

SHIRE OF WEST ARTHUR**NOTICE OF ORDINARY COUNCIL MEETING**

**The next Ordinary Meeting of the Shire of West Arthur Council will be held on
17 December 2019 in the Shire Chambers,
Darkan commencing at 6.00pm**

Nicole Wasmann

CHIEF EXECUTIVE OFFICER

Date: 12 December 2019

1.	DECLARATION OF OPENING	2
2.	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2
3.	PUBLIC QUESTION TIME	2
4.	RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE	2
5.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS	2
6.	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS	2
7.	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION	2
8.	REPORTS	2
8.1	OFFICER REPORTS	2
	ITEM 8.1.1 – FINANCIAL REPORT NOVEMBER 2019	3
	ITEM 8.1.2 – ACCOUNTS FOR PAYMENT	13
	ITEM 8.1.3 – SHIRE OF WEST ARTHUR 2018/19 ANNUAL REPORT	17
	ITEM 8.1.4 – WALGA – THIRD PARTY APPEAL RIGHTS IN PLANNING FEEDBACK	22
	ITEM 8.1.5 – GROH HOUSING LEASE RENEWALS	29
	ITEM 8.1.6 – RURAL SHEDS	30
	ITEM 8.1.7 – APPLICATION FOR CARPORT AT 21 ARTHUR STREET	33
8.2	COMMITTEE REPORTS	38
8.3	ELECTED MEMBER REPORTS	38
9.	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	38
10.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING ...	38
11.	CONFIDENTIAL ITEMS	38
12.	CLOSURE OF MEETING	38

ORDINARY COUNCIL MEETING AGENDA

- 1. DECLARATION OF OPENING**
- 2. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
- 3. PUBLIC QUESTION TIME**
- 4. RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE**
- 5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**
- 6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**
 - 6.1 Ordinary Meeting of Council held 19 November 2019.

That the Minutes of the Ordinary Meeting of Council held 19 November 2019 be confirmed.
- 7. ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION**
- 8. REPORTS**
 - 8.1 OFFICER REPORTS**

ITEM 8.1.1– FINANCIAL REPORT NOVEMBER 2019

LOCATION/ADDRESS:	N/A
NAME OF APPLICANT:	N/A
FILE REFERENCE:	N/A
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	12 December 2019

SUMMARY:

Consideration of the financial reports for the period ending November 2019.

BACKGROUND:

The financial reports for the periods ending November 2019 are included as attachments.

COMMENT:

If you have any questions regarding details in the financial reports, please contact the office prior to Council meeting so that sufficient time is given to research the request. This will enable the information to be provided at the Council meeting.

CONSULTATION:

Not applicable.

STATUTORY ENVIRONMENT:

Section 34 (1) (a) of the Local Government (Financial Management) Regulations 1996 states that a Local Government is to prepare monthly statement of financial activity including annual budget estimates, monthly budget estimates, actual monthly expenditure, revenue and income, material variances between monthly budget and actual figures and net current assets on a monthly basis.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

Not applicable.

VOTING REQUIREMENTS:

Simple majority

OFFICER RECOMMENDATION – ITEM 8.1.1

That the financial report for the period ending November 2019 as presented be accepted.

ATTACHMENTS:

- Financial Reports – November 2019.

SHIRE OF WEST ARTHUR
STATEMENT OF FINANCIAL ACTIVITY
(By Nature or Type)
For the Period Ended 30 November 2019

	Note	Annual Budget 2019/2020	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus (Deficit)	2	1,162,096	1,162,096	1,162,096	0	0%	
Revenue from operating activities							
Rates		1,706,538	1,706,538	1,706,059	(479)	(0%)	
Operating Grants, Subsidies and Contributions	6	755,939	409,635	433,641	24,006	6%	
Fees and Charges		299,226	165,756	196,467	30,711	19%	▲
Interest Earnings		78,237	21,540	18,798	(2,742)	(13%)	
Other Revenue		76,597	7,800	16,797	8,997	115%	
Profit on Disposal of Assets		16,045	0	0			
		2,932,582	2,311,269	2,371,762			
Expenditure from operating activities							
Employee Costs		(1,670,536)	(830,268)	(836,213)	5,945	(1%)	
Less overhead and wage allocations			220,000	218,353			
Materials and Contracts		(669,779)	(287,639)	(294,529)	6,890	(2%)	
less Pdepn and POC allocations			124,360	123,429			
Utility Charges		(85,000)	(28,333)	(22,151)	6,182	22%	
Depreciation on Non-Current Assets		(2,082,163)	(219,510)	(215,064)	4,446	2%	
Interest Expenses		(35,389)	(9,294)	(9,294)	0	0%	
Insurance Expenses		(97,701)	(97,701)	(97,701)	0	0%	
Other Expenditure		(26,000)	(100)	(100)	0	0%	
Loss on Disposal of Assets		(1,666)	0	0			
		(4,668,234)	(1,128,486)	(1,133,270)			
Operating activities excluded from budget							
Add back Depreciation		2,082,163	219,510	215,064	(4,446)	(2%)	
Adjust (Profit)/Loss on Asset Disposal		(14,379)	0	0	0		
Adjust Provisions and Accruals		0	0	(9,507)			
Amount attributable to operating activities		332,132	1,402,293	1,444,049			
Investing activities							
Grants, Subsidies and Contributions	6	1,057,659	540,308	554,086	13,778	3%	
Proceeds from Disposal of Assets		86,000	0	0	0		
Land and Buildings	7	(271,525)	(8,500)	(8,495)	5	0%	
Infrastructure Assets - Roads	7	(1,395,630)	(508,000)	(507,146)	854	0%	
Infrastructure Assets - Other	7	(243,608)	0	0	0		
Plant and Equipment	7	(198,350)	(100,000)	(81,818)	18,182	18%	▲
Furniture and Equipment	7	(85,000)	0	0	0		
Amount attributable to investing activities		(1,050,454)	(76,192)	(43,373)			
Financing Activities							
Proceeds from Self Supporting Loan - repayments		26,290	6,491	6,491	0	0%	
Transfer from Reserves	5	393,059	0	0	0		
Repayment of Debentures		(90,698)	(22,227)	(22,227)	0	0%	
Transfer to Reserves	5	(772,425)	(5,750)	(5,697)	53	1%	
Amount attributable to financing activities		(443,774)	(21,486)	(21,433)			
Closing Funding Surplus (Deficit)	2	0	2,466,711	2,541,339	74,628	3%	

Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

Refer to Note 1 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2019

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 budget materially.

The material variance adopted by Council for the 2019/20 year is \$10,000 or 10% whichever is the greater.

Operating Grants, Subsidies and Contributions

20675	General purpose grant income above budget. Will be \$41,349 above budget for full year.
-2123	Local roads grant income below budget. Will be \$4,246 less for full year.
4454	Culture grants received unbudgeted. Oral histories.
1000	Thank a volunteer grant received. Will be offset by expenditure.

Fees and Charges

19184	Kids Central Childcare income above budget. Budgeted for three months prior to transfer to REED.
3517	Caravan park income above budget.

Grants, Subsidies and Contributions

13778	Museum grant higher than budgeted. Will be offset by expense.
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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 budget materially.

The material variance adopted by Council for the 2019/20 year is \$10,000 or 10% whichever is the greater.

Operating Grants, Subsidies and Contributions**Infrastructure Assets - Roads****Plant and Equipment**

18182	Low loader was below budget.
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Furniture and Equipment

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2019

Note 2: Net Current Funding Position

Positive=Surplus (Negative=Deficit)

		Last Years Closing	Current
	Note	30 June 2019	30 Nov 2019
		\$	\$
Current Assets			
Cash Unrestricted	3	1,175,057	2,331,529
Cash Restricted - Conditions over Grants	6	0	53,406
Cash Restricted	5	1,756,241	1,761,937
Receivables - Rates	4	107,730	253,027
Receivables - Other	4	41,818	5,761
Inventories		21,550	21,550
		3,102,396	4,427,210
Less: Current Liabilities			
Payables		(184,059)	(123,934)
		(184,059)	(123,934)
Less: Cash Reserves	5	(1,756,241)	(1,761,937)
Net Current Funding Position		1,162,096	2,541,339

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2019

Note 3: Cash and Investments

	Unrestricted	Restricted	Trust	Total Amount	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
(a) Cash Deposits							
Municipal Bank Account	143,826			143,826	NAB	0.01%	At Call
Municipal Bank - Bendigo	155,618			155,618	NAB	0.02%	At Call
Municipal Cash Maximiser	284,876			284,876	NAB	0.10%	At Call
Bendigo Cash Maximiser	200,015			200,015	Bendigo	0.50%	At Call
Trust Bank Account			117	117	NAB	0.01%	At Call
Trust Cash Maximiser			8,104	8,104	NAB	0.10%	At Call
Trust - Bendigo			10,257	10,257	Bendigo	0.50%	At Call
Reserve Cash Maximiser		6,220		6,220	NAB	0.10%	At Call
Bendigo Reserve		802		802	Bendigo	0.50%	At Call
(b) Term Deposits							
Municipal term deposit	500,000			500,000	NAB	1.58	28/01/2020
Municipal term deposit	300,000			300,000	NAB	1.75	19/12/2019
Municipal term deposit	800,000			800,000	Bendigo	1.7	23/12/2019
Reserve term deposit		750,000		750,000	NAB	1.58	26/02/2020
Reserve term deposit		1,004,915		1,004,915	Bendigo	1.6	29/01/2020
Trust term deposit			90,000	90,000	NAB	1.74	13/11/2019
(funds held in term deposit to be transferred to muni)			(33,136)				
Total	2,384,335	1,761,937	75,342	4,164,750			

