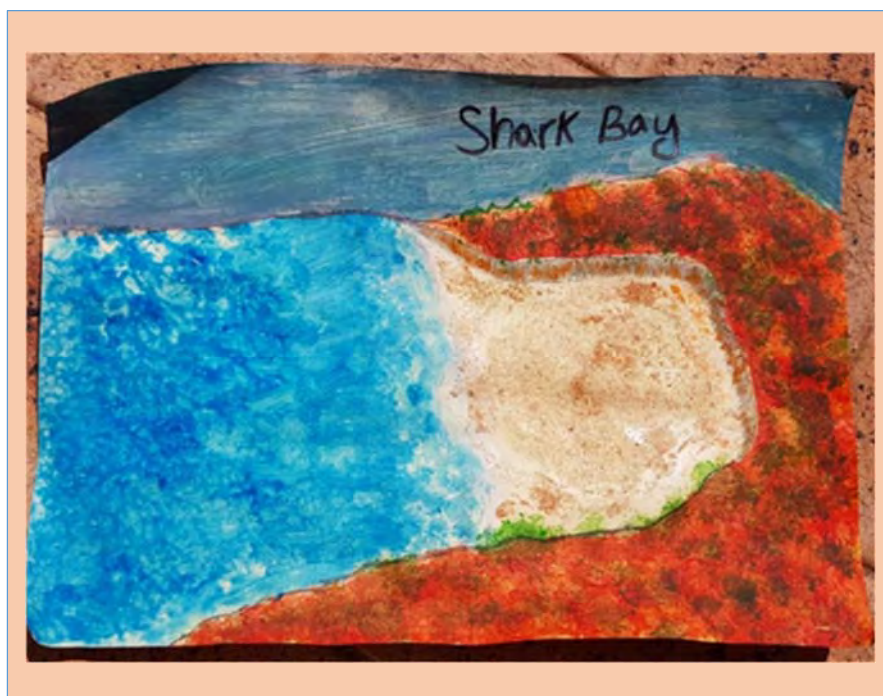


# SHIRE OF SHARK BAY MINUTES

27 MAY 2020

## ORDINARY COUNCIL MEETING



Western Australian Local Government Association – #Showcase in  
Pixels – Shark Bay School Year 4-6 class winner – Katie Halse



27 MAY 2020



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# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

The minutes of the Ordinary meeting of the Shark Bay Shire Council held in the Council Chamber at the Shark Bay Recreation Centre, Francis Street, Denham on 27 May 2020 commencing at 3.02 pm.

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# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

## **1.0 DECLARATION OF OPENING**

The President declared the meeting open at 3.02 pm.

## **2.0 RECORD OF ATTENDANCES / APOLOGIES / LEAVE OF ABSENCE GRANTED**

### **ATTENDANCES**

Cr C Cowell	President
Cr E Fenny	Deputy President
Cr L Bellottie	
Cr J Burton	
Cr G Ridgley	
Cr P Stubberfield	

Mr P Anderson	Chief Executive Officer
Ms A Pears	Executive Manager Finance and Administration
Mr B Galvin	Works Manager
Mrs D Wilkes	Executive Manager Community Development
Mrs R Mettam	Executive Assistant

### **APOLOGIES**

Cr M Smith	Leave approval Item 5.1 OCM 27 May 2020
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### **VISITORS**

Mr Vince Catania – Member for North West Central phone link from 3.06pm to 3.27pm  
1 visitor from 3.42pm to 4.24pm

## **3.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS ON NOTICE**

There were no previous public questions on notice.

## **4.0 PUBLIC QUESTION TIME**

The President opened public question time at 3.02 pm and closed public question time at 3.03 pm as no public in the gallery.

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**5.0 APPLICATIONS FOR LEAVE OF ABSENCE**

**5.1 APPLICATION FOR LEAVE OF ABSENCE – COUNCILLOR SMITH  
GV00020**

Author

Executive Assistant

Disclosure of Any Interest

Nil

Moved Cr Burton

Seconded Cr Fenny

**Council Resolution**

**Councillor Smith is granted leave of absence in accordance with Section 2.25 of the *Local Government Act 1995* for the Ordinary meeting of Council scheduled to be held on Wednesday 27 May 2020.**

**6/0 CARRIED**

Background

Councillor Smith has applied for leave of absence from the ordinary meeting of Council scheduled for Wednesday 27 May 2020. The Council in accordance with Section 2.25 of the ***Local Government Act 1995*** as amended may by resolution grant leave of absence to a member.

Comment

Councillor Smith has advised the Chief Executive Officer, he will be unable to attend the Ordinary meeting of Council scheduled to be held on Wednesday 27 May 2020 and has requested leave of absence be granted by Council for this meeting.

I advised it would be prudent to seek Council's approval for the leave to ensure that obligations have been met in accordance with the Local Government Act.

The Council may consider not granting Councillor Smith leave of absence but must include the reasons for the refusal for not granting the leave in the resolution.

Legal Implications

***Local Government Act 1995*** Section 2.25 Disqualification for Failure to Attend Meetings

- (1) A council may, by resolution grant leave of absence to a member.
- (2) Leave is not to be granted to a member in respect of more than 6 consecutive ordinary meetings of the council without the approval of the minister.
- (3) The granting of leave, or refusal to grant leave and reasons for that refusal, is to be recorded in the minutes for the meeting.
- (4) A member who is absent, without first obtaining leave of the council, throughout 3 consecutive ordinary meetings of the council is disqualified from continuing his or her membership of the council.
- (5) The non-attendance of a member at the time and place appointed for an ordinary meeting of the council does not constitute absence from an ordinary meeting of the council –

## MINUTES OF THE ORDINARY COUNCIL MEETING

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27 MAY 2020

- a) If no meeting of the council at which a quorum is present is actually held on that day; or
- b) If the non attendance occurs while –
  - i. the member has ceased to act as a member after written notice has been given to the member under section 2.27(3) and before written notice has been given to the member under section 2.27(5)
  - ii. while proceedings in connection with the disqualification of the member have been commenced or are pending; or
  - iii. while the election of the member is disputed and proceedings relating to the disputed election have been commenced and are pending

### Policy Implications

There are no policy implications relative to this report.

### Financial Implications

There are no financial implications relative to this report.

### Strategic Implications

There are no strategic implications relative to this report.

### Voting Requirements

Simple Majority Required

### Signatures

Chief Executive Officer      *P Anderson*

Date of Report                      26 May 2020

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

## 6.0 PETITIONS

There were no petitions presented to the May 2020 Ordinary Council meeting.

## 7.0 CONFIRMATION OF MINUTES

### 7.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 29 APRIL 2020

Moved            Cr Stubberfield  
Seconded       Cr Ridgley

#### Council Resolution

**That the minutes of the Ordinary Council meeting held on 29 April 2020, as circulated to all Councillors, be confirmed as a true and accurate record.**

**6/0 CARRIED**

## 8.0 ANNOUNCEMENTS BY THE CHAIR

The President advised that Mr Vince Catania will talk to the Council via phone connection. Mr Catania joined the meeting at 3.06pm and spoke about COVID-19 outcomes and moving forward. Mr Catania left the meeting at 3.27pm.

## 9.0 PRESIDENT'S REPORT

GV00002

#### Council Committee Membership

Member	Audit Committee
Member	Development Assessment Panel
Member (Chair)	Local Emergency Management Advisory Committee
Member (Chair)	Western Australian Local Government Association – Gascoyne Zone
Deputy Delegate	The Aviation Community Consultation Group
Ministerial Appointment	Gascoyne Development Commission

#### Meeting Attendance

16 April 2020	Western Australian Local Government Association Gascoyne Zone media video.
16	Western Australian Local Government Association State Council briefing session
17	Webinar – State Minister for Local Government
24	Western Australian Local Government Association webinar – State Government Ministers
28	Gascoyne Development Commission Board meeting – video conference
29	Western Australian Local Government Association Governance and Policy Team video meeting
1 May	Gascoyne Zone video conference
1	Western Australia Local Government Association Webinar – State Government Ministers
6	Western Australian Local Government Association State Council Strategic Forum
6	Western Australian Local Government Association State Council Meeting – via video conferencing

## MINUTES OF THE ORDINARY COUNCIL MEETING

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- 8 Western Australian Local Government Association Gascoyne Zone Media Video
- 8 Western Australian Local Government Association State Council meeting – Communication Campaign
- 8 Western Australian Local Government Association Webinar – State Government Ministers
- 12 Gascoyne Development Commission Board Meeting – video conference
- 14 ABC Radio Interview – State Tourism Grants
- 15 Western Australian Local Government Association Webinar – State Government Ministers
- 24 ABC radio interview
- 26 Gascoyne Development Commission Board meeting
- 27 May Council Meeting

### Signatures

Councillor

*Councillor Cowell*

Date of Report

14 May 2020

Moved Cr Ridgely  
Seconded Cr Bellottie

### Council Resolution

**That the President's activity report for May 2020 be received.**

**6/0 CARRIED**

## **10.0 COUNCILLORS' REPORTS**

- 10.1 CR RIDGLEY  
GV00008  
Nil report for the May 2020 Ordinary Council meeting.
- 10.2 CR FENNY  
GV00017  
Nil report for the May 2020 Ordinary Council meeting.
- 10.3 CR SMITH  
GV000  
Nil report for the May 2020 Ordinary Council meeting.
- 10.4 CR STUBBERFIELD  
GV000  
Nil report for the May 2020 Ordinary Council meeting.
- 10.5 CR BURTON  
GV00018  
Nil report for the May 2020 Ordinary Council meeting.
- 10.6 CR BELLOTTIE  
GV00010  
Nil report for the May 2020 Ordinary Council meeting.



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**11.0 ADMINISTRATION REPORT**

**11.1 AMENDED PURCHASING POLICY**  
**CM00037**

AUTHOR

Chief Executive Officer

DISCLOSURE OF ANY INTEREST

Nil

Moved            Cr Fenny  
Seconded       Cr Bellottie

**Council Resolution**

**That Council endorse and adopt the amendments to Council Purchasing Policy number 2.7.**

**6/0 CARRIED BY ABSOLUTE MAJORITY**

BACKGROUND

The Local Government (functions and general) Regulations were amended on the 10 April 2020 specifically section 11A and 24AC.

The regulations have now been amended to increase the consideration that the council is required to call public tenders from \$150,000 to \$250,000 for the supply of goods or services.

In accordance with section 11A of the regulation a Local Government is required to have a purchasing policy where the consideration for goods and service is below the tender threshold (\$250,000).

The previous thresholds and proposed new limits in the Council Policy are as follows.

**Old \$0 - \$4,999**

**New \$0- \$5,000**

No quotes required but responsible officer to ensure that goods or services represent reasonable value for money.

**Old \$5,000 - \$19,999**

**New \$5,001- \$20,000**

One verbal quote to be sought.

**Old \$20,000 - \$49,999**

**New \$20,001 - \$50,000**

Two verbal quotations be sought with copies of emails or file notes to be attached the requisition or reference made to the relevant record number.

OR

27 MAY 2020

Obtain quotations directly from a pre-qualified panel of suppliers which include Western Australian Local Government Association Preferred Supply Contracts. It is recommended that wherever possible, the responsible officer source multiple competitive quotations (at least two Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing.

**Old \$50,000 - \$99,999**

**New \$50,001- \$100,000**

Two written quotations be sought with copies of emails or file notes to be attached to the requisition or reference made to the relevant record number.

OR

Obtain quotations directly from a pre-qualified panel of suppliers which include Western Australian Local Government Association Preferred Supply Contracts. It is recommended that wherever possible, the responsible officer source multiple competitive quotations (at least two Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing.

**Old \$100,000 - \$149,999**

**New \$100,001- \$150,000**

Written specification required and three written quotes sought (with procurement decision based on all value for money considerations). Prior to any documentation being issued a Request for Quote number must be obtained and utilised on all correspondence. Request for Quote file to be developed and stored electronically.

OR

Obtain quotations directly from a pre-qualified panel of suppliers which include Western Australian Local Government Association Preferred Supply Contracts. It is recommended that wherever possible, the responsible officer source multiple competitive quotations (at least three Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing.

