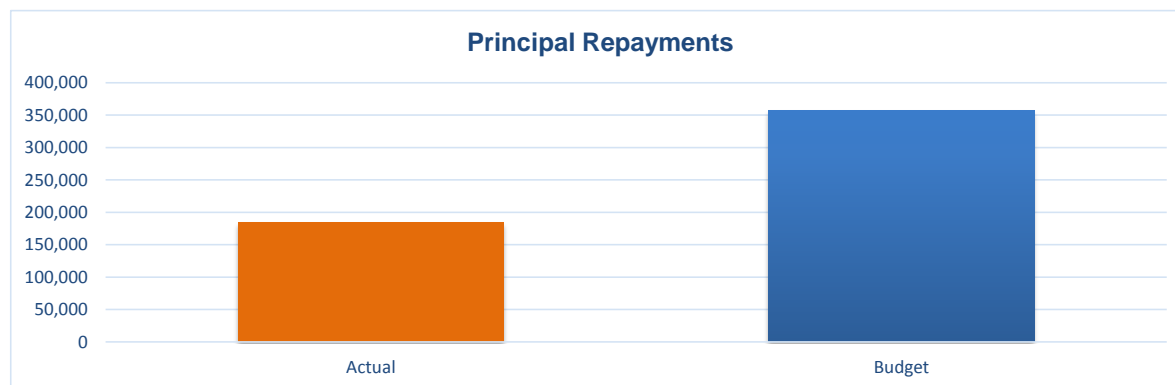
**Repayments - borrowings**

Information on borrowings Particulars	Loan No.	Interest %	1 July 2021	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
				Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
				\$	\$	\$	\$	\$	\$	\$	\$
<b>Governance</b>											
Administration Centre	105	4.01%	429,525	0	0	67,895	137,150	361,630	292,375	11,364	21,154
<b>Health</b>											
Doctors Residence	83	6.57%	12,942	0	0	12,942	12,942	0	0	703	632
<b>Education and welfare</b>											
Childcare Centre	100	6.42%	102,445	0	0	8,772	17,826	93,673	84,619	3,345	6,237
<b>Housing</b>											
3 Pecan Place	94	6.45%	179,384	0	0	7,507	15,256	171,877	164,128	5,262	11,328
34 Hill Street	97	6.45%	181,920	0	0	7,613	15,472	174,307	166,448	4,883	11,488
<b>Recreation and culture</b>											
Recreation Centre	106	3.36%	660,580	0	0	32,716	63,819	627,864	596,761	14,106	21,600
Recreation Centre	107	1.56%	906,847	0	0	47,122	94,612	859,725	812,235	10,246	13,779
<b>Total</b>			<b>2,473,643</b>	<b>0</b>	<b>0</b>	<b>184,567</b>	<b>357,077</b>	<b>2,289,076</b>	<b>2,116,566</b>	<b>49,910</b>	<b>86,218</b>
Current borrowings			357,077					172,510			
Non-current borrowings			2,116,566					2,116,566			
			<b>2,473,643</b>					<b>2,289,076</b>			

All debenture repayments were financed by general purpose revenue.

**KEY INFORMATION**

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.



**Principal Repayments**  
**\$184,567**

**Interest Earned**  
**\$10,136**

**Interest Expense**  
**\$49,910**

**Reserves Balance**  
**\$1,668,321**

**Loans Due**  
**\$2,289,076**



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY  
FOR THE PERIOD ENDED 31 JANUARY 2022

**NOTE 8**  
**GRANTS & CONTRIBUTIONS**

Provider	Unspent grants, subsidies and contributions liability				Grants, subsidies & contribution revenue					
	Liability	Increase	Decrease	Liability	YTD	Annual	Budget	Expected	YTD	
	1 Jul 21	in Liability	in Liability	31 Jan 22	Budget	Budget	Variations		Revenue	
	\$	\$	(As revenue)	\$	\$	\$	\$	\$	\$	
<b>Operating grants, subsidies and contributions</b>										
<b>Governance</b>										
Employee Contributions	0	0	0	0	1,328	5,200	0	5,200	0	
<b>General purpose funding</b>										
Federal Assistance Grant - General Purpose	0	0	0	0	21,476	42,951	0	42,951	18,633	
Federal Assistance Grant - Local Roads				0	32,213	64,425	0	64,425	53,392	
<b>Law, order, public safety</b>										
DFES - Fire Brigade Operating Grant	0	0	0	0	45,557	60,783	0	60,783	54,556	
DFES - SES Operating Grant	0	0	0	0	22,043	29,410	0	29,410	17,132	
<b>Education and welfare</b>										
Newmont - Community Investment Funding	0	0	0	0	45,000	45,000	0	45,000	45,000	
Seniors - Living Stronger/Longer	0	0	0	0	0	2,500	0	2,500	922	
Newmont - Youth Centre Grant	0	0	0	0	0	0	0	0	2,000	
<b>Community amenities</b>										
Cemetery Donations	0	0	0	0	0	0	0	0	545	
<b>Recreation and culture</b>										
South 32 - Events Contribution	0	0	0	0	0	2,000	0	2,000	26,818	
Library Technology & Inclusion Grant	0	0	0	0	5,000	5,000	0	5,000	5,000	
Library Childrens Week Grant	0	0	0	0	0	0	0	0	500	
Thank a Volunteer	0	0	0	0	0	0	0	0	0	
<b>Transport</b>										
Main Roads - Direct Road Grant	0	0	0	0	52,280	52,280	0	52,280	54,654	
Road Safety Alliance	51,666	0	0	51,666	0	57,500	0	57,500	3,230	
<b>Economic services</b>										
Rodeo Weekend - Contributions	0	0	0	0	0	870	0	870	142	
	<b>51,666</b>	<b>0</b>	<b>0</b>	<b>51,666</b>	<b>224,896</b>	<b>367,919</b>	<b>0</b>	<b>367,919</b>	<b>282,526</b>	
<b>Non-operating contributions</b>										
<b>Community amenities</b>										
Hotham Park Lighting - South 32	0	0	0	0	0	40,000	0	40,000	0	
Hotham Park Lighting - Newmont	0	0	0	0	0	50,000	0	50,000	0	
Hotham Park Lighting -Other	0	0	0	0	0	10,000	0	10,000	0	
<b>Transport</b>										
LRCI Phase 2 - Footpaths & Lighting	0	0	0	0	0	161,073	0	161,073	187,800	
Roads to Recovery Funding	51,162	0	0	51,162	235,657	235,657	0	235,657	0	
Regional Road Group Funding	17,600	0	0	17,600	310,080	775,200	0	775,200	374,160	
Special Bridge Funding	0	201,000	0	201,000	0	0	0	0	0	
	<b>68,762</b>	<b>201,000</b>	<b>0</b>	<b>269,762</b>	<b>545,737</b>	<b>1,271,930</b>	<b>0</b>	<b>1,271,930</b>	<b>561,960</b>	
<b>TOTALS</b>	<b>120,428</b>	<b>201,000</b>	<b>0</b>	<b>321,428</b>	<b>770,633</b>	<b>1,639,849</b>	<b>0</b>	<b>1,639,849</b>	<b>844,486</b>	

### 8.3.2 Payment Listing - December 2021 and January 2022

File Reference:	FINM/5
Applicant:	Not Applicable
Disclosure of Interest:	Nil
Author:	Finance Administration Officer
Attachments:	8.3.2A List of Payments ending 31 December 2021 8.3.2B List of Payments ending 31 January 2022

#### Summary

The list of payments for December 2021 and January 2022 is presented for Councils consideration.

#### Background

Council has delegated the Chief Executive Officer the exercise of its power to make payments from the Shires municipal fund and the trust fund.

In exercising their authority, and in accordance with the Local Government (Financial Management) Regulation, it is a requirement to produce a list of payments made from Councils Municipal Fund and Trust Fund bank accounts to be presented to Council in the following month.

#### Comment

The List of Payments have been made in accordance with Councils adopted budget, and statutory obligations.

#### Consultation

Executive Manager Corporate Services

#### Strategic Implications

Nil

#### Legislative Implications

*Local Government (Financial Management) Regulations 1996 - Reg 13*

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
- (a) the payee's name; and
  - (b) the amount of the payment; and
  - (c) the date of the payment; and
  - (d) sufficient information to identify the transaction.

#### Policy Implications

Nil

#### Financial Implications

As disclosed within the payment listing.

Economic Implications

Nil

Social Implications

Nil

Environmental Considerations

Nil

Risk Considerations

Risk Statement and Consequence	Failure to present a detailed listing of payments made from the Shire bank accounts in the prescribed form would result in non-compliance with the Local Government (Financial Management) Regulations 1996, which may result in a qualified audit.
Risk Rating (prior to treatment or control)	Minor (2)
Principal Risk Theme	Reputational / Compliance
Risk Action Plan (controls or treatment proposed)	Nil

Options

1. Council may choose to receive the list of payments reports as presented.
2. Council may choose not to receive the list of payment reports as presented.

Voting Requirements

Simple Majority

**Officer Recommendation**

**COUNCIL RESOLUTION: 7/22**

**Moved: Cr Webster**

**That the financial statements presented for the period ending December 2021 and January 2022 be received by Council.**

**Seconded: Cr Erasmus**

**Carried: 4/0**

ATTACHMENT 8.3.2 DECEMBER LISTINGS

LIST OF PAYMENTS - DECEMBER 2021				
CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT23362	10/12/2021	BUILDING & CONSTRUCTION INDUSTRY TRAINING FUND	NOVEMBER 2021	211.77
EFT23363	10/12/2021	SHIRE OF BODDINGTON	NOVEMBER 2021	61.50
EFT23364	10/12/2021	DEPARTMENT OF MINES,INDUSTRY REGULATION AND SAFETY	NOVEMBER 2021	974.88
<b>TOTAL TRUST</b>				<b>1,248.15</b>
EFT23319	07/12/2021	P & D SULLIVAN	HIRE OF 6 WHEEL TIPPER	2,574.00
EFT23320	07/12/2021	OFFICEWORKS BUSINESS DIRECT	STATIONERY ITEMS	575.55
EFT23321	07/12/2021	CROSSMAN HOT WATER & PLUMBING	SEWER DRAIN MAINTENANCE	2,029.50
EFT23322	07/12/2021	ADVANTAGE ENVIRONMENTAL PEST CONTROL	PEST CONTROL - SHIRE BUILDINGS	16,738.30
EFT23323	07/12/2021	BODDINGTON RIDING CLUB	RODEO OVERFLOW CAMPING COORDINATION	400.00
EFT23324	07/12/2021	BODDINGTON TYRE SERVICE	NEW MOWER TYRE	277.00
EFT23325	07/12/2021	ABCO PRODUCTS PTY LTD	CLEANING PRODUCTS	426.69
EFT23326	07/12/2021	ECOMIST SWAN	BUCKET URO CUBES	934.00
EFT23327	07/12/2021	BODDINGTON IGA	PURCHASES FOR OCTOBER 2021	807.14
EFT23328	07/12/2021	COURIER AUSTRALIA TOLL IPEC	COURIER CHARGES	18.99
EFT23329	07/12/2021	WAROONA SEPTICS	PORTA LOO SERVICING - RODEO WEEKEND	3,465.00
EFT23330	07/12/2021	LGISWA	INSURANCE RENEWAL - LGIS WORKCARE	123,643.72
EFT23331	07/12/2021	EUREKA AUTO ELECTRICAL PTY LTD	REPAIRS TO ROAD SWEEPER	175.00
EFT23332	07/12/2021	GOLDEN GLASS	REPLACED DAMAGED WINDOW	264.00
EFT23333	07/12/2021	DORMAKABA AUSTRALIA PTY LTD	MAINTENANCE ON AUTOMATIC DOORS	115.50
EFT23334	07/12/2021	SNALLOW PTY LTD - T/A WALLIS COMPUTER SOLUTIONS	MS PROJECT & VISIO LICENCES	868.21
EFT23335	07/12/2021	G & D LYSTER	HIRE OF SIDE TIPPER	7,975.00
EFT23336	07/12/2021	BANNISTER EXCAVATIONS PTY LTD	HIRE OF EXCAVATOR AND LABOUR HIRE	11,099.00
EFT23337	07/12/2021	VOLT AIR PTY LTD	REPLACE GLOBES IN STREET LIGHTS IN PARKS	2,091.39
EFT23338	07/12/2021	PETER RODNEY SAUNDERS	VINYL LETTERING ON CARAVAN AND CAMPING SIGNS	90.00
EFT23339	07/12/2021	JASON MARK HOFFMAN	COUNCILLORS ALLOWANCES	1,503.75
EFT23340	07/12/2021	SURVEYING SOUTH	SURVEYOR - CROSSMAN ROAD	990.00
EFT23341	07/12/2021	COLLINS CANOPY SERVICES	CLEANING OF KITCHEN CANOPY	900.00
EFT23342	07/12/2021	BODDINGTON CONCRETE	2 TONNES OF SAND	79.20
EFT23343	07/12/2021	FIRE AND SAFETY WA	PROTECTIVE WEAR	14,437.22
EFT23344	07/12/2021	MP ELECTROLOCATION PTY LTD T/A SUBTERA	LOCATE UNDERGROUND SERVICES	1,089.00
EFT23345	07/12/2021	LEANNE BRYANT	REIMBURSEMENT FOR CHRISTMAS CELEBRATION DECORATIONS	18.00
EFT23346	07/12/2021	BIG SKY ENTERTAINMENT (WA) PTY LTD	CHRISTMAS EVENT ENTERTAINMENT	2,002.00
EFT23347	07/12/2021	WHEATBELT SERVICES PTY LTD	TRAFFIC MANAGEMENT CONES	3,740.00
EFT23348	07/12/2021	PFD FOOD SERVICES PTY LTD	RUSTY CAMP CAFE SUPPLIES	368.65
EFT23349	07/12/2021	JADE LOUISE COBBOLD	REIMBURSEMENT FOR TRAINING EXPENSES	120.16
EFT23350	07/12/2021	MINING AG CIVIL HOSE & FITTINGS	HOSE JOINER AND CLAMP	12.43
EFT23351	07/12/2021	AVON WASTE	RUBBISH SERVICES NOVEMBER 2021	7,513.19
EFT23352	07/12/2021	BODDINGTON HOTEL 2004 PTY LTD	CATERING SERVICES	96.00
EFT23353	07/12/2021	TOTAL EDEN PTY LTD	RETICULATION	1,364.95
EFT23354	07/12/2021	ZIPFORM	STATIONERY - RATE NOTICES	537.16
EFT23355	07/12/2021	BODDINGTON SES	REIMBURSEMENT - SES	1,773.07
EFT23356	07/12/2021	THOMPSON BUILDING INDUSTRIES	CHRISTMAS TREE INSTALLATION	2,630.00
EFT23357	07/12/2021	A & P REID CONTRACTING	HIRE OF EXCAVATOR	715.00
EFT23358	07/12/2021	DB & VT JOHN	SUPPLY OF GRAVEL	4,400.00
EFT23359	07/12/2021	THE LOCK MAN SECURITY	REPAIRS TO DOOR LOCK AND PADLOCK	396.55
EFT23360	07/12/2021	BRAYCO COMMERCIAL PTY LTD	CAFE EQUIPMENT	1,612.00
EFT23361	07/12/2021	KARALONG PTY LTD	CAFE EQUIPMENT	19,292.90
EFT23365	13/12/2021	P & D SULLIVAN	HIRE OF END TIPPER	5,720.00
EFT23366	13/12/2021	PORTER CONSULTING ENGINEERS	ENGINEERING REVIEW - DESIGN OF INTERSECTION MODIFICATIONS	4,207.50
EFT23367	13/12/2021	BODDINGTON IGA	PURCHASES FOR NOVEMBER 2021	1,400.36
EFT23368	13/12/2021	BODDINGTON IGA	ELC PURCHASES FOR NOVEMBER 2021	498.06
EFT23369	13/12/2021	MODERN TEACHING AIDS PTY LTD	MODERN TEACHING AIDS ORDER - ELC	143.77
EFT23370	13/12/2021	NEWMONT BODDINGTON GOLD	BOND - 3 PRUSSIAN WAY	1,200.00
EFT23371	13/12/2021	G & D LYSTER	HIRE OF PRIME MOVER AND SIDE TIPPER	19,186.75
EFT23372	13/12/2021	VOLT AIR PTY LTD	INSTALLATION OF 13 SOLAR LIGHTS - HOTHAM PARK	11,900.00
EFT23374	13/12/2021	SLATER GARTRELL SPORTS	ULTRA WHITE LINE MARKING PAINT	1,111.00
EFT23375	13/12/2021	BODDINGTON IGA	YOUTH CENTRE PURCHASES FOR NOVEMBER 2021	90.48
EFT23376	13/12/2021	BODDINGTON BAKEHOUSE	RUSTY CAMP CAFE SUPPLIES	62.00
EFT23377	13/12/2021	ONE DEGREE ADVISORY PTY LTD	VALUES WORKSHOP	4,031.72
EFT23378	13/12/2021	BODD CONSULT	RUSTY CAMP CAFE SUPPLIES	65.00
EFT23379	13/12/2021	RICHIE PAVLEDIS	CHRISTMAS EVENT ENTERTAINMENT	400.00
EFT23380	13/12/2021	UNLIMITED TEC	POINT OF SALE SYSTEM FOR THE CAFÉ	2,235.00
EFT23381	13/12/2021	HISCO PTY LTD	TURBOFAN CONVECTION OVEN	3,393.50
EFT23382	13/12/2021	SOUTHPOINT NOMINEES PTY LTD	RENTAL VALUATION REPORT	1,650.00
EFT23383	13/12/2021	MOORE AUSTRALIA (WA) PTY LTD	ANNUAL BUDGET REPORTING TEMPLATE	1,815.00
EFT23384	13/12/2021	WESTERN AUSTRALIAN LOCAL GOVT ASS.	TRAINING COURSE - SHIRE PRESIDENT	295.00
EFT23385	13/12/2021	THOMPSON BUILDING INDUSTRIES	FOOTPATH WORK	55,022.00
EFT23386	13/12/2021	A & P REID CONTRACTING	REPAIRS TO FLOODWAY CROSSING	1,210.00
EFT23387	13/12/2021	LGRCEU	PAYROLL DEDUCTIONS/CONTRIBUTIONS	30.75
EFT23388	17/12/2021	WESTERN AUSTRALIAN ELECTORAL COMM	2021 LOCAL GOVERNMENT ORDINARY ELECTION	5,992.36
EFT23389	17/12/2021	R & S LAIDLAW EARTHMOVING	REBUILD FENCE - HARVEY QUINDANNING ROAD	6,270.00
EFT23390	17/12/2021	T-QUIP	PARTS FOR TORO MOWER	1,276.10
EFT23391	17/12/2021	AUSTRALIA POST ACCOUNTS RECEIVABLE	POSTAGE FOR NOVEMBER 2021	230.17
EFT23392	17/12/2021	OFFICEWORKS BUSINESS DIRECT	STATIONERY ITEMS	492.20
EFT23393	17/12/2021	CROSSMAN HOT WATER & PLUMBING	REPAIRS TO DISHWASHER	99.00
EFT23394	17/12/2021	WEST AUSTRALIAN LAND INFO AUTHORITY	GROSS RENTAL VALUATION	70.40
EFT23395	17/12/2021	BODDINGTON TYRE SERVICE	TYRE REPAIR	45.00
EFT23396	17/12/2021	DEPARTMENT OF BIODIVERSITY, CONS	LEASE NO 1916/97-COMMUNICATION BASE RENT 1/12/21-30/11/22	1,890.05