Municipal Bank Account includes \$33,136 uncleared funds to be transfr

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2019

Note 4: Receivables

Receivables - Rates Receivable	30 Nov 2019	30 June 2018	Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$		\$	\$	\$	\$	\$
Opening Arrears Previous Years	181,873	165,047	Receivables - General	2,784	1,017	365	1,595	5,761
Levied this year (incl rubbish & ESL)	1,801,290	1,769,903						
<u>Less Collections to date</u>	(1,655,993)	(1,753,077)	Balance per Trial Balance					
Equals Current Outstanding	327,170	181,873	Sundry Debtors					0
			Receivables - Other					0
Net Rates Collectable	327,170	181,873	Total Receivables General Outstanding					5,761
% Collected	83.50%	90.60%						
Less Recognised as doubtful	(74,143)	(74,143)	Amounts shown above include GST (where applicable)					

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2019

Note 5: Cash Backed 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
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Leave Reserve	156,202	2,812	507	50,000	0	0	0	209,014	156,709
Plant Reserve	94,159	1,972	305	309,829	0	(112,350)	0	293,610	94,464
Building Reserve	631,562	11,368	2,048	50,000	0	(130,000)	0	562,930	633,610
Town Development Reserve	69,595	1,253	225	0	0	(45,000)	0	25,848	69,820
Recreation Reserve	31,202	562	101	100,000	0	(10,000)	0	121,764	31,303
Heritage Reserve	5,128	92	17	300	0	0	0	5,520	5,145
Community Housing Reserve	109,024	1,962	354	20,000	0	(25,000)	0	105,986	109,378
Waste Management Reserve	80,044	1,441	260	40,000	0	0	0	121,485	80,304
Darkan Swimming Pool Reserve	33,219	598	109	5,000	0	0	0	38,817	33,328
Information Technology Reserve	57,988	1,044	188	3,000	0	(15,000)	0	47,032	58,176
Darkan Sport and Community Centre Reserve	223,747	3,757	726	30,000	0	0	0	257,504	224,473
Arthur River Country Club Renewal Reserve	25,049	451	80	6,000	0	(3,000)	0	28,500	25,129
Museum Reserve	127,858	2,301	415	0	0	(25,620)	0	104,539	128,273
Moodiarrup Sports Club Reserve	7,879	142	26	4,000	0	0	0	12,021	7,905
Landcare Reserve	46,885	844	153	0	0	(27,089)	0	20,640	47,038
Corporate Planning and Valuation Reserve	34,000	612	110	0	0	0	0	34,612	34,110
Kids Central Members Reserve	429	8	2	0	0	0	0	437	431
The Shed Reserve	11,019	198	35	0	0	0	0	11,217	11,054
Recreation Trails Reserve	1,185	21	4	0	0	0	0	1,206	1,189
Community Gym Reserve	6,887	124	22	0	0	0	0	7,011	6,909
Economic Development Reserve	3,180	57	10	40,000	0	0	0	43,237	3,190
Road Reserve	0	0	0	82,677	0	0	0	82,677	0
	1,756,241	31,619	5,696	740,806	0	(393,059)	0	2,135,607	1,761,937

Note: Reserve transfers are generally completed at year end unless funds are required sooner.

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2019

Note 6: Grants and Contributions	Grant Provider	Type	Opening Balance (a)	Budget Operating (b)	Capital (c)	YTD Actual Revenue (f)	(Expended) (g)	Unspent Grant (a)+(f)+(g)	Comment
General Purpose Funding				\$	\$	\$	\$	\$	
Grants Commission - General	WALGGC	Operating	0	242,289	0	141,819	0	0	Total anticipated 283,636. Paid quarterly.
Grants Commission - Roads	WALGGC	Operating	0	244,114	0	119,934	0	0	Total anticipated 239,868. Paid quarterly.
Grants Commission - Bridges	WALGGC	Operating - Tied	0	90,000	0	0	0	0	Wont be received this year. Project deferred.
Law, Order and Public Safety									
FESA Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Serv.	Operating - Tied	0	38,500	0	22,968	(21,135)	1,833	Paid quarterly.
Bushfire mitigation	Office of Emergency Management	Operating - Tied	0	5,000	0	0	0	0	Application not to be submitted.
Education and Welfare									
Kids Central Quarterly Grant	Federal DEEWR	Operating	0	8,500	0	17,930	0	0	
Recreation and Culture									
Redevelopment of play and youth area	Lotterywest	Non-operating	0	0	65,000	0	0	0	
Museum		Non-operating	0	0	20,000	33,778	0	33,778	
Oral Histories	Lotterywest	Operating - Tied	0	0	0	4,454	(1,870)	2,584	
Thank a Volunteer	Department for Communities	Operating - Tied	0	0	0	1,000	0	1,000	
Transport									
Roads To Recovery Grant - Cap	Roads to Recovery	Non-operating	0	0	329,877	187,000	(786)	0	
RRG Grants - Capital Projects	Regional Road Group	Non-operating	0	0	344,487	137,800	(123,589)	14,211	First 40% claimed.
Commodity Route Funding	Regional Road Group	Non-operating	0	0	244,384	195,508	(212,927)	0	First and second payments received.
Direct Grant	Main Roads	Operating	0	125,536	0	125,536	0	0	
Economic Development									
Kylie Dam Project	Department of Water	Non-operating	0	0	53,911	0	0	0	Approved
TOTALS			0	753,939	1,057,659	987,727	(360,307)	53,406	
SUMMARY									
Operating	Operating Grants, Subsidies and Contributions		0	620,439	0	405,219	0	0	
Operating - Tied	Tied - Operating Grants, Subsidies and Contributions		0	133,500	0	28,422	(23,005)	5,417	
Non-operating	Non-operating Grants, Subsidies and Contributions		0	0	1,057,659	554,086	(337,302)	47,989	
TOTALS			0	753,939	1,057,659	987,727	(360,307)	53,406	

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2019

Note 7: Capital Acquisitions

Assets	Account	YTD Actual			Budget			Variance	Comment
		Wages and Plant	Materials and Contractors	Total YTD	Wages and Plant	Materials and Contractors	Total Budget	Total YTD to Budget	
		\$	\$	\$	\$	\$	\$	\$	
Buildings									
Governance									
Shire office - solar power		0	0	0	0	(10,000)	(10,000)	10,000	Scheduled for January
Housing									
Renovations to existing joint venutue community housing units		0	0	0	0	(25,000)	(25,000)	25,000	No scheduled works.
Recreation & Culture									
Football Changerooms Project		(355)	(8,139)	(8,494)	(2,000)	(22,625)	(24,625)	16,131	Some expenditure allocated to operating.
Community Amenities									
Darkan Cemetery toilet		0	0	0	(20,000)	(10,000)	(30,000)	30,000	Scheduled to commence in January.
Challet		0	0	0	(46,900)	(80,000)	(126,900)	126,900	Scheduled to commence in March
Other Property & Services									
Staff Housing		0	0	0	(5,000)	(50,000)	(55,000)	55,000	No scheduled works.
Buildings Total		(355)	(8,139)	(8,494)	(73,900)	(197,625)	(271,525)	263,031	
Infrastructure									
Recreation And Culture									
Darkan Railway Reserve - redevelopment of play and youth area		0	0	0	(15,000)	(150,000)	(165,000)	165,000	Scheduled for late in the year.
Economic Development									
Kylie Dam Water Project		0	0	0	(12,608)	(66,000)	(78,608)	78,608	Funding approved. Land tenure negotiations in progress
Infrastructure Total		0	0	0	(27,608)	(216,000)	(243,608)	243,608	
Furniture & Office Equip.									
Governance									
Computer Server		0	0	0	0	(15,000)	(15,000)	15,000	Installation in March.
Recreation & Culture									
Museum fit out		0	0	0	0	(70,000)	(70,000)	70,000	Works in progress with March completion anticipated.
Furniture & Office Equip. Total		0	0	0	0	(85,000)	(85,000)	85,000	
Plant , Equip. & Vehicles									
Transport									
Administration vehicle		0	0	0	0	(52,000)	(52,000)	52,000	To be purchased in March
Works vehicle		0	0	0	0	(46,350)	(46,350)	46,350	To be purchased in March
Low loader		0	(81,818)	(81,818)	0	(100,000)	(100,000)	18,182	Purchased in November
Plant, Equip & Vehicles Total		0	(81,818)	(81,818)	0	(198,350)	(198,350)	116,532	

SHIRE OF WEST ARTHUR
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2019

Note 7: Capital Acquisitions

Assets	Account	YTD Actual			Budget			Variance	Comment
		Wages and Plant	Materials and Contractors	Total YTD	Wages and Plant	Materials and Contractors	Total Budget	Total YTD to Budget	
		\$	\$	\$	\$	\$	\$	\$	
Roads									
Regional Road Group									
Darkan Moodiarrup Road		(67,918)	(655)	(68,573)	(147,880)	(139,910)	(287,790)	219,217	December
Bowelling Duranillin Road		(106,653)	(10,157)	(116,810)	(139,915)	(119,780)	(259,695)	142,885	Earthworks completed. Final trim and seal in December
Trigwell Bridge Road (Commodity Route Funding)		(165,622)	(153,769)	(319,391)	(167,945)	(198,670)	(366,615)	47,224	Intersection works to be completed.
Regional Road Group Total		(340,193)	(164,581)	(504,774)	(455,740)	(458,360)	(914,100)	409,326	
Roads to Recovery									
Boyup Brook Arthur Road		(786)	0	(786)	(85,255)	(33,130)	(118,385)	117,599	February
Eulin Crossing Road		0	0	0	(37,877)	(15,000)	(52,877)	52,877	February
Rutherford Road		0	0	0	(20,000)	(15,000)	(35,000)	35,000	February
Shields Road		0	0	0	(46,866)	(9,255)	(56,121)	56,121	March
Boyup Brook Arthur Road		0	0	0	(37,841)	(39,670)	(77,511)	77,511	February
Roads to Recovery Total		(786)	0	(786)	(227,839)	(112,055)	(339,894)	339,108	
Shire Funded									
Growden Place		(447)	(1,140)	(1,587)	(46,010)	(51,172)	(97,182)	95,595	March
Collie South East Road		0	0	0	(21,275)	(3,056)	(24,331)	24,331	March
Dust Suppressions		0	0	0	(16,305)	(3,816)	(20,121)	20,121	March
Shire Funded Total		(447)	(1,140)	(1,587)	(83,590)	(58,044)	(141,634)	140,047	
Roads Total		(341,426)	(165,721)	(507,147)	(767,169)	(628,459)	(1,395,628)	888,481	
Capital Expenditure Total		(341,781)	(255,678)	(597,459)	(868,677)	(1,325,434)	(2,194,111)	1,596,652	

ITEM 8.1.2 – ACCOUNTS FOR PAYMENT

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: N/A
DISCLOSURE OF INTEREST: N/A
DATE OF REPORT: 12 December 2019

SUMMARY:

Council to note payments of accounts as presented.