**Old \$150,000+**

**New \$150,001- \$250,000**

**Old policy wording**

Public tender process to be undertaken unless excluded under Exemptions listed below. Prior to any documentation being issued a Request for Tender number must be obtained from Governance and details as applicable provided to maintain Council's Tender Register.

OR

Obtain quotations directly from a Tender exempt and pre-qualified panel of suppliers which include Western Australian Local Government Association Preferred Supply Contracts. It is recommended that wherever possible, the responsible officer source

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multiple competitive quotations (at least three Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing.

Where it is considered beneficial, tenders may be called in lieu of seeking quotations for purchases with a value of purchase under the \$150,000 threshold. If a decision is made to seek public tenders for contracts of less than \$150,000, a Request for Tender process must be followed.

### **New policy wording**

Seek at least three (3) written responses from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1).

The purchasing decision is to be based upon assessment of the supplier's response to:

- a detailed written specification for the goods, services or works required; and
- pre-determined selection criteria that assesses all best and sustainable value considerations.

The procurement decision is to be evidenced using the Evaluation Report template retained in accordance with the Shire of Shark Bay's Record Keeping Plan.

New purchasing level  
Over \$250,000

### **New policy wording**

**Tender Exempt** arrangements (i.e. WALGA PSA, CUA or other tender exemption under *F&G Reg. 11(2)*) require at least three (3) written responses from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1).

OR

**Public Tender** undertaken in accordance with the *Local Government Act 1995* and relevant Shire of Shark Bay Policy and procedures.

The Tender Exempt or Public Tender purchasing decision is to be based on the supplier's response to:

- A detailed specification; and
- Pre-determined selection criteria that assesses all best and sustainable value considerations.

The purchasing decision is to be evidenced using the Evaluation Report template retained in accordance with the Shire of Shark Bay's Record Keeping Plan.

### COMMENT

The council adopted a purchasing policy in August 2014 and reviewed the policy in 2015 and 2016.

The main variations to the policy are increases to the purchasing levels up to the \$250,000 threshold before the tender process is required.

This limit reflects the State Government limits and was previously requested by Local Government when previous reviews of the Local Government Act were undertaken.

## MINUTES OF THE ORDINARY COUNCIL MEETING

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A public tender process for projects with an estimated amount under \$250,000 can still be undertake if council and the administration consider this the best way to achieve an advantageous outcome for the council.

### LEGAL IMPLICATIONS

*Local Government Act 1995*, Local Government Legislation Amendment Act 2019  
Local Government (Functions and General) Regulations 1996.

### POLICY IMPLICATIONS

Revision of policy in line with amendments to the legislation.

### FINANCIAL IMPLICATIONS

The revised policy allows administration the opportunity higher levels are no financial implications relative to this report

### STRATEGIC IMPLICATIONS

The proposed new Policy address the Shire of Shark Bays Strategic Community Plan 2020-2024:

Leadership: A Transparent, resilient organisation demonstrating leadership and governance

Strategy 7.1.2 Provide appropriate services to the community in a professional and efficient manner.

### RISK MANAGEMENT

The revised policy maintains the parameters that the administration are authorised to spend Councils funds and the guidelines that must be adhered to. The adherence to policy by the administration and the review by the auditors reduces the risk of fraudulent or impropriety.

### VOTING REQUIREMENTS

Absolute Majority Required

### SIGNATURES

Chief Executive Officer

*P Anderson*

Date of Report

5 May 2020

## 2.7 Purchasing

The Shire of Shark Bay is committed to applying the objectives, principles and practices outlined in this Policy, to all purchasing activity and to ensuring alignment with the Shire of Shark Bay's strategic and operational objectives.

### 1.1 OBJECTIVES

The Shire of Shark Bay's purchasing activities will:

- (a) Achieve best value for money that considers sustainable benefits, such as; environmental, social and local economic factors;
- (b) Foster economic development by maximising participation of local businesses in the delivery of goods and services;
- (c) Use consistent, efficient and accountable purchasing processes and decision-making, including; competitive quotation processes, assessment of best value for money and sustainable procurement outcomes for all purchasing activity, including tender exempt arrangements;
- (d) Apply fair and equitable competitive purchasing processes that engage potential suppliers impartially, honestly and consistently;
- (e) Commit to probity and integrity, including the avoidance of bias and of perceived and actual conflicts of interest;
- (f) Comply with the *Local Government Act 1995*, *Local Government (Functions and General) Regulations 1996*, other relevant legislation, Codes of Practice, Standards and the Shire of Shark Bay's Policies and procedures;
- (g) Ensure purchasing outcomes contribute to efficiencies (time and resources) for the Shire of Shark Bay of Shark Bay.
- (h) Identify and manage risks arising from purchasing processes and purchasing outcomes in accordance with the Shire of Shark Bay's Risk Management framework;
- (i) Ensure records evidence purchasing activities in accordance with the *State Records Act 2000* and the Shire of Shark Bay's Record Keeping Plan;
- (j) Ensure confidentiality that protects commercial-in-confidence information and only releases information where appropriately approved.

### 1.2 ETHICS & INTEGRITY

The Shire of Shark Bay's Code of Conduct applies when undertaking purchasing activities and decision making, requiring Council Members and employees to observe the highest standards of ethics and integrity and act in an honest and professional manner at all times.

### 1.3 VALUE FOR MONEY

The Shire of Shark Bay will apply value for money principles in critically assessing purchasing decisions and acknowledges that the lowest price may not always be the most advantageous.

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### **1.3.1 Assessing Value for Money**

Value for money assessment will consider:

- (a) All relevant Total Costs of Ownership (TCO) and benefits including; transaction costs associated with acquisition, delivery, distribution, and other costs such as, but not limited to; holding costs, consumables, deployment, training, maintenance and disposal;
- (b) The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality. This includes but is not limited to an assessment of compliances, the supplier's resource availability, capacity and capability, value-adds offered, warranties, guarantees, repair and replacement policies and response times, ease of inspection and maintenance, ease of after sales service, ease of communications, etc.
- (c) The supplier's financial viability and capacity to supply without the risk of default, including the competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history;
- (d) A strong element of competition by obtaining a sufficient number of competitive quotations consistent with this Policy, where practicable;
- (e) The safety requirements and standards associated with both the product design and the specification offered by suppliers and the evaluation of risk arising from the supply, operation and maintenance;
- (f) The environmental, economic and social benefits arising from the goods, services or works required, including consideration of these benefits in regard to the supplier's operations, in accordance with this Policy and any other relevant Shire of Shark Bay Policy including Local Economic Benefit; and
- (g) Analysis and management of risks and opportunities that may be associated with the purchasing activity, potential supplier/s and the goods or services required.

## **1.4 PURCHASING THRESHOLDS AND PRACTICES**

### **1.4.1. Defining the Purchasing Value**

The Shire of Shark Bay will apply reasonable and consistent methodologies to assess and determine Purchasing Values, which ensure:

- (a) The appropriate purchasing threshold and practice is applied in all purchasing activities; and
- (b) Wherever possible, purchasing activity for the same category of supply is aggregated into single contract arrangements to achieve best value and efficiency in future purchasing activities where the requirements are able to be provided by a single supplier.

A **category of supply** can be defined as groupings of similar goods or services with common: supply and demand drivers; market characteristics; or suppliers.

## **1. Strategic Purchasing Value Assessments**

The Shire of Shark Bay will periodically review recent past purchasing activity across its operations to identify categories of supply for which the Shire of Shark Bay will have continuing

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need and which can be aggregated into single contract arrangements in order to achieve best value for money and efficiency in future purchasing activity.

The assessment of aggregated expenditure for the same category of supply capable of being supplied by a single supplier will determine the Purchasing Value threshold applicable to future purchasing activity.

## 2. Individual Purchasing Value Assessments

In any case, where there is no relevant current contract, each purchasing activity is to assess the Purchasing Value based upon the following considerations:

- (a) Exclusive of Goods and Services Tax (GST); and
- (b) The estimated total expenditure for the proposed supply including the value of all contract extension options and where applicable, the total cost of ownership considerations.
- (c) The appropriate length of a contract is to be determined based on market volatility, ongoing nature of supply, historical purchasing evidence and estimated future purchasing requirements.
- (d) Requirements must not be split to avoid purchasing or tendering thresholds [F&G Reg. 12].

The calculated estimated Purchasing Value will determine the applicable threshold and purchasing practice to be undertaken.

### 1.4.2. Table of Purchasing Thresholds and Practices

#### (1) Supplier Order of Priority

The Shire of Shark Bay will consider and apply, where applicable, the following Supplier Order of Priority:

<b>Priority 1:</b>	<p><b>Existing Prequalified Supplier Panel or other Contract</b></p> <p>Current contracts, including a Panel of Prequalified Suppliers or contracted supplier, must be used where the Shire of Shark Bay's supply requirements can be met through the existing contract.</p> <p>If the Shire of Shark Bay does not have a current contract relevant to the required supply, then a relevant WALGA PSA is to be used.</p>
<b>Priority 2:</b>	<p><b>Local Suppliers</b></p> <p>Where the Purchasing Value does not exceed the tender threshold and a relevant local supplier is capable of providing the required supply, the Shire of Shark Bay will ensure that wherever possible quotations are obtained from local suppliers permanently located within the District as a first priority, and those permanently located within surrounding Districts as the second priority.</p> <p>If no relevant local supplier is available, then a relevant WALGA PSA may be used.</p>
<b>Priority 3:</b>	<p><b>Tender Exempt - WALGA Preferred Supplier Arrangement (PSA)</b></p> <p>Use a relevant WALGA PSA regardless of whether or not the Purchasing Value will exceed the tender threshold.</p>

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	<p>However, if a relevant PSA exists but an alternative supplier is considered to provide best value, then the CEO, or an officer authorised by the CEO, must approve the alternative supplier. Reasons for not using a PSA may include:</p> <ul style="list-style-type: none"> <li>i. Local supplier availability (that are not within the PSA); or,</li> <li>ii. Social procurement – preference to use Aboriginal business or Disability Enterprise.</li> </ul> <p>If no relevant WALGA PSA is available, then a relevant State Government CUA may be used.</p>
<b>Priority 4:</b>	<p><b>Tender Exempt - WA State Government Common Use Arrangement (CUA)</b></p> <p>Use a relevant CUA regardless of whether or not the Purchasing Value will exceed the tender threshold.</p> <p>However, if a relevant CUA exists, but an alternative supplier is considered to provide best value for money, then the proposed alternative supplier must be approved by the CEO, or an officer authorised by the CEO.</p> <p>If no relevant CUA is available, then a Tender Exempt <i>[F&amp;G Reg.11(2)]</i> arrangement may be used.</p>
<b>Priority 5:</b>	<p><b>Other Tender Exempt arrangement <i>[F&amp;G Reg. 11(2)]</i></b></p> <p>Regardless of whether or not the Purchasing Value will exceed the tender threshold, the Shire of Shark Bay will investigate and seek quotations from tender exempt suppliers, and will specifically ensure that wherever possible quotations are obtained from a WA Disability Enterprise and / or an Aboriginal Owned Business that is capable of providing the required supply.</p>
<b>Priority 6:</b>	<p><b><u>Other Suppliers</u></b></p> <p>Where there is no relevant existing contract or tender exempt arrangement available, purchasing activity from any other supplier is to be in accordance with relevant Purchasing Value Threshold and Purchasing Practice specified in the table below.</p>

## (2) Purchasing Practice Purchasing Value Thresholds

The Purchasing Value, assessed in accordance with clause 1.4.1, determines the Purchasing Practice to be applied to the Shire of Shark Bay's purchasing activities.

<b>Purchase Value Threshold</b> (ex GST)	<b>Purchasing Practice</b>
Up to \$5,000 (ex GST)	No quotes required but responsible officer to ensure that goods or services represent reasonable value for money.
From \$5,001 and up to	One verbal quote to be sought.