ATTACHMENT 8.3.2 DECEMBER LISTINGS

LIST OF PAYMENTS - DECEMBER 2021				
CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT23397	17/12/2021	EDGE PLANNING & PROPERTY	PLANNING SERVICES FOR NOVEMBER 2021	5,531.20
EFT23398	17/12/2021	BODDINGTON HOSPITAL AUXILIARY OP SHOP	HIRE OF COMMUNITY BUS	250.00
EFT23399	17/12/2021	BODDINGTON CARPET CARE	CLEANING OF CARPETS AT THE ELC	260.00
EFT23400	17/12/2021	COURIER AUSTRALIA TOLL IPEC	COURIER CHARGES	261.56
EFT23401	17/12/2021	LGISWA	INSURANCE RENEWAL - LGIS PROPERTY INSTALLMENTS 1 & 2	144,322.71
EFT23402	17/12/2021	CONTRACT AQUATIC SERVICES	CONTRACT FOR DEC 2021, POOL CHEMICALS & ALUMINIUM BENCHES	20,247.70
EFT23403	17/12/2021	STATE LIBRARY OF WESTERN AUSTRALIA	LIBRARY FREIGHT RECOUP	326.84
EFT23404	17/12/2021	NEWMONT BODDINGTON GOLD	RENT FOR 3 PRUSSIAN WAY	1,430.00
EFT23405	17/12/2021	LOREN BOBBIE BRYANT	PURCHASES FOR THE YOUTH CENTRE	267.77
EFT23406	17/12/2021	SNALLOW PTY LTD - T/A WALLIS COMPUTER	NEW REPLACEMENT SERVER	61,977.17
EFT23407	17/12/2021	DAVID ALAN BURTON	RATES REFUND FOR ASSESSMENT A1862	91.52
EFT23408	17/12/2021	DMC CLEANING CORPORATION PTY LTD	CLEANING SERVICES FOR NOVEMBER 2021	20,279.19
EFT23409	17/12/2021	BANNISTER EXCAVATIONS PTY LTD	HIRE OF GRADER AND EXCAVATOR	9,938.50
EFT23410	17/12/2021	VOLT AIR PTY LTD	REPAIRS TO CARAVAN PARK BBQ	1,624.70
EFT23411	17/12/2021	ZIRCODATA PTY LTD	STORAGE FEES	91.22
EFT23412	17/12/2021	INSTANT PRODUCTS HIRE	HIRE OF PORTA LOOS FOR THE RODEO WEEKEND	11,490.62
EFT23413	17/12/2021	ON THE LEVEL PLUMBING	TESTING OF BACKFLOW DEVICES	500.00
EFT23414	17/12/2021	DAVID BINNS	CONTRIBUTION TOWARDS PHONE BILL	60.00
EFT23415	17/12/2021	BODDINGTON DIESEL SERVICES PTY LTD	REPAIRS TO ROLLER	224.68
EFT23416	17/12/2021	ACCESS LIFE	STRENGTH FOR LIFE COACH FEES	380.00
EFT23417	17/12/2021	HARTAC SIGNS AND SAFETY SOLUTIONS	GUIDE POSTS	5,775.00
EFT23418	17/12/2021	WIFI INSTALLATIONS	ANNUAL WI-FI FEE FOR THE CARAVAN PARK	309.95
EFT23419	17/12/2021	BODDINGTON MINI SKIPS	COLLECTION AND CLEANING OF BINS FOR NOVEMBER 2021	3,425.00
EFT23420	17/12/2021	PEAK TRAFFIC MANAGEMENT	TRAFFIC MANAGEMENT	3,554.10
EFT23421	17/12/2021	RURAL AND REGIONAL ECONOMIC SOLUTIONS	AGED CARE ACCOMMODATION PROJECT	3,300.00
EFT23422	17/12/2021	KEE SURFACING PTY LTD	SUPPLY AND SPRAY EMULSION BITUMEN	84,361.33
EFT23423	17/12/2021	BODDINGTON BAKEHOUSE	RUSTY CAMP CAFE SUPPLIES	17.50
EFT23424	17/12/2021	SHERRIN RENTALS PTY LTD	HIRE OF ROLLER	5,717.25
EFT23425	17/12/2021	PFD FOOD SERVICES PTY LTD	RUSTY CAMP CAFE SUPPLIES	1,357.21
EFT23426	17/12/2021	BODD CONSULT	RUSTY CAMP CAFE SUPPLIES	15.00
EFT23427	17/12/2021	MINING AG CIVIL HOSE & FITTINGS	REPAIRS TO DIGGER	327.68
EFT23428	17/12/2021	MAL ATWELL LEISURE GROUP	AUSTRALIA DAY GRANT - TABLE TENNIS SET	849.97
EFT23429	17/12/2021	ROHAN BRADLEY STARCEVICH	RATES REFUND FOR ASSESSMENT A378	2,000.00
EFT23430	17/12/2021	STEWART & HEATON PTY LTD	PROTECTIVE WEAR	354.27
EFT23431	17/12/2021	AUSTRALIA DAY COUNCIL OF WA INC	COTY AWARD MEDAL	14.50
EFT23432	17/12/2021	AVON WASTE	RUBBISH SERVICES FOR DECEMBER 2021	6,989.31
EFT23433	17/12/2021	BODDINGTON SERVICE STATION	PARTS FOR BT105	38.60
EFT23434	17/12/2021	MOORE AUSTRALIA (WA) PTY LTD	MONTHLY FINANCIAL TEMPLATE	792.00
EFT23435	17/12/2021	GREG DAY MOTORS	FUEL FOR NOVEMBER 2021	8,460.70
EFT23436	17/12/2021	IT VISION	ALTUS PAYROLL TRAINING	2,062.50
EFT23437	17/12/2021	WESTERN AUSTLOCAL GOVERNMENT ASS.	TRAINING COURSE - J COBBOLD	390.00
EFT23438	17/12/2021	TUDOR HOUSE	NEW FLAGS	949.00
EFT23439	17/12/2021	AUSTRALIAN TAX OFFICE (BAS RETURNS)	BAS OCTOBER 2021	53,445.00
EFT23440	17/12/2021	QUINDANNING/BODDINGTON CWA	CATERING SERVICES	120.00
EFT23441	17/12/2021	THOMPSON BUILDING INDUSTRIES	FOOTPATH WORK	27,225.00
EFT23442	23/12/2021	GARRARDS	FLY BAIT FOR THE TIP	686.40
EFT23443	23/12/2021	ABCO PRODUCTS PTY LTD	CLEANING PRODUCTS	68.78
EFT23444	23/12/2021	BODDINGTON HARDWARE AND NEWSAGENCY	NOVEMBER 2021	7,027.56
EFT23445	23/12/2021	WAROONA SEPTICS	CLEANING OF GREASE TRAP	220.00
EFT23446	23/12/2021	WOK DISWAY	RUSTY CAMP CAFE SUPPLIES	154.00
EFT23447	23/12/2021	G & D LYSTER	HIRE OF SIDE TIPPER & LOADER	13,741.75
EFT23448	23/12/2021	VOLT AIR PTY LTD	ELECTRICAL WORK AT THE CAFÉ	1,558.67
EFT23449	23/12/2021	IRIS CONSULTING GROUP PTY LTD	EKEYWORD CLASSIFICATION FOR LGA'S ONLINE COURSE	190.00
EFT23450	23/12/2021	DESNIE EUGENE SMALBERGER	BODDINGTON SCULPTURE COMPETITION	3,000.00
EFT23451	23/12/2021	MP ELECTROLOCATION PTY LTD T/A SUBTERA	LOCATE UNDERGROUND SERVICES	495.00
EFT23452	23/12/2021	HARVEY NORMAN MANDURAH	EQUIPMENT FOR THE CAFÉ	954.00
EFT23453	23/12/2021	REGIONAL FIRE & SAFETY	REPAIRS TO FIRE ALARM SYSTEM	860.61
EFT23454	23/12/2021	BODDINGTON BAKEHOUSE	RUSTY CAMP CAFE SUPPLIES	19.00
EFT23455	23/12/2021	KATANNING AREA TELEPHONES	LOCATE SERVICES	524.70
EFT23456	23/12/2021	DE & CL WILSON	BODDINGTON SCULPTURE COMPETITION	15,000.00
EFT23457	23/12/2021	ANDRIES SMALBERGER	BODDINGTON SCULPTURE COMPETITION	14,000.00
EFT23458	23/12/2021	QUINDANNING/BODDINGTON CWA	CATERING SERVICES	200.00
EFT23459	23/12/2021	LEONID ZUKS	RETURNED SOLDIER SCULPTURE	40,000.00
EFT23460	23/12/2021	BODDINGTON STORE	STATIONERY ITEMS FOR NOVEMBER 2021	973.92
DD14306.1	25/12/2021	EASIFLEET MANAGEMENT	LEASE PAYMENT 1HIZ195 - CEO	2,192.15
DD14336.1	01/12/2021	WESTNET	INTERNET CHARGES - MEDICAL CEN	39.95
DD14336.2	01/12/2021	TELSTRA	MOBILE PHONE CHARGES - SES	167.19
DD14337.1	02/12/2021	WESTERN AUSTRALIAN TREASURY CORP	PAYMENT - LOAN 107	54,195.71
DD14337.2	02/12/2021	PRINTSYNC BUSINESS SOLUTIONS	COPIER CHARGES - ELC	359.65
DD14337.3	02/12/2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1,487.15
DD14337.4	02/12/2021	SYNERGY	ELECTRICITY CHARGES	73.48
DD14348.1	08/12/2021	NATIONAL AUSTRALIA BANK	NAB CONNECT FEE	66.48
DD14348.2	08/12/2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	2,535.70
DD14348.3	08/12/2021	SYNERGY	ELECTRICITY CHARGES - VARIOUS	1,406.65
DD14349.1	03/12/2021	NATIONAL AUSTRALIA BANK	TRANSACT FEE	23.40
DD14350.1	06/12/2021	WESTNET	INTERNET CHARGES - POOL	59.95
DD14350.2	06/12/2021	SYNERGY	ELECTRICITY CHARGES - VARIOUS	3,418.97
DD14351.1	07/12/2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	3,652.05
DD14351.2	07/12/2021	SYNERGY	ELECTRICITY CHARGES - VARIOUS	836.15
DD14351.3	07/12/2021	TELSTRA	MOBILE PHONE CHARGES - SHIRE	737.60
DD14355.1	09/12/2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	45.05

## ATTACHMENT 8.3.2 DECEMBER LISTINGS

LIST OF PAYMENTS - DECEMBER 2021				
CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
DD14371.1	12/12/2021	PRECISION ADMIN SERVICES PTY LTD	SUPERANNUATION CONTRIBUTIONS	17,044.60
DD14373.1	10/12/2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1,597.50
DD14373.2	10/12/2021	WESTERN AUST TREASURY CORPORATION	PAYMENT - LOAN 105	76,482.79
DD14374.1	13/12/2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1,156.25
DD14379.1	15/12/2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	3,114.55
DD14380.1	14/12/2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	208.35
DD14385.1	16/12/2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	2,165.70
DD14388.1	17/12/2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	2,251.55
DD14392.1	22/12/2021	PRECISION ADMIN SERVICES PTY LTD	SUPERANNUATION CONTRIBUTIONS	16,094.04
DD14398.1	22/12/2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	927.10
DD14399.1	20/12/2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	933.45
DD14399.2	20/12/2021	TELSTRA	PHONE CHARGES - SES LANDLINES	195.59
DD14400.1	21/12/2021	BOC GASES - BOC ACCOUNT PROCESSING	GAS CONTAINER FEES	54.23
DD14400.2	21/12/2021	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	2,860.90
DD14400.3	21/12/2021	TELSTRA	PHONE CHARGES - EHO RESIDENCE	37.94
DD	31/12/2021	NAB BUSINESS VISA	CREDIT CARD PURCHASES	5,883.79
		<b>PETER HAAS</b>		
	06/12/2021	UNITED ARMADALE - FUEL	FUEL	64.16
	13/12/2021	DOME BALDIVIS - EVACUATION CENTRE TRAINING	EVACUATION CENTRE TRAINING	69.60
		<b>JEFF ATKINS</b>		
	30/11/2021	TOOLMART AUSTRALIA	SPOT SPRAYER	549.00
	08/12/2021	VEHICLE REGISTRATION	BT10132 \$22.85 & 1TVL065 \$22.20	45.05
	10/12/2021	TOOLMART AUSTRALIA	TOOLS	299.00
		<b>CARA RYAN</b>		
	21/12/2021	KMART ONLINE	AUSTRALIA DAY GRANT EXPENDITURE	98.00
	21/12/2021	KMART ONLINE	AUSTRALIA DAY GRANT EXPENDITURE	196.00
	21/12/2021	KMART ONLINE	AUSTRALIA DAY GRANT EXPENDITURE	(98.00)
	22/12/2021	KMART ONLINE	AUSTRALIA DAY GRANT EXPENDITURE	(49.00)
	29/12/2021	PUMA ENERGY - FUEL	FUEL	84.68
		<b>JULIE BURTON</b>		
	02/12/2021	EXETEL PTY LTD	INTERNET PLAN	725.00
	02/12/2021	COLES ONLINE	CAFÉ SUPPLIES	154.26
	06/12/2021	DROP BOX	COUNCILLOR INFORMATION	18.69
	08/12/2021	INSTRUMENT CHOICE	FIRE BRIGADE	1,540.88
	09/12/2021	COLES ONLINE	CAFÉ SUPPLIES	105.93
	15/12/2021	ADOBE ACROPRO	LICENSE	21.99
	15/12/2021	WOOLWORTHS	STAFF CHRISTMAS GIFT CARDS	850.00
	15/12/2021	WOOLWORTHS	STAFF CHRISTMAS GIFT CARDS	700.00
	21/12/2021	WOOLWORTHS	STAFF CHRISTMAS GIFT CARDS	350.00
	23/12/2021	COLES	STAFF CHRISTMAS GIFT CARDS	100.00
	29/12/2021	ADOBE ACROPRO	LICENSE	21.99
		<b>NAB TRANSACTIONS FEES</b>		
	31/12/2021	NAB CARD FEE	FEE	36.00
	29/11/2021	NAB INTERNATIONAL TRANSACTION FEES	FEE	0.56
		<b>PAYROLL PAYMENTS</b>		
		NAB	NET PAYROLL F/N ENDING 12/12/2021	76,654.43
		NAB	NETPAYROLL F/N ENDING 26/12/2021	71,802.14
		<b>TOTAL MUNI</b>		<b>1,314,035.21</b>
		<b>TOTAL TRUST &amp; MUNI</b>		<b>1,315,283.36</b>