BACKGROUND:

The schedule of accounts is included as an attachment for Council information.

COMMENT:

If you have any questions regarding payments in the listing please contact the office prior to the Council meeting.

CONSULTATION:

There has been no consultation.

STATUTORY ENVIRONMENT:

Section 12 of the Local Government (Financial Management) Regulations 1996 states that

- 12 (1) A list of creditors is to be compiled for each month showing –
- (a) The payee's name;
 - (b) The amount of the payment;
 - (c) Sufficient information to identify to transaction; and
 - (d) The date of the meeting of the council to which the list is to be resented.

POLICY IMPLICATIONS:

There are no policy implications.

FINANCIAL IMPLICATIONS:

There are no financial implications.

STRATEGIC IMPLICATIONS:

No strategic implications.

VOTING REQUIREMENTS:

Simple majority

OFFICER RECOMMENDATION – ITEM 8.1.2

That in accordance with section 13 of the Financial Management Regulations of the Local Government Act 1995 and in accordance with delegation, payment of Municipal Fund vouchers 25112019.1 - 25112019.21, 02122019.1 - 02122019.18, 10122019.1 - 10122019.21, Licensing, Salaries and Wages and EFT Transfers, Direct Debit totalling \$239,734.66 listed (attached) be noted as approved for payment.

ATTACHMENTS:

- Cheque Listing

Date	Num	Name	Original Amount
14/11/2019	EFT	SALARIES & WAGES	50,250.63
		PAYROLL	
25/11/2019	25112019.1	BUNNINGS WAREHOUSE	649.62
		RENOVATING SUPPLIES FOR FOOTBALL CHANGEROOMS PROJECT	
25/11/2019	25112019.2	CAROL STANDISH	344.75
		REIMBURSE GOODS FOR SENIORS MEALS	
25/11/2019	25112019.3	DEPARTMENT OF FIRE AND EMERGENCY SERVICES	15,560.80
		2019/2020 ESL 2 QUARTER CONTRIBUTIONS	
25/11/2019	25112019.4	DEPARTMENT OF PARKS AND WILDLIFE	266.85
		LAKE TOWERRINNING LEASE	
25/11/2019	25112019.5	ELDERS RURAL SERVICES	1,496.00
		UREA AND TURF SPECIAL	
25/11/2019	25112019.6	FUELS WEST PETROLEUM	15,662.79
		DIESEL	
25/11/2019	25112019.7	KATANNING PEST MANAGEMENT	430.00
		TERMITE INSPECTION OF DARKAN HALL & 11 KING STREET	
25/11/2019	25112019.8	LGIS	817.01
		PREMIUM OF MOTOR VEHICLES ADJUSTMENT FOR 2018-2019	
25/11/2019	25112019.9	LINCOLNS ACCOUNTANTS AND BUSINESS ADVISER	990.00
		AUDIT OF THE ACQUITTAL FOR ROADS TO RECOVERY TO 30 JUNE 2019	
25/11/2019	25112019.10	LUSH FIRE & PLANNING	1,859.00
		TOWN PLANNING SERVICES	
25/11/2019	25112019.11	METAL ARTWORK CREATIONS	130.90
		METAL NAME PLATES	
25/11/2019	25112019.12	PETE'S	255.15
		WORK UNIFORMS	
25/11/2019	25112019.13	PHOENIX GLASS	120.00
		SCREEN DOOR LOCK & SLIDING SCREEN DOOR LATCH	
25/11/2019	25112019.14	PUTLAND MOTORS	2,578.43
		PARTS AND REPAIRS UTES, TRUCK LOWLOADER, ROAD BROOM, & FUSES & OIL	
25/11/2019	25112019.15	QK TECHNOLOGIES PTY LTD	220.00
		QUIKKIDS PROGRAM RENEWAL	
25/11/2019	25112019.16	SIRENCO	198.00
		REPAIR SIREN AND TEST FOR ARTHUR RIVER FIRE TRUCK	
25/11/2019	25112019.17	SUNNY SIGN COMPANY PTY LTD	91.30
		ROAD SIGNAGE	
25/11/2019	25112019.18	TOLL TRANSPORT PTY LTD	65.40
		FREIGHT FOR SIGNAGE FOR TRIGWELL BRIDGE ROAD	
25/11/2019	25112019.19	TRADELINK BUNBURY	1,008.52
		VANITY WHITE GLOSS 2 DRAW FOR STAFF HOUSING AT 10 GIBBS STREET	
25/11/2019	25112019.20	WEST ARTHUR COMMUNITY RESOURCE CENTRE	4,840.00
		SERVICES	
25/11/2019	25112019.21	WILMA MANN	330.00
		3RD PAYMENT ORAL HISTORIES	
26/11/2019	DIRECT	DEPARTMENT OF HUMAN SERVICES	662.22
		PAYROLL DEDUCTIONS	
27/11/2019	EFT	SALARIES & WAGES	51,880.33
		PAYROLL	
02/12/2019	02122019.1	DEPARTMENT OF HUMAN SERVICES	441.48
		PAYROLL DEDUCTIONS	
02/12/2019	02122019.2	ARCHIVAL SURVIVAL	526.57
		SUPPLIES FOR MUSEUM	
02/12/2019	02122019.3	CAROL STANDISH	192.78
		REIMBURSE GOODS FOR SENIORS MEALS	
02/12/2019	02122019.4	CREATIVE SPACES	5,713.40
		GRAPHIC DESIGN & PROJECT MANAGEMENT FOR BETTY BROWN HISTORICAL CENTRE FIRST PAYMENT	

Date	Num	Name	Original Amount
02/12/2019	02122019.5	DR JOSEPHINE TAYLOR	930.00
		WRITING WORKSHOP GRANT FUNDED	
02/12/2019	02122019.6	EASIFLEET MANAGEMENT- MOUNTSVILLE PTY LTD	4,095.85
		SALARY SACRIFICE PAYMENTS	
02/12/2019	02122019.7	GREAT AUSSIE STOCK AIDS	91.00
		FUEL FOR ARTHUR RIVER FIRE TRUCK	
02/12/2019	02122019.8	LANDGATE	26.20
		TITLE SEARCHES AND LAND ENQUIRIES FOR 7 HILLMAN STREET DARKAN	
02/12/2019	02122019.9	MANCHESTER BY MAIL	130.27
		BATH TOWELS, BATH MAT, KING SINGLE MATTRESS PROTECTOR FOR CHALET & POSTAGE	
02/12/2019	02122019.10	PEDERICK ENGINEERING	546.70
		HYDRUALIC RAM	
02/12/2019	02122019.11	PETER LUTZ	189.15
		REIMBURSEMENT FOR FEES FOR NEW FLOAT	
02/12/2019	02122019.12	SHIRE OF KOORDA	6,600.00
		WHEATBELT SECONDARY FREIGHT NETWORK CO-CONTRIBUTION TO STAGE 1 PRIORITY WORKS	
02/12/2019	02122019.13	SIGNS PLUS	60.60
		NAME BADGES FOR NEW COUNCILLOR AS PER ATTACHED EMAIL	
02/12/2019	02122019.14	SOS OFFICE EQUIPMENT	133.72
		METER READINGS FOR PRINTER	
02/12/2019	02122019.15	STARTRACK EXPRESS	31.75
		FREIGHT FOR PARTS FROM ISUZU	
02/12/2019	02122019.16	TOLL TRANSPORT PTY LTD	24.64
		FREIGHT FOR WESTRAC PARTS	
02/12/2019	02122019.17	WEST ARTHUR COMMUNITY RESOURCE CENTRE	495.00
		INTERMEDIATE EXCEL COURSE	
02/12/2019	02122019.18	WILSONS SIGN SOLUTIONS	280.50
		HONOUR BOARD NAMES AND GOLD LETTERING FOR AUSTRALIA DAY AWARDS BOARD & POSTAGE	
10/12/2019	10122019.1	AFGRI EQUIPMENT AUSTRALIA PTY LTD	220.00
		TRAVEL AND EXCESS FOR REPAIRS FOR GRADER (REPLACEMENT OF HYDRAULIC FAN MOTOR)	
10/12/2019	10122019.2	AIR LIQUIDE	222.24
		GAS CYLINDERS	
10/12/2019	10122019.3	AUSTRALIA POST	142.57
		BOX OF STAMPS	
10/12/2019	10122019.4	BLACKWOOD BASIN GROUP (INC)	1,293.60
		LANDCARE SUPPORT FOR NOVEMBER 2019	
10/12/2019	10122019.5	CAROL STANDISH	272.52
		REIMBURSE GOODS FOR SENIORS MEALS	
10/12/2019	10122019.6	DARKAN AGRI SERVICES	892.95
		RESERVE MAINTANANCE, BUILDING AND PARKS AND GARDENS SUPPLIES	
10/12/2019	10122019.7	DARKAN LICENSED POST OFFICE	122.00
		KIDS CENTRAL CHILDCARE - PRINTER INKS	
10/12/2019	10122019.8	DARKAN PRIMARY SCHOOL	40.00
		CONTRUBITION TO DPS SCHOOL AWARD	
10/12/2019	10122019.9	ELDERS RURAL SERVICES	132.00
		FREIGHT ON UREA	
10/12/2019	10122019.10	FLEAYS STORE	4.50
		MILK	
10/12/2019	10122019.11	FUELS WEST PETROLEUM	15,787.20
		DIESEL	
10/12/2019	10122019.12	GREAT SOUTHERN WASTE DISPOSAL	4,570.86
		DOMESTIC, STREETS & RECYCLING COLLECTION	
10/12/2019	10122019.13	JAMES WISNIEWSKI	60.00
		REIMBURSE AS AGREED \$20 PER MONTH FOR WORK USE OF MOBILE START SEPT 2019	
10/12/2019	10122019.14	LANDGATE	125.64
		RURAL UV INTERIM VALUATION SHARED	