MINUTES OF THE ORDINARY COUNCIL MEETING

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<b>Purchase Value Threshold</b> (ex GST)	<b>Purchasing Practice</b>
\$20,000 (ex GST)	
From \$20,001 and up to \$50,000 (ex GST)	Two verbal quotations be sought with copies of emails or file notes to be attached to the requisition or reference made to the relevant record number.  OR  Obtain quotations directly from a pre-qualified panel of suppliers which include WALGA Preferred Supply Contracts. It is recommended that wherever possible, the responsible officer source multiple competitive quotations (at least two Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing.
From \$50,000 and up to \$100,000 (ex GST)	Two written quotations be sought with copies of emails or file notes to be attached to the requisition or reference made to the relevant record number.  Or  Obtain quotations directly from a pre-qualified panel of suppliers which include WALGA Preferred Supply Contracts. It is recommended that wherever possible, the responsible officer source multiple competitive quotations (at least two Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing.
From \$100,001 and up to \$150,000 (ex GST)	Written specification required and three written quotes sought (with procurement decision based on all value for money considerations). Prior to any documentation being issued a Request for Quote (RFQ) number must be obtained and utilised on all correspondence. RFQ file to be developed and stored electronically.  Or  Obtain quotations directly from a pre-qualified panel of suppliers which include WALGA Preferred Supply Contracts. It is recommended that wherever possible, the responsible officer source multiple competitive quotations (at least three Preferred Suppliers) using a formal Request for Quotation process either through eQuotes or directly in writing.
From \$150,001 and up to \$250,000 (ex GST)	Seek at least three (3) written responses from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1).  The purchasing decision is to be based upon assessment of the suppliers response to: <ul style="list-style-type: none"> <li>• a detailed written specification for the goods, services or works required; and</li> <li>• pre-determined selection criteria that assesses all best and sustainable value considerations.</li> </ul>

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Purchase Value Threshold (ex GST)	Purchasing Practice
	The procurement decision is to be evidenced using the Evaluation Report template retained in accordance with the Shire of Shark Bay's Record Keeping Plan.
Over \$250,000 (ex GST)	<p><b>Tender Exempt</b> arrangements (i.e. WALGA PSA, CUA or other tender exemption under <i>F&amp;G Reg.11(2)</i>) require at least three (3) written responses from suppliers by invitation under a formal Request for Quotation in accordance with the Supplier Order of Priority detailed in clause 1.4.2(1).</p> <p><u>OR</u></p> <p><b>Public Tender</b> undertaken in accordance with the <i>Local Government Act 1995</i> and relevant Shire of Shark Bay Policy and procedures.</p> <p>The Tender Exempt or Public Tender purchasing decision is to be based on the suppliers response to:</p> <ul style="list-style-type: none"> <li>• A detailed specification; and</li> <li>• Pre-determined selection criteria that assesses all best and sustainable value considerations.</li> </ul> <p>The purchasing decision is to be evidenced using the Evaluation Report template retained in accordance with the Shire of Shark Bay's Record Keeping Plan.</p>
Emergency Purchases (Within Budget)  Refer to Clause 1.4.3	<p>Where goods or services are required for an emergency response and are within scope of an established Panel of Pre-qualified Supplier or existing contract, the emergency supply must be obtained from the Panel or existing contract using relevant unallocated budgeted funds.</p> <p>If there is no existing Panel or contract, then clause 1.4.2(1) Supplier Order of Priority will apply wherever practicable.</p> <p>However, where due to the urgency of the situation; a contracted or tender exempt supplier is unable to provide the emergency supply <u>OR</u> compliance with this Purchasing Policy would cause unreasonable delay, the supply may be obtained from any supplier capable of providing the emergency supply. However, an emergency supply is only to be obtained to the extent necessary to facilitate the urgent emergency response and must be subject to due consideration of best value and sustainable practice.</p> <p>The rationale for policy non-compliance and the purchasing decision must be evidenced in accordance with the Shire of Shark Bay's Record Keeping Plan.</p>
Emergency Purchases (No budget allocation available)  Refer for Clause 1.4.3	<p>Where no relevant budget allocation is available for an emergency purchasing activity then, in accordance with s.6.8 of the <i>Local Government Act 1995</i>, the President must authorise, in writing, the necessary budget adjustment prior to the expense being incurred.</p> <p>The CEO is responsible for ensuring that an authorised emergency expenditure under s.6.8 is reported to the next ordinary Council Meeting.</p>

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Purchase Value Threshold (ex GST)	Purchasing Practice
	The Purchasing Practices prescribed for Emergency Purchases (within budget) above, then apply.
LGIS Services Section 9.58(6)(b) Local Government Act	The suite of LGIS insurances are established in accordance with s.9.58(6)(b) of the <i>Local Government Act 1995</i> and are provided as part of a mutual, where WALGA Member Local Governments are the owners of LGIS. Therefore, obtaining LGIS insurance services is available as a member-base service and is not defined as a purchasing activity subject to this Policy.  Should Council resolve to seek quotations from alternative insurance suppliers, compliance with this Policy is required.

#### 1.4.3. Emergency Purchases

Emergency purchases are defined as the supply of goods or services associated with:

- (a) A local emergency and the expenditure is required (within existing budget allocations) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets; OR
- (b) A local emergency and the expenditure is required (with no relevant available budget allocation) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets in accordance with s.6.8 of the *Local Government Act 1995* and Functions and General Regulation 11(2)(a); OR
- (c) A State of Emergency declared under the *Emergency Management Act 2005* and therefore, Functions and General Regulations 11(2)(aa), (ja) and (3) apply to vary the application of this policy.

Time constraints, administrative omissions and errors do not qualify for definition as an emergency purchase. Instead, every effort must be made to research and anticipate purchasing requirements in advance and to allow sufficient time for planning and scoping proposed purchases and to then obtain quotes or tenders, as applicable.

#### 1.4.4. Inviting Tenders Though not Required to do so

The Shire of Shark Bay may determine to invite Public Tenders, despite the estimated Purchase Value being less than the \$250,000 prescribed tender threshold, but only where an assessment determines that the purchasing requirement cannot be met through a tender exempt arrangement and the use of a public tender process will enhance; value for money, efficiency, risk mitigation and sustainable procurement benefits.

In such cases, the tender process must comply with the legislative requirements and the Shire of Shark Bay's tendering procedures [*F&G Reg. 13*].

#### 1.4.5. Expressions of Interest

Expressions of Interest (EOI) will be considered as a prerequisite to a tender process [*F&G Reg. 21*] where the required supply evidences one or more of the following criteria:

27 MAY 2020

- (a) Unable to sufficiently scope or specify the requirement;
- (b) There is significant variability for how the requirement may be met;
- (c) There is potential for suppliers to offer unique solutions and / or multiple options for how the purchasing requirement may be obtained, specified, created or delivered;
- (d) Subject to a creative element; or
- (e) Provides a procurement methodology that allows for the assessment of a significant number of potential tenderers leading to a shortlisting process based on non-price assessment.

All EOI processes will be based upon qualitative and other non-price information only.

#### **1.4.6. Unique Nature of Supply (Sole Supplier)**

An arrangement with a supplier based on the unique nature of the goods or services required or for any other reason, where it is unlikely that there is more than one potential supplier may only be approved where the:

- (a) purchasing value is estimated to be over \$5,000; and
- (b) purchasing requirement has been documented in a detailed specification; and
- (c) specification has been extensively market tested and only one potential supplier has been identified as being capable of meeting the specified purchase requirement; and
- (d) market testing process and outcomes of supplier assessments have been evidenced in records, inclusive of a rationale for why the supply is determined as unique and why quotations / tenders cannot be sourced through more than one potential supplier.

An arrangement of this nature will only be approved for a period not exceeding one (1) year. For any continuing purchasing requirement, the approval must be re-assessed before expiry, to evidence that only one potential supplier still genuinely exists.

#### **1.4.7. Anti-Avoidance**

The Shire of Shark Bay will not conduct multiple purchasing activities with the intent (inadvertent or otherwise) of "splitting" the purchase value or the contract value, so that the effect is to avoid a particular purchasing threshold or the need to call a Public Tender. This includes the creation of two or more contracts or creating multiple purchase order transactions of a similar nature.

#### **1.4.8. Contract Renewals, Extensions and Variations**

Where a contract has been entered into as the result of a publicly invited tender process, then *Functions and General Regulation 21A* applies.

For any other contract, the contract must not be varied unless

- (a) The variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or
- (b) The variation is a renewal or extension of the term of the contract where the extension or renewal options were included in the original contract.

Upon expiry of the original contract, and after any options for renewal or extension included in the original contract have been exercised, the Shire of Shark Bay is required to review the

27 MAY 2020

purchasing requirements and commence a new competitive purchasing process in accordance with this Policy.

## 1. Sustainable Procurement

The Shire of Shark Bay is committed to implementing sustainable procurement by providing a preference to suppliers that demonstrate sustainable business practices (social advancement, environmental protection and local economic benefits).

The Shire of Shark Bay will apply Sustainable Procurement criteria as part of the value for money assessment to ensure that wherever possible our suppliers demonstrate outcomes which contribute to improved environmental, social and local economic outcomes.

Sustainable Procurement can be demonstrated as being internally focussed (i.e. operational environmental efficiencies or employment opportunities and benefits relating to special needs), or externally focussed (i.e. initiatives such as corporate philanthropy).

Requests for Quotation and Tenders will include a request for Suppliers to provide information regarding their sustainable practices and/or demonstrate that their product or service offers enhanced sustainable benefits.

### 2.1. LOCAL ECONOMIC BENEFIT

The Shire of Shark Bay promotes economic development through the encouragement of competitive participation in the delivery of goods and services by local suppliers permanently located within its District first, and secondly, those permanently located within its broader region. As much as practicable, the Shire of Shark Bay will:

- (a) consider buying practices, procedures and specifications that encourage the inclusion of local businesses and the employment of local residents;
- (b) consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);
- (c) ensure that procurement plans, and analysis is undertaken prior to develop Requests to understand local business capability and local content availability where components of goods or services may be sourced from within the District for inclusion in selection criteria;
- (d) explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses;
- (e) avoid bias in the design and specifications for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid;
- (f) consider the adoption of Key Performance Indicators (KPIs) within contractual documentation that require successful Contractors to increase the number of employees from the District first; and
- (g) provide adequate and consistent information to local suppliers.

To this extent, a weighted qualitative criterion will be included in the selection criteria for Requests for Quotation and Tenders where suppliers are located within the boundaries of the Shire of Shark Bay, or substantially demonstrate a benefit or contribution to the local economy.

The Shire of Shark Bay has adopted a Local Preference Policy, which will be applied when undertaking all purchasing activities.

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## **2.2. SOCIALLY SUSTAINABLE PROCUREMENT**

The Shire of Shark Bay will support the purchasing of requirements from socially sustainable suppliers such as Australian Disability Enterprises and Aboriginal businesses wherever a value for money assessment demonstrates benefit towards achieving the Shire of Shark Bay's strategic and operational objectives.

A qualitative weighting will be used in the evaluation of Requests for Quotes and Tenders to provide advantages to socially sustainable suppliers in instances where the below tender exemptions are not exercised.

### **(1) Aboriginal Businesses**

*Functions and General Regulation 11(2)(h)* provides a tender exemption if the goods or services are supplied by a person on the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australia, or Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation), where the consideration under contract is \$250,000 or less, or worth \$250,000 or less.

The Shire of Shark Bay will first consider undertaking a quotation process with other suppliers (which may include other registered Aboriginal Businesses as noted in *F&G Reg. 11(2)(h)*) to determine overall value for money for the Shire of Shark Bay.

Where the Shire of Shark Bay makes a determination to contract directly with an Aboriginal Business for any amount up to and including \$250,000 (ex GST), it must be satisfied through alternative means that the offer truly represents value for money.

If the contract value exceeds \$50,000 (ex GST), a formal Request for Quotation will be issued to the relevant Aboriginal business. The rationale for making the purchasing decision must be recorded in accordance with the Shire of Shark Bay's Record Keeping Plan.

### **(2) Australian Disability Enterprises**

*Functions and General Regulation 11(2)(i)* provides a tender exemption if the goods or services are supplied by an Australian Disability Enterprise.

The Shire of Shark Bay will first consider undertaking a quotation process with other suppliers (which may include other Australian Disability Enterprises) to determine overall value for money for the Shire of Shark Bay.