ATTACHMENT 8.3.2 JANUARY LISTINGS

LIST OF PAYMENTS - JANUARY 2022				
CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT23466	07/01/2022	SHIRE OF BODDINGTON	DECEMBER 2021	40.00
EFT23467	07/01/2022	DEPT OF MINES,INDUSTRY REGULATION & SAFETY	DECEMBER 2021	614.88
		<b>TOTAL TRUST</b>		<b>654.88</b>
EFT23461	06/01/2022	LGIS RISK MANAGEMENT	RENEWAL REGIONAL RISK COORDINATOR FEE 2021/2022	1876.42
EFT23462	06/01/2022	RINGCENTRAL INC	COMPUTER SOFTWARE - NEW PHONE SYSTEM	622.70
EFT23463	06/01/2022	KENNEDYS (AUSTRALASIA) PARTNERSHIP	LEGAL SERVICES	10000.00
EFT23468	14/01/2022	TQUIP	PARTS FOR TORO MOWER	366.90
EFT23469	14/01/2022	AUSTRALIA POST	POSTAGE FOR DECEMBER 2021	386.67
EFT23470	14/01/2022	THE QUINDANNING HOTEL	STAFF CHRISTMAS FUNCTION	2077.50
EFT23471	14/01/2022	OFFICEWORKS BUSINESS DIRECT	STATIONERY ITEMS	405.31
EFT23472	14/01/2022	ALLAN PETER ROBINSON	COURIER FEES	132.00
EFT23473	14/01/2022	WEST AUSTRALIAN LAND INFORMATION AUTHORITY	RURAL UV INTERIM VALUATION	130.41
EFT23474	14/01/2022	ADVANTAGE ENVIRONMENTAL PEST CONTROL	REPAIRS TO BRIDGE	2993.20
EFT23475	14/01/2022	BODDINGTON TYRE SERVICE	NEW TYRE FOR MOWER	277.00
EFT23476	14/01/2022	PORTER CONSULTING ENGINEERS	SURVEY REPORT DESIGN OF INTERSECTION MODIFICATIONS	2392.50
EFT23477	14/01/2022	OZTECH SECURITY	CONTROL ROOM MONITORING SERVICES	178.00
EFT23478	14/01/2022	SPYKER TECHNOLOGIES PTY LTD	CCTV MAINTENANCE	2280.97
EFT23479	14/01/2022	BODDINGTON IGA	ELC PURCHASES FOR DECEMBER 2021	280.68
EFT23480	14/01/2022	NEWMONT BODDINGTON GOLD	RENT 3 PRUSSIAN WAY	1430.00
EFT23481	14/01/2022	SNALLOW PTY LTD T/A WALLIS COMPUTER SOLUTIONS	SERVER REPLACEMENT	5528.51
EFT23482	14/01/2022	MARKETFORCE PTY LTD	ADVERTISING FOR EXTRAORDINARY ELECTION	1188.55
EFT23483	14/01/2022	ZIRCODATA PTY LTD	STORAGE FEES	91.22
EFT23484	14/01/2022	GUMFIRE MARKETING	INDUSTRY ROAD SAFETY ALLIANCE PROJECT MANAGEMENT	24823.70
EFT23485	14/01/2022	GARRY VENTRIS	COUNCILLOR ALLOWANCES	5276.75
EFT23486	14/01/2022	ACCESS LIFE	STRENGTH FOR LIFE COACH FEE FOR DECEMBER 2021	240.00
EFT23487	14/01/2022	FACE PAINTINGS BY MARY	FACE PAINTING AT CHRISTMAS EVENT	260.00
EFT23488	14/01/2022	BODDINGTON MINI SKIPS	BIN COLLECTION AND CLEANING FOR DECEMBER 2021	2819.00
EFT23489	14/01/2022	THE WEST AUSTRALIAN ( IRSA)	ADVERTISING	1100.00
EFT23490	14/01/2022	BODDINGTON CONCRETE	PAVING SAND	87.12
EFT23491	14/01/2022	EARL EDWIN SCHREIBER	COUNCILLOR ALLOWANCES	1503.75
EFT23492	14/01/2022	AFLEX TECHNOLOGY (NZ) LTD	INFLATABLES FOR THE SWIMMING POOL	4682.70
EFT23493	14/01/2022	IAN GEORGE WEBSTER	COUNCILLOR ALLOWANCES	1822.25
EFT23494	14/01/2022	BODDINGTON IGA	YOUTH CENTRE PURCHASES FOR DECEMBER 2021	88.55
EFT23495	14/01/2022	DARREN LONG CONSULTING	FINANCIAL CONSULTING SERVICES	2860.00
EFT23496	14/01/2022	ONE DEGREE ADVISORY PTY LTD	SELECTION PANEL FEES	1866.48
EFT23497	14/01/2022	RURAL INFRASTRUCTURE SERVICES	ENGINEERING CONSULTANCY SERVICES	4888.90
EFT23498	14/01/2022	MINING AG CIVIL HOSE & FITTINGS	REPAIRS TO FUSO TIP TRUCK	488.01
EFT23499	14/01/2022	AUSTRALIA DAY COUNCIL OF SOUTH AUSTRALIA INC	AUSTRALIA DAY MERCHANDISE	1895.00
EFT23500	14/01/2022	SIMPLY HEADSETS PTY LTD	HARDWARE FOR PHONE SYSTEM UPGRADE	3519.00
EFT23501	14/01/2022	STEWART & HEATON PTY LTD	PROTECTIVE WEAR	354.27
EFT23502	14/01/2022	AVON WASTE	RUBBISH SERVICES FOR DECEMBER 2021	15249.74
EFT23503	14/01/2022	BODDINGTON SERVICE STATION	SPARK PLUGS	44.70
EFT23504	14/01/2022	MOORE AUSTRALIA (WA) PTY LTD	2022 BUDGET WORKSHOP	1045.00
EFT23505	14/01/2022	GREG DAY MOTORS	FUEL FOR DECEMBER 2021	8745.67
EFT23506	14/01/2022	G B GILLESPIE & SONS PTY LTD	REPAIRS FOR FLYING FOX - HOTHAM PARK	895.40
EFT23507	14/01/2022	IT VISION	SYNERGYSOFT REPORT SCHEDULER MODULE	1718.20
EFT23508	14/01/2022	TOTAL EDEN PTY LTD	RETICULATION	599.56
EFT23509	14/01/2022	BODDINGTON STORE	STATIONERY ITEMS FOR DECEMBER 2021	544.77
EFT23510	14/01/2022	THE LOCK MAN SECURITY	PADLOCKS AND KEYS	510.60
EFT23511	21/01/2022	BODDINGTON TYRE SERVICE	NEW BATTERY	252.00
EFT23512	21/01/2022	BODDINGTON HARDWARE AND NEWSAGENCY	FENCING MATERIALS	17933.18
EFT23513	21/01/2022	EDGE PLANNING & PROPERTY	PLANNING SERVICES FOR DECEMBER 2021	4974.60
EFT23514	21/01/2022	SEEK LIMITED	ADVERTISING LEADING HAND/GRADER OPERATOR	313.50
EFT23515	21/01/2022	BODDINGTON IGA	PURCHASES FOR DECEMBER 2021	675.76
EFT23516	21/01/2022	MODERN TEACHING AIDS PTY LTD	MODERN TEACHING AIDS FOR THE ELC	2586.21
EFT23517	21/01/2022	WOK DISWAY	RUSTY CAMP CAFÉ SUPPLIES	32.00
EFT23518	21/01/2022	RMS (AUST) PTY LTD	CARAVAN ONLINE BOOKING SYSTEM	1966.80
EFT23519	21/01/2022	CLIVE & JEANINE READ	REFUND FOR OVER PAYMENT OF CHILD CARE FEES	204.07
EFT23520	21/01/2022	BAS VAN HINSBERG	REFUND FOR OVER PAYMENT OF CHILD CARE FEES	196.11
EFT23521	21/01/2022	PHASE3 LANDSCAPE CONSTRUCTION PTY LTD	75% OF RETENTION - PROJECT NO C321-02	34082.47
EFT23522	21/01/2022	SHERRIN RENTALS PTY LTD	HIRE OF ROLLER	4677.77
EFT23523	21/01/2022	AUSTRALIA DAY COUNCIL OF SOUTH AUSTRALIA INC	AUSTRALIA DAY BANNERS	950.00
EFT23524	21/01/2022	JACQUI MUSCAT	REFUND FOR OVER PAYMENT OF CHILD CARE FEES	132.69
EFT23525	21/01/2022	SIGNARAMA JOONDALUP	BENCH MOUNTED SCREENS FOR MEDICAL CENTRE	2334.20
EFT23526	21/01/2022	EMMA MARTIN	REFUND FOR OVER PAYMENT OF CHILD CARE FEES	46.87
EFT23527	21/01/2022	LUCINDA JOY MOUNSEY	RATES REFUND FOR ASSESSMENT A1860	1851.50
EFT23528	21/01/2022	JASON PIRRETT	REFUND FOR OVER PAYMENT OF CHILD CARE FEES	64.73
EFT23529	21/01/2022	JESSICA REED	REFUND FOR OVER PAYMENT OF CHILD CARE FEES	165.96
EFT23530	21/01/2022	LIONS CLUB OF BODDINGTON INC.	AUSTRALIA DAY BREAKFAST	1500.00
EFT23531	21/01/2022	ROSS MATSEN	SPRAYING FIREBREAKS AROUND ANTENNA	150.00

ATTACHMENT 8.3.2 JANUARY LISTINGS

LIST OF PAYMENTS - JANUARY 2022				
CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT23532	21/01/2022	THOMPSON BUILDING INDUSTRIES	STORAGE BOXES	176.00
EFT23533	21/01/2022	THE LOCK MAN SECURITY	KEYS FOR VISITORS CENTRE	171.30
EFT23534	28/01/2022	WEST AUSTRALIAN LAND INFORMATION AUTHORITY	GROSS RENTAL VALUATION	70.40
EFT23535	28/01/2022	REINFORCED CONCRETE PIPES AUSTRALIA	CONCRETE PIPES	6185.52
EFT23536	28/01/2022	BODDINGTON TYRE SERVICE	NEW TYRES FOR TRUCK	2204.00
EFT23537	28/01/2022	ABCO PRODUCTS PTY LTD	PRODUCTS FOR AUSTRALIA DAY	1874.59
EFT23538	28/01/2022	COURIER AUSTRALIA TOLL IPEC	COURIER FEES	312.92
EFT23539	28/01/2022	PACIFIC BRANDS WORKWEAR GROUP PTY LTD	STAFF UNIFORMS	780.80
EFT23540	28/01/2022	BODDINGTON MOTEL	BUSINESS ASSISTANCE GRANT	500.00
EFT23541	28/01/2022	NEWMONT BODDINGTON GOLD	BOND AND RENT FOR 25 FARMERS AVENUE	2630.00
EFT23542	28/01/2022	SHERIDAN'S	NAME BADGE	42.85
EFT23543	28/01/2022	VOLT AIR PTY LTD	INSTALLATION OF STREET LIGHTS	12900.00
EFT23544	28/01/2022	DAVID BINNS	CONTRIBUTION TOWARDS PHONE BILL	60.00
EFT23545	28/01/2022	BODDINGTON DIESEL SERVICES PTY LTD	SERVICE TO HINO 500	1140.98
EFT23546	28/01/2022	BODDAIRE	AIR CONDITIONER REPAIRS	916.60
EFT23547	28/01/2022	PROMPT SAFETY SOLUTIONS	SAFETY MANAGEMENT SYSTEM	7700.00
EFT23548	28/01/2022	124 RUSTY CAMP BODDINGTON	CATERING FOR TRAINING COURSE	158.00
EFT23549	28/01/2022	ANDRES ROA PRADA	REFUND FOR OVER PAYMENT OF CHILD CARE FEES	64.60
EFT23550	28/01/2022	BETTY FRASER	REFUND FOR OVER PAYMENT OF CHILD CARE FEES	36.30
EFT23551	28/01/2022	LISA MITCHISON	REFUND FOR OVER PAYMENT OF CHILD CARE FEES	10.70
EFT23552	28/01/2022	A & P REID CONTRACTING	HIRE OF WATER TRUCK	20834.00
DD14422.1	05/01/2022	NATIONAL AUSTRALIA BANK	TRANSACT FEE	15.70
DD14422.2	05/01/2022	SYNERGY	ELECTRICITY CHARGES	71.12
DD14423.1	24/01/2022	EASIFLEET MANAGEMENT	LEASE PAYMENT 1HIZ195 CEO	2192.15
DD14424.1	01/01/2022	PRINTSYNC BUSINESS SOLUTIONS	COPIER CHARGES ELC	820.06
DD14424.2	01/01/2022	WESTNET	INTERNET CHARGES POOL	99.90
DD14424.3	01/01/2022	NATIONAL AUSTRALIA BANK	NAB CONNECT FEE	68.73
DD14427.1	06/01/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	6883.10
DD14427.2	06/01/2022	TELSTRA	MOBILE PHONE CHARGES SHIRE	739.10
DD14429.1	11/01/2022	PRECISION ADMINISTRATION SERVICES PTY LTD	SUPERANNUATION CONTRIBUTIONS	16020.68
DD14436.1	10/01/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	2904.00
DD14437.1	11/01/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	991.60
DD14438.1	07/01/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	4742.35
DD14442.1	12/01/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	5236.00
DD14442.2	12/01/2022	SYNERGY	ELECTRICITY CHARGES VARIOUS	1244.85
DD14443.1	13/01/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1802.95
DD14443.2	13/01/2022	SYNERGY	ELECTRICITY CHARGES VARIOUS	3778.14
DD14450.1	14/01/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	2958.10
DD14450.2	14/01/2022	SYNERGY	ELECTRICITY CHARGES VARIOUS	973.36
DD14451.1	17/01/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	831.85
DD14451.2	17/01/2022	TELSTRA	PHONE CHARGES	195.29
DD14451.3	17/01/2022	WESTERN AUSTRALIAN TREASURY CORPORATION	PAYMENT LOAN 83	6787.99
DD14454.1	18/01/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	2261.50
DD14455.1	19/01/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	2134.60
DD14460.1	20/01/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	731.80
DD14462.1	21/01/2022	BOC GASES BOC ACCOUNT PROCESSING	GAS CONTAINER FEES	56.03
DD14462.2	21/01/2022	WATER CORPORATION	WATER CHARGES VARIOUS	4755.87
DD14462.3	21/01/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	2452.20



## ATTACHMENT 8.3.2 JANUARY LISTINGS

<b>LIST OF PAYMENTS - JANUARY 2022</b>				
<b>CHQ/EFT</b>	<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
DD14462.4	21/01/2022	SYNERGY	ELECTRICITY CHARGES VARIOUS	3048.22
DD14467.1	25/01/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	556.70
DD14467.2	25/01/2022	SYNERGY	ELECTRICITY CHARGES VARIOUS	3685.55
DD14468.1	24/01/2022	WATER CORPORATION	WATER CHARGES VARIOUS	1796.83
DD14468.2	24/01/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	3803.40
DD14468.3	24/01/2022	TELSTRA	PHONE CHARGES	1745.29
DD14468.4	24/01/2022	WESTERN AUSTRALIAN TREASURY CORPORATION	LOAN GUARANTEE FEE	8664.45
DD14472.2	27/01/2022	WATER CORPORATION	WATER CHARGES VARIOUS	25497.45
DD14472.3	27/01/2022	DEPARTMENT OF TRANSPORT	DEPT OF TRANSPORT AGENCY	1148.05
DD	31/01/2022	NAB BUSINESS VISA	CREDIT CARD PURCHASES	2411.63
		<b>PETER HAAS</b>		
		<b>JEFF ATKINS</b>		
	14/01/2022	SHIRE OF BODDINGTON	BT61 LICENSE	189.05
	20/01/2022	SHIRE OF BODDINGTON	TEMP PERMIT FOR TRAILER	23.80
		<b>CARA RYAN</b>		
	06/01/2022	SHIRE OF WANDERING	FUEL	99.00
	06/01/2022	BODDINGTON LPO	VISA DEBIT CARD YOUTH CENTRE	505.95
	28/01/2022	HART SPORT PTY LTD	AUSTRALIA DAY GRANT - EQUIPMENT YOUTH CENTRE	769.60
		<b>JULIE BURTON</b>		
	05/01/2022	EXETEL PTY LTD	INTERNET PLAN	725.00
	13/01/2022	DROP BOX	COUNCILLOR INFORMATION	18.69
	17/01/2022	ADOBE	LICENSE	21.99
	28/01/2022	ADOBE	LICENSE	21.99
		<b>NAB TRANSACTIONS FEES</b>		
		NAB CARD FEE	FEE	36.00
		NAB INTERNATIONAL TRANSACTION FEES	FEE	0.56
		<b>PAYROLL PAYMENTS</b>		
		NAB	NET PAYROLL F/N ENDING 09/01/2022	70914.43
		NAB	NETPAYROLL F/N ENDING 23/01/2022	73509.05
		<b>TOTAL MUNI</b>		<b>\$ 522,957.71</b>
		<b>TOTAL TRUST &amp; MUNI</b>		<b>\$ 523,612.59</b>

### 8.3.3 2021/2022 Annual Budget Review

File Reference: FINM/1.12  
Applicant: Not Applicable  
Disclosure of Interest: Nil  
Author: Executive Manager Corporate Services  
Attachments: 8.3.3 Budget Review Report

#### Summary

To consider and adopt the Annual Budget Review as presented for the period 1 July 2021 to 31 January 2022.

#### Background

The Local Government (Financial Management) Regulations 1996, Regulation 33A as amended, requires that local governments conduct a budget review between 1 January and 31 March in each financial year. The results of the review and accompanying report from the review must be presented to Council within 30 days of the review. The review and determination is then to be provided to the Department of Local Government, Sport and Cultural Industries within 30 days of the adoption of the review.

The legislation surrounding budget reviews was put in place to ensure local governments conduct a formal review of the likely budget outcome during the third quarter of the financial year. As expected, there will be variations in revenue and expenditure, both up and down, in the actual result as compared to the full year budget. It is important to note, presentation and adoption of the budget is not to change the original budget estimates. The intention of the review is to formally present and consider the impact of budget to actual variations on the predicted net current asset position for year end. If there is a requirement to amend the budget it is required to do so with a resolution specifically for that purpose and should be managed during the term of the Budget.

#### Comment

The Budget Review has been prepared to include information required by the Local Government Act 1995, Local Government (Financial Management) Regulations 1996 and Australian Accounting Standards. The Statement of Financial Activity included within the budget review report incorporates year to date budget variations and forecasts to 30 June 2022, for the period ending 31 January 2022.

Features of the review as summarised from the detailed financial reports attached are as follows:

#### REVENUE

Long Service leave reimbursement	\$13,823
Reimbursements from LGIS for insurance programs	\$19,000
Increase in Federal Assistance Grant	\$42,359
Receipt of shortfall ESL funding for 2020/2021 expenditure	\$26,592
Increase in rental income for aged housing and staff housing	\$29,900
Waste services income exceeding budget expectations	\$17,274
Hire and leases of shire facilities understated in budget estimate	\$12,825
South32 grant received for expenditure in 2020/2021	\$25,000
Unbudgeted revenue for Community Café.	\$43,925
Unexpected funding for Australia Day events	\$20,000
Increase in Caravan Park revenue	\$35,500
Additional contribution from South32 for road repairs	\$15,891
Workers Compensation reimbursements	\$33,000

<b>TOTAL REVENUE VARIATIONS</b>	<b>\$335,089</b>
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#### EXPENDITURE

Overpayment of 19/20 & 20/21 Workcare insurance reimbursed	(\$13,187)
Consultant expenditure for Strategic Planning as approved by Council	(\$50,000)
Additional housing leases provided by Newmont for staff	(\$15,900)
Increase in costs for waste services	(\$46,000)
LOAF funding allocation not included in budget	(\$10,000)
Storm damage repairs for July 21 event	(\$30,000)
Unbudgeted expenditure for Community Café	(\$50,301)
Expenditure of Australia Day Grant	(\$20,000)
Workers Compensation payments	(\$33,000)
Depreciation expense understated	(\$678,000)
<b>TOTAL EXPENDITURE VARIATIONS</b>	<b>(\$946,388)</b>

Depreciation understated ( <i>reverse does not affect net current asset position</i> )	<b>\$678,000</b>
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#### CAPITAL VARIATIONS

LRCI funding for Days Road not included in budget	\$35,175
Roads to Recovery funding carried forward overstated	(\$50,698)
Roads to Recovery works for Lower Hotham Rd postponed	\$37,410
LRCI works for Days Road not included in budget	(\$35,175)
Carried forward works for Harvey Quindanning Rd not included in budget	(\$74,000)
<b>TOTAL CAPITAL VARIATIONS</b>	<b>(\$87,288)</b>

#### CAPITAL VARIATIONS

Increase in Opening Surplus (however remains unaudited)	\$87,431
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The original budget predicted a surplus of \$169,104, however, due to the combined value of the above variations, the estimated surplus is now predicted to be \$198,538. This predicted surplus includes a timing adjustment of \$37,410 for works to be carried out on Lower Hotham Road and may be required to be carried over to the 2022/2023 budget.

Although mentioned within this report that the intention of the Budget Review is not to amend the budget, due to the nature and value of the listed variances, it is requested that Council resolve to adopt the above variations as budget amendments. These are in line with Note 4 contained within the Budget Review Report.

#### Consultation

Nil

#### Strategic Implications

Nil

#### Legislative Implications

*Local Government (Financial Management) Regulations 1996*

Regulation 34 requires:

- (1) Between 1 January and 31 March in each year a local government is to carry out a review of its budget for that year.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the Council.

- (3) A Council is to consider a review submitted to it and is to determine by absolute majority whether or not to adopt the review, any parts of the review or any recommendations made in the review.
- (4) Within 30 days after a Council has made a determination it is to be provided to the Department of Local Government.

Policy Implications

Council have adopted a material variance threshold of \$10,000 or 10%, whichever is greater.

Financial Implications

Due to the combined value of the above variations the balanced budget is now predicted to have a surplus of \$198,538.

Economic Implications

Nil

Social Implications

Nil

Environmental Considerations

Nil

Risk Considerations

Risk Statement and Consequence	Failure to manage the Shire's ongoing expenditure and income against budget estimates would increase the risk of a negative impact on the Shire's financial position. Further, failure to present a detailed budget review in the prescribed form or closing date would result in noncompliance with the Local Government (Financial Management) Regulations 1996, which may result in a qualified audit.
Risk Rating (prior to treatment or control)	Moderate
Principal Risk Theme	Reputational / Compliance
Risk Action Plan (controls or treatment proposed)	Nil

Options

1. Council may choose to adopt the budget review and related budget amendments.
2. Council may choose to adopt the budget review but not the related budget amendments.
3. Council may choose to not adopt the budget review and the related budget amendments.