Date	Num	Name	Original Amount
10/12/2019	10122019.15	NARROGIN FREIGHTLINES	104.72
		FREIGHT ON CHEMICALS FROM SIGMA	
10/12/2019	10122019.16	RAREBITS ON BURROWES 1	400.00
		CATERING FOR COUNCIL MEETINGS	
10/12/2019	10122019.17	SHIRLEY MARSH	313.58
		REIMBURSE GOODS FOR SENIORS XMAS PARTY/LUNCH - FROM FUNDS HELD IN TRUST	
10/12/2019	10122019.18	SIGMA CHEMICALS- COMPANIES GROUP PTY LTD	907.13
		CHEMICALS FOR DARKAN SWIMMING POOL	
10/12/2019	10122019.19	SOUTH REGIONAL TAFE	279.00
		TRAFFIC MANAGEMENT TRAINING	
10/12/2019	10122019.20	WALGA BUSINESS SOLUTIONS	39.00
		PARKING FOR WALGA AGM	
10/12/2019	10122019.21	WEST ARTHUR COMMUNITY RESOURCE CENTRE	759.00
		DR HOURS, PROPERTY INSPECTION1/10 HILLMAN STREET, WEBSITE MAINTENANCE	
27/11/2019	B/PAY	SYNERGY	1,052.40
		VARIOUS ELECRCITY USAGE AND SUPPLY CHARGE	
02/12/2019	DEBIT	BENDIGO BANK	90.77
		MERCHANT FEES	
22/11/2019	DIRECT	AUSTRALIAN TAXATION OFFICE	31,470.00
		BAS OCT 19	
28/11/2019	DIRECT	NATIONAL AUSTRALIA BANK	55.99
		NAB CONNECT FEE ACCESS AND USAGE	
29/11/2019	DIRECT	NATIONAL AUSTRALIA BANK	95.08
		START & END OF MONTH BANK FEES	
18/11/2019	9	PETTY CASH - OFFICE	284.65
		COFFEE, ENVELOPES, POSTAGE, KEYS CUT, TAPE, PERMIT TO MOVE SHIRE TRAILER, CORD FOR MUSEUM ETC	
		VOUCHERS	AMOUNT
MUNICIPIAL FUND			
		25112019.1 - 25112019.21	47,914.52
		02122019.1 - 02122019.18	20,509.61
		10122019.1 - 10122019.21	26,688.51
		BENDIGO CHQ - 9	284.65
		EFT/DEBIT/BPAY	33,426.46
		SALARIES & WAGES	102,130.96
		LICENSING NOVEMBER 2019 TRANSFERS	8,779.95
		TOTAL	239,734.66

ITEM 8.1.3 – SHIRE OF WEST ARTHUR 2018/19 ANNUAL REPORT

LOCATION/ADDRESS: N/A
NAME OF APPLICANT: N/A
FILE REFERENCE: 1.1.2
DISCLOSURE OF INTEREST: N/A
DATE OF REPORT: 11 December 2019

SUMMARY:

Council to consider:

- 1) receiving the Auditors Report for inclusion in the 2018/19 Annual report;
- 2) accepting the 2018/19 Annual Report; and
- 3) setting the date for the Annual Electors Meeting.

BACKGROUND:

The Shire of West Arthur is required to prepare an Annual Report for each financial year.

The Auditor's Report for year ended 30 June 2019 is attached. Council is requested to receive it for inclusion in the 2018/19 Annual Report.

The Shire of West Arthur 2018/19 Annual Report is attached and Council is requested to accept it.

The Annual Report is to be presented to an electors meeting.

CONSULTATION:

Not applicable.

STATUTORY ENVIRONMENT:

It is a statutory requirement that, amongst other prescribed matters, the Financial Report and Auditor's Report for the financial year are included in the Annual Report. Sections 5.53, 5.54 and 5.55 of the Local Government Act outline information to be included in the Annual Report, acceptance of the Annual Report and notice of the Annual Report.

Section 5.27 of the Act requires that the Annual Electors Meeting must be held within 56 days of the adoption of the Council's Annual Report.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

Not applicable.

STRATEGIC IMPLICATIONS:

Not applicable

COMMENT

It is proposed to hold the Annual Electors Meeting on Thursday, 6 February 2020 at 6pm.

VOTING REQUIREMENTS:

Absolute majority

OFFICER RECOMMENDATION – ITEM 8.1.3

That Council:

- 1) receives the Auditors Report for inclusion in the 2018/19 Annual report;
- 2) accepts the 2018/19 Annual Report; and
- 3) sets the date for the Annual Electors Meeting as Thursday 6 February 2020 at 6.00pm.

ATTACHMENTS

- Independent Auditor's Report to the Council of the Shire of West Arthur
- Separate - Shire of West Arthur Annual Report 2018/19



Our Ref: 7964

Mr Kevin King
President
Shire of West Arthur
31 Burrowes Street
DARKAN WA 6392

7th Floor, Albert Facey House
469 Wellington Street, Perth

Mail to: Perth BC
PO Box 8489
PERTH WA 6849

Tel: (08) 6557 7500
Fax: (08) 6557 7600
Email: info@audit.wa.gov.au

Dear President

ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2019

The Office has completed the audit of the annual financial report for your local government. In accordance with section 7.12AD (2) of the *Local Government Act 1995*, we enclose the Auditor General's auditor's report, together with the audited annual financial report.

We have also forwarded the reports to the CEO and the Minister, as required by the Act. The CEO is required to publish the annual report, including the auditor's report and the audited financial report, on your Shire's official website within 14 days after the annual report has been accepted by your Council.

The result of the audit was satisfactory. Please note that the purpose of our audit was to express an opinion on the financial report. The audit included consideration of internal control relevant to the preparation of the financial report in order to design audit procedures that were appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of internal control.

An audit is not designed to identify all internal control deficiencies that may require management attention. It is possible that irregularities and deficiencies may have occurred and not been identified as a result of our audit.

This letter has been provided for the purposes of the Shire and the Minister for Local Government and may not be suitable for other purposes.

I would like to take this opportunity to thank you, the management and the staff of the Shire for their cooperation with the audit team during our audit.

Feel free to contact me on 6557 7525 if you would like to discuss these matters further.

Yours faithfully

KELLIE TONICH
SENIOR DIRECTOR
FINANCIAL AUDIT

5 December 2019

Attach



Auditor General

INDEPENDENT AUDITOR'S REPORT

To the Councillors of the Shire of West Arthur

Report on the Audit of the Financial Report

Opinion

I have audited the annual financial report of the Shire of West Arthur which comprises the Statement of Financial Position as at 30 June 2019, the Statement of Comprehensive Income by Nature or Type, Statement of Comprehensive Income by Program, Statement of Changes in Equity, Statement of Cash Flows and Rate Setting Statement for the year then ended, and notes comprising a summary of significant accounting policies and other explanatory information, and the Statement by the Chief Executive Officer.

In my opinion the annual financial report of the Shire of West Arthur:

- (i) is based on proper accounts and records; and
- (ii) fairly represents, in all material respects, the results of the operations of the Shire for the year ended 30 June 2019 and its financial position at the end of that period in accordance with the *Local Government Act 1995* (the Act) and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards.

Basis for Opinion

I conducted my audit in accordance with Australian Auditing Standards. My responsibilities under those standards are further described in the *Auditor's Responsibilities for the Audit of the Financial Report* section of my report. I am independent of the Shire in accordance with the *Auditor General Act 2006* and the relevant ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* (the Code) that are relevant to my audit of the annual financial report. I have also fulfilled my other ethical responsibilities in accordance with the Code. I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my opinion.

Emphasis of Matter – Basis of Accounting

I draw attention to Note 1 to the annual financial report, which describes the basis of accounting. The annual financial report has been prepared for the purpose of fulfilling the Shire's annual financial reporting responsibilities under the Act. Regulation 16 of the Local Government (Financial Management) Regulations 1996 (Regulations), does not allow a local government to recognise some categories of land, including land under roads, as assets in the annual financial report. My opinion is not modified in respect of this matter.

Responsibilities of the Chief Executive Officer and Council for the Financial Report

The Chief Executive Officer (CEO) of the Shire is responsible for the preparation and fair presentation of the annual financial report in accordance with the requirements of the Act, the Regulations and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards. The CEO is also responsible for such internal control as the CEO determines is necessary to enable the preparation of a annual financial report that is free from material misstatement, whether due to fraud or error.