Where the Shire of Shark Bay makes a determination to contract directly with an Australian Disability Enterprise for any amount, including an amount over the Tender threshold of \$250,000 (ex GST), it must be satisfied through alternative means that the offer truly represents value for money.

If the contract value exceeds \$50,000 (ex GST), a formal Request for Quotation will be issued to the relevant Aboriginal business. The rationale for making the purchasing decision must be recorded in accordance with the Shire of Shark Bay's Record Keeping Plan.

## **2.3. ENVIRONMENTALLY SUSTAINABLE PROCUREMENT**

The Shire of Shark Bay will support the purchasing of recycled and environmentally sustainable products whenever a value for money assessment demonstrates benefit toward achieving the Shire of Shark Bay's strategic and operational objectives.

Qualitative weighted selection criteria will be used in the evaluation of Requests for Quote and Tenders to provide advantages to suppliers which:

- (a) demonstrate policies and practices that have been implemented by the business as part of its operations;
- (b) generate less waste material by reviewing how supplies, materials and equipment are manufactured, purchased, packaged, delivered, used, and disposed; and

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- (c) encourage waste prevention, recycling, market development and use of recycled/recyclable materials.

## 2. Record Keeping

All Local Government purchasing activity, communications and transactions must be evidenced and retained as local government records in accordance with the *State Records Act 2000* and the Shire of Shark Bay's Record Keeping Plan.

In addition, the Shire of Shark Bay must consider and will include in each contract for the provision of works or services, the contractor's obligations for creating, maintaining and where necessary the transferral of records to the Shire of Shark Bay relevant to the performance of the contract.

## 3. Purchasing Policy Non-Compliance

The Purchasing Policy is mandated under the *Local Government Act 1995* and Regulation 11A of the *Local Government (Functions and General) Regulations 1996* and therefore the policy forms part of the legislative framework in which the Local Government is required to conduct business.

Where legislative or policy compliance is not reasonably able to be achieved, records must evidence the rationale and decision making processes that substantiate the non-compliance.

Purchasing activities are subject to internal and external financial and performance audits, which examine compliance with legislative requirements and the Shire of Shark Bay's policies and procedures.

If non-compliance with; legislation, this Purchasing Policy or the Code of Conduct, is identified it must be reported to the Chief Executive officer or the Executive Manager of Finance and Administration.

A failure to comply with legislation or policy requirements, including compliance with the Code of Conduct when undertaking purchasing activities, may be subject to investigation, with findings to be considered in context of the responsible person's training, experience, seniority and reasonable expectations for performance of their role.

Where a breach is substantiated it may be treated as:

- (a) an opportunity for additional training to be provided;
- (b) a disciplinary matter, which may or may not be subject to reporting requirements under the *Public Sector Management Act 1994*; or
- (c) where the breach is also identified as potentially serious misconduct, the matter will be reported in accordance with the *Corruption, Crime and Misconduct Act 2003*.

Adopted by Council on:	Presented to the Ordinary Council meeting 27 May 2020



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11.2 USAGE OF RESERVE 49809 - COMMON  
RES49809 – LE00012

AUTHOR

Chief Executive Officer

DISCLOSURE OF ANY INTEREST

Nil

Moved

Cr Ridgely

Seconded

Cr Stubberfield

**Council Resolution**

**That a licence to occupy an area of 101 ha of the Reserve 49809 - Common as depicted on the application submitted by Mr G Desmond and Mr H Hoult be granted for a period of five (5) years expiring on 30 April 2025 on the following conditions:**

- 1. Ongoing compliance with the guidelines of the Shire's Management Statement for Reserve 49809 - Common.**
- 2. The allocated area being suitably fenced and maintained to ensure stock is contained within the approved area.**
- 3. That, any damage beyond normal wear and tear to the access road into Reserve 49809 as assessed by the Shire's Works Manager will be the responsibility of the license holder to undertake repairs or reimburse the Shire for the costs to undertake the works.**
- 4. The approval of the Department of Lands is granted.**

**6/0 CARRIED**

BACKGROUND

The Council has a Management Order for Reserve 49809 in accordance with the *Land Administration Act 1997*.

The conditions of the Management Order

- (i) To be used for its designated purpose of "Common "only
- (ii) Power to license for the designated purpose is granted for the whole or any portion thereof for any term not exceeding five (5) years from the date of license subject to the approval in writing of the Minister of lands being first obtained to each and every licence pursuant also to the provisions of section 19 of the *Land administration Act 1997*.

The Management Order enables the Council to grant individual licences and impose conditions in regard to the licence, which are then reviewed and ratified or amended by the Minister or their delegated officer.

License 01/2015 was granted to Mr Harold Hoult and Mr Gary Desmond for a five year period of 8 horses. Mr Hoult requested a variation to the license to enable the short term, humane storage of feral goats, which was approved at the Ordinary Council meeting held on the Thursday 26 April 2018.



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COMMENT

Mr Hoult and Mr Desmond's application for the use of portion of Reserve 49809 – Common is attached at the end of this report for Councillor reference.

The application includes the fencing of an area within the current license area of 50 metres x 50 metres (2,500 square metres) to accommodate feral goats which was approved by Council in April 2018.

The road that is used to access Reserve 49809 must also be considered as it is only a formed road and any significant large vehicle use will have a detrimental effect on the road.

While access to Reserve 49809 is open to the general public, the licensed area must be fenced and access to Mr Hoult and Mr Desmond's licensed area is through a locked gate.

The Council if approves the license, the following condition to the license will be on the licence as per Council's previous resolution:

**Any damage beyond normal wear and tear to the access road into Reserve 49809 as assessed by the Shire's Works Manager will be the responsibility of the license holder to undertake repairs or reimburse the Shire for the costs to undertake the works.**

LEGAL IMPLICATION

The Council has a Management Order for Reserve 49809 in accordance with the *Land Administration Act 1997*.

The conditions of the Management Order

- (iii) To be used for its designated purpose of "Common "only
- (iv) Power to license for the designated purpose is granted for the whole or any portion thereof for any term not exceeding five (5) years from the date of license subject to the approval in writing of the Minister of lands being first obtained to each and every licence pursuant also to the provisions of section 19 of the *Land administration Act 1997*.

The Management Order enables the Council to grant individual licences and impose conditions in regard to the licence, which are then reviewed and ratified or amended by the Minister or their delegated officer.

The Shire of Shark Bay Local Government Property Local Law in part states:

**2.1 Determinations as to Use of Local Government Property**

- (1) The Local Government may make a determination in accordance with Clause 2.2 -
  - (a) setting aside specified Local Government property for the pursuit of all or any of the activities referred to in Clause 2.7,

The Council has made the following determination

**Animals on local government property**

27 MAY 2020

- a. Unless authorised by a written law, or by a permit or a determination, a person must not tether any animal to a tree, shrub, tree guard, wall or fence or permit any animal to enter on or into any local government property.
- b. This clause does not apply to a guide dog used for the assistance of visually impaired persons.
- c. Pursuant to clause 3.13(1)(o) of the local law, subject to the person in charge of the animals concerned obtaining a permit beforehand and compliance with any conditions listed in the permit or this determination, the following areas of local government property may be used to de-pasture, take on to, or allow to enter or remain upon, any animal as permitted:
  - i. Reserve 49809, known as the Denham Town Common.

### **3.1 Application of Part**

This Part does not apply to a person who uses or occupies Local Government property under a written agreement with the Local Government to do so.

### **3.2 Application for Permit**

- (1) Where a person is required to obtain a permit under this Local Law, that person shall apply for the permit in accordance with subclause (2).
- (2) An application for a permit under this Local Law shall -
  - (a) be in the form determined by the Local Government,
  - (b) be signed by the applicant,
  - (c) provide the information required by the form, and
  - (d) be forwarded to the Chief Executive Officer together with any fee imposed and determined by the Local Government under and in accordance with Sections 6.16 to 6.19 of the Act.
- (3) The Local Government may require an applicant to provide additional information reasonably related to an application before determining an application for a permit.
- (4) The Local Government may require an applicant to give local public notice of the application for a permit.
- (5) The Local Government may refuse to consider an application for a permit which is not in accordance with subclause (2).

### **3.3 Decision on Application for Permit**

- (1) The Local Government may -
  - (a) approve an application for a permit unconditionally or subject to any conditions, or
  - (b) refuse to approve an application for a permit.
- (2) If the Local Government approves an application for a permit, it is to issue to the applicant, a permit in the form determined by the Local Government.
- (3) If the Local Government refuses to approve an application for a permit, it is to give written notice of that refusal to the applicant.

### **3.4 Conditions which may be Imposed on a Permit**

- (1) Without limiting the generality of Clause 3.3(1) (a), the Local Government may approve an application for a permit subject to conditions relating to -
  - (a) the payment of a fee,

## MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

- (b) compliance with a standard or a Policy of the Local Government adopted by the Local Government,
  - (c) the duration and commencement of the permit,
  - (d) the commencement of the permit being contingent on the happening of an event,
  - (e) the rectification, remedying or restoration of a situation or circumstance reasonably related to the application,
  - (f) the approval of another application for a permit which may be required by the Local Government under any written law,
  - (g) the area of the district to which the permit applies,
  - (h) where a permit is issued for an activity which will or may cause damage to Local Government property, the payment of a deposit or bond against such damage, and
  - (i) the obtaining of public risk insurance in an amount and on terms reasonably required by the Local Government.
- (2) Without limiting Clause 3.3(a) and subclause (1), the following paragraphs indicate the type and content of the conditions on which a permit to hire Local Government property may be issued -
- (a) when fees and charges are to be paid,
  - (b) payment of a bond against possible damage or cleaning expenses or both,
  - (c) restrictions on the erection of material or external decorations,
  - (d) rules about the use of furniture, plant and effects,
  - (e) limitations on the number of persons who may attend any function in or on Local Government property,
  - (f) the duration of the hire,
  - (g) the right of the Local Government to cancel a booking during the course of an annual or seasonal booking, if the Local Government sees fit,
  - (h) a prohibition on the sale, supply or consumption of liquor unless a liquor licence is first obtained for that purpose under the *Liquor Licensing Act 1988*,
  - (i) whether or not the hire is for the exclusive use of the Local Government property,
  - (j) the obtaining of a policy of insurance in the names of both the Local Government and the hirer, indemnifying the Local Government in respect of any injury to any person or any damage to any property which may occur in connection with the hire of the Local Government property by the hirer, and
  - (k) the provision of an indemnity from the hirer, indemnifying the Local Government in respect of any injury to any person or any damage to any property which may occur in connection with the hire of the Local Government property by the hirer.

### **3.13 Activities Needing a Permit**

(1) A person shall not without a permit -

- (m) make any excavation on or erect or remove any fence on Local Government property,
- (o) de-pasture, take on to, or allow to enter or remain upon Local Government property, any horse, sheep, cattle, goat, camel, ass or mule, unless the Local Government has made a determination under Clause 2.1(1) of this Local Law, in which event the provisions of the determination shall prevail

The penalty for not complying with clause 3.13(i) (o) of the local law is currently \$100.00.

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In the event that an individual does not comply with the local law and continues the offence part 10 enforcement section of the local law can be applied

**10.1 Offence to Fail to Comply with Notice**

Whenever the Local Government gives a notice under this Local Law requiring a person to do anything, if a person fails to comply with the notice, that person commits an offence.

**10.2 Local Government May Undertake Requirements of Notice**

Where a person fails to comply with a notice referred to in Clause 10.1, the Local Government may do the thing specified in the notice and recover from the person to whom the notice was given, as a debt, the costs incurred in so doing.

**10.3 Offences and General Penalty**

- (1) Any person who fails to do anything required or directed to be done under this Local Law, or who does anything which under this Local Law that person is prohibited from doing, commits an offence.
- (2) Any person who commits an offence under this Local Law is liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.

POLICY IMPLICATIONS

There are no policy implications relative to this report.

FINANCIAL IMPLICATIONS

The Council through the Management Order has the right to set fees for a licence Council currently charges \$100 per annum for a License to Occupy.

The license fee also includes the fee of \$500 per annum for a License to Occupy as a commercial operation.

STRATEGIC IMPLICATIONS

This proposal address the following components of the Council strategic community plan:

objective 1 sustainable growth and progress

Outcome 1.5 to grow and diversify industries and increase jobs.