Voting Requirements

Absolute Majority



**Officer Recommendation**

**COUNCIL RESOLUTION: 8/22**

**Cr Webster**

**That Council adopt the 2021-2022 Budget Review, together with the budget amendments contained at Note 4 within the Budget Review Report.**

**Seconded: Cr Erasmus**

**Carried: 4/0**



## **BUDGET REVIEW REPORT**

**For the Period Ended 31 January 2022**

**LOCAL GOVERNMENT ACT 1995  
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996**

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**STATEMENT OF BUDGET REVIEW  
FOR THE PERIOD ENDED 31 JANUARY 2022**

**STATUTORY REPORTING PROGRAMS**

	Note	Budget v Actual		Predicted		Year End (a)+(c)+(d)	
		Adopted Annual Budget (a)	YTD Actual (b)	Variance Permanent (c)	Variance Timing (Carryover) (d)		
<b>Opening funding surplus / (deficit)</b>	2(c)	\$ 1,043,000	\$ 1,130,431	\$ 87,431	0	1,130,431	
<b>Revenue from operating activities</b>							
Governance	3.1.1	42,435	58,014	32,823	0	75,258	▲
General purpose funding - general rates		5,225,193	5,227,330	0	0	5,225,193	
General purpose funding - other	3.1.3	142,176	89,238	42,359	0	184,535	▲
Law, order and public safety	3.1.4	124,793	84,912	26,592	0	151,385	▲
Health		39,290	25,454	0	0	39,290	
Education and welfare	3.1.6	505,200	338,291	14,000	0	519,200	▲
Housing	3.1.7	23,400	16,759	15,900	0	39,300	▲
Community amenities	3.1.8	296,030	304,906	17,274	0	313,304	▲
Recreation and culture	3.1.9	48,895	67,578	37,825	0	86,720	▲
Transport		110,080	60,373	0	0	110,080	
Economic services	3.1.11	291,697	298,294	99,425	0	391,122	▲
Other property and services	3.1.12	11,005	44,765	48,891	0	59,896	▲
		<b>6,860,194</b>	<b>6,615,914</b>	<b>335,089</b>	<b>0</b>	<b>7,195,283</b>	
<b>Expenditure from operating activities</b>							
Governance	3.2.1	(127,430)	(61,048)	(88,187)	0	(215,617)	▼
General purpose funding		(22,307)	(962)	0	0	(22,307)	
Law, order and public safety	3.2.3	(523,783)	(301,114)	(25,000)	0	(548,783)	▼
Health	3.2.4	(218,897)	(110,209)	(15,000)	0	(233,897)	▼
Education and welfare	3.2.5	(822,710)	(589,055)	(297,000)	0	(1,119,710)	▼
Housing	3.2.6	(19,885)	(108,111)	(59,900)	0	(79,785)	▼
Community amenities	3.2.7	(837,143)	(467,720)	(46,000)	0	(883,143)	▼
Recreation and culture	3.2.8	(2,123,766)	(1,359,301)	(292,000)	0	(2,415,766)	▼
Transport	3.2.9	(3,309,496)	(1,705,808)	5,000	0	(3,304,496)	▲
Economic services	3.2.10	(827,708)	(496,465)	(70,301)	0	(898,009)	▼
Other property and services	3.2.11	(4,095)	6,092	(58,000)	0	(62,095)	▼
		<b>(8,837,220)</b>	<b>(5,193,701)</b>	<b>(946,388)</b>	<b>0</b>	<b>(9,783,608)</b>	
Non-cash amounts excluded from operating activities	2(a)	2,428,735	1,786,087	678,000	0	3,106,735	▲
<b>Amount attributable to operating activities</b>		<b>451,709</b>	<b>3,208,300</b>	<b>66,701</b>	<b>0</b>	<b>518,410</b>	
<b>Investing Activities</b>							
Proceeds from non-operating grants & contributions	3.3.1	1,271,930	561,960	(15,523)	0	1,256,407	▼
Proceeds from disposal of assets		34,000	7,273	0	0	34,000	
Payments for property, plant and equipment & infrastructure	3.3.5	(2,213,256)	(640,295)	(109,175)	37,410	(2,322,431)	▼
		<b>(907,326)</b>	<b>(71,062)</b>	<b>(124,698)</b>	<b>37,410</b>	<b>(1,032,024)</b>	
<b>Financing Activities</b>							
Proceeds from new debentures		0	0	0	0	0	
Transfer from reserves		0	0	0	0	0	
Repayment of debentures		(357,077)	(184,567)	0	0	(357,077)	
Transfer to reserves		(61,202)	0	0	0	(61,202)	
<b>Amount attributable to financing activities</b>		<b>(418,279)</b>	<b>(184,567)</b>	<b>0</b>	<b>0</b>	<b>(418,279)</b>	
<b>Closing funding surplus / (deficit)</b>	2(c)	<b>169,104</b>	<b>4,083,102</b>	<b>29,434</b>	<b>37,410</b>	<b>198,538</b>	

**KEY INFORMATION**

▲ ▼ Indicates a variance between Adopted Budget and Predicted Year End

**NOTES TO AND FORMING PART OF THE BUDGET REVIEW REPORT  
FOR THE PERIOD ENDED 31 JANUARY 2022**

**NOTE 1  
BASIS OF PREPARATION**

**BASIS OF PREPARATION**

The budget review has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and interpretations of the Australian Accounting Standards Board, and the Local Government Act 1995 and accompanying regulations.

The Local Government Act 1995 and accompanying Regulations take precedence over Australian Accounting Standards where they are inconsistent.

The Local Government (Financial Management) Regulations 1996 specify that vested land is a right-of-use asset to be measured at cost. All right-of-use assets (other than vested improvements) under zero cost concessionary leases are measured at zero cost rather than at fair value. The exception is 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 of Boddington to measure any vested improvements at zero cost.

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 rate setting information, 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 Boddington controls resources to carry on its functions have been included in the financial statements *forming part of this budget review*.

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

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

**SIGNIFICANT ACCOUNTING POLICES**

**CRITICAL ACCOUNTING ESTIMATES**

The preparation of a budget review 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 that are 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.

**ROUNDING OFF FIGURES**

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

**2021-22 ACTUAL BALANCES**

Balances shown in this budget review report as YTD Actual are as forecast at the time of budget review preparation and are subject to final adjustments.

**BUDGET COMPARATIVE FIGURES**

Unless otherwise stated, the budget comparative figures shown in the budget review relate to the original budget estimate for the relevant item of disclosure.

**PREPARATION TIMING AND REVIEW**

Date prepared: All known transactions up to 07 February 2022

**AUDIT**

The 2020/2021 Annual Financial Report remains un-audited therefore opening surplus figure may vary.



NOTES TO AND FORMING PART OF THE BUDGET REVIEW REPORT  
FOR THE PERIOD ENDED 31 JANUARY 2022

NOTE 2  
NET CURRENT FUNDING POSTION

(a) Non-cash items 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.

	Notes	Actuals - Used for Budget 30 June 2021	Actuals - Closing 30 June 2021	Adopted Budget 30 June 2022	YTD Actual 31 January 2022
<b>Non-cash items excluded from operating activities</b>					
			\$	\$	\$
<b>Adjustments to operating activities</b>					
Less: Profit on asset disposals	5	(140,107)	(39,637)	0	(2,489)
Less: Fair Value adjustment to financial assets at fair value through profit & loss		(1,292)	(1,293)	0	0
Movement in pensioner deferred rates (non-current)			(6,265)	0	0
Movement in employee benefit provisions (non-current)		(24,002)	(24,002)	34,790	0
Movement in other provisions (non-current)		(6,265)	0	0	0
Add: Loss on asset disposals	5	0	2,982	0	0
Add: Depreciation on assets		2,393,945	3,129,176	2,393,945	1,788,576
<b>Total non-cash items excluded from operating activities</b>		<b>2,222,279</b>	<b>3,060,961</b>	<b>2,428,735</b>	<b>1,786,087</b>

(b) Adjustments to net current assets in the Statement of Financial Activity

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.

<b>Adjustments to net current assets</b>					
Less: Reserves - restricted cash	2	(1,665,265)	(1,668,321)	(1,726,467)	(1,668,321)
Add: Borrowings	6	357,077	357,077	0	172,510
Add: Provisions - employee		0	0	0	0
<b>Total adjustments to net current assets</b>		<b>(1,308,188)</b>	<b>(1,311,244)</b>	<b>(1,726,467)</b>	<b>(1,495,811)</b>

(c) Net current assets used in the Statement of Financial Activity

<b>Current assets</b>					
Cash and cash equivalents	2	3,255,458	3,934,794	2,166,894	7,136,385
Rates receivables	3	253,668	253,668	0	591,033
Receivables	3	1,383,709	1,404,087	393,176	124,911
Other current assets	4	158,762	158,762	0	135,425
<b>Less: Current liabilities</b>					
Payables		(404,000)	(1,095,378)	(404,000)	(178,148)
Borrowings	6	(357,077)	(357,077)	0	(172,510)
Contract liabilities		(1,678,834)	(1,596,684)	0	(1,797,684)
Provisions		(260,497)	(260,497)	(260,497)	(260,497)
<b>Less: Total adjustments to net current assets</b>	2(b)	<b>(1,308,188)</b>	<b>(1,311,244)</b>	<b>(1,726,467)</b>	<b>(1,495,811)</b>
<b>Closing funding surplus / (deficit)</b>		<b>1,043,001</b>	<b>1,130,431</b>	<b>169,106</b>	<b>4,083,104</b>

**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 Council's operational cycle.

**NOTES TO THE REVIEW OF THE ANNUAL BUDGET  
FOR THE PERIOD ENDED 31 JANUARY 2022**

**NOTE 3  
PREDICTED VARIANCES**

Comments/Reason for Variance	Variance \$	
	Permanent	Timing
<b>3.1 OPENING SURPLUS</b>		
Variation due to accruals of revenue for year ended 30 June 2021 required during audit process. It is important to note that the 2020/2021 Annual Financial Report remains unaudited. This variation may change once the audit is complete.	87,431	
<b>3.1 OPERATING REVENUE</b>		
<b>3.1.1 GOVERNANCE</b>		
Reimbursement for employee leave entitlements from preceding local government.	13,823	
Additional insurance reimbursements for Good Driver Rebate, Workers Compensation Actual Wages Adjustment for 2020/2021, and Members Experience allocation.	19,000	
<b>3.1.2 GENERAL PURPOSE FUNDING - GENERAL RATES</b>		
No material variance.		
<b>3.1.3 GENERAL PURPOSE FUNDING - OTHER</b>		
Increase to local road component of the Federal Assistance Grant.	42,359	
<b>3.1.4 LAW, ORDER AND PUBLIC SAFETY</b>		
Additional ESL funding received for Bushfire Brigade & SES operations, due to overspend in 2020/2021.	26,592	
<b>3.1.5 HEALTH</b>		
No material variance.		
<b>3.1.6 EDUCATION AND WELFARE</b>		
Rental income for aged accommodation is predicted to exceed budget estimate.	14,000	
<b>3.1.7 HOUSING</b>		
Additional staff housing income due to the rental received from the two properties being leased by the Shire from Newmont.	15,900	
<b>3.1.8 COMMUNITY AMENITIES</b>		
Income for waste services exceeding budget estimates.	17,274	
<b>3.1.9 RECREATION AND CULTURE</b>		
Revenue from community clubs and sporting clubs understated in adopted budget.	12,825	
South32 grant which was held as unspent grant as at 30 June 2021 brought into accounts, as the funds were fully expended in 2020/2021.	25,000	
<b>3.1.10 TRANSPORT</b>		
No material variance.		
<b>3.1.11 ECONOMIC SERVICES</b>		
Community Café revenue not included in budget as business operation commenced after budget adoption.	43,925	
Australia Day grant awarded after budget adoption. Note corresponding expenditure.	20,000	
Caravan park revenue is predicted to exceed budget expectations.	35,500	
<b>3.1.12 OTHER PROPERTY AND SERVICES</b>		
Unbudgeted revenue received from South32 for contribution to repairs to Lower Hotham Road.	15,891	
Workers Compensation reimbursements.	33,000	
<b>Predicted Variances Carried Forward</b>	<b>422,520</b>	<b>0</b>

**NOTES TO THE REVIEW OF THE ANNUAL BUDGET  
FOR THE PERIOD ENDED 31 JANUARY 2022**

**NOTE 3  
PREDICTED VARIANCES**

Comments/Reason for Variance	Variance \$	
	Permanent	Timing
<b>Predicted Variances Brought Forward</b>	<b>422,520</b>	<b>0</b>
<b>3.2 OPERATING EXPENSES</b>		
<b>3.2.1 GOVERNANCE</b>		
Workers Compensation adjustments for 2018/2019 and 2019/2020.	(13,187)	
Unbudgeted expenditure for consultants to undertake review of the Strategic Community Plan and Corporate Business Plan, as approved by Council Resolution 131/21.	(50,000)	
Depreciation expense understated in adopted budget.	(25,000)	
<b>3.2.2 GENERAL PURPOSE FUNDING</b>		
No material variance.		
<b>3.2.3 LAW, ORDER AND PUBLIC SAFETY</b>		
Depreciation expense understated in adopted budget.	(25,000)	
<b>3.2.4 HEALTH</b>		
Depreciation expense understated in adopted budget.	(15,000)	
<b>3.2.5 EDUCATION AND WELFARE</b>		
Depreciation expense understated in adopted budget.	(52,000)	
Depreciation expense understated in adopted budget.	(245,000)	
<b>3.2.6 HOUSING</b>		
Depreciation expense understated in adopted budget.	(44,000)	
Additional expenditure due to the inclusion of two properties being leased from Newmont. This is being fully cost recovered by staff rental income.	(15,900)	
<b>3.2.7 COMMUNITY AMENITIES</b>		
Waste collection services costs higher than budget expectations. See corresponding revenue.	(24,000)	
Contractors required to dig new pit for the Waste Facility, and transport soil to cover old pit.	(22,000)	
<b>3.2.8 RECREATION AND CULTURE</b>		
Allocation for LOAF funding as approved for various projects by Council.	(10,000)	
Depreciation expense understated in adopted budget.	(282,000)	
<b>3.2.9 TRANSPORT</b>		
Depreciation expense overstated in adopted budget.	35,000	
Storm Damage repairs required after July event. Waiting on funding approval.	(30,000)	
<b>3.2.10 ECONOMIC SERVICES</b>		
Community Café expenses not included in budget, as business operation commenced after budget adoption.	(50,301)	
Expenditure for Australia Day Grant. Note corresponding revenue.	(20,000)	
<b>3.2.11 OTHER PROPERTY AND SERVICES</b>		
Depreciation expense understated in adopted budget.	(25,000)	
Workers Compensation payments to staff.	(33,000)	
<b>3.3 INVESTING ACTIVITIES</b>		
<b>3.3.1 NON OPERATING GRANTS, SUBSIDIES AND CONTRIBUTIONS</b>		
2020/2021 LRCI funding allocated to Days Rd carried forward.	35,175	
2020/2021 carried forward amount for Roads to Recovery overstated.	(50,698)	
<b>3.3.2 PROCEEDS FROM DISPOSAL OF ASSETS</b>		
No material variance.		
<b>3.3.3 PAYMENTS FOR PROPERTY, PLANT AND EQUIPMENT &amp; INFRASTRUCTURE</b>		
Road to Recovery funding carried forward overstated. Lower Hotham Rd works to be postponed.		37,410
LRCI funding expenditure for Days Road sealing works not included in budget.	(35,175)	
Regional Road Grant carried forward expenditure for Harvey Quindanning Road not included in budget.	(74,000)	
<b>Predicted Variances Carried Forward</b>	<b>(648,566)</b>	<b>37,410</b>

**NOTES TO THE REVIEW OF THE ANNUAL BUDGET  
FOR THE PERIOD ENDED 31 JANUARY 2022**

**NOTE 3  
PREDICTED VARIANCES**

Comments/Reason for Variance	Variance \$	
	Permanent	Timing
<b>Predicted Variances Brought Forward</b>	<b>(648,566)</b>	<b>37,410</b>
<b>3.4 FINANCING ACTIVITIES</b>		
<b>3.4.1 PROCEEDS FROM NEW DEBENTURES</b> No material variance.		
<b>3.4.2 TRANSFER FROM RESERVES</b> No material variance.		
<b>3.4.3 REPAYMENT OF DEBENTURES</b> No material variance.		
<b>3.4.4 TRANSFER TO RESERVES</b> No material variance.		
<b>3.5 OTHER ITEMS</b>		
Add back non-cash items excluded from operating activities - depreciation understated.	678,000	
<b>Total Predicted Variances as per Annual Budget Review</b>	<b>29,434</b>	<b>37,410</b>



**NOTES TO THE REVIEW OF THE ANNUAL BUDGET  
FOR THE PERIOD ENDED 31 JANUARY 2022**

**NOTE 4  
BUDGET AMENDMENTS**

List of amendments required to original budget since budget adoption.