In preparing the annual financial report, the CEO is responsible for assessing the Shire's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless the State government has made decisions affecting the continued existence of the Shire.

The Council is responsible for overseeing the Shire's financial reporting process.

Auditor's Responsibility for the Audit of the Financial Report

The objectives of my audit are to obtain reasonable assurance about whether the annual financial report as a whole is free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes my opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Australian Auditing Standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the annual financial report.

As part of an audit in accordance with Australian Auditing Standards, I exercise professional judgment and maintain professional scepticism throughout the audit. I also:

- Identify and assess the risks of material misstatement of the annual financial report, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for my opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Shire's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by the CEO.
- Conclude on the appropriateness of the CEO's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Shire's ability to continue as a going concern. If I conclude that a material uncertainty exists, I am required to draw attention in my auditor's report to the related disclosures in the annual financial report or, if such disclosures are inadequate, to modify my opinion. My conclusions are based on the audit evidence obtained up to the date of my auditor's report, as we cannot predict future events or conditions that may have an impact.
- Evaluate the overall presentation, structure and content of the annual financial report, including the disclosures, and whether the annual financial report represents the underlying transactions and events in a manner that achieves fair presentation.

I communicate with the Council and the CEO regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that I identify during my audit.

Report on Other Legal and Regulatory Requirements

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

- (i) In my opinion, the following material matters indicate significant adverse trends in the financial position of the Shire:
 - a. The Operating Surplus Ratio has been below the Department of Local Government, Sport and Cultural Industries standard for the past two years.
The financial ratios are reported in Note 28 of the annual financial report.
- (ii) All required information and explanations were obtained by me.
- (iii) All audit procedures were satisfactorily completed.
- (iv) In my opinion, the Asset Consumption Ratio and the Asset Renewal Funding Ratio included in the annual financial report were supported by verifiable information and reasonable assumptions.

Other Matter

The financial ratios for 2017 in Note 28 of the annual financial report were audited by another auditor when performing their audit of the Shire for the year ending 30 June 2017. The auditor expressed an unmodified opinion on the annual financial report for that year.

Matters Relating to the Electronic Publication of the Audited Financial Report

This auditor's report relates to the annual financial report of the Shire of West Arthur for the year ended 30 June 2019 included on the Shire's website. The Shire's management is responsible for the integrity of the Shire's website. This audit does not provide assurance on the integrity of the Shire's website. The auditor's report refers only to the annual financial report described above. It does not provide an opinion on any other information which may have been hyperlinked to/from this annual financial report. If users of the annual financial report are concerned with the inherent risks arising from publication on a website, they are advised to refer to the hard copy of the audited annual financial report to confirm the information contained in this website version of the annual financial report.



DON CUNNINGHAME
ASSISTANT AUDITOR GENERAL FINANCIAL AUDIT
Delegate of the Auditor General for Western Australia
Perth, Western Australia
5 December 2019

ITEM 8.1.4 - WALGA – THIRD PARTY APPEAL RIGHTS IN PLANNING FEEDBACK

LOCATION/ADDRESS: N/A
 NAME OF APPLICANT: WALGA
 FILE REFERENCE: 2.7.1
 DISCLOSURE OF INTEREST: N/A
 DATE OF REPORT: 11 December 2019

SUMMARY:

To consider the request from the Western Australian Local Government Association (WALGA) to advise whether the August 2019 WALGA Annual General Meeting (AGM) amendment to the preferred model for Third Party Appeal Rights in Planning is supported by Council.

BACKGROUND:

The preferred model for Third Party Appeal Rights in Planning was originally developed to give Local Government the ability to appeal a decision by a Development Assessment Panel (DAP) or Joint Development Assessment Panel (JDAP) where an approval or refusal decision is made contrary to the recommendations of the Responsible Authority Report (RAR) or Council position.

At the WALGA AGM held in August 2019, two (2) motions were carried by the attendees as follows:

1. *That there be an amendment to the Third Party Appeals Process Preferred Model, being that third parties in addition to Local Governments are able to make an appeal.*
2. *That there be an amendment to the Third Party Appeals Process Preferred Model, being that closely associated third parties in addition to Local Governments are able to appeal decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels.*

Prior to WALGA's State Council considering this AGM motion at its meeting in March 2020, WALGA have requested that each Council advise whether they support or do not support this motion to amend the Preferred Model.

CONSULTATION:

The matter has been discussed with CEOs of the 4WDL Voluntary Regional Organisation of Councils.

STATUTORY ENVIRONMENT:

Nil

POLICY IMPLICATIONS:

Nil

FINANCIAL IMPLICATIONS:

There are no immediate financial implications.

STRATEGIC IMPLICATIONS:

Any changes to planning processes will have an effect on local government planning positions.

COMMENT:

Although these appeal rights would only apply to DAP and JDAP decisions (large developments) in the rural and regional areas, it would add another level of complexity to the already complex planning process.

It is recommended that Council does not support the amendment to the preferred model. There will be an increased level of complexity involved in Development Assessment Panels (DAP) decisions should the amendments as proposed be implemented.

VOTING REQUIREMENT:

Simple Majority

COUNCIL DECISION (OFFICER RECOMMENDATION) – ITEM 8.1.4

That the Western Australian Local Government Association (WALGA) be informed that the Shire of West Arthur does not support the amendment to the preferred model for Third Party Appeal Rights in Planning.

ATTACHMENTS:

- Minutes from WALGA meeting August 2019



3.9 Third Party Appeal Rights

MOTION

Moved Cr Georgia Johnson, City of Bayswater
Seconded Cr Julie Mathison, City of Subiaco

IN BRIEF

- Further amendments proposed to the Preferred Model for Third Party Appeals Process

1. That there be an amendment to the Third Party Appeals Process Preferred Model, being that third parties in addition to Local Governments are able to make an appeal.
2. That there be an amendment to the Third Party Appeals Process Preferred Model, being that closely associated third parties in addition to Local Governments are able to appeal decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels.

CARRIED

MEMBER COMMENT

The Council has taken a particularly strong stand on this important issue and it is requested that this matter be given further consideration.

SECRETARIAT COMMENT

At its May 2019 meeting, WALGA's State Council considered a 'Preferred Model' and resolved that WALGA:

1. Continues to advocate for the State Government to introduce Third Party Appeal Rights for decisions made by Development Assessment Panels, and
2. Endorses the 'Preferred Model' as presented in the May 2019 Agenda, as the Third Party Appeals process for decisions made by Development Assessment Panels and in future give consideration to broadening Third Party Appeal Rights to other parties relating to Development Assessment Panel decisions.

(Resolution 44.4/2019)

The above resolution was sent to the Minister for Transport: Planning with a copy of the proposed model (as attached).

The May 2019 Agenda item sought to finalise a 'Preferred Model' for appeals on Development Assessment Panel decisions. WALGA's State Council considered several alternative WALGA Zone resolutions, as several Zones proposed alternative 'Preferred Models' for decisions made by DAPs, preferred types of Third Party Appeals and one Zone indicated its opposition to any Third Party Appeals model being introduced, as follows: -

SOUTH METROPOLITAN ZONE

That the Position Statement be referred back to WALGA officers to provide an evidence case to support the need for change, the expected benefits, and an analysis of the implications of change in terms of cost, resource and timeframes by utilising the experience of other States where third party appeals exist and applying that to the system proposed.



GREAT SOUTHERN COUNTRY ZONE

That the Zone opposes Third Party Appeals in relation to Item 5.2 in the May 2019 WALGA State Council Agenda.

EAST METROPOLITAN ZONE

That there be an amendment to the Preferred Model, being that third parties are able to appeal decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels.

CENTRAL METROPOLITAN ZONE

That WALGA:

1. Continues to advocate for the State Government to introduce Third Party Appeal Rights for decisions made by Development Assessment Panels; and
2. Endorses the original December 2018 'Preferred Model' as the third party appeals process for decisions made by the Development Assessment Panels with the following amendments:
 - a. DOT POINT 1 "which could possibly be expanded later if it proves to be beneficial" to be removed
 - b. DOT POINT 4 to be replaced with "Other affected parties would be able to appeal a DAP decision"

Based on the formal resolutions received and members discussions at Zone meetings, there were a range of options available for State Council to consider at its meeting in May: -

1. Not adopt a Preferred Model until more information on cost and resource implications is provided;
2. Adopt the Preferred Model as presented in the May 2019 Agenda;
3. Adopt the Preferred Model as presented in the May 2019 Agenda, with the amendments suggested by the East Metropolitan Zone, ie ability to appeal decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels;
4. Adopt the Preferred Model as circulated to members in December 2018;
5. Adopt the Preferred Model as circulated to members in December 2018, with the amendments suggested by the Central Metropolitan Zone;
6. Adopt the Preferred Model with different amendments (any amendments discussed by State Council);
7. Not adopt any Preferred Model but still advocate for Third Party Appeal Rights for DAPs decisions
8. Adopt a different Third Party Appeal model (ie wider than just for DAPs);
9. Consult the sector again on what model of Third Party Appeal rights is considered acceptable given the wide range of views;
10. Return to the pre-May 2018 position, where any Third Party Appeal rights are not supported

The preferred approach by State Council was to adopt the Preferred Model as presented in the May 2019 Agenda, as it would provide the starting point for discussion with the State Government about the introduction of Third Party Appeals for Development Assessment Panel decisions.

WALGA provided this position to the Minister for Transport; Planning and the Minister's response was as follows:

I note WALGA's State Council endorsed Preferred Model on this matter, however I maintain concerns regarding the unnecessary complexity and red tape third party appeal rights would add to the



planning system, which is contrary to the objectives of the Government's commitment to planning reform.