The establishment of this proposal utilises an existing feral resource that is detrimental to the environment to create a possible industry.

RISK MANAGEMENT

This is a medium risk item to Council.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Chief Executive Officer

Date of Report

*P Anderson*

8 May 2020

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

## SHIRE OF SHARK BAY

65 Knight Terrace  
Denham WA 6537  
PO Box 126 Denham

RES49809

RECEIVED

6 MAY 2020



Telephone (08) 9948 1218  
Facsimile (08) 9948 1237  
Email admin@sharkbay.wa.gov.au  
All correspondence to the  
Chief Executive Officer

## SHIRE OF SHARK BAY APPLICATION FOR USE OF PORTION OF RESERVE 49809 - COMMON

*As a condition of the licence approval for the use of a portion of Reserve 49809 - Common, the Applicant acknowledges and agrees that:*

- Occupation of the common will require that all activities conform with any relevant legislation or other statutory requirements, including the Reserve 49809 - Common Policy;
- Licence approval will be granted with the acknowledgment and agreement that the Shire of Shark Bay, its officials, employees and agents shall not be held responsible for personal injuries or damages sustained or property or stock lost or stolen on the Reserve;
- The Shire of Shark Bay reserves the right to refuse the issue of a licence for an activity that is not considered appropriate to Reserve 49809 - Common.

SIGNATURE: G.P. Desmond DATE: 24.4.2020

PLEASE PRINT FULL NAME: GARY DESMOND TELEPHONE NUMBER: 0439300937

ADDRESS: 113 DAMPIER RD DENHAM 6537

\* The person signing this application on behalf of an organization must have the authority to sign on behalf of said group or organization, and by signing this certifying that he/she has such authority.

### CONTACT DETAILS

FIRST NAME:	<u>GARY</u>	<u>00034</u>	<u>AKHAR</u>
LAST NAME:	<u>DESMOND</u>	<u>HOULT</u>	<u>0427481312</u>
BUINESS/ORGANISATION NAME:	<u>3RD</u>	<u>UH2</u>	
POSTAL ADDRESS:	<u>PO Box 6 Denham 6537</u>		
HOME PHONE NUMBER:	<u>N/A</u>		
WORK PHONE NUMBER:	<u>043900937</u>		

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Shire of Shark Bay  
Application for Use of portion of Reserve 49809 - Common

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

FAX NUMBER:

## Reserve 49809-Common, Use

Please provide a short description of the activities that you wish to undertake at Reserve 49809 - Common. Eg: Stock tenure.

HOLD UP TO 4 HORSES FOR REG. USE.  
TEMPORARY HOLDING GOATS AWAITING  
TRANSPORT FOR REMOVAL OUT OF AREA.  
PORTABLE MESH YARD 2000-3000 SQ. MTS  
SHADE CLOTHED.

## List the vehicles which will be used to access to Common?

"BRUZER" REGO
SB 075

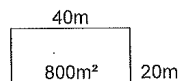
## What infrastructure or stock control devices will be utilised?

Please tick appropriate box.

Shed ☐ Caravan ☐ Shade structure ☒ Internal fences ☐ Gates ☒

Location and Area in m<sup>2</sup> to be fenced

Example:



Or None of the above ☐

## Length of time you wish to utilize the Common within a period of 5 years?

5 YEARS PLUS

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Shire of Shark Bay  
Application for Use of portion of Reserve 49809 - Common

## MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

### Stock Application

I hereby apply for permission to occupy a portion of the Shire of Shark Bay Reserve 49809 Common for the following stock:-

- ( 4 ) horse/s
- ( ) cattle
- ( ) sheep
- ( ) camels
- ( ) chickens

Other considerations that may be applicable? Eg: Special Circumstances.

On receipt of your application it will be placed in the Agenda for the upcoming Council meeting for approval of your licence. Once approved by the Shire of Shark Bay Council the licence will then be referred to the Minister of Land pursuant to the provisions of Section 20 of the *Land Administration Act 1997*. I accept that Annual fees will apply to this licence in accordance with Council's Fees and Charges.

I have read and understood all parts of the application for use of portion of Reserve 49809 - Common and am fully aware of all that is required of me as a lessee. I agree to abide by the Licence to Occupy once approved by the Minister of Lands. I have attached a copy of my Public Liability Insurance certificate.

Signed By Lessee

Print full name: HAROLD RICHARD HOULT

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

24-4-2020

### ➤ How to lodge this application

#### BY POST;

Address the application to:

The Chief Executive Officer  
Shire of Shark Bay  
PO Box 126  
Denham WA 6537

Courier or personal Delivery:

Shire Offices  
65 Knight Terrace  
Denham WA 6537

Electronically:

[admin@sharkbay.wa.gov.au](mailto:admin@sharkbay.wa.gov.au)

Contact the Shire offices on:

Phone:

08) 9948 1218

Fax:

08) 9948 1237

E-mail:

[admin@sharkbay.wa.gov.au](mailto:admin@sharkbay.wa.gov.au)

Web:

[www.sharkbay.wa.gov.au](http://www.sharkbay.wa.gov.au)

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Shire of Shark Bay

Application for Use of portion of Reserve 49809 - Common

## MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

### Licence is subject to General Policy Statement upon and for the duration of occupation-

- *All occupiers of the Common will observe basic requirements for its occupation.*
- *All occupiers of the Common will ensure that all of their activities conform to any relevant legislation or other statutory requirement.*
- *Illegal activities of any nature are not to take place at the Common.*
- *The Shire of Shark Bay, its officials, employees and agents shall not be held responsible for personal injuries or damages sustained or property or stock lost or stolen on the Common.*
- *Activities are to be controlled and maintained to ensure long term environmental sustainability and ultimate re-instatement of its land use.*
- *Occupiers are to be responsible for any damages caused to the Common other than general deterioration of the site.*
- *The Common will be left clean and tidy; all rubbish etc is to be removed.*
- *Due respect is to be observed to other occupiers of the Common with regard to mutual required services and infrastructure.*
- *Occupiers are asked to contribute to a positive relationship with other Common users.*
- *The area utilized must have a stock control measure in place to secure their stock.*
- *Stock numbers must be maintained within the license approval. Any additional stock must be approved by Council.*
- *Activity infrastructure will be required to be set back a specified distance from the access road as determined by the Shire.*
- *Speed limits will be observed on the access and external road within the Common.*
- *Occupiers of the Common are required to address issues of concern directly to the Shire and not to other occupiers.*
- *Proof of current Public Liability Insurance to \$10,000,000.*

Failure to comply with these provisions may result in the cancellation of the licence to occupy.



# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

## Business Pack Insurance Certificate of Currency

QBE Insurance (Australia) Ltd  
Head Office  
Level 5, 2 Park Street  
Sydney NSW 2000  
ABN: 78 003 191 035  
AFS Licence No: 239545



Policy Number 72U479608BPK

Issued By  
QBE Insurance (Australia) Ltd

**Period of Insurance**  
**From** 30/04/2020  
**To** 30/04/2021 at 4pm

This certificate acknowledges that the policy referred to is in force for the period shown.  
Details of the cover are listed below.

### The Insured

HARROLD RICHARD HOULT  
ABN Number Not Provided

### Cover Details

**Location** Lot 3005 Monkey Mia Road, DENHAM WA 6537  
**Business** HUNTING AND TRAPPING GOATS  
**Interested Party** None Noted

**Risk Number** 1

### Broadform Liability Section

Particulars	Total Sum Insured	Limit
Limit of liability, any one occurrence		\$10,000,000
Property in Your physical and legal control	\$250,000	
<b>Excess</b>	\$500 for property damage claims only \$0 for personal injury claims	

### End of Certificate

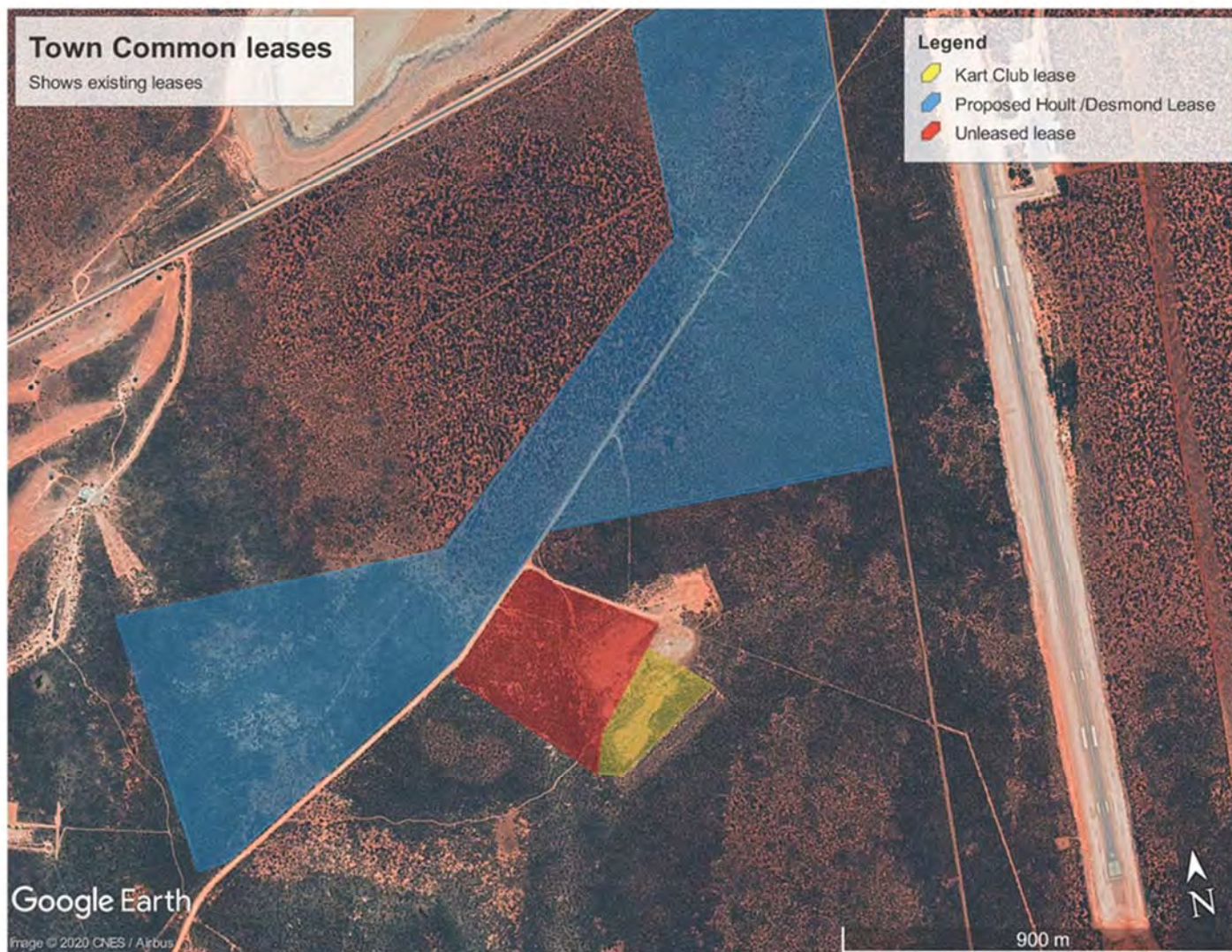
Date Printed 05/05/2020

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QM1826-1207

## MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020



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11.3 DELEGATED AUTHORITY FOR LIMITED FEE WAIVER FOR COMMUNITY FACILITIES  
CM00039

AUTHOR

Executive Manager Community Development

DISCLOSURE OF ANY INTEREST

Nil

Officer Recommendation

Option 1.

That Council delegate authority to the Chief Executive Officer to waive the following fees for the 2020/2021 financial year:

a) \$427 in venue hire fees per year for Shark Bay domiciled community groups offering regular free or low-cost community activities (less than \$15 per participant);

b) \$6,000 in venue hire fees per year for Shark Bay domiciled businesses offering regular free or low-cost community activities (less than \$15 per participant).

OR

Option 2.

That Council does not delegate authority to the Chief Executive Office to waive venue hire fees and all requests will be presented to Council for consideration.