GL Code	Description	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
			\$	\$	\$	\$
	<b>Budget adoption</b>	Opening surplus		87,431		87,431
2042020	Reimbursements - Admin	Operating Revenue		13,823		101,254
2042025	Insurance Reimbursements	Operating Revenue		19,000		120,254
2032020	Grant Commissions - FAG - Roads Grt	Operating Revenue		42,359		162,613
2051001	ESL Operating Grant BFB	Operating Revenue		24,161		186,774
2053010	ESL Bodd SES Operating Alloc	Operating Revenue		2,431		189,205
2082010	ICU Lease Rentals	Operating Revenue		4,000		193,205
2082015	ILU Lease/Rentals	Operating Revenue		10,000		203,205
2091012	Housing Rental 3 Prussian Way	Operating Revenue		8,400		211,605
2091013	Housing Rental 25 Farmers Avenue	Operating Revenue		7,500		219,105
2101010	Domestic Removal S01	Operating Revenue		12,784		231,889
2101020	Recycling Income	Operating Revenue		16,490		248,379
2101060	Addit Domestic Refuse S03	Operating Revenue		2,000		250,379
2101030	Tipping Fees	Operating Revenue			(5,000)	245,379
2102040	Commercial Refuse S02	Operating Revenue		6,000		251,379
2102050	Effluent Disposal	Operating Revenue			(15,000)	236,379
2113035	Rec Centre Income	Operating Revenue		2,000		238,379
2113070	Community Club Lease	Operating Revenue		7,825		246,204
2113090	Other Sport & Comm. Leases	Operating Revenue		3,000		249,204
2113114	Operating Grants & Subsidies	Operating Revenue		25,000		274,204
2121820	Other Income	Capital Revenue		35,175		309,379
2121700	Grant - Roads To Recovery	Capital Revenue			(50,698)	258,681
2030132	Community Café Income	Operating Revenue		43,925		302,606
2132043	Grants & Contributions	Operating Revenue		20,000		322,606
2132049	Visitor Centre Cafe	Operating Revenue		5,500		328,106
2132060	Charges - Caravan & Camping	Operating Revenue		40,000		368,106
2132065	Old Police Station Rental	Operating Revenue			(10,000)	358,106
2146005	Charges - Private Works	Operating Revenue		15,891		373,997
2146080	Workers Comp/Traineeships/LSL Reimbursements	Operating Revenue		33,000		406,997
3042025	Insurance - Admin Staff Related	Operating Expenses			(13,187)	393,810
3042170	Consultant Fees	Operating Expenses			(50,000)	343,810
3042190	Depreciation (Governance)	Operating Expenses	(25,000)			318,810
3051040	Depreciation (Fire Prevention)	Operating Expenses	(25,000)			293,810
3071020	Depreciation (Health Insp. & Admin)	Operating Expenses	(15,000)			278,810
3081020	Depreciation (Care Of Families & Children)	Operating Expenses	(52,000)			226,810
3082030	Depreciation (Aged - Snr Citizens)	Operating Expenses	(245,000)			(18,190)
3092020	Depreciation (Housing)	Operating Expenses	(44,000)			(62,190)
3091012	3 Prussian Way	Operating Expenses			(8,400)	(70,590)
3091013	25 Farmers Way	Operating Expenses			(7,500)	(78,090)
3101020	Kerbside Recycling	Operating Expenses			(8,000)	(86,090)
3101045	Domestic Refuse Collection	Operating Expenses			(10,000)	(96,090)
3101050	Refuse Site Maintenance	Operating Expenses			(22,000)	(118,090)
3102020	Comm. Refuse Collection	Operating Expenses			(6,000)	(124,090)
3113032	Thank a Volunteer Expenses	Operating Expenses			(3,000)	(127,090)
3113035	Loaf Funding Expenses	Operating Expenses			(7,000)	(134,090)
3113300	Depreciation (Other Rec & Sport)	Operating Expenses	(260,000)			(394,090)
3112500	Depreciation - Foreshore Infrastructure	Operating Expenses	(22,000)			(416,090)
3121600	Dep Exp Infrastructure Sealed Roads - Pavement	Operating Expenses	35,000			(381,090)
3122012	Storm Damage	Operating Expenses			(30,000)	(411,090)
3030132	Community Café Expenses	Operating Expenses			(50,301)	(461,391)
3132081	Events And Festivals Expenses	Operating Expenses			(20,000)	(481,391)
3141270	Depreciation Plant	Operating Expenses	(25,000)			(506,391)
3146030	Workers Compensation Payments	Operating Expenses			(33,000)	(539,391)
3121090	RTR - Lower Hotham Rd - Reseal	Capital Expenses		37,410		(501,981)
3121090	LRCI - 20/21 Days Rd - Seal	Capital Expenses			(35,175)	(537,156)
3121800	RRG - Harvey Quindanning Rd	Capital Expenses			(74,000)	(611,156)
	Add back Non-Cash Items - Depreciation Expense		678,000			66,844
			<b>0</b>	<b>525,105</b>	<b>(458,261)</b>	<b>66,844</b>

## 8.4 COMMUNITY AND ECONOMIC DEVELOPMENT

### 8.4.1 Boddington Extended Trading Hours

File Reference:	Nil
Applicant:	Nil
Disclosure of Interest:	Nil
Author:	Coordinator Community and Economic Development
Attachments:	8.4.1 Peel Chamber of Commerce - Letter of Support

#### Summary

Council is requested to consider a proposal to survey the public and businesses for a 30 day period on the following proposal:

To consider writing to the Department of Mines, Industry Regulation and Safety requesting permission for retail shops in the Shire of Boddington to be able to permanently trade on the following additional days and hours:

- Sundays and Public Holidays between the hours of 8am and 5pm; and
- Weekdays until 9pm.

#### Background

Retail trading hours provide times when retailers in Western Australia can open for business. All shops are regarded as general retail shops unless they fall under any one of the other categories including: small retail shops, special retail shops, filling - service stations or motor vehicle shops. In some cases the type of business can determine the hours which the business can be open to customers. For example:

- Small retail shops can trade 24 hours a day, every day of the year.
- Special retail shops are considered necessary for emergency, convenience or recreation goods. Shops in this category can trade between 6.00am to 11:30pm every day of the year.

Currently there are retail businesses within Boddington which don't fit either of these two categories, so they are classified as a general retail shop. The current trading hours for a general retail shop is as follows:

- Monday, Tuesday, Wednesday and Friday 8am – 6pm
- Thursday 8am – 9pm
- Saturday 8am – 5pm
- Sunday Closed

Local Government Authorities outside the Perth Metropolitan Area can apply to the Department of Mines, Industry Regulation and Safety - Consumer Protection Division (DMIRS), to extend the trading hours for general retail shops in their district beyond those stipulated in the Act. Consumer Protection requires a local government to consult with the community to demonstrate that there is general support for a permanent change to Sunday or late night trading hours. If approved, individual retailers will retain the right to choose whether to open on Sundays or later at night (to 9pm on weeknights) or not.

General retail shops within the Shire of Boddington are authorised to open as follows:

- 8am – 6pm on Monday, Tuesday, Wednesday and Friday

- 8am – 9pm on Thursday
- 8am – 5pm on Saturday

The Shire Administration has not previously undertaken community consultation to understand the retail needs and expectations of residents, or a measure to determine the extent of economic leakage taking place to nearby retail centres including Armadale, Pinjarra and Narrogin. An opportunity exists to facilitate community consultation to support the Shire Administration develop a body of knowledge to inform economic development initiatives and projects, including determining the community's level of support for extended trading on a permanent basis.

Boddington's nearby retail competitors already have approval for extended trading by the Department of Mines, Industry Regulation and Safety. Unrestricted trading is approved for the Pinjarra townsite within the Shire of Murray. Furthermore, recently the Shire of Narrogin obtained approval for extended trading comprising late night shopping to 9pm on weeknights and Sundays and Public Holidays between 11am and 5pm.

The Shire of York, Merredin and Narembeen are examples of Wheatbelt communities that rival Boddington as a daytrip and weekend destination from Perth and already have approval for extended trading. The Shire of Mingenew within the Mid West region also has approval for extended trading and is developing a renowned reputation as a destination for visitors 'wandering out yonder' in regional Western Australia.

Factoring the above, the Shire Administration seeks to clarify local perceptions in servicing the purchasing needs and expectations of visitors to rival destinations, as well as quantifying the level of support in attracting new businesses to invest in Boddington in respect to projected population growth.

The Shire Administration consulted the preliminary views of the Peel Chamber of Commerce and their response (attached) confirms support for the direction proposed.

### Comment

With the completion of the Hotham Park redevelopment among other natural assets, Boddington is well-positioned along Albany Highway, a major north-south corridor, to function as a competitive daytrip stopover and/or weekend destination for short-term visitors. The increased visitation to Boddington reinforces the economic multiplier effect for local businesses by facilitating additional spending opportunities with an increased target market. Businesses remaining open allows Boddington to effectively service the needs of visitors to extend their length of stay in the community.

Furthermore, extended trading hours would also provide additional convenience to local residents in Boddington (and surrounds) currently only afforded to shoppers in the metropolitan and larger regional centres. Sunday trading is already approved in Armadale, Pinjarra and Narrogin, Boddington's major regional shopping competitors. Providing greater choice and convenience in Boddington allows local businesses to remain competitive and yield greater support by the community. For many residents retail shopping is a recreation activity and the Boddington Town Centre is an important hub in the community for local people to connect and engage with each other. Other residents have work, sporting and other commitments on Saturday, so the additional retail day provides them with a greater level of choice and convenience to purchase goods and services locally. Extending trading hours can also offer increase job opportunities, particularly for young people within the community who look to the retail sector for part-time and casual employment opportunities.

The extension of trading hours may also attract new businesses considering investment in Boddington, as well as complement the lifestyle of those employed by Newmont or South32 whereby their rosters extend beyond traditional working hours. There are also potential benefits to supporting economic recovery and resilience in the presence of the COVID-19 pandemic.

Boddington already provides opportunities for local residents and those from surrounding communities to access many of their core services including health and recreation on the weekend. Extended retail trading hours may enhance Boddington's position as a district centre within the Peel region and destination of choice.

### Consultation

Consultation regarding this proposal was undertaken with the Peel Chamber of Commerce. The Peel Chamber of Commerce have provided in-principle support to progress the proposal to community consultation, and welcomed the opportunity for the Shire to quantify the community's needs and expectations to shape future economic development initiatives.

### Strategic Implications

Pillar 2	A thriving and diverse economy
2.2	Identify opportunities for new tourism businesses and tourism-friendly businesses

### Legislative Implications

Retail Trading Hours Act 1987, managed by the Department of Mines, Industry Regulation and Safety.

### Policy Implications

Nil

### Financial Implications

Nil

### Economic Implications

The aforementioned economic impacts pertain to Boddington having greater capacity to meet the needs of short-term visitors, minimising economic leakage, as well as the potential to attract new businesses.

### Social Implications

Nil

### Environmental Considerations

Nil



## Risk Considerations

Risk Statement and Consequence	The primary risk in not progressing this item to community consultation is preventing an opportunity to quantify the community's needs and expectations to inform future economic development projects and initiatives.
Risk Rating (prior to treatment or control)	Medium (9)
Principal Risk Theme	Reputational
Risk Action Plan (controls or treatment proposed)	<p>Acknowledge the Shire Administration is undertaking community consultation to identify the community's level of support for extended trading hours, and the input received will inform the subsequent recommendation to Council.</p> <p>The Shire Administration undertakes a transparent community consultation process comprising consistent key messages embedded across multiple platforms to reach whole of community and encourage their participation.</p>

## Options

1. Authorise the Shire Administration to consult the community for a 30 day period on the following proposal, with the results being referred back to Council for consideration:

To consider writing to the Department of Mines, Industry Regulation and Safety requesting permission for retail shops in the Shire of Boddington to be able to permanently trade on the following additional days and hours:

- Sundays and Public Holidays between the hours of 8am and 5pm; and
- Weekdays until 9pm.

2. Determine extended trading hours is not in the best interests for Boddington and decline to progress to community consultation.

## Voting Requirements

Simple Majority

## Officer Recommendation

**COUNCIL RESOLUTION: 9/22**

**Moved Cr Webster**

**That Council:**

1. **Provide in-principle support for Extended Trading Hours in Boddington.**
2. **Support the community consultation for a 30 day period on the following proposal, with the results being referred back to Council for consideration:**

**To write to the Department of Mines, Industry Regulation and Safety requesting permission for retail shops in the Shire of Boddington to be able to permanently trade on the following additional days and hours:**

- **Sundays and Public Holidays between the hours of 8am and 5pm; and**
- **Weekdays until 9pm.**

**Seconded:**

**Cr Erasmus**

**Carried: 4/0**



Att: Julie Burton  
 Chief Executive Officer  
 Shire of Boddington  
 39 Bannister Road  
 Boddington  
 WA 6390

Peel Chamber of Commerce & Industry  
 Mandurah Transit Station Office  
 Cnr Galgoyl Rd & Allnut St  
 PO Box 574, Mandurah WA 6210  
 E: [manager@peelcci.com.au](mailto:manager@peelcci.com.au)

17 January 2022

**RE: Letter of Support – Extension of Retail Trading Hours Public Consultation**

Dear Julie,

On behalf of the Peel Chamber of Commerce and Industry Inc. and the wider business community of the Peel Region, it is my pleasure to provide our complete support for the proposed community consultation process with regards to the possible extension of retail trading hours in the Shire of Boddington.

Retail businesses underpin all regional communities through the local provision of necessary products and produce we all rely on for daily life and ensuring a strong and sustainable retail sector is maintained must be a priority of any local Government. The Peel Chamber of Commerce and Industry Inc. has assisting in the space of retail trading regulation for over a decade noting the diversity of the retail sectors in each local Government of the Peel Region; all completely different, with incomparable demographics and markets. Before any change to regulation that could assist or hinder business can be considered, holistic consultation must be done, and when considering such a regulation as that of retail trading hours and the effect it could have on a localised economy, it must be in the best interest of those it will affect the most – the retail businesses themselves.

Shire officers have already begun the groundwork for a strong and inclusive consultative process if approved by Council, and based on the Chamber's input into such a process to date, we are confident in the proposed approach with a focus on:

- determining the exact levels of local support for extended trading,
- understanding local purchasing needs and expectations,
- identifying the current level of economic leakage and the underlying need driving this,
- clarifying local perceptions in servicing the purchasing needs and expectations of visitors, and
- quantifying the level of support in attracting new businesses to invest in Boddington in respect to projected population growth.

The Peel Chamber of Commerce & Industry Inc., fully support this proposal as put forward by the Shire Officers enabling the Shire to embark on a journey of potential change, and we do hope the retail business community of Boddington actively engages with and drives their desired outcome for such a policy. We also look forward to providing further assistance to Shire Officers if this consultative process is approved by Council.

Please do not hesitate to contact me, personally, should you have any further queries.

Kind regards,

Andrew McKerrill  
 General Manager, Peel Chamber of Commerce & Industry Inc.

PLATINUM PARTNERS



PREMIER MEMBERS



**Cr Smalberger declared an Interest in Impartiality for Item 8.4.2 as she is President of the Boddington RRR.**

#### **8.4.2 Lease - Boddington RRR (Reduce, Reuse, Recycle)**

File Reference: CPR0067  
Applicant: Boddington RRR  
Disclosure of Interest: Nil  
Author: Economic and Community Development Officer  
Attachments: Attachment 8.4.2 Draft Lease

#### Summary

For Council to consider a lease with the Boddington RRR (Reduce, Reuse, Recycle) Incorporated, for a portion of Reserve 20758 located at 50 Johnstone Street Boddington and being comprised of Lot 500 on Deposited Plan 55398 and being part of the land contained in Crown Land Title Volume LR 3147 Folio 905.

#### Background

The Boddington RRR is a not for profit volunteer group that supports the community by raising the awareness of recycling by the provision of drop off points, develops creative opportunities for the reuse of items and develops services within the town to support and raise the awareness of recycling.

The Boddington RRR commenced operation 22 June 2020 and was registered for charity status 24 January 2021 with the aim of “Advancing the natural environment.”

The Boddington RRR moved into the Old Depot May 2020 and since then have grown substantially. The Group maintain the facility through their volunteers, fundraising and grant opportunities. There has never been a lease with this organisation.

#### Comment

Boddington RRR promotes recycling of items that would normally end up in the tip due to incorrect sorting, or where items are too large or too hard to sort.

The Group acquired a trailer and rebuilt it to house a commercial dishwasher to be used at community events. Boddington RRR supply cutlery and crockery, as part of their wash up crew to reduce litter and single plastic use.

Cardboard is collected from town businesses and individuals to avoid it going to the tip as well as collecting and sorting different types of paper for re use. The Boddington RRR attends festivals with a promotional stand to raise the awareness of recycling as well as taking recycling bins to the event.

A formal lease will provide the Boddington RRR with security and tenure of the facility and acknowledge the time and effort that the volunteers provide to this organisation. The 21 year lease on a peppercorn basis will also strengthen the organisation and provide opportunities to apply for funding and awards.

#### Consultation

Boddington RRR

#### Strategic Implications

Pillar 1            A vibrant and connected community  
Support opportunities for volunteering and community connection

Legislative Implications

Section 3.54 of the *Local Government Act 1995* gives Council the power to lease a Reserve with the approval of the Minister for Planning therefore approval will need to be sought for a lease to be entered into.

Policy Implications

Nil

Financial Implications

Nil

Economic Implications

A lease will give the Boddington RRR a sense of belonging as well as stability for the ongoing development of the organisation and the opportunity to forward plan for the community as well as the surrounding areas which will have an ongoing economic benefit to local businesses.

This organisation is receiving recognition for the efforts and direction that it is taking in recycling and by winning awards as well as promotion it is highlighting Boddington as a town, which in turns provides tourism and economic advantage.

Social Implications

This organisation provides an important recycling service and collection facility to the local community, as well as the opportunity for local residents interested or passionate about recycling to socialise and discuss future projects.

Environmental Considerations

Ongoing monitoring may be required as the organisation develops, in particular to any potential fumes and release of micro plastics.

Risk Considerations

Risk Statement and Consequence	The key risk is regarding the responsibilities of each party under the lease, and ensuring they are adhered to.
Risk Rating (prior to treatment or control)	Low
Principal Risk Theme	Reputational
Risk Action Plan (controls or treatment proposed)	No further actions proposed.

Voting Requirements

Simple Majority



**Officer Recommendation**

**COUNCIL RESOLUTION: 10/22**

**Moved Cr Webster**

That Council:

1. Authorises the Administration to seek the approval of the Planning Minister for a portion of Reserve 20758 located at 50 Johnstone Street Boddington and being comprised of Lot 500 on Deposited Plan 55398 and being part of the land contained in Crown Land Title Volume LR 3147 Folio 905 to the Boddington RRR.
2. Endorses the lease with Boddington RRR, for a portion of Reserve 20758 located at 50 Johnstone Street Boddington and being comprised of Lot 500 on Deposited Plan 55398 and being part of the land contained in Crown Land Title Volume LR 3147 Folio 905, for a period of twenty one (21) years for the period 1 April to 31 March 2043.
3. Approves use of the Shire of Boddington's common seal on the lease with the Boddington RRR, for a portion of Reserve 20758 located at 50 Johnstone Street Boddington and being comprised of Lot 500 on Deposited Plan 55398 and being part of the land contained in Crown Land Title Volume LR 3147 Folio 905.

**Seconded: Cr Erasmus**

**Carried: 4/0**

LEASE

SHIRE OF BODDINGTON

("Lessor")

AND

BODDINGTON RRR

("Lessee")

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THIS DEED is made first (1<sup>st</sup>) day of April 2022

BETWEEN

**SHIRE OF BODDINGTON** of 39 Bannister Road Boddington, Western Australia, 6390 ("Lessor")

AND

**BODDINGTON RRR care of the President, Eugene Smalberger, 139 Castle Rock Way, Boddington, Western Australia, 6390** ("Lessee").

**RECITALS:**

- A. The Lessor is the management body in respect of the land.
- B. Under Management Order XE M399626 the Lessor has the power to lease the land subject to the approval of the Minister.
- C. The Lessor has agree to lease the Leased Premises to the Lessee on the terms of the Lease.
- D. The Minister indicates its approval of this Lease by endorsing its consent thereon.