The Department of Planning, Lands and Heritage received 254 submissions in response to the Green Paper, including many which confirmed the issues and views identified in the Green Paper regarding the current DAP system.

An Action Plan for planning reform which contains a program of initiatives to address the concerns identified by the Green Paper and submissions is currently being finalised by the Department for consideration by Government.

I will make announcements regarding the content of the Action Plan and reform initiatives in the near future.



Preferred Model

Third Party Appeal Rights for decisions made by Development Assessment Panels

Benefits of Third Party Appeal Right for decisions made by Development Assessment Panels

- Only Local Governments will be able to challenge and seek review of DAP decisions that are made contrary to the recommendations of the Responsible Authority Report (RAR) or Council position.
- In future, possible consideration to a broadening of Third Party Appeal Rights to other parties relating to Development Assessment Panel decisions.
- Local Government would be able to appeal a DAP decision and defend the merits of their policies and defend the enforceability of their conditions.
- More transparent process in both decision making and condition setting, resulting in more accountable DAP members.

- Would allow for an appeal to be made on the conditions of approval or refusal
 - i) that may have been removed from a RAR; or
 - ii) added to the decision, particularly where no liaison has occurred with the Local Government for clearing or enforcing the condition; or
 - iii) applied inappropriately i.e. the condition would change the intent or design of the development and therefore a new application should have been lodged.
- Limits appeal rights to larger, more complex applications and would filter out 'smaller' impact applications which could potentially overburden the system.
- Provides the opportunity for additional information to be included in the appeal process, particularly if information was not received before the DAP meeting.
- Provides the ability to challenge any new information being presented at the DAP meeting without the Local Government being able to undertake any assessment of the new information (unassessed revised plans are currently being lodged and approved at meetings).
- Able to appeal the 'Deferral' process being over utilised, i.e. DAPs are tending to defer applications multiple times rather than making a decision to approve or refuse the proposal.
- Can give the Local Government more confidence that the developer will provide a fully complete application and discuss the application with the Local Government first, rather than relying on the DAP to condition the proposal requiring additional critical information.



Appellants in a Third Party Appeal

Should be for

- A Local Government where DAP has gone against the position of Council itself; or
- A Local Government where DAP has gone against the Responsible Authority Report (RAR)

Local Government makes a submission

- SAT would need to ensure that appeals are made on valid planning grounds and are not made for commercial or vexatious reasons.
- The existing Directions Hearing process could be used to see if the appeal has reasonable planning merit, which would assist in providing clarity on what constitutes a valid planning consideration and what would be an invalid planning consideration. The Directions Hearing could consider the appellant's justification for submitting the appeal, in particular, whether the grounds of appeal are supported by documentary evidence or other material (a similar process for justifying the lodgement of an appeal already exists through Section 76 of the *Planning and Development Act 2005*).
-
- *** Will need to discuss with SAT the definition of 'valid planning grounds' to determine whether the submission has reasonable grounds for appeal***

What can be appealed?

- DAP applications that are compulsory over \$10 million for JDAPs and \$20 million for City of Perth DAP; or
- DAP applications in the optional threshold \$2m – 10m for JDAPs and in the City of Perth \$2 million - \$20 million; or
- DAP applications seeking amendments to approvals *i.e.* Form 2 applications proposing a change to the development application, and including applications for an extension of time

Timeframe to lodge an appeal

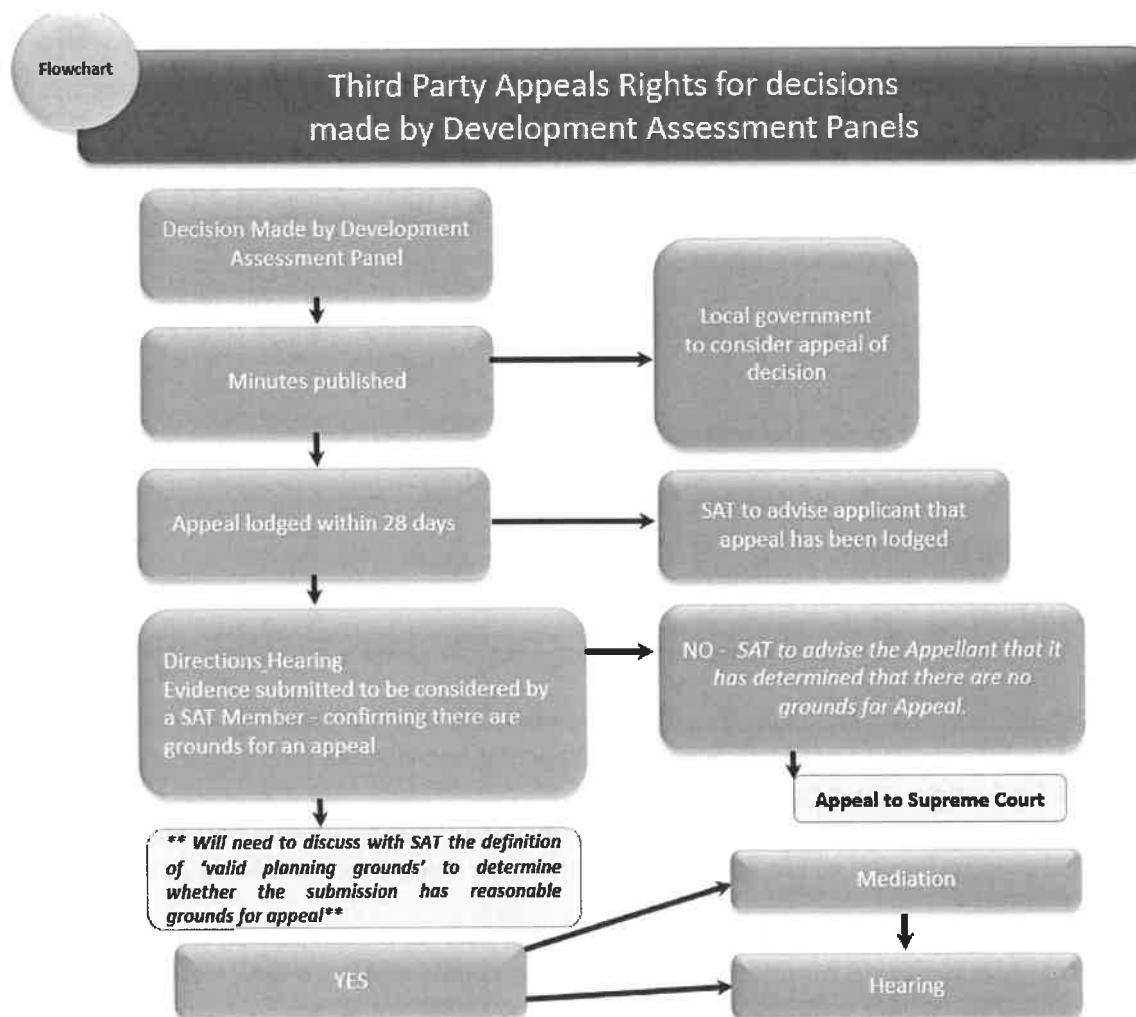
- As per the existing timeframe, an appeal on a decision made by a Development Assessment Panel should be lodged within 28 days of the decision being made public, ie publishing of the DAP minutes.
- Local Governments would need to determine within their own organisation what process to follow in order to decide whether or not to lodge an appeal against a DAP decision. In many cases this may require a Special Council meeting to determine this.

Costs

- Any Local Government would need to cover their costs of initiating the appeal, attending SAT directions, mediation and hearings, and costs could also include obtaining expert advice.



Appeals Process



ITEM 8.1.5 – GROH HOUSING LEASE RENEWALS

LOCATION/ADDRESS:	Lot 6 Hillman St & Lot 11 King St, Darkan
NAME OF APPLICANT:	Department of Communities
FILE REFERENCE:	5.2.13 GROH Housing
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	26 November 2019

SUMMARY:

Council to consider accepting the Department of Communities offers to renew GROH (Government Regional Officers' Housing) leases for 6 Hillman and 11 King Street for one year, with the option for one year, for the weekly rent of \$550 per property.

BACKGROUND:

The Shire of West Arthur constructed two GROH properties in Darkan for teaching staff and entered into ten year leases, with an option to renew for five years, with the Housing Authority (now Department of Communities) for both properties in March 2010. The current rent for both properties is \$623.64 each per week. The current leases expire on 28 February 2020.

The Department of Communities has contacted the Shire to offer one-year leases for both properties, with an option for one year, for the rent of \$550 each per week. Council resolution on whether to accept these offers is required as Shire staff are unable to set fees and charges.

COMMENT:

The Department's offer is considered fair and reasonable in the current rental market environment and it is unlikely that the Shire would achieve an equivalent rent in the private market. Entering into these leases meets the Shire objective of offering quality accommodation to attract teaching staff to the district.

CONSULTATION:

The Leasing Officer with the Department of Communities advised the Department tended not to take up the option to extend leases, but preferred to renew leases at fair rent once the cost recovery period had finished. The Department had recently received an independent rental valuation for the properties which came in at between \$330-\$370 per week and consider the offer of \$550 per week to be quite generous.

STATUTORY ENVIRONMENT:

LG Act 1995 Reg.16(1). A local government may impose [by absolute majority] and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

POLICY IMPLICATIONS:

Not applicable.

FINANCIAL IMPLICATIONS:

The Shire took out a 15 year loan for both properties in 2010, with the combined indicative repayment of principal and interest being \$883,275. In the 2018/19 financial year, the total outgoings for the two properties was \$63,464 (excluding septic replacement and staff allocations) - which comprised principal repayments of \$38,685, loan expenses of \$22,017 and other lessor expenses of \$2,762. The proposed weekly rent of \$550 (\$57,200 per annum) does not cover the total outgoings, however it covers the interest and other lessor expenses of \$24,779 per annum, and the Shire has the financial benefit of increased equity in the properties through the principal repayments.