OR

Option 3.

That Council amend the adopted 2020/2021 Schedule of Fees and Charges to include two new Fees:

a) "No Charge" for venue hire for Shark Bay domiciled community groups offering regular free or low-cost community activities (less than \$15 per participant);

b) \$10 per hour for venue hire for local businesses offering regular free or low-cost community activities (less than \$15 per participant).

REQUIRES ABSOLUTE MAJORITY

Moved Cr Ridgely

Seconded Cr Burton

Council Resolution

**That Council suspend Standing Orders, clause 9.5 Limitation on number of speeches to be suspended at 3.36pm for open discussion on Delegated Authority for Limited Fee Waiver for Community Facilities.**

**6/0 CARRIED**

Moved Cr Bellottie

Seconded Cr Stubberfield

Council Resolution

**That Council reinstate Standing Orders at 3.44pm.**

**6/0 CARRIED**

**AMENDMENT TO OFFICERS RECOMMENDATION**

**Reason:** Council felt that it should be a requirement that each group has a Covid-19 officer who has done the appropriate training.

27 MAY 2020

Moved Cr Stubberfield  
Seconded Cr Bellottie

**Council Resolution**

**That Council amend the adopted 2020/2021 Schedule of Fees and Charges to include two new Fees:**

**a) "No Charge" for venue hire for Shark Bay domiciled community groups offering regular free or low-cost community activities (less than \$15 per participant);**

**b) \$10 per hour for venue hire for local businesses offering regular free or low-cost community activities (less than \$15 per participant).**

**and**

**c) A cleaning clause be a condition of hire for all groups hiring Council facilities to comply with the COVID-19 Regulations and/or member to be Covid-19 officer who has done the Covid-19 training.**

**6/0 CARRIED BY ABSOLUTE MAJORITY**

**BACKGROUND**

Council regularly endorses fee waivers for various Shark Bay domiciled community groups and businesses to enable them to use Council facilities to offer free or low-cost activities for the local community.

Council's adopted Fees and Charges 2019/2020 include the following charges for the Denham Town hall and Shark Bay Recreation Centre:

1. Community group booking 1 x week = \$427.00 annually
2. Community group booking 2 or more times per week = \$840.00 annually
3. Private (businesses) = \$50 per hour for less than 5 hours at a time

The following waivers are currently in place

<b>Name of group/business</b>	<b>Activity offered</b>	<b>Amount of Waiver</b>	<b>Explanation of waiver (it is assumed bookings are for school terms only)</b>
Shark Bay Youth Group	Use of Shark Bay Recreation Centre courts once a week	\$427.00pa	Annual charge for community group for booking once per week
The Friendly Hub	Use of Denham Town Hall once a week	\$427.00pa	Annual charge for community group for booking once per week
The Denham Crafters	Use of Denham Town Hall once a week	\$427.00pa	Annual charge for community group for booking once per week
Shark Bay Bridge Club	Use of Denham Town Hall twice a week	\$840.00pa	Annual charge for community group for booking twice or more per week
Karate	Use of Denham Town Hall	\$840.00pa	Annual charge for community group for booking twice or more per week



# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

CLB Fitness	Use of Shark Bay Recreation Centre courts and Town Oval	\$300pw = \$12,000pa	\$50 per hour for 6 hours per week for 40 weeks
Modern Contemporary Dance	Use of Denham Town Hall for adult dance classes	\$300pw = \$12,000pa	\$50 per hour for 6 hours per week for 40 weeks
Coral Coast Dance Academy	Use of Denham Town Hall for children dance classes	\$300pw = \$12,000pa	\$50 per hour for 6 hours per week for 40 weeks

## COMMENT

It is expected that all community groups and businesses currently using the Shire's facilities to offer activities for the local community will be applying for venue hire waivers for the 2020/2021 financial year. There are also other groups in town, such as Shark Bay Yoga who had applied for a waiver for the Denham Town Hall immediately prior to the venue's closure for Covid-19, who are expected to re-apply as the facilities once again become available for bookings.

As part of its commitment to support the local community and to enhance the lifestyle and wellbeing of residents, Council to date has approved all such waivers as and when presented for consideration. The preparation of these reports involves a considerable amount of staff time to research and write, along with Councillor time to read, understand and approve the waivers. This report seeks, instead, for the Chief Executive Officer to have delegated authority to approve limited waivers.

The above table shows that most community groups book venues 1 x weekly, so it is proposed the Chief Executive Officer be given delegated authority to approve this. Where a group wishes to book two or more times a week, they can be offered two options:

1. They can accept the delegated waiver for 1 booking and pay for the additional bookings (\$840.00 – \$427.00 = \$413.00pa)
2. They can apply to Council for a full waiver of the \$840.00 venue hire fee for booking two or more times per week.

Most local businesses are booking for 6 hours per week and where participants are charged to attend it may be reasonable to expect a small contribution towards the upkeep and running of the facilities from the hirer. The suggested waiver figure of \$6,000 represents 3 sessions per week. If Council were to endorse this amount, there are again two options available to the hirer:

1. They can accept the delegated waiver for 3 hours per week and pay for the additional bookings (\$2,000 per year/\$50 per week for one additional session, and \$6,000 per year/\$150 per week for three additional sessions).
2. They can apply to Council for a full waiver of the hire cost (this would need to be supported with financial data supporting the request).

It should be noted that some groups, such as the Shark Bay Entertainers apply on an ad-hoc basis for venue hire. The delegated authority can still be applicable to these groups. Administration staff can keep a spreadsheet noting the total waiver to date,

## MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

and once the maximum has been reached, the above options would be applicable to each group or business.

However, another option also exists. Council may wish to formally acknowledge its support of local community groups and business and amend its recently adopted Schedule of Fees and Charges to reflect this. It is suggested a new Fee of 'No Charge' could be adopted for local community groups offering low or no cost activities to the community, and a new Fee of \$10 per hour be adopted for local business doing the same. Any business experiencing exceptional circumstances causing them to be unable to pay the \$10 per hour would still be able to apply to Council for a fee waiver. This option would generate a small income for Council while still ensuring community activities were able to run in a cost-effective manner for those offering them.

It should also be noted that this item refers only to Shark Bay domiciled groups and businesses offering free or low cost community activities.

### LEGAL IMPLICATIONS

Section 6.12 of the Local Government Act 1995

### POLICY IMPLICATIONS

Recreation and Culture Policy

STANDARD CONDITIONS FOR HIRE OF SHIRE VENUES, FACILITIES AND EQUIPMENT.

### FINANCIAL IMPLICATIONS

There is no negative financial impact from this item as Council currently supports local groups and business with fee waivers.

If the suggested new Fee structure were adopted, Council would receive approximately \$7,000 per annum from those businesses that use community facilities, assuming all bookings remain as they currently are.

### STRATEGIC IMPLICATIONS

Strategic Community Plan 2020– 2030

5.1 Support the provision of essential community services and facilities

5.2 Encourage inclusion, involvement and wellbeing

7.1 Encourage and support community engagement

### RISK MANAGEMENT

All groups and businesses using Council facilities are required to have appropriate insurance.

### VOTING REQUIREMENTS

Absolute majority required

### SIGNATURES

Author

*D Wilkes*

Chief Executive Officer

*P Anderson*

Date of Report

18 May 2020

27 MAY 2020

11.4 FINANCIAL HARDSHIP COVID - 19 POLICY  
CM00037

AUTHOR

EXECUTIVE MANAGER FINANCE AND ADMINISTRATION

DISCLOSURE OF ANY INTEREST

Nil

Officer Recommendation

1. That Council the adopt COVID-19 Financial Hardship Council Policy as attached.  
Or
2. That Council does not adopt COVID-19 Financial Hardship Council Policy.  
REQUIRES ABSOLUTE MAJORITY

Moved           Cr Fenny  
Seconded       Cr Stubberfield

**Council Resolution**

**That Council the adopt COVID-19 Financial Hardship Council Policy as attached.**

**6/0 CARRIED BY ABSOLUTE MAJORITY**

BACKGROUND

With the COVID-19 pandemic causing unprecedented challenges to the community, it is proposed that the attached draft policy be adopted. The draft policy focuses on the need to treat all ratepayers in a fair, equitable and confidential manner and that each circumstance is assessed individually regardless of their status, be they a property owner, tenant, business owner etc. To assist the Policy lists examples of COVID -19 Financial Hardship circumstances and criteria with emphasis on the ratepayer to provide any information on their individual circumstances that may be relevant for assessment. The policy strongly outlines that the onus is on the ratepayer to provide evidence that they are unable to pay their rates without affecting the ability to meet their basic living needs.

COMMENT

The draft policy applies to Rates and Service charges levied for the 2020/2021 financial year. It is a reasonable expectation, as we deal with the effects of the pandemic, those with the capacity to pay rates will continue to do so. For this reason, the Policy is not intended to provide rate relief to ratepayers who are not able to provide evidence or financial hardship and the provisions of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996 will apply. The proposed policy will be in addition to council policy 2.5 debt collection that will remain in force and be utilised where the COVID-19 Financial hardship policy is not applicable

LEGAL IMPLICATIONS

*Local Government Act 1995, Local Government Legislation Amendment Act 2019*  
*Local Government (Rules of Conduct) Regulations 2007.*

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POLICY IMPLICATIONS

Adoption of a new policy and will be applicable for the 2020-2021 financial year.

FINANCIAL IMPLICATIONS

The financial implications relate to a detrimental impact on cash flow as rate payments could be delayed until the COVID-19 pandemic is resolved. As at 18 May 2020 the outstanding rates and rubbish charges is \$58,756 which includes Pensioner Rates (\$11,585) which are due on the 30 June 2020 thereby reducing the current outstanding to \$47,171.

STRATEGIC IMPLICATIONS

The proposed new Policy addresses the adverse impact that the COVID-19 pandemic may have on its ratepayers. It details the criteria of what constitutes Financial Hardship and the available options to be implemented in these challenging times.

Strategic Objective 4 - Leadership: a Transparent, resilient organisation demonstrating leadership and governance

Objective 4.2.2.3 Seek a high level of legislative compliance throughout the organisation.

RISK MANAGEMENT

The focus is on minimising the risk of non payment of rates and promoting the willingness of Council to work with adversely affected ratepayers due to the current COVID-19 pandemic by providing options such as payment plans.

VOTING REQUIREMENTS

Absolute Majority Required

SIGNATURES

Author	<i>A Pears</i>
Chief Executive Officer	<i>P Anderson</i>
Date of Report	18 May 2020



27 MAY 2020

## 2.10 COVID-19 Financial Hardship

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### Policy Objective

To give effect to our commitment to support the whole community to meet the unprecedented challenges arising from the COVID-19 pandemic, the Shire of Shark Bay recognises that these challenges will result in financial hardship for our ratepayers.

This Policy is intended to ensure that we offer fair, equitable, consistent and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding at this difficult time.

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### Policy Scope

This policy applies to:

1. Rates and service charges levied for the 2020/2021 financial year.

It is a reasonable community expectation, as we deal with the effects of the pandemic that those with the capacity to pay rates will continue to do so. For this reason the Policy is not intended to provide rate relief to ratepayers who are not able to provide evidence of financial hardship and the statutory provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* will apply.

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### Policy Statement

#### **1 PAYMENT DIFFICULTIES, HARDSHIP AND VULNERABILITY**

Payment difficulties, or short term financial hardship, occur where a change in a person's circumstances result in an inability to pay a rates or service charge debt.

Financial hardship occurs where a person is unable to pay rates and service charges without affecting their ability to meet their basic living needs, or the basic living needs of their dependants. The Shire of Shark Bay recognises the likelihood that COVID-19 pandemic will increase the occurrence of payment difficulties, financial hardship and vulnerability in our community. This policy is intended to apply to all ratepayers experiencing financial hardship regardless of their status, be they a property owner, tenant, business owner etc.

#### **2 ANTICIPATED FINANCIAL HARDSHIP DUE TO COVID-19**

We recognise that many ratepayers are already experiencing financial hardship due to COVID-19 pandemic. We respect and anticipate the probability that additional financial difficulties will arise when their rates are received.