**THE PARTIES CONVENANT AND AGREE:**

1. **Definition, Interpretation, Consents and Approvals**

1.1 Definitions

Unless stated otherwise:

"Authorised Person" means an agent, employee, licensee, contractor or invitee of the Lessee;

"Authorised Use" means the use specified in item 5 of Schedule 1;

But does not include any area which the Lessor from time to time specifies as being excluded from the Leased Premises for the purposes of this Lease;

"Building" means a building or structure on the Land but does not include any area which the Lessor from time to time specifies as being excluded from the definition of Building for the purposes of this Lease;

"Business Day" means a day not being Saturday or Sunday or public holiday observed in Western Australia;

"Commencement Date" means the commencement date specified in item 6 of Schedule 1;

"Community Purposes" means community, social, educational or recreational facilities or services which are not for profit and which are for community benefit;

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- "Event of Default" means the events specified in clause 17 of this Lease;
- "Facilities" means the drainage, sewerage and plumbing facilities, and the gas and electrical fittings or appliances in or on the Land or the Leased Premises;
- "Final Period" means the period between the start of the final Lease Year before the date of Termination until the date of Termination;
- "Financial Year" means a year beginning on 1 July and ending on the following 30 June;
- "First Period" means the period between the Commencement Date and the last day of the first Lease Year;
- "Further Term" means that further term specified in Item 9 of Schedule 1;
- "LAA" means the *Land Administration Act 1997*;
- "Land" means the land described in item 3 of Schedule 1;
- "Lease" means this deed and the Schedules and appendices and plans as amended from time to time and any attachments;
- "Leased Premises" means the premises described in item 4 of Schedule 1;
- "Lease Year" means a Financial Year or any other period of 12 months nominated by the Lessor, and includes, where appropriate, the First Period and the Final Period;
- "Lessee's Operations" means the operations and activities carried on by the Lessee from the Leased Premises;
- "Lessee's Fixtures" means each fixture and fitting installed by the Lessee in the Leased Premises with the Lessor's consent which is not re-classified as a Lessor's Fixture in accordance with this Lease;
- "Lessee's Plans and Specifications" means all plans, specifications and working drawings in relation to the Lessee's Initial Works and Lessee's Works as prepared by or on behalf of the Lessee;
- "Lessee's Obligations" means each covenant, obligation and duty contained or implied in this Lease or required by law to be performed by the Lessee, the Authorised Persons and the Guarantor;
- "Lessee's Rights" means the rights of the Lessee under this Lease or implied by law, including without limitation the non-exclusive right to use the Lessor's Fixtures, the Facilities and the Services in common with the Lessor and others as required for the purpose of the conduct of the Lessee's Operations from the Leased Premises;
- "Lessor's Fixtures" means the Lessor's fixtures and fittings in the Leased Premises and any Lessee's Fixtures which are reclassified by the Lessor as Lessor's Fixtures in accordance with this Lease;

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"Lessor's Works" means any construction, refurbishment, upgrade and renovation works carried out or to be carried out on the Land or the Leased Premises by the Lessor or as the Lessor directs;

"Maintain" means maintain, repair, renovate, replace, decorate and refurbish, and "Maintenance" and "Maintaining" have equivalent meanings;

"Minister" means the Minister for Lands, a body corporate under section 7 of the LAA;

"Outgoings" has the meaning set out in item 11 of Schedule 1;

"Plant and Equipment" means the plant and equipment used in connection with the provision of any Services or the heating, cooling, lighting, power or plumbing facilities on or connected to the Leased Premises;

"Primary Interest Holder" means, in relation to Crown land, the entity listed on a Crown Certificate of Title as the holder of a charge, Crown lease, easement, lease, mortgage, profit a prendre or other interest, including such interests as are lawfully granted or entered into by a management body but does not include –

- (a) The care, control and management of a reserve, mall reserve or road;
- (b) Caveat;
- (c) Licence; or
- (d) Mining, petroleum or geothermal energy right;

"Rate" means 6% per annum;

"Refurbish" includes, but is not limited to, in relation to the Leased Premises, painting and decorating, replacing fixtures and upgrading the Leased Premises generally;

"Relevant Authority" means anybody or corporation or any municipal, government or statutory or non-statutory authority or body having authority or jurisdiction over the Land or Leased Premises or any part of the Land or Leased Premises or to whose systems the Land or Leased Premises or an part of the Land or Leased Premises are or will be connected;

"Rent" means the rent specified in item 8 of Schedule 1;

"Schedule" means a schedule to this Lease;

"Services" means electricity, gas, oil, fuel, water or other similar commodity, facility or service I or on the Land or the Leased Premises or otherwise serving the Land or the Leased Premises;

"Shire" means the Shire of Boddington acting in its capacity as local government;

"Term" means the tem specified in item 7 of Schedule 1;

"Termination" means the expiry of the Term by effluxion of time or by earlier termination in accordance with this Lease; and



“Written Law” has the same meaning given to that term in the *Interpretation Act 1984*.

## 1.2 Interpretation

In this Lease:

- (a) a reference to a person includes that person’s executors, administrators, successors and assigns;
- (b) a covenant, agreement, representation or warranty in favour of two (2) or more persons is for the benefit of them jointly and severally;
- (c) an agreement, representation or warranty given or made by two (2) or more persons shall bind them jointly and severally;
- (d) a reference to a professional or industry body includes a reference to the successor or substitute for that body; and
- (e) unless repugnant to the context, a covenant by the Lessee to do or omit to do anything includes a covenant by an Authorised Person to do or omit to do that thing, and the Lessee is liable for all acts or omissions of an Authorised Person.

## 1.3 Performance of Functions by Minister

- (a) All acts and things which the Minister is required or empowered to do under this Lease must be done by the Minister or the Minister’s delegate appointed under section 9 of the LAA;
- (b) Where pursuant to this Lease payments and rights accrue to the Minister or obligations are imposed on the Minister the same are for the benefit and burden respectively of the Lessor unless the context otherwise requires.

## 1.4 Approval by the Lessor or Minister

In any case where under this Lease the doing or executing of any act, matter or thing by the Lessee is dependent on the approval or consent of the Lessor or the Minister such approval or consent will not be effective unless it is given in writing and may be given or withheld by the Lessor or the Minister in the Lessor’s reasonable discretion or the Minister’s absolute discretion and may be given subject to such conditions as the Lessor or the Minister may reasonably determine unless otherwise provided in this Lease.

## 1.5 Consent of Western Australian Planning Commission

If for any reason this Lease required by law the consent of the Western Australian Planning Commission then this Lease is made expressly subject to and is conditional upon the granting of the consent of the Western Australian Planning Commission.

1.6 Discretion of the Lessor in its capacity as Relevant Authority

The parties agree and acknowledge that nothing in this Lease shall fetter or be construed as an attempt to fetter the discretion or the powers of the Lessor in its capacity as a Relevant Authority under any written Law and in particular does not fetter the Lessor in its capacity as a Relevant Authority with regard to the approval or imposition of conditions of any approval required for any matter relating to the Leased Premises or this Lease.

2. Operative part

2.1 Lease of Leased Premises

Subject to the Minister's consent in respect of this Lease, in consideration of the Lessee agreeing to:

- (a) pay the money payable under this Lease; and
- (b) duly observe and perform the Lessee's Obligations.

the Lessor leases the Leased Premises and grants the Lessee's Rights to the Lessee for the Term commencing on the Commencement Date subject to the reservation of the Lessor's rights under this Lease.

2.2 Quiet enjoyment

The Lessor warrants that the Lessor has full capacity to grant this Lease, and if the Lessee:

- (a) pays the money payable under this Lease; and
- (b) duly observes and performs the Lessee's Obligations.

the Lessor agrees that the Lessee may quietly hold the Leased Premises and enjoy the Lessee's Rights during the Term without any disturbance from the Lessor or any person lawfully claiming through the Lessor, except to the extent that interruption, disturbance or interference arises because of the exercise of the Lessor's rights or is otherwise permitted by any provision of this Lease.

2.3 Lessee responsible as if owner

The Lessee is subject to the same responsibilities relating to persons and property during the Term as if the Lessee were the owner of the Leased Premises.

3. Reservation of Lessor's rights

Without limiting any other provisions of this Lease, the Lessor reserves the following rights:

- (a) Improvements to Leased Premises:

the Lessor may at any time carry out improvements to the Leased Premises, including without limitation:

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- (i) construct new buildings on the Land;
- (ii) alter, add to, extend, reduce the size of, or otherwise modify, existing buildings on the Land; and
- (iii) any other Lessor's Works,

but in exercising these rights, the Lessor shall use the Lessor's reasonable endeavours not to cause any undue interference with the conduct of the Lessee's Operations.

(b) Right to enter

- (i) the Lessee shall permit the Lessor to enter the Leased Premises at all reasonable times on the giving of reasonable notice, or immediately in the case of emergency, to:

- (A) view the state of repair of the Leased Premises and to ensure compliance with the Lessee's Obligations;

- (B) comply with any requirement or order of any local government or other statutory authority;

- (C) carry out any maintenance, modification, installation or extension to the Leased Premises, the Plant and Equipment or cables, pipes or wires within the Leased Premises;

- (D) view the Leased Premises with any persons interested in the Leased Premises or any part of the Leased Premises; and

- (E) affix re-letting notices to the Leased Premises during the last three (3) months of the Term;

except that the Lessor shall use the Lessor's reasonable endeavours not to cause any undue interference with the conduct of the Lessee's Operations;

- (ii) the Lessor may enter the Leased Premises at any time for the purpose of doing anything which should have been done by the Lessee under this Lease but which has not been done or has not been done properly.

(c) Granting easements etc.

The Lessor may grant easements of support or any other easements or similar rights over any part of the Land or dedicate or transfer or otherwise deal with any part of the Land in favour of another person for any reason whatsoever except that the Lessor shall not without the Lessee's prior consent do anything which will substantially and permanently derogate from the quiet enjoyment of the Lessee's Rights by the Lessee.

4. Rent

The Lessee must pay the Rent to the Lessor in the manner specified in item 8 of Schedule 1, without any deduction, set off or abatement.

5. Outgoings and Bulk Supply of Electricity, Gas or Power

Outgoings separately assessed

The Lessee must pay to the Lessor or, if demand is made by a statutory or other public authority, to that statutory or other public authority, all amounts separately charged or assessed in respect of the Leased Premises or the Lessee for or in connection with Services to or for the benefit of the Leased Premises or the Lessee, including but not limited to telecommunications, electricity, gas and power charges and the cost of installation of any meter, wiring or other device necessitated by the use of telecommunications services, electricity, gas or power.

6. Use of Leased Premises and Facilities

6.1 The Lessee shall not:

- (a) use the Leased Premises for any other purpose other than the Authorised Use specified in item 5 of Schedule 1 or for any purpose for which the Leased Premises was not designed or designated; and
- (b) use each Facility, Service, Item of Plant and Equipment or Lessor's Fixture for a purpose for which it was not designed or designated.

6.2 The Lessee:

- (a) shall comply with the Lessor's reasonable requirements for the use of each Facility, Service, item of Plant and Equipment and Lessor's Fixtures; and
- (b) shall not do or omit to do anything which might interfere with or impair the efficient supply or operation of each Facility, Service, item of Plant and Equipment or Lessor's Fixture.

7. Security of Leased Premises

7.1 The Lessee shall:

- (a) securely lock all doors or other openings to the Leased Premises when the Leased Premises is unoccupied; and
- (b) if required by the Lessor install in the Leased Premises a security alarm system approved by the Lessor.

7.2 The Lessor may enter the Leased Premises at any time for any purpose in relation to security, but nothing in this clause makes the Lessor responsible in any way for the security of the Leased Premises.



**8. Leased Premises Name in Lessee's Name**

- 8.1 The Lessee shall not use the name of the Leased Premises in the Lessee's own name or in any business name without the consent of the Lessor, which consent will not be unreasonably withheld.
- 8.2 To the extent that the name or a business name of the Lessee includes the name of the Leased Premises the Lessee shall, on Termination or earlier if requested by the Lessor, change the name or the business name (as the case may be) to a name that does not include the name of the Leased Premises.

**9. Covenant to repair and maintain**

9.1 The Lessee shall:

- (a) Maintain the Leased Premises in good condition except in respect of:
- (i) fair wear and tear;
  - (ii) damage which is or will be reinstated from the proceeds of insurance; and
  - (iii) structural damage which has not been caused by an act or omission of the Lessee or an Authorised Person;
- (b) promptly repair any damage to the Leased Premises for which the Lessee is responsible to the satisfaction of the Lessor;
- (c) keep the Leased Premises clean and free from rubbish;
- (d) maintain the Lessor's Fixtures and the Facilities in the Leased Premises in good condition except in respect of fair wear and tear and damage which is or will be reinstated from the proceeds of an insurance policy, and where necessary, replace that Lessor's Fixture or the Facility to the satisfaction of the Lessor;
- (e) enter into and keep current a service contract with a reputable air-conditioning service company for the regular maintenance and service of any air-conditioning plant and equipment which services the Leased Premises;
- (f) maintain the Lessee's Fixtures in clean and good condition;
- (g) replace any light bulbs or fluorescent tubes in the Leased Premises when necessary; and
- (h) replace any broken glass in the Leased Premises.

9.2 If there is carpet in the Leased Premises, the Lessee shall keep the carpet clean and promptly repair any damage to it.

- 9.3 If the Lessee does not work, which affects the Leased Premises, such as the Lessee's Initial Works and the Lessee's Works and any fitting out, alterations, partitioning, work relating to Services, repairs or maintenance or required structural work, the Lessee must:
- (a) comply with all relevant requirements of an authority and all laws and standards;
  - (b) before carrying out any work, obtain the Lessor's approval to the plans and specifications for the work;
  - (c) carry out the work in a safe and proper manner;
  - (d) use only good quality materials;
  - (e) employ only qualified and competent persons; and
  - (f) pay to the Lessor when the Lessor requests any expenses incurred by the Lessor in approving the work, including fees paid to architects, engineers, contractors or other advisors.

9.4 Lessee's Further Obligations

- (a) The conditions imposed by this clause 9.4 are in addition to the Lessee's repair and maintenance obligations imposed by clause 9.1.
- (b) The Lessee shall throughout the Term keep the Leased Premises in good repair and shall make good any damage to it howsoever caused and shall upon expiry or earlier termination of this Lease yield up the Leased Premises to the Lessor in a state of good repair.
- (c) Without prejudice to the generality of clause 9.1 and 9.4(b) for the avoidance of any doubt the Lessee is obliged to:-
  - i) improve the Leased Premises where necessary to bring it to a state of good repair including the rectification of any latent or inherent defects;
  - ii) effect all necessary structural repairs to the Leased Premises where necessary to bring them to and maintain them in a state of good repair; and
  - iii) effect all structural and other repairs and improvements necessary to the Leased Premises to comply with the requirements of any Governmental Agency whether imposed on the Lessee as occupier or the Lessor as the Primary Interest Holder.

**10. Positive covenants**

The Lessee shall:

- (a) pay to the Lessor on demand all money paid by the Lessor on behalf of the Lessee in the discharge of any of the Lessee's liabilities under this Lease;
- (b) pay to the Lessor on demand on a full indemnity basis all amounts payable by the Lessor in respect of legal costs and disbursements of and incidental to:
  - i) any breach of the Lessee's Obligations; and
  - ii) each action, suit, proceeding or matter arising out of or incidental to any document referred to in paragraph;
- (c) pay 50% of the amount payable by the Lessor in respect of legal costs and disbursements of and incidental to:
  - i) the instructions for and the registration, preparation, execution and stamping of this Lease and each other instrument required to be prepared and executed under this Lease;
  - ii) each notice, search and inquiry given or made for the purpose of any document mentioned in paragraph (i);
- (d) keep the Facilities within the Leased Premises unobstructed;
- (e) report promptly to the Lessor in writing:
  - i) all damage or defects in the Leased Premises, the Lessor's Fixtures, the Plant and Equipment or the Facilities in the Leased Premises of which the Lessee is or ought to be aware;
  - ii) any breakage of glass in an exterior window or door in the Leased Premises;
  - iii) any malfunction of any Plant and Equipment or Facility either within the Leased Premises or used by the Lessee; and
  - iv) any circumstances likely to be a danger or cause any damage or danger to the Leased Premises, or any person in the Leased Premises, or on the Land of which the Lessee is aware;
- (f) remove on a regular basis rubbish which is not of a kind usually removed by the local government authority;
- (g) comply promptly with all legislation and by-laws affecting the Leased Premises or the use of the Leased Premises except for any structural work;
- (h) observe and comply with any conditions of supply of Services by the Lessor, or where no conditions of supply are imposed by the Lessor, observe and

comply with the conditions of supply of Services imposed by the relevant supply authority on the Lessor;

- (i) if any Service is not provided by the Lessor, make the Lessee's own arrangements for the supply of the Service to the Leased Premises;
- (j) at all times comply with all fire and emergency training programs and drills of which at least two (2) Business Days' notice has been given to the Lessee by the Lessor and the Lessee must ensure that the Authorised Persons are made fully aware of all safety and emergency procedures for the Leased Premises;
- (k) on demand by the Lessor, pay the Lessor interest on any money payable under this Lease which is not paid on the due date calculated at the Rate from the due date for payment until the date of actual payment;
- (l) if the consent of any authority or a licence is required to carry on the Lessee's Operations from the Leased Premises, obtain and maintain the currency of that authority or licence; and

#### 11. Negative covenants

The Lessee shall not:

- (a) except in relation to the Lessee's Works, without the Lessor's prior consent make any alteration to or addition to or demolish any part of the Leased Premises or remove or alter any of the Lessor's Fixtures, the Plant and Equipment or any Facility in the Leased Premises, except that the Lessor's consent shall not be unreasonably withheld to the installation, alteration or addition of partitioning in the Leased Premises;
- (b) without the prior consent of the Lessor and subject to such conditions as the Lessor may determine, mine, remove, extract, dig up or excavate any sand stone, gravel, clay, loam, shell or similar substance or permit any other person to undertake any such action however this clause 11(b) shall not apply to any removal, digging up or excavation as may be necessary to construct or undertake any improvement or alteration authorised by or under this Lease provided that any such removal, digging up or excavation is undertaken in accordance with the requirements of that authority;
- (c) do any act or thing which might result in excessive stress or floor loading to any part of the Leased Premises;
- (d) except for reasonable quantities for normal applications in connection with the use of the Leased Premises, bring onto, store or use any chemical or inflammable substance in the Leased Premises;
- (e) fail to comply with and observe the reasonable requirements of the Lessor in the use of the Plant and Equipment;



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- (f) without the Lessor's prior consent use any Service, heating, cooling, lighting or power, except battery power, other than that provided by the Lessor;
- (g) without the Lessor's prior consent, install any electrical equipment in the Leased Premises which might overload the cables, switchboards or sub-boards through which electricity is connected to the Leased Premises;
- (h) do or omit to do anything which might cause the Leased Premises to deteriorate or become impaired except for fair wear and tear, to be obstructed, or to be in a condition other than a good and sanitary condition;
- (i) do or carry on in the Leased Premises any activity which might be harmful, offensive or illegal, or cause a nuisance, damage or disturbance to the Lessor;
- (j) without the Lessor's prior consent erect or replace outside the Leased Premises any radio or television aerial or antenna;
- (k) without the Lessor's prior consent, erect, install, exhibit, paint, display or affix to the Leased Premises or any other part of the Leased Premises any advertisement, notice or sign, whether or not it is visible from outside the Leased Premises, and any such advertisement, notice or sign consented to by the Lessor shall be of the highest quality and design;
- (l) place any rubbish in any part of the Leased Premises or the Land except in a place and receptacle designated by the Lessor for the disposal of rubbish;
- (m) burn any rubbish in the Leased Premises or the land (except garden waste);
- (n) lodge an absolute caveat to protect the Lessee's interest in the Leased Premises or the Land;
- (o) fail to remove a subject to claim caveat lodged by the Lessee over the Leased Premises or the Land on Termination of this Lease;
- (p) conduct any business or operations in the Leased Premises at any time prohibited by law;
- (q) smoke in the Leased Premises; or
- (r) by any act or omission cause any insurance policy effected under this Lease or in respect of the Leased Premises or the Land to be void or voidable, or cause the rate of premium to be increased.