STRATEGIC IMPLICATIONS:

Corporate Business Plan 2019-2023 - GROH Housing. Ensure teaching staff have access to quality accommodation through the provision of housing leased to Government Regional Officers Housing.

VOTING REQUIREMENTS:

Simple majority.

OFFICER RECOMMENDATION – ITEM 8.1.5

That Council accepts the Department of Communities offers to renew leases for 6 Hillman Street and 11 King Street for one year with the option for one year, at the weekly rent of \$550 per property.

ATTACHMENTS

Nil

ITEM 8.1.6 – RURAL SHEDS

LOCATION/ADDRESS:	Whole of Municipality
NAME OF APPLICANT:	Council
FILE REFERENCE:	
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	9 December 2019

SUMMARY:

To consider adoption of Local Planning Policy No 2 Rural Sheds.

BACKGROUND:

Council, at its Meeting of the 22 October 2019, adopted Draft Local Planning Policy No 2 Rural Sheds for advertising.

The Policy seeks to clarify the need for a development application while ensuring that there is no adverse impact on the rural character of the area. A copy of the draft policy is included as Attachment 1.

The Policy exempts the need for development (planning) approval for rural sheds under Local Planning Scheme No 1 where:

- a) It is located on land within the Rural zone; but it is not within the Wellington Reservoir Catchment Special Control Area.
- b) It is setback from the front boundary a minimum distance of:
 - 500m from Albany or Coalfields Highway;
 - 300m from the Williams Road, Bowelling - Duranillin Road, Boyup Brook - Arthur Road and Darkan - Kojonup Road (which has several local names).
 - 20m from other roads.

This does not apply when second material is used, or to relocated buildings including dongas and sea containers.

CONSULTATION:

The draft Policy has been advertised in the Bleat and on the Shire website for three weeks and no submissions have been received.

STATUTORY ENVIRONMENT:

The relevant statutory provisions relating to Local Planning Policies are now contained in Schedule 2 Division 2 of the Planning and Development (Local Planning Scheme) Regulations 2015. The draft Policy is required to be advertised for public comment for 21 days.

Following the advertising of the draft Policy Council is required to:

- (a) review the proposed policy in the light of any submissions made; and
- (b) resolve to -
 - (i) proceed with the policy without modification; or
 - (ii) proceed with the policy with modification; or
 - (iii) not to proceed with the policy.

If the Council resolves to proceed with the policy, it must publish notice of the policy in a newspaper circulating in the Scheme area. The policy then has effect from the date of publication of the notice.

POLICY IMPLICATIONS:

The development of Local Planning Policies is a recognised planning tool to assist in the administration of the Town Planning Scheme.

FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple majority

OFFICER RECOMMENDATION – (ITEM 8.1.6)

- A. That pursuant to Schedule 2 Clause 4(3) of the Planning and Development (Local Planning Scheme) Regulations 2015 Council adopt Local Planning Policy No 2 (as contained in Attachment 1).
- B. That Notice of the adoption be published in the local newspaper pursuant to Clause 4(4).

ATTACHMENTS:

- Local Planning Policy NO 2 – Rural Sheds

ATTACHMENT 1

LOCAL PLANNING POLICY NO 2 – RURAL SHEDS**Policy Area**

This Policy applies to land within the Rural zone in Local Planning Scheme No 2; except for that land within the Wellington Reservoir Catchment Special Control Area.

Background

Local Planning Policy No 1 provides exemptions for the need to obtain development approval for a range of uses. This currently only relates to outbuildings which are ancillary to dwellings.

It has become apparent that larger rural outbuildings are being required for farms for both the storage of hay and machinery. The primary objective of the Rural zone is to ensure the continuation of broad-hectare agriculture as the principal land use in the district, encouraging where appropriate the retention and expansion of agricultural activities. In accordance with that objective, Council considers it appropriate to reduce the need for development approvals for farm sheds where possible.

Objective

- ❖ To clarify the need for a development application; and
- ❖ To ensure that there is no adverse impact on the rural character of the area.

Definition

A farm shed/outbuilding means a building used in conjunction with local farming operations but it does not include a building or use which is defined separately within the planning scheme.

Policy Statement

- 1) There is no maximum size limit (floor area or height).
- 2) The development of a farm shed/outbuilding does not require a planning approval provided that:
 - a) It is located on land within the Rural zone; but it is not within the Wellington Reservoir Catchment Special Control Area.
 - b) It is setback from the front boundary a minimum distance of:
 - 500m from Albany or Coalfields Highway;
 - 300m from the Williams Road, Bowelling - Duranillin Road, Boyup Brook - Arthur Road and Darkan - Kojonup Road (which has several local names).
 - 20m from other roads.
- 3) A farm shed/outbuilding will be exempt from Clause 5.7 of the Scheme relating to requiring a development application for a lot abutting an unconstructed road or a lot which does not have frontage to a constructed road.
- 4) Clause 2 does not apply when second material is used, relocated buildings including dongas and sea containers.
- 5) Where a farm shed/outbuilding is to be located less than the distances prescribed in 2(a) and (b) above Council will consider the potential impact of:
 - The hazards from fires, and
 - The development on the landscape character of the area including views from the roadside. This can be reduced by locating the building behind trees, or where the topography blocks any view.
- 6) Where a farm shed/outbuilding is not being used intensively by multiple persons, Council will exempt it from requiring a "planning" BAL Assessment.

ITEM 8.1.7 – APPLICATION FOR CARPORT AT 21 ARTHUR STREET

LOCATION/ADDRESS:	Lot 239 (No 21) Arthur Street Darkan
NAME OF APPLICANT:	C & K Mills
FILE REFERENCE:	Property File
DISCLOSURE OF INTEREST:	N/A
DATE OF REPORT:	12 December 2019

SUMMARY:

To consider an application for a carport within the front setback on a residential property.

BACKGROUND:

The subject land is Lot 239 DP210290 Arthur Street Darkan. It has an area of 1,012sqm with a frontage of 20m. It adjoins Reserve 19034 on its eastern boundary which the applicant uses for access to the rear of the property.

Council at its Meeting of the 22nd October approved the following development on the property:

- A 98sqm (14 x 7m) shed at the rear of the property (height 3.6m to the ridge);
- A second hand donga (12 X 2.8m) with a front setback of 12m and side setback of 1m to R19034. It will be located adjacent to the existing dwelling; and
- A sea container (2.4 X 6m)

The existing dwelling has a setback of 7.62m from the front boundary.

The proposed carport will be 8m X 9m. It will be free standing and located adjacent to the existing dwelling as shown in Attachment 1. It will be positioned in front of part of the dwelling with a 2.22m setback from the front boundary.

CONSULTATION:

The previous application was advertised to the surrounding land owners and one submission has been received.

STATUTORY ENVIRONMENT:Local Planning Strategy

The Local Planning Strategy contains a strategic plan for Darkan which addresses residential development. Section 6.2.3 also relates to the actions for Dwellings and details the assessment requirements which include:

- Considering if the dwelling to be located in a visually sensitive location that would require restrictions on the location of the dwelling, or the use of prescribed construction materials?

There is no specific reference to Arthur Street being a visually sensitive location.

Local Planning Scheme No 2

The subject land is zoned Residential R12.5 under Local Planning Scheme No 2. The objectives for the Residential zone are:

- to provide for the predominant form of residential development to be single houses.
- to provide for diversity of lifestyle choice with a range of dwelling types.
- to achieve a high standard of residential development.
- to allow for the establishment of non-residential uses which are compatible with the predominant residential use and which will not adversely affect local amenities.

The development setbacks for buildings are as follows:

- Primary street 7.5m;
- Secondary street 2.0m; and
- Rear 6.0m.

Clause 5.2.2 states that unless otherwise provided in the Scheme, the development of land for any of the residential purposes is to conform to the provisions of the R-Codes.

Clause 5.5 allows Council to vary the site and development provisions of the Scheme, except development that is subject to the R-Codes.

Residential Design Codes (R Codes)

Clause 5.2.1 of the R-Codes relates to the setback of garages and carports. This provides that carports set back from the primary street:

- a) In accordance with Table 1;
- b) Corresponding to the average of the setback of existing dwellings on each adjacent property fronting the same street;
- c) Reduced by up to 50 per cent provided that the area of any building, including a carport or garage, intruding into the setback area is compensated for by at least an equal area of open space between the setback line and line drawn parallel to it at twice the setback distance.

In making a determination on the suitability of a proposal, Clause 2.5.2 of the R-Codes requires that the decision-maker when exercising its judgement, shall have regard to the following:

- a) any relevant purpose, objectives and provisions of the scheme;
- b) any relevant objectives and provisions of the R-Codes;
- c) a provision of a local planning policy adopted by the decision-maker consistent with and pursuant to the R-Codes; and
- d) orderly and proper planning.

Bushfire Prone Land

The subject land is not designated as being bushfire prone.

COMMENT:

For the purposes of the R-Codes, a carport means an unenclosed roofed structure designed to accommodate a motor vehicle. Carports are entirely open at the front, sides and rear, except where one side is physically attached to a dwelling or built-up to a side boundary.

It is accepted that, where no feasible alternative exists, the street setback area may be used for carports and unroofed parking spaces. Carports are acceptable, because they allow a clear view between a public street and a private dwelling while an enclosed garage is not acceptable.

The R Codes contain specific provisions for carports and encroachments into the front boundary setback and including the following diagram contained in Attachment 2. The Deemed-to-comply provisions allow the setback of a carport to be reduced by up to 50% of the minimum primary street setback provided that the area forward of the minimum setback line is compensated for by an equal or greater area of open space behind the setback line.