### **12. Lessee's Obligations to effect Insurances**

The Lessee shall effect and maintain in the names of the Lessor and the Lessee with an insurance company approved by the Lessor all policies of insurance

relating to the Leased Premises or anything in the Leased Premises as reasonably required by the Lessor from time to time, including policies of insurance in respect of the matters referred to in item 10 of Schedule 1 and the Lessee shall:

(a) supply to the Lessor current details of all insurance effected in accordance with this clause, including copies of certificates of insurance or policy documents and receipts for premiums as updates, amended or varied from time to time;

(b) not without the Lessor's prior consent, alter the terms or conditions of any policy;

and

(c) ensure that each policy of insurance includes a provision for cross liability and waiver of subrogation rights in favour of the Lessor.

### **13. Indemnities**

#### **13.1 General indemnity**

The Lessee shall indemnify and keep indemnified the Lessor against all losses, claims, damages, demands, costs and expenses for which the Lessor becomes liable in respect of loss or damage to property or death or injury of any nature and however or wherever sustained:

(a) which are caused or contributed to by the use or occupancy of the Leased Premises by the Lessee, an Authorised Person or any other person, except to the extent caused or contributed to by the Lessor;

(b) resulting from an act or omission of the Lessee; or

(c) resulting from a notice, claim or demand against the Lessee to do or refrain from doing, anything except to the extent that the Lessor is obliged by this Lease to pay for or contribute to the cost of compliance with the notice, claim or demand fails to do so;

(d) the Lessee must indemnify and keep indemnified the Minister for Lands from and against all losses, claims, damages, demands, costs and expenses for whatsoever which may at any time be brought, maintained or made.

#### **13.2 Nature of Indemnity**

The obligation of the Lessee to indemnify the Lessor under this Lease or at law is not affected by the obligation of the Lessee to effect insurance.

## 14. Assignment

### 14.1 No assignment

The Lessee must not assign, mortgage or charge the Lessee's leasehold estate in the Leased Premises, nor sublet, part with possession or dispose of the Leased Premises in any way.

### 14.2 Property Law Act excluded

Sections 80 and 82 of the *Property Law Act 1969 (WA)* are excluded.

### 14.3 Lessor may consent to assignment

The Lessee will not be in breach of the covenant in clause 14.1 of this clause in respect of an assignment if both the Lessor and the Minister consent to the assignment. The Lessor's consent shall not be unreasonably withheld.

### 14.4 Lessor may consent to sublease

The Lessee will not be in breach of the covenant in clause 14.1 of this clause in respect of a sublease of the whole of the Leased Premises if both the Lessor and the Minister consent to the sublease. The Lessor's consent shall not be unreasonably withheld.

## 15. Damage, Destruction or Resumption

### 15.1 Definitions

In this clause 15:

- (a) 'Reinstatement Notice' means a notice given by the Lessor to the Lessee of the Lessee's intention to carry out the Reinstatement Works; and
- (b) 'Reinstatement Works' means the work necessary to:
  - i) reinstate the Leased Premises; or
  - ii) make the Leased Premises fit for occupation and use or accessible by the Lessee.

### 15.2 Abatement

- (a) If the Leased Premises is damaged or destroyed so as to render any part of the Leased Premises wholly or substantially:
  - (i) unfit for occupation and use by the Lessee; or
  - (ii) inaccessible having regard to the nature and location of the Leased Premises and the normal means of access to them;

then from the date that the Lessee notifies the Lessor of the damage or destruction ('Damage Notice');

- iii) any money payable by the Lessee under this Lease; and
- iv) the covenant to repair and maintain;

will abate according to the nature and extent of the damage or destruction sustained.

(b) If clause 15.1(a) applies, the remedies for:

- (i) recovery of any money or a proportionate part falling due after the damage or destruction; or
- (ii) enforcement of the covenant to repair and maintain;

will be suspended (or partially suspended as the circumstances require) from the date of the Damage Notice until the Leased Premises is;

- (iii) restored;
- (iv) made fit for the Lessee's occupation and use; or
- (v) made accessible.

### 15.3 Either Party May Terminate

Either party may terminate this Lease by notice to the other of ninety (90) calendar days notice.

### 15.4 Lessee May Terminate

If the Lessor gives a Reinstatement Notice to the Lessee and fails to commence the Reinstatement Works within a reasonable time, the Lessee may terminate this Lease by giving not less than thirty (30) calendar days' notice to the Lessor and, at the expiration of that period, this Lease will terminate.

### 15.5 Exceptions

Clauses 15.2, 15.3 and 15.4 will not apply where:

- (a) the damage or destruction was caused or contributed to, or arises from any wilful act of the Lessee or an Authorised Person; or
- (b) an insurer under any policy effected by the Lessor under this Lease refuses indemnity or reduces the sum payable under the policy because of any act or default of the Lessee or an Authorised Person.

### 15.6 Lessor to Terminate

If the Lessor considers the damage to the Leased Premises renders it impractical or undesirable to carry out the Reinstatement Works, the Lessor may terminate

this Lease by giving not less than thirty (30) calendar days' notice to the Lessee and, at the expiration of that notice, this Lease will terminate.

15.7 Antecedent Breaches

No liability will attach to either party because of termination of this Lease under this clause 15 but that termination will be without prejudice to the rights of either party for any antecedent breach or non-observance of any provision on this Lease.

15.8 Dispute Resolution

Any dispute arising out of the provisions of this clause 15 shall be determined by a single arbitrator under the provisions of the *Commercial Arbitration Act 1985 (WA)* and the parties may each be represented by a legal practitioner of their choice.

15.9 Lessor Not Obligated to Reinstate

Nothing in this Lease obliges the Lessor to reinstate the Leased Premises or the means of access to it.

15.10 Proceeds of Insurance

If the Leased Premises is damaged or destroyed and the Lease is terminated under this clause 15, the Lessee will have no interest in the insurance proceeds.

15.11 Resumption of Leased Premises

If the Leased Premises is resumed by any authority so as to render the Leased Premises inaccessible or substantially unfit for the occupation of the Lessee, this Lease may be terminated without compensation or other liability by either the Lessor or the Lessee by thirty (30) calendar days' notice to the other but without affecting the rights of either party against the other in respect of any previous breaches of the provisions of this lease.

**16 Limited of Lessor's Liability**

16.1 No warranties or representations

The Lessee acknowledges and agrees that:

- (a) all property in the Leased Premises shall be at the sole risk of the Lessee during the Term and the Lessor shall not be liable for any claim, loss or damage that the Lessee may suffer as a result of:
  - (i) any fault in the construction or state or repair of the Leased Premises, or the Lessor's Fixtures;
  - (ii) any defect in any of the Plant and Equipment, facilities or the Services;



## ATTACHMENT 8.4.2

- (iii) any flow, overflow, leakage or breakdown of any water, air-conditioning, gas, power or other source of energy whether from the roof, walls, gutter or other parts of the Leased Premises;
- (b) the Lessor gives no warranty as to the use to which the Leased Premises may be put;  
and
- (c) the Lessee has not relied on any representation or warranty of the Lessor in entering into this Lease and, for this purpose, the Lessee acknowledges that:
  - (i) the Lessee has relied on the Lessee's own skill and judgement and has made the Lessee's own enquiries in determining the suitability of the Leased Premises for the Authorised Use and the Lessee's Operations, and
  - (ii) the Lessee's occupation of the Leased Premises is conclusive evidence of the Lessee's acceptance of the Leased Premises as being in good order, repair and condition at the Commencement Date.

### 16.2 Suitability and Safety of Leased Premises

- (a) The Lessor does not represent or warrant:
  - (i) that the Leased Premises is suitable to be used for the Authorised Use;  
or
  - (ii) that the Leased Premises may lawfully be used for the Authorised Use.
- (b) Without affecting the generality of paragraph (a) above the Lessor does not represent or warrant that the zoning of the Leased Premises will allow the Leased Premises to be used for the Authorised Use whether with the approval or permission of the relevant planning authority or otherwise. It is the Lessee's responsibility to make its own enquiries about zoning and the Lessee warrants that before executing this Lease the Lessee has done so to the Lessee's own satisfaction.
- (c) The Lessee acknowledges having satisfied itself that the Leased Premises is suitable and safe to be used for the Authorised Use and agrees to take all measures necessary to ensure that the Leased Premises remains safe and free from hazards to the Lessee and all persons except entering the Leased Premises.

### 16.3 Lessor Not Liable

The Lessor is not liable to the Lessee and the Lessee will not make a claim against the Lessor in respect of any liability resulting from any accident, death, injury, damage to any property (including water damage), equipment, or machinery malfunction or interruption of services or other event of a similar nature in or affecting the Leased Premises unless caused by the negligence of the Lessor or any employee, contractor or agent of the Lessor.

16.4 Lessor only liable while Primary Interest Holder

The Lessor is only liable for any breaches under this Lease occurring while it is the Primary Interest Holder of the Land.

16.5 Interruption of Services

Except to the extent the Lessor is negligent, the Lessor shall not be liable to the Lessee for any loss or damage suffered by the Lessee for any malfunction, failure to function, or interruption of or to, the water, gas or electricity services, fire equipment or other services to or facilities contained in the Land or the Leased Premises, or for the blockage of any sewers, wastes, drains, gutters, downpipes or storm water drains from any cause.

17. Default

An event of default occurs if:

- (a) the Lessee fails to pay the Outgoings or other money payable under this Lease within five (5) Business Days of the date due for payment, regardless of whether demand has been made;
- (b) the Lessee fails to perform any of the Lessee's Obligations for ten (10) Business Days after the Lessor has given notice to the Lessee of the default;
- (c) the Lessee is in breach of any document other than this Lease giving the Lessee a right to occupy any part of the Land or the Leased Premises;
- (d) distress is levied or a judgement, order, security or encumbrance is enforced against any property of the Lessee;
- (e) a receiver or receiver and manager or controller as defined in the Corporations Act is appointed in respect of any part of the Lessee's property;
- (f) a person is appointed under legislation to investigate or manage any part of the Lessee's affairs;
- (g) the Lessee ceases to carry on the Lessee's Operations from the Leased Premises;
- (h) where the Lessee is a company and:
  - (i) an application is made to a court for an order or an order is made that the Lessee be wound up;
  - (ii) an application is made to a court for an order appointing a liquidator or provisional liquidator in respect of the Lessee;
  - (iii) except for the purposes of reconstruction or amalgamation, the Lessee enters into as scheme of arrangement, deed of company arrangement or composition with, or assignment for the benefit of, all or any class of the Lessee's creditors;

- (iv) the Lessee resolves to wind itself up or otherwise dissolve itself;
- (v) the Lessee states that it is insolvent; or
- (vi) the Lessee takes any step to obtain protection or is granted protection from its creditors under any applicable legislation.

**18. Lessor's power on default**

**18.1 Lessor's right of possession**

On the occurrence of an Event of Default, the Lessor may without giving any further notice or demand enter the Leased Premises and re-take possession, and on re-entry, the Term will immediately determine.

**18.2 Lessor may remedy Lessee's default**

- (a) If an Event of Default occurs or the Lessee otherwise fails to perform any of the Lessee's Obligations, the Lessor may without prejudice to the Lessor's rights arising from the Event of Default or the failure to perform, remedy that Event of Default or the failure to perform as if the Lessor was the Lessee, at the Lessee's cost. The Lessee must pay to the Lessor all liabilities incurred by the Lessor in remedying an Event of Default or failure to perform.
- (b) None of the following events constitute a re-entry or forfeiture or waiver of the Lessor's rights to recover in full all Rent and other money payable by the Lessee under the Lease:
  - (i) acceptance of the keys for the Leased Premises;
  - (ii) entry to the Leased Premises by the Lessor for the purpose of inspection or for the purpose of showing the Leased Premises to prospective lessees or to remedy an Event of Default; or

**18.3 No prejudice of Lessor's rights**

Any re-possession or attempted re-possession of the Leased Premises by the Lessor or any demand for or acceptance of any of the money payable under this Lease will not:

- (a) prejudice or affect the Lessor's rights under this Lease;
- (b) release the Lessee from performing the Lessee's Obligations; or
- (c) be deemed an election by the Lessor as to the exercise of the Lessor's rights under this Lease or at law.

**18.4 Exercise of rights by Lessor**

The Lessor may exercise the Lessor's rights under this Lease or at law notwithstanding laches, neglect or waiver in respect of any breach of the Lessee's Obligations, and without giving notice except in accordance with this

Lease or as required by law, and without having to prove detail default by the Lessee or the continuance of that default.

19. **Essential terms**

19.1 **Breach of Essential Terms**

- (a) If the Lessee's conduct constitutes breach of an essential term of this Lease and the Lessor elects to treat that breach as repudiation or the conduct otherwise constitutes repudiation of this Lease, the Lessee shall compensate the Lessor for all loss or damage suffered by reason of or arising from the repudiation.
- (b) Clause 4, 5, 6, 9, 12 and 14 this Lease are deemed to be essential terms. This is not an exhaustive list of the essential terms of this Lease.

19.2 **Damage for Breach of Essential Terms**

Any loss or damage for the unexpired residue of the Term suffered by the Lessor as a result of the Lessee's breach of an essential term may be recovered as damages at any time.

19.3 **Lessor's Entitlement to Damages**

The Lessor's entitlement to recover damages from the Lessee or any other person will not be limited or affected by any of the following:

- (a) if the Lessee abandons or vacates the Leased Premises;
- (b) if the Lessor elects to re-enter the Leased Premises or terminate this Lease;
- (c) if the Lessor accepts the Lessee's repudiation; or
- (d) if the parties' conduct (or that of any of their servants or agents) constitutes or may constitute a surrender by operation of law.

19.4 **Lessor to Mitigate Damages**

- (a) If the Lessee vacates the Leased Premises or if the Lessor accepts the Lessee's repudiation based on the Lessee's breach of an essential term of this Lease and terminates this Lease, the Lessor must take reasonable steps to mitigate its loss and endeavour to re-lease the Leased Premises on reasonable terms.
- (b) The entitlement to damages will be assessed on the basis that the Lessor has observed the obligation to mitigate damages.
- (c) The Lessor's conduct in mitigating its damages will not of itself constitute acceptance of the breach or repudiation or a surrender by operation of law.

19.5 Calculation of Damages

Following repudiation by the Lessee if the Lessor terminates this Lease then, without prejudice to any other right or remedy, the Lessor may recover the money payable by the Lessee for the unexpired residue of the Term less any amount the Lessor obtains, or could in the Lessor's opinion reasonably be expected to obtain, by observing clause 19.4.

20. Termination

20.1 Yield up Leased Premises

The Lessee shall on Termination surrender and yield up the Leased Premises to the Lessor in a condition consistent with the compliance of the Lessee's Obligations during the Term and delivery to the Lessor all keys, access cards and other security devices for the Leased Premises.

20.2 Improvements to Vest in Crown

It is agreed that the provisions of section 92 of the LAA apply to this Lease except as varied by this Lease.

20.3 Remove Lessee's Fixtures

The Lessee must prior to Termination or on the termination of any period of holding over remove from the Leased Premises all of the Lessee's Fixtures and other property and any Lessor's Fixtures which the lessor requires to be removed, and make good any damage caused to the Leased Premises by the removal of the Lessee's property.

20.4 Making Good of Leased Premises on Termination

The Lessee shall, unless the Lessor agrees to the contrary, prior to Termination or on termination of any period of holding over, make good the Facilities, the Leased Premises and those parts of the Plant and Equipment affected by the Lessee's occupation of the Leased Premises and, for the purpose of clarification, making good the Leased Premises shall mean, notwithstanding the state of the Leased Premises at the Commencement Date, removing all fittings to the floors and walls, repainting the walls and repairing any damage to the floors or walls.

20.5 Lessor Can Make Good

If the Lessee does not comply with the obligation to make good as set out in clause 20.4, the Lessee shall pay the Lessor within ten (10) Business Days after the Lessor requests payment, any costs reasonably incurred by the Lessor to make good the Facilities, the Leased Premises and those parts of the Plant and Equipment affected by the Lessee's occupation of the Leased Premises. The obligation to pay those costs does not limit any other rights or the Lessor in relation to the Lessee's default.



20.6 Dealing with Lessee's property not removed at Termination

The Lessor has the following rights in respect of the Lessee's property, including Lessee's Fixtures, which are not removed at Termination:

- (a) to remove and store the Lessee's property in an alternative Leased Premises at the Lessee's cost;
- (b) to sell or dispose of the Lessee's property and apply the proceeds of sale towards payment of any unpaid Rent or other money payable under this Lease; or
- (c) to elect that the Lessee's property is the absolute property of the Lessor and to deal with the Lessee's property as the Lessor sees fit.

And the Lessee shall indemnify the Lessor in respect of any loss or damage suffered by the Lessor as a result of the Lessee failing to remove all of the Lessee's property at Termination.

21. Power of Attorney

The Lessee for valuable consideration irrevocably appoints the Lessor and (if the Lessor is a company) every director and secretary of the Lessor (jointly and severally) the Lessee's attorney for the purpose of:

- (a) withdrawing any caveat which the Lessee is obliged to withdraw but does not;  
and
- (b) doing anything else the Lessee is obliged to do under this Lease but does not do when required.

22. Trustee Provisions

If the Lessee has entered into this Lease in the capacity of trustee, whether or not the Lessor has any notice of the trust, the Lessee:

- (a) is taken to enter into this Lease both as trustee and in the Lessee's personal capacity and acknowledges that the Lessee is personally liable for the performance of the Lessee's obligations under this Lease;
- (b) will take any action necessary to ensure the assets of the trust are available to satisfy any claim by the Lessor for any default by the Lessee;
- (c) will assign to the Lessor any right of indemnity the Lessee has against the assets of the trust to the extent of the liability of the Lessee under this Lease;  
and
- (d) warrants that the Lessee has the power and authority under the terms of the trust to enter into this Lease.

23. Miscellaneous

23.1 Lessee not to permit prohibited matters

If under this Lease the Lessee is required to do or is prohibited from doing any act, matter or thing the Lessee must also ensure that the Authorised Persons comply with that requirement or prohibition.

23.2 Lessor's consent

The Lessor may give a conditional or unconditional consent or approval at its absolute discretion to any matter in this Lease without giving any reasons for refusal of consent or approval.

23.3 Certificates

A certificate signed by the Lessor or the Lessor's solicitors about a matter or a sum payable is sufficient evidence of the matter or sum stated in the certificate unless the matter or sum is proved to be false.

23.4 Exercise of rights by Lessor

The Lessor may exercise each right, power or remedy at its discretion, separately or concurrently with any other right, power or remedy, and

- (a) a single or partial exercise of a right, power or remedy does not prevent a further exercise of that right power or remedy;
- (b) a failure to exercise or any delay in the exercise of a right, power or remedy does not prevent its exercise;
- (c) the rights, powers and remedies of the Lessor are cumulative with and not exclusive of the rights, powers and remedies provided by law; and
- (d) any demand made shall not in any way be deemed to constitute a waiver by the Lessor of any breach or non-observance of a Lessee's Obligation and shall not prejudice any other right of the Lessor in relation to such breach.

23.5 Lessor may act by agent

All acts and things which may be done by the Lessor may be done by a solicitor, agent, employee or contractor of the Lessor.

23.6 Discretion of the Lessor

The Lessor and Lessee agree and acknowledge that nothing in this Lease shall fetter or be construed as an attempt to fetter the discretion or powers of the Lessor under any Written Law and in particular does not fetter the Lessor with regard to the approval or imposition of conditions on any approval required for the carrying out of the Lessee's Initial Works or the Lessee's Works in accordance with this Lease.