The minimum setback line for the subject land is 7.5m and 50% of this is 3.75m. The application does not comply with this as it has a setback of 2.22m.

All provisions in the R-Codes (with the exception of the site area requirements set out in table 1) are open to the exercise of judgement based on the design principles and the relevant objectives for that element.

The overall objective for streetscape which applies to setback reductions is for the development to contribute towards the character of streetscapes and provides security for occupants and passers-by, a landscape to ensure adequate shade, privacy and open space for occupants, and an attractive setting for the collection of buildings.

The primary design objective is to maintain clear sight lines along the street and not to detract from the streetscape or appearance of dwellings.

The houses on the southern side of Arthur Street have generally been setback more than is required with some having a 17m front setback. It is noted that there are relatively few carports within the townscape that are constructed in front of the building setback line and these are:

- 61 Hillman Street – is a free standing carport, very close to the boundary;
- 39 Hillman Street – Patio is 4.5 from the boundary; and
- 22 Hillman Street (Shire owned works managers house) – 3.5 m from boundary carport attached to house

Arthur Street is a 20m wide road reserve with a 6m wide verge adjacent to the subject land. There should not be any issue with sight distances. The carport will also help screen the view of the storage donga from the street.

Two additional issues relating to the conditions of Council's approval of the storage donga are:

- It has not been painted; and
- It is unclear how it will be removed from the site in two years' time, especially with the construction of the carport.

There are potential grounds for refusing the application having regard to:

- a) The objective of the Residential zone to provide to achieve a high standard of residential development;
- b) The objectives and provisions of the R-Codes; and
- c) The potential effect on the orderly and proper planning of the area which promotes single houses with associated setbacks on large townsite lots as the predominant form of development.

POLICY IMPLICATIONS:

Any decision may create a precedent for future development within the townsite, especially in the absence of any

FINANCIAL IMPLICATIONS:

None

STRATEGIC IMPLICATIONS:

None

VOTING REQUIREMENTS:

Simple majority

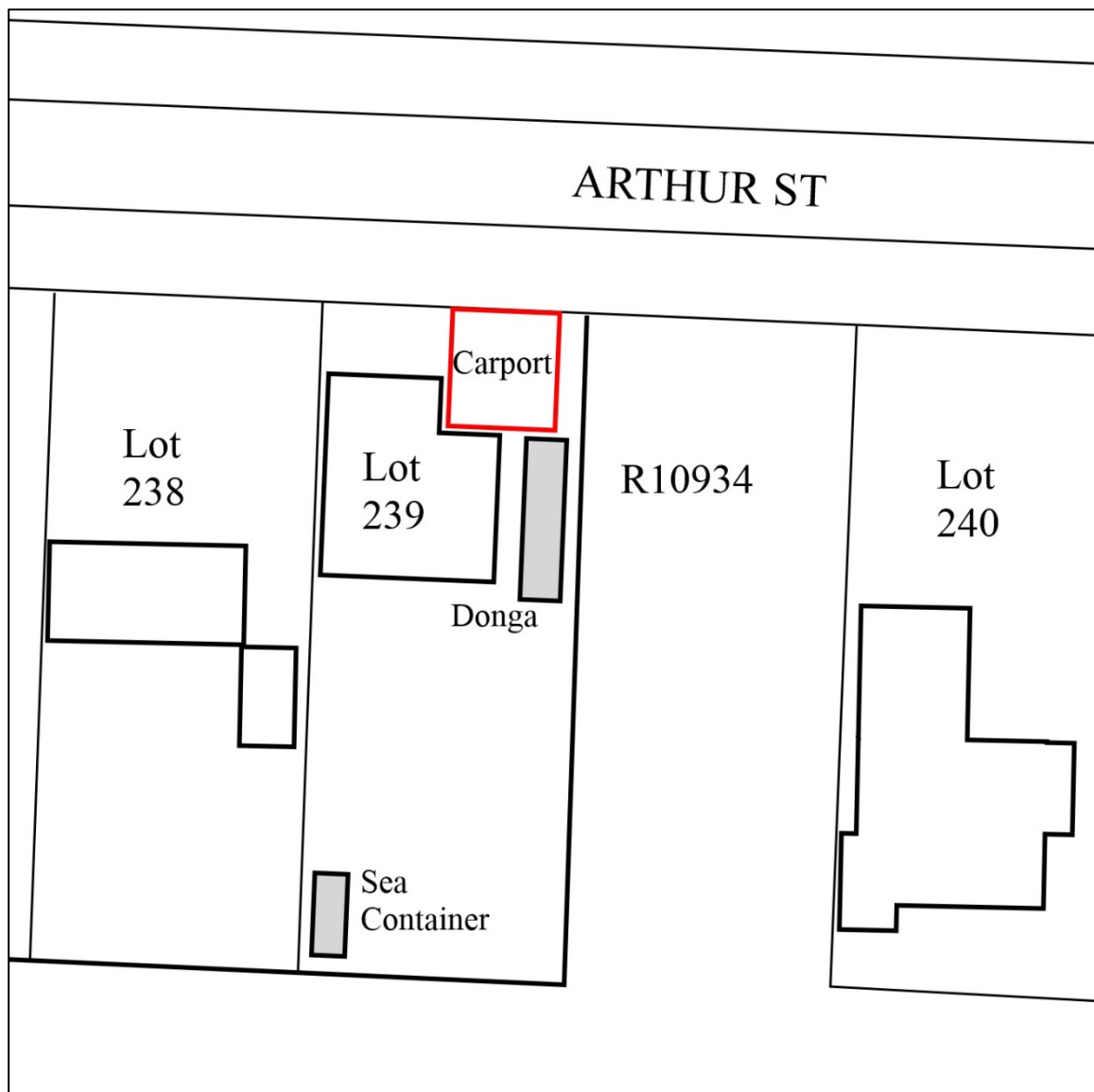
OFFICER RECOMMENDATION – (ITEM 8.1.7)
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- A That Council defer consideration of the application for a carport Lot 239 DP210290 Arthur Street Darkan to:
- 1) Allow completion of the painting of the donga; and
 - 2) For the applicant to confirm that the construction of the carport will not hinder the removal of the donga.
- B That Council delegate to the CEO approval of the carport subject to compliance with (A) above.

ATTACHMENTS:

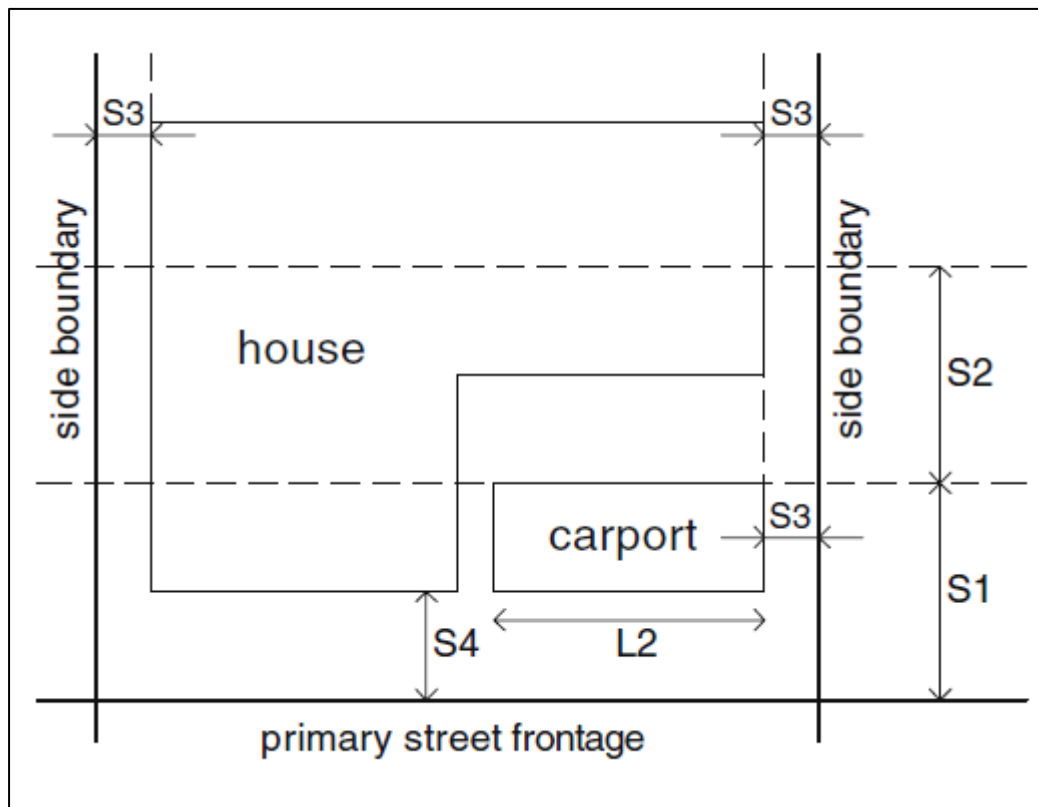
- Site Plan
- R Codes Figure

ATTACHMENT 1



ATTACHMENT 2

R-Codes - Carport setbacks (clause 5.2.1 C1.5)

**Notes****S1** Primary street setback distance (Table 1)**S2** Distance behind the primary street setback, equal to S1**S3** Side boundary setback (Table 2a and 2b)**S4** Maximum reduced setback (half S1)**L2** Maximum 50 per cent of frontage

8.2 COMMITTEE REPORTS

Nil

8.3 ELECTED MEMBER REPORTS

9. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

11. CONFIDENTIAL ITEMS

Nil

12. CLOSURE OF MEETING