23.7 Time for Payment

Any amount payable by the Lessee to the Lessor unless otherwise specified must be paid to the Lessor within ten (10) Business Days after the Lessor gives a notice to the Lessee requiring payment.

23.8 Time of the essence

Time shall be of the essence in all respects.

23.9 No moratorium

The provisions of any statute which extends a date for paying money under this Lease or which abrogates, nullifies, postpones or otherwise affects any provision in this Lease shall not apply to limit the terms of this Lease.

23.10 Variation

This Lease may not be varied except in writing signed by all of the parties.

23.11 Further assurances

Each party to this Lease must execute and do all acts and things necessary to give full force and effect to this Lease.

23.12 Effect of execution

This Lease binds each person who executes it notwithstanding the failure by any other person to execute this Lease.

23.13 Entire Agreement

This Lease constitutes the entire agreement between the parties and contains all the representations, warranties, covenants and agreements of the parties in relation to the subject matter of this Lease.

23.14 Proper Law

This Lease is governed by the law in force in Western Australia, or where applicable, the Commonwealth of Australia.

23.15 Severance

If any part of this Lease is or becomes unenforceable or void or voidable, that part will be severed from this Lease and those parts that are unaffected shall continue to have full force and effect.

23.16 Headings

Except in the Schedules, the headings used in this Lease are for reference only and shall not affect the interpretation of this Lease.

23.17 Termination

The Termination of this Lease does not affect the Lessee's obligation to pay any money or do any act which is payable or which is to be done after Termination as provided by this Lease.

23.18 Cost of Complying with Obligations

Unless otherwise stated in this Lease, the Lessee must pay the cost of performing or complying with every obligation of the Lessee under this Lease.

23.19 Giving of notice

Any notice, approval, consent or other communication given under this Lease:

- (a) shall be in writing;
- (b) may be served on the recipient personally, or by leaving it at the recipient's last known address, or sent by pre-paid post to the recipient's last known address or sent by email to the recipient's email address (if known);
- (c) will be deemed to be served, if served personally, at the time of handing the notice to the recipient, if left at the recipient's last known address, at the time of leaving the notice at the recipient's last known address, if sent by pre-paid post to the recipient's last known address, on the second Business Day after the date of posting, if sent by email, on the same date as transmitted (if transmitted prior to 4.00pm on a Business Day) or the next Business Day (if transmitted at or after 4.00pm on a Business Day, or on a day not being a Business Day); and
- (d) if given by the Lessor, may be signed by the Lessor or a solicitor or agent of the Lessor.

23.20 Goods and services tax

- (a) In the Lease:

"GST" means any goods and services tax or similar value added tax levied or imposed in Australia pursuant to the GST Law or otherwise on a supply;

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

"GST Law" has the same meanings as in the GST Act;

"Tax invoice" includes any document or record treated by the Commissioner of Taxation as a tax invoice or as a document entitling a recipient to an input tax credit.

- (b) Words used in this clause which have a defined meaning in the GST Law have the same meanings as in the GST Law unless the context indicates otherwise.

- (c) The moneys payable under this Lease have been calculated without regard to GST, and the Lessor and the Lessee agree that the Lessor shall be entitled to charge an additional amount if the Lessor becomes subject to GST as a result of the grant of this Lease or any supply to the Lessee under or in connection with this Lease, and the following provisions shall apply:
- (i) the Lessee must do everything reasonably requested by the Lessor to ensure this Lease is treated as taxable for the purposes of the GST, the Lessee must pay to the GST to the Lessor at the same time as the payment to which the GST relates, and the amounts payable under this Lease are exclusive of GST.
  - (ii) the Lessee must pay to the Lessor on demand any GST charged on goods and services acquired or payable or paid by the Lessor in connection with this Lease or the Leased Premises, including but not limited to any GST payable in connection with or in respect of the provision of any Services; and
  - (iii) where the liability of the Lessee under this clause cannot be separately determined, the Lessee shall pay to the Lessor on demand an amount which is equal to the Lessee's proportion of the relevant GST.
- (d) A party's right to payment under this clause 23.19, is subject to a valid Tax Invoice being delivered to the party liable to pay for the taxable supply.

24. Option for Further Term

If and only if no earlier than six (6) months and no later than three (3) months before the date of Termination, the Lessee gives notice to the Lessor exercising an option of renewal for a Further Term, and the Lessor is satisfied that there is no Rent, Outgoings or other money payable under this Lease which is due but unpaid and there is no remedied breach of the Lessee's Obligations and there have been no breaches of any of the essential terms of this Lease during the Term, the Lessor shall grant the Lessee a lease of the Leased Premises for the relevant Further Term as the Rent payable immediately before Termination as varied and reviewed pursuant to this Lease and otherwise on the same terms and conditions of this Lease except for the option of renewal for the relevant Further Term, which shall cease to have any further effect.

25. Holding Over

If after termination, the Lessee continues to occupy the Premises with the consent of the Lessor, the Lessee shall become a monthly Lessee only of the Lessor and unless otherwise agreed;

- (a) The Rent shall be equal to one twelfth of the aggregate of the Rent and Outgoings payable by the Lessee immediately [preceding the Termination; and
- (b) All other terms and conditions shall continue to apply mutatis mutandis as expressed or implied in this lease.



26. Dispute Resolution

- 26.1 If a dispute arises out of or relates to this Lease (including without limitation in relation to the Rent review), or the breach, termination, validity or subject matter thereof, or as to any claim in tort, in equity or pursuant to any domestic or international statute or law, the parties to this Lease and the dispute expressly agree to endeavour in good faith to settle the dispute by mediation before having recourse to, arbitration or litigation.
- 26.2 A party claiming that a dispute has arisen, must give written notice to the other parties to the dispute specifying the nature of the dispute. On receipt of such notice, the parties to the dispute shall within seven (7) days of receipt of the notice meet together to resolve the dispute in good faith and acting reasonable.
- 26.3 If the dispute is not resolved within seven (7) days, or within such further period as the parties agree, then the dispute is to be referred to mediation. Such mediation is to be conducted by a mediator who is independent of the parties and appointed by agreement of the parties or, failing agreement within seven (7) days of receiving any party's notice of dispute, by the Chairman of the Western Australian Chapter of Institute of Arbitrators and Mediators Australia (IAMA). The IAMA Mediation Rules shall apply to the mediation
- 26.4 If the dispute is not resolved in mediation, then the parties may elect to have the dispute submitted to arbitration in accordance with the *Commercial Arbitration Act 2012 (WA)*.
- 26.5 If the dispute relates to the Rent, then the Rent shall be paid without abatement until the date of the award or agreement between the parties (whichever is the earlier) whereupon the Lessor will refund to the Lessee any Rent paid by the Lessee not required to be paid within the terms of the award or as agreed between the Lessor and Lessee

27. Special Conditions

The special conditions set out in item 12 of Schedule 1 shall form part of this Lease and if there is any inconsistency between the provisions of this Lease generally and the special conditions, the special conditions shall prevail to the extent of the inconsistency.

SCHEDULE 1

Particular of Lease:

1. Lessor's Details

SHIRE OF BODDINGTON OF 39 Bannister Road, Boddington, Western Australia 6390.

2. Lessee's Details

BODDINGTON RRR, care of the President, President, Eugene Smalberger, 139 Castle Rock Way, Boddington, Western Australia, 6390 ("Lessee").

3. Land

Portion of Reserve 20758 located at 50 Johnstone Street Boddington and being comprised of Lot 500 on Deposited Plan 55398 and being part of the land contained in Crown Land Title Volume LR 3147 Folio 905;.

4. Leased Premises

The Old Depot being the part of the Land and its improvements as hatchured on the attached Plan.

5. Authorised Use

Community Centre only (Community Recycling).

6. Commencement Date

1 April 2022

7. Term

The Term shall be a term of TWENTY (21) years commencing on the Commencement Date and ending on the 31 March 2043.

8. Rent

From the Commencement Date and for the Term the Rent is one dollar (\$1) per annum inclusive of GST payable on the Commencement date and each anniversary of the Commencement date.

9. Further Term

Nil

10. Lessee's Insurance Obligations

Without affecting any further insurance to be effected by the Lessee as specified by the Lessor in writing to the Lessee, the Lessee shall effect policies of insurance in respect of:

- (a) public liability insurance for an amount not less than TEN MILLION DOLLARS (\$10,000,000.00);

11. Definition of Outgoings

"Outgoings" means all of the costs and outgoings of the Lessor charged or incurred in respect of the Leased Premises or in the Maintenance of the Leased Premises, including but not limited to:

- (a) maintaining the Land and Leased Premises;
- (b) storing, treating and removing all kinds of waste including rubbish and sewerage from the Land or the Leased Premises;

give notice to the Lessor in writing, of any infections illness or disease which might transpire in or about the land and shall thoroughly fumigate and disinfect the land at the Lessee's expense to the satisfaction of the Lessor and any appropriate health officer;

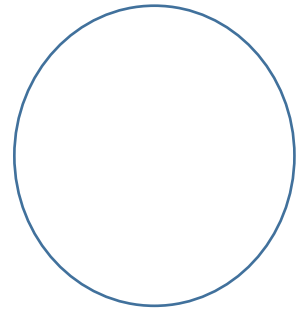
- (c) advertising, marketing and promoting the Leased Premises.

12. Special Conditions

- (a) Any process of recycling at the facility will do nothing that will create harm to human health or environmental harm.
- (b) All costs associated with any required monitoring of activities including micro-plastics from the activities will be paid for by the Lessee. All reports to be provided to the Shire of Boddington.

EXECUTED BY THE PARTIES AS A DEED

THE COMMON SEAL of the )  
**SHIRE OF BODDINGTON** )  
was hereunto affixed in the presence of: )



---

SHIRE PRESIDENT  
Garry Ventris

---

Chief Executive Officer  
Julie Burton

**BODDINGTON RRR** )  
was hereunto signed in accordance )  
with its Constitution in the presence of: )

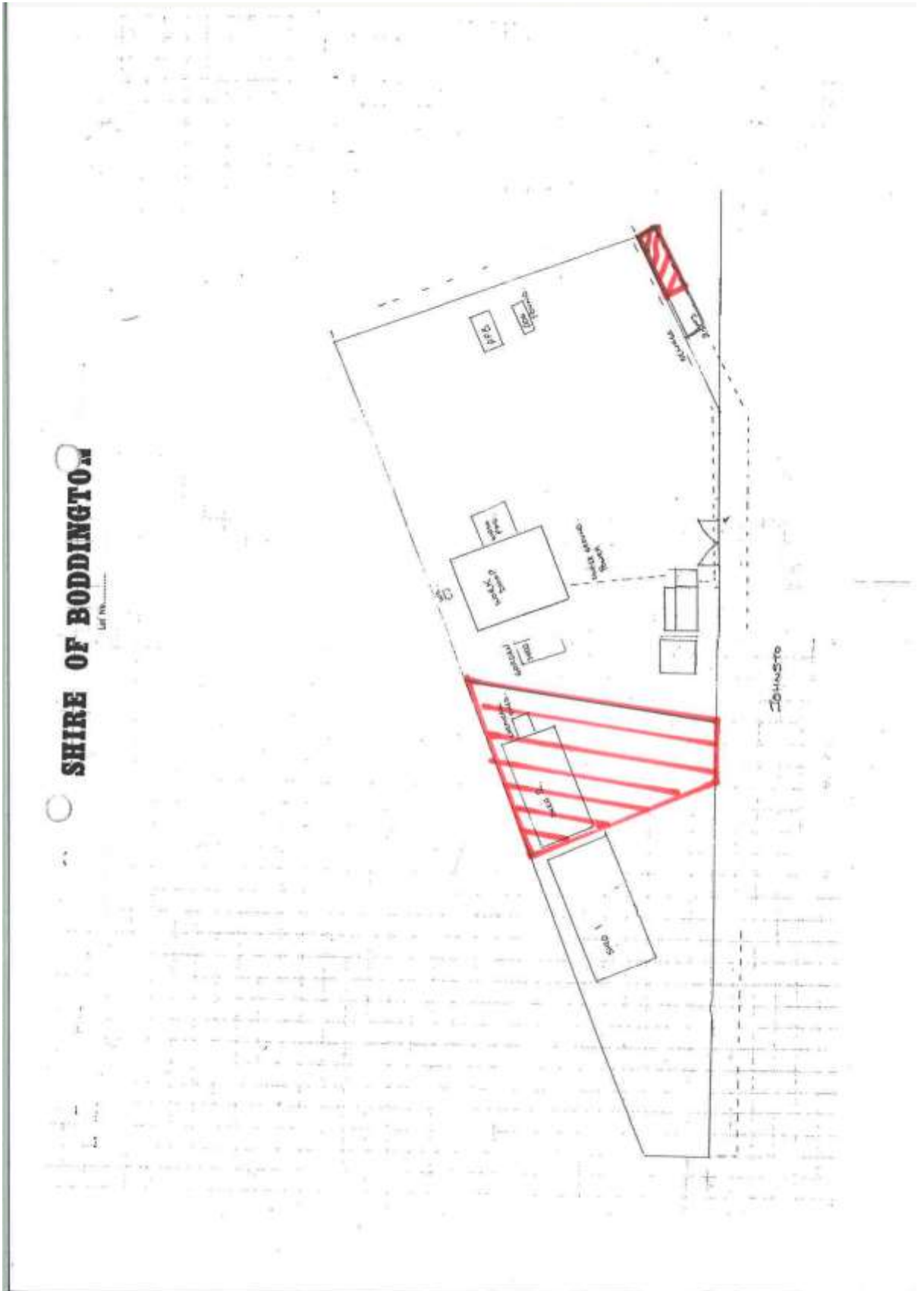
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Print Name:  
Position:

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Print Name:  
Position:

SCHEDULE 2  
Reserve







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**Reserve Enquiry Detail** ( 5190L1 )

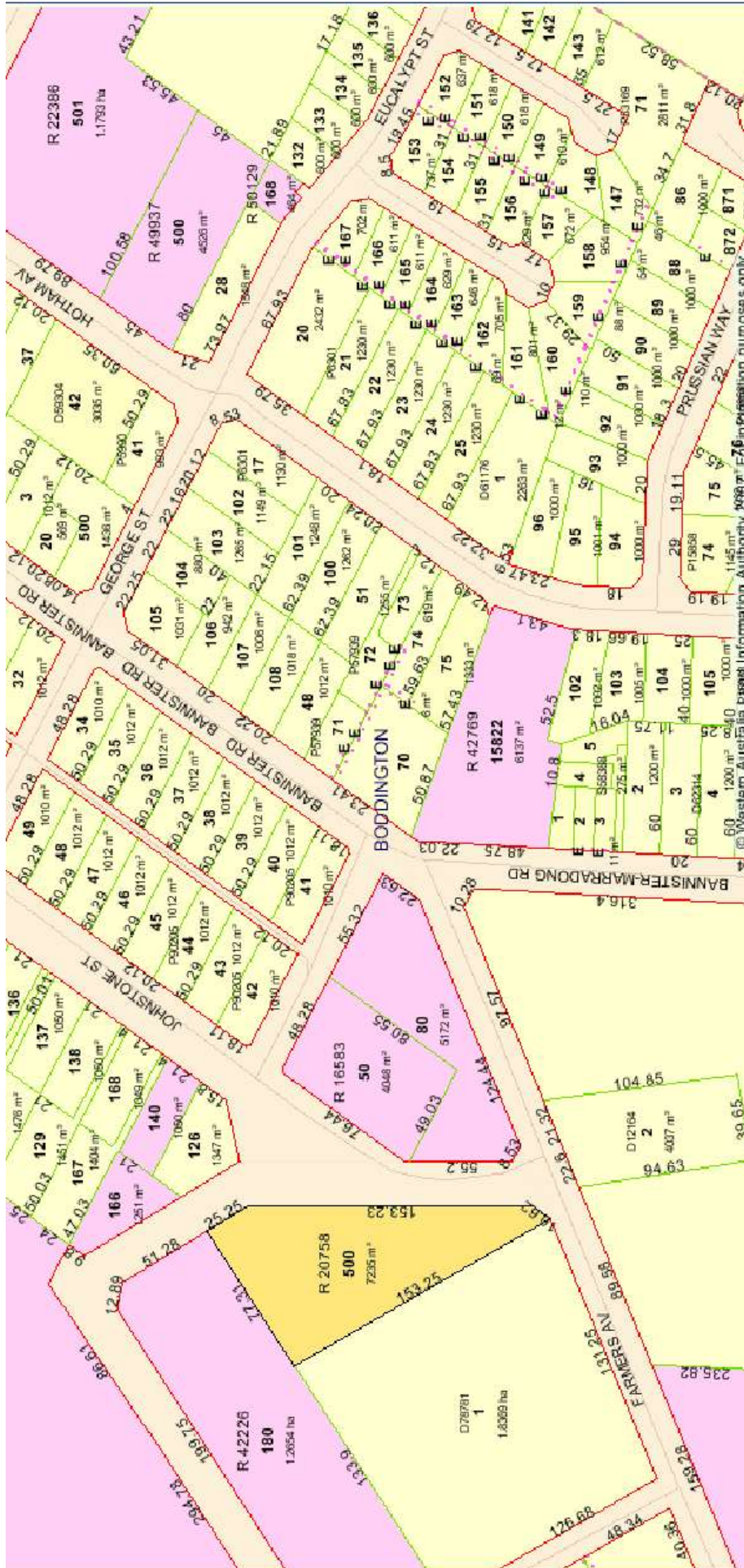
Master Request No. 27265336

Reserve Name	20758	Legal Area (ha)	0.7235
Type		Status	Current
Notes		Current Purpose	SHIRE DEPOT
File Number	3443/990		
Additional Reserve Information	RESERVE COMPRISES LOT 500 ON DP55398 (K283946)		

Class	Responsible Agency	Date of Last Change	
C	DEPARTMENT FOR PLANNING AND INFRASTRUCTURE	30/08/2007	

SHIRE OF BODDINGTON	Management Orders	Document	Local Government Authority
	DEPOT MUNICIPAL DEPOT SITE		BODDINGTON, SHIRE OF

Add Item	CLT Number	Parcel Identifier	Street Address	Suburb	File Number	PIR	Area (sqm)	Map Viewer
ER3147900	Lot 500 On Plan 95398		50 JOHNSTONE ST	BODDINGTON	03443-1890-01RO	11646868	7235.0	



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SCHEDULE 3

Department of Planning, Lands and Heritage Approval

**8.5 WORKS AND SERVICES**

Nil.

9. ELECTED MEMBERS' MOTION OF WHICH PREVIOUS MOTION HAS BEEN GIVEN

10. URGENT BUSINESS WITHOUT NOTICE WITH THE APPROVAL OF THE PRESIDENT OR MEETING

11. CONFIDENTIAL ITEMS

12. CLOSURE OF MEETING

There being no further business, Cr Garry Ventris, Shire President, declared the meeting closed at 6:03pm.

These minutes were confirmed by the Council as a true and accurate record at the Ordinary Council Meeting on 17 March 2022

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GARRY VENTRIS  
(Shire President)