We will write to ratepayers at the time their account falls into arrears, to advise them of the terms of this policy and encourage eligible ratepayers to apply for hardship consideration. Where possible and appropriate, we will also provide contact information for a recognised financial counsellor and/or other relevant support services.

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### **3 COVID-19 FINANCIAL HARDSHIP CRITERIA**

While evidence of hardship will be required, we recognise that not all circumstances are alike. We will take a flexible approach to a range of individual circumstances including, but not limited to, the following situations:

- Recent unemployment or under-employment
- Sickness or recovery from sickness
- Low income or loss of income
- Unanticipated circumstances such as caring for and supporting extended family

Ratepayers are encouraged to provide any information about their individual circumstances that may be relevant for assessment. This may include demonstrating a capacity to make some payment and where possible, entering into a payment proposal. We will consider all circumstances, applying the principles of fairness, integrity and confidentiality whilst complying our statutory responsibilities.

### **4 PAYMENT ARRANGEMENTS**

Payment arrangements facilitated in accordance with Section 6.49 of the Act are of an agreed frequency and amount. These arrangements will consider the following:

- That a ratepayer has made genuine effort to meet rate and service charge obligations in the past;
- The payment arrangement will establish a known end date that is realistic and achievable;
- The ratepayer will be responsible for informing the Shire of Shark Bay of any change in circumstance that jeopardises the agreed payment schedule.

In the case of severe financial hardship, we reserve the right to consider waiving additional charges or interest (excluding the late payment interest applicable to the Emergency Services Levy).

### **5 INTEREST CHARGES**

A ratepayer that meets the Financial Hardship Criteria will not attract interest or penalty charges on rates / service charge debt in 2020/21, subject to the period of time that the Local Government (COVID-19 Response) Ministerial Order 2020 remains effective (SL 2020/67 – Gazetted 8 May 2020).

In the case of severe financial hardship, the Shire of Shark Bay may consider writing off interest applicable to the Emergency Services Levy and / or interest previously accrued on rates and service charge debts.

### **6 DEFERMENT OF RATES**

Deferment of rates may apply for ratepayers who have a Pensioner Card, State Concession Card or Seniors Card and Commonwealth Seniors Health Care Card registered on their property. The deferred rates balance:

- remains as a debt on the property until paid;
- becomes payable in full upon the passing of the pensioner or if the property is sold or if the pensioner ceases to reside in the property;

27 MAY 2020

- may be paid at any time, BUT the concession will not apply when the rates debt is subsequently paid (deferral forfeits the right to any concession entitlement); and
- does not incur penalty interest charges.

## **7 DEBT RECOVERY**

We will suspend our debt recovery processes, due to the COVID-19 pandemic, whilst negotiating a suitable payment arrangement with a debtor. Where a debtor is unable to make payments in accordance with the agreed payment plan and the debtor advises us and makes an alternative plan before defaulting on the 3<sup>rd</sup> due payment, then we will continue to suspend debt recovery processes.

Where a ratepayer has not reasonably adhered to the agreed payment plan, then for any Rates and Service Charge debts that remain outstanding on 1 July 2021, we will offer the ratepayer one further opportunity of adhering to a payment plan that will clear the total debt by the end of the 2021/2022 financial year.

Rates and service charge debts that remain outstanding at the end of the 2021/2022 financial year, will then be subject to the rates debt recovery procedures prescribed in the *Local Government Act 1995*.

## **8 REVIEW**

We will establish a mechanism for review of decisions made under this policy and advise the applicant of their right to seek review and the procedure to be followed.

## **9 COMMUNICATION AND CONFIDENTIALITY**

We will maintain confidential communications at all times and we undertake to communicate with a nominated support person or other third party at your request.

We will advise ratepayers of this policy and its application, when communicating in any format (i.e. verbal or written) with a ratepayer that has an outstanding rates or service charge debt.

We recognise that applicants for COVID-19 pandemic hardship consideration are experiencing additional stressors and may have complex needs. We will provide additional time to respond to communication and will communicate in alternative formats where appropriate. We will ensure all communication with applicants is clear and respectful.

Act	Local Government Act 1995 – Part 6 Division 6
Regulation	<a href="#">Local Government (Financial Management) Regulations 1996</a>
Local Law	
Other	

Adopted by Council on:	Presented to the Ordinary Council meeting 27 May 2020

## **12.0 FINANCE REPORT**

### **12.1 SCHEDULE OF ACCOUNTS PAID TO BE RECEIVED** CM00017

27 MAY 2020

Author

Finance Officer / Accounts Payable

Disclosure of any Interest

Nil

Moved

Cr Burton

Seconded

Cr Ridgley

**Council Resolution**

**That the cheques and electronic payments as per the attached schedules of accounts for payment totalling \$805,901.10 be accepted.**

**6/0 CARRIED**

Comment

The schedules of accounts for payment covering -

Municipal fund credit card direct debits for the month of April 2020 totalling \$1,525.94

Municipal fund account cheque numbers 26921 to 26922 totalling \$9,979.63

Municipal fund direct debits to Council for the month of April 2020 totalling \$20,775.45

Municipal fund account electronic payment numbers MUNI 26434 to 26440, 26480 to 26520 and 26547 to 26642 totalling \$658,194.48

Municipal fund account for April 2020 payroll totalling \$104,714.00

No Trust fund account cheque numbers were issued for April 2020.

Municipal fund Police Licensing for April 2020 transaction number 192010 totalling \$10,501.60 and

Trust fund account electronic payment numbers 26521 to 26527 totalling \$210.00

The schedule of accounts submitted to each member of Council on 22 May 2020 has been checked and are fully supported by vouchers and invoices. All vouchers and invoices have been duly certified as to the receipt of goods and services and the cost of goods and services received.

LEGAL IMPLICATIONS

Section 13.3 of the Local Government (Financial Management) Regulations 1996, requires that a list of payments be presented to Council on a monthly basis.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

The payments listed have been disbursed throughout the month.

STRATEGIC IMPLICATIONS

Outcome 1.2 To improve fiscal management practices and procedures and maximise operating revenue and social capital.

## MINUTES OF THE ORDINARY COUNCIL MEETING

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27 MAY 2020

### RISK MANAGEMENT

These payments have been paid and are subject to internal checks and appraisals and therefore are considered a low risk to council.

### Voting Requirements

Simple Majority Required

### Signature

Author

*A Pears*

Chief Executive Officer

*P Anderson*

Date of Report

15 May 2020

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

**SHIRE OF SHARK BAY – CREDIT CARD  
PERIOD – APRIL 2020**

**CREDIT CARD TOTAL    \$1,525.94**

**CEO**

<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
23/03/2020	Monkey Mia Wildsights	Accommodation Environmental Health – W.Dallywater 23-24 March PO9152	268.00
14/04/2020	Accor Advantage	Accor Plus Membership Renewal	365.00
			<b>\$633.00</b>

**EMFA**

<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
18/03/2020	Liberty Roadhouse Cataby	Fuel for EMFA vehicle	35.22
19/03/2020	Billabong Roadhouse	Fuel for EMFA vehicle	40.01
31/03/2020	Belong Mobile	Monthly 1GB Television connection with N-COM	10.00
6/04/2020	Gadget City	Lithium Battery for automatic toilet flusher at DOT toilets	37.98
			<b>\$123.21</b>

**EMCD**

<b>DATE</b>	<b>NAME</b>	<b>DESCRIPTION</b>	<b>AMOUNT</b>
18/03/2020	Regional Express Direct	Airfare Michelle McManus – Sports Consultant 26-28 May - PO9138	459.82
24/03/2020	Overlander Roadhouse	Fuel for EMCD vehicle	25.01
30/03/2020	Regional Express Direct	Cancellation fee – Airfare Entertainers for Winter Markets	134.90
16/04/2020	Tourism Council WA	Nomination for WA Top Tourism Town Awards – PO9174	150.00
			<b>\$769.73</b>

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

**SHIRE OF SHARK BAY – MUNI CHQ**

**APRIL 2020  
CHEQUE # 26921, 26922**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
26921	02/04/2020	WATER CORPORATION - OSBORNE PARK	WATER USAGE AND SERVICE CHARGES TO SHIRE PROPERTIES FOR MARCH 2020	-8590.65
26922	22/04/2020	WATER CORPORATION - OSBORNE PARK	WATER CHARGES FOR DEPOT AND COMMUNITY STANDPIPE	-1388.98
			<b>TOTAL</b>	<b>\$9,979.63</b>

**SHIRE OF SHARK BAY – MUNI DIRECT DEBITS  
APRIL 2020**

DD #	DATE	NAME	DESCRIPTION	AMOUNT
DD15444.1	21/04/2020	VIVA ENERGY AUSTRALIA	VIVA FUEL ACCOUNT - MARCH 2020	-215.67
DD15453.1	12/04/2020	WA LOCAL GOV SUPERANNUATION PLAN PTY LTD	SUPERANNUATION CONTRIBUTIONS	-5080.26
DD15453.2	12/04/2020	REST	SUPERANNUATION CONTRIBUTIONS	-274.69
DD15453.3	12/04/2020	PRIME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-206.22
DD15453.4	12/04/2020	AMP SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-433.86
DD15453.5	12/04/2020	SUN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-223.83
DD15453.6	12/04/2020	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-619.22
DD15453.7	12/04/2020	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-397.89
DD15453.8	12/04/2020	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-798.83
DD15453.9	12/04/2020	COLONIAL FIRST STATE	SUPERANNUATION CONTRIBUTIONS	-434.15
DD15456.1	28/04/2020	EXETEL PTY LTD	MONTHLY INTERNET CHARGES FOR SHIRE OFFICE AND STAFF HOUSING - MAY 2020	-376.47
DD15472.1	26/04/2020	WA LOCAL GOV SUPERANNUATION PLAN PTY LTD	SUPERANNUATION CONTRIBUTIONS	-3717.20
DD15472.2	26/04/2020	REST	SUPERANNUATION CONTRIBUTIONS	-277.21
DD15472.3	26/04/2020	PRIME SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-206.22

MINUTES OF THE ORDINARY COUNCIL MEETING

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DD #	DATE	NAME	DESCRIPTION	AMOUNT
DD15472.4	26/04/2020	AMP SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-433.86
DD15472.5	26/04/2020	SUN SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-424.86
DD15472.6	26/04/2020	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-603.72
DD15472.7	26/04/2020	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-397.89
DD15472.8	26/04/2020	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-795.28
DD15472.9	26/04/2020	COLONIAL FIRST STATE	SUPERANNUATION CONTRIBUTIONS	-434.15
DD15453.10	12/04/2020	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-1597.66
DD15453.11	12/04/2020	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-202.45
DD15453.12	12/04/2020	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	-191.62
DD15453.13	12/04/2020	WESTPAC SECURITIES ADMINISTRATION LTD	SUPERANNUATION CONTRIBUTIONS	-213.76
DD15472.10	26/04/2020	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-1600.18
DD15472.11	26/04/2020	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	-212.92
DD15472.12	26/04/2020	ESSENTIAL SUPER	SUPERANNUATION CONTRIBUTIONS	-191.62
DD15472.13	26/04/2020	WESTPAC SECURITIES ADMINISTRATION LTD	SUPERANNUATION CONTRIBUTIONS	-213.76
			<b>TOTAL</b>	<b>\$20,775.45</b>

SHIRE OF SHARK BAY – MUNI EFT

APRIL 2020

EFT 26434-26440, 26480-26520, 26547-26642

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT26434	01/04/2020	LAURENCE JAMES MICHAEL BELLOTTIE	APRIL - JUNE 2020 QUARTERLY COUNCILLOR PAYMENT	-1954.00
EFT26435	01/04/2020	CHERYL LORRAINE COWELL	APRIL - JUNE 2020 QUARTERLY COUNCILLOR PAYMENT	-6446.00
EFT26436	01/04/2020	EDMUND GEORGE FENNY	APRIL - JUNE 2020 QUARTERLY COUNCILLOR PAYMENT	-2702.75
EFT26437	01/04/2020	JAMIE BURTON	APRIL - JUNE 2020 QUARTERLY COUNCILLOR PAYMENT	-1954.00
EFT26438	01/04/2020	MARK CORBETT SMITH	APRIL - JUNE 2020 QUARTERLY COUNCILLOR PAYMENT	-1954.00
EFT26439	01/04/2020	PIETR JON STUBBERFIELD	APRIL - JUNE 2020 QUARTERLY COUNCILLOR PAYMENT	-1954.00
EFT26440	01/04/2020	GREGORY LEON RIDGLEY	APRIL - JUNE 2020 QUARTERLY COUNCILLOR PAYMENT	-1954.00
EFT26480	02/04/2020	ANNETTE PRISCILLA DIX	FOURTH QUARTER GYM REFUND	-27.00



MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
			OCM RESOLUTION - COVID-19	
EFT26481	02/04/2020	AMY TREZONA	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26482	02/04/2020	ASHLEY CULL	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26483	02/04/2020	ALANA ERU	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26484	02/04/2020	ALEXANDRA HARDIE	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26485	02/04/2020	ANDREA PEARS	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26486	02/04/2020	ROBERT JOHN ARCHIBALD	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-27.00
EFT26487	02/04/2020	ASHLEY WILLSHIRE	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-78.00
EFT26488	02/04/2020	JOHANNES FRANCISCUS BAKKER	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26489	02/04/2020	BODHI REYNOLDS	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26490	02/04/2020	CHRISTINE BACLA-AN	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26491	02/04/2020	CHELSEA BUTTERWORTH	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-78.00
EFT26492	02/04/2020	CAMERON DENNIS	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26493	02/04/2020	DENISE SLAPP	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26494	02/04/2020	GEORGE LIVESEY	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-27.00
EFT26495	02/04/2020	GARRY WILLIAM POPE	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-27.00
EFT26496	02/04/2020	HAYDEN JOHN BOY	FOURTH QUARTER GYM REFUND	-43.00

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
			OCM RESOLUTION - COVID-19	
EFT26497	02/04/2020	JOHNNY BONBONI	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26498	02/04/2020	JOHNATHAN ANTHONY BEST	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26499	02/04/2020	JOHN CRAIG	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26500	02/04/2020	JILLIAN HILL	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26501	02/04/2020	JANINE ANN STANDEN	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-78.00
EFT26502	02/04/2020	KIM LEE	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-45.50
EFT26503	02/04/2020	KELLEE NICOLE PEDERSEN	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-78.00
EFT26504	02/04/2020	KATRINA STEADALL	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26505	02/04/2020	LATISHA BROWNE	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26506	02/04/2020	LUCIA GARCIA	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26507	02/04/2020	LANE RAVEN	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-27.00
EFT26508	02/04/2020	LUKE SKINNER	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26509	02/04/2020	MELINA GRACIELA GASTALDO	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26510	02/04/2020	REBECCA JANE MORONEY	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-78.00
EFT26511	02/04/2020	MICHAEL TREZONA	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26512	02/04/2020	ONEL JOHN CAMPOS	FOURTH QUARTER GYM REFUND	-78.00

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
			OCM RESOLUTION - COVID-19	
EFT26513	02/04/2020	PATRICIA ANDREW	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-27.00
EFT26514	02/04/2020	PAUL ROBB	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26515	02/04/2020	REXNER MALACAS	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26516	02/04/2020	ROBBIE VAN ESCH	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-27.00
EFT26517	02/04/2020	SAMANTHA MURPHY	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26518	02/04/2020	SHARNA TIMMER	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26519	02/04/2020	TEGAN REINA TOMSHIN	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-78.00
EFT26520	02/04/2020	DEREK WESTON	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-45.50
EFT26547	02/04/2020	BOC LIMITED	GAS CONTAINER RENTAL MARCH 2020	-48.02
EFT26548	02/04/2020	BRIAN JOHN GALVIN	SALARY SACRIFICE PHONE, POWER AND WATER	-1110.02
EFT26549	02/04/2020	BRIDGESTONE SERVICE CENTRE	TYRES FOR P151 & P155 (SEMI TRAILERS)	-660.00
EFT26550	02/04/2020	FORTUS GROUP	GRADER BLADES FOR P156 (JOHN DEERE GRADER)	-1998.81
EFT26551	02/04/2020	CDH ELECTRICAL	REPLACE RANGEHOOD AND ELECTRIC COOKTOP AT 5 SPAVEN WAY	-1353.00
EFT26552	02/04/2020	SHARK BAY SUPERMARKET	MONTHLY SUPERMARKET ACCOUNT - MARCH 2020	-7.00
EFT26553	02/04/2020	FAR WEST ELECTRICAL	REPAIRS TO RECREATION CENTRE SECURITY LIGHTS	-1135.86
EFT26554	02/04/2020	C.M & G.D BELL	LABOUR HIRE - SHARK BAY ROAD - MAIN ROADS PRIVATE WORKS	-13585.00
EFT26555	02/04/2020	HORIZON POWER	MARCH 2020 DENHAM STREET LIGHTING COSTS	-3726.55
EFT26556	02/04/2020	TOLL IPEC PTY LTD	MARCH 2020 FREIGHT FROM LIBRARY, GALVINS PLUMBING, T-QUIP AND SUNNY INDUSTRIAL	-274.43
EFT26557	02/04/2020	LIFTRITE HIRE & SALES	KOBELCO WINDSCREEN FOR PP127 (EXCAVATOR)	-818.33
EFT26558	02/04/2020	LAVIDA TRADING	SBDC MERCHANDISE	-3083.19

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT26559	02/04/2020	MCLEODS BARRISTERS AND SOLICITORS	LEGAL FEES FOR EMERGENCY SERVICES BUILDING LAND	-192.36
EFT26560	02/04/2020	PROFESSIONAL PC SUPPORT	ASSISTANCE WITH PC ISSUES - SENDING EMAILS TO BIGPOND ACCOUNTS	-115.50
EFT26561	02/04/2020	LYONS ENTERPRISES-SHARK BAY CAR HIRE	MARCH 2020 CAR HIRE FOR MEDICAL STAFF TRANSFERS	-794.94
EFT26562	02/04/2020	WINC AUSTRALIA PTY LIMITED	BELT UNIT FOR PRINTER AT SBDC	-349.71
EFT26563	02/04/2020	SHARK BAY STATE EMERGENCY SERVICE UNIT INC	FOURTH QUARTER LGGS GRANT	-12812.25
EFT26564	02/04/2020	SHARK BAY CLEANING SERVICE	MARCH 2020 MONTHLY CLEANING CONTRACT ON SHIRE PROPERTIES	-21146.53
EFT26565	02/04/2020	1616 SALT CO. PTY LTD	SBDC MERCHANDISE	-3136.80
EFT26566	02/04/2020	MCKELL FAMILY TRUST	MARCH 2020 RUBBISH COLLECTION AND STREET SWEEPING	-11719.05
EFT26567	02/04/2020	SUNNY INDUSTRIAL BRUSHWARE	DIGGA BROOM FOR P161 (JOHN DEERE SKID)	-869.44
EFT26568	02/04/2020	SHOPS FOR SHOPS	NEW SHOP FIXTURES FOR SBDC	-3760.40
EFT26569	02/04/2020	TOWN PLANNING INNOVATIONS	TOWN PLANNING AND GENERAL PLANNING SERVICES FOR MARCH 2020	-2928.75
EFT26570	02/04/2020	T-QUIP	BELT FOR P192 (BLOWER VAC RIDE ON MOWER)	-34.30
EFT26571	02/04/2020	URL NETWORKS PTY LTD	SHIRE IP VOIP TELEPHONE CALL CHARGES FOR MARCH 2020	-205.37
EFT26572	02/04/2020	CT & L WOODCOCK	FENCING SUPPLIES FOR DEPOT BOUNDARY FENCE	-7620.00
EFT26573	09/04/2020	BROGAN MCMANUS	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26574	09/04/2020	STEVE NICHOLSON	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26575	09/04/2020	ASM ECLIPSE PTY LTD	SBDC MERCHANDISE	-1341.41
EFT26576	09/04/2020	BRIAN CHILD	FIX HOT WATER FLOW TO UNIT 5 PENSIONER UNIT	-150.00
EFT26577	09/04/2020	CHUBB FIRE & SECURITY LTD	ALARM MONITORING PREVENTATIVE MAINTENANCE SBDC	-257.40
EFT26578	09/04/2020	CDH ELECTRICAL	ANNUAL SERVICING OF AIRCONDITIONERS AND HOT WATER SYSTEMS – SHIRE PROPERTIES	-6864.00

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT26579	09/04/2020	DENHAM IGA X-PRESS	MARCH 2020 MONTHLY SHIRE ACCOUNT	-738.32
EFT26580	09/04/2020	FAR WEST ELECTRICAL	REPAIRS TO CEILING FAN - PENSIONER UNIT 5	-392.82
EFT26581	09/04/2020	GRIFFIN CIVIL	UPGRADE TO BROCKMAN STREET (KNIGHT TCE TO TALBOT STREET) PROGRESS CLAIM #1	-248250.20
EFT26582	09/04/2020	REFUEL AUSTRALIA (formerly GERALDTON FUEL COMPANY)	MONTHLY FUEL ACCOUNT - MARCH 2020 BULK FUEL AND MANAGERS VEHICLES FUEL	-22154.66
EFT26583	09/04/2020	DEPARTMENT OF HUMAN SERVICES	CHILD SUPPORT PAYMENT	-50.00
EFT26584	09/04/2020	TOLL IPEC PTY LTD	TOLL IPEC FREIGHT ACCOUNT - FREIGHT FROM LIFTRITE	-23.68
EFT26585	09/04/2020	MIDWEST FIRE PROTECTION SERVICE	BI ANNUAL SERVICING OF SHIRE FIRE EXTINGUISHERS	-1185.80
EFT26586	09/04/2020	TRUE VALUE HARDWARE	MONTHLY HARDWARE ACCOUNT - MARCH 2020	-842.95
EFT26587	09/04/2020	RHONDA JOY METTAM	REIMBURSEMENT FOR PHOTOCOPING PLANS	-8.64
EFT26588	09/04/2020	NATURALISTE PLUMBING PTY LTD	UNBLOCK DUMP POINT AT INFORMATION BAY	-550.00
EFT26589	09/04/2020	PEST-A-KILL	RODENT MONITORING AND BAITING OF SHIRE PREMISES	-330.00
EFT26590	09/04/2020	PROFESSIONAL PC SUPPORT	EMAIL SET UP FOR 2 COUNCILLORS	-38.50
EFT26591	09/04/2020	PAULS TYRES	SUPPLY NEW TRAILER TYRES FOR P151 &P155 (SEMI TRAILERS)	-2660.00
EFT26592	09/04/2020	R & L COURIERS	R & L COURIERS MARCH FREIGHT ACCOUNT - FREIGHT FROM PPC, TOTAL UNIFORMS, BATAVIA MARINE, OFFICE NATIONAL, GERALDTON MOWERS, BRIDGESTONE, STATEWIDE BEARINGS, SUN CITY BATTERIES	-423.50
EFT26593	09/04/2020	REPLAS	RECYCLED PLASTIC BOLLARDS FOR LITTLE LAGOON BARRIERS	-8466.61
EFT26594	09/04/2020	SHARK BAY SERVICES	NEW BATTERIES FOR GALLA	-520.00
EFT26595	09/04/2020	SCIENCE AND NATURE PTY LTD	SBDC MERCHANDISE	-600.53
EFT26596	09/04/2020	SUN CITY BATTERIES	BATTERY BOX AND SOLAR PANEL FOR GALLA	-536.00
EFT26597	09/04/2020	VALENTINES PAINTING SERVICE	RECREATION CENTRE PAINTING MAINTENANCE	-9460.00
EFT26598	09/04/2020	WA HINO	PURCHASE OF NEW HINO PRIME MOVER 700 SERIES - LESS TRADE IN OF OLD PRIME MOVER	-130375.00
EFT26599	09/04/2020	WA HOLIDAY GUIDE PTY LTD	BOOEASY COMMISSION MARCH 2020	-77.60
EFT26600	09/04/2020	WATER TECHNOLOGY	DENHAM TOWNSITE COASTAL MONITORING PLAN PROFESSIONAL SERVICES FOR MARCH 2020	-5997.20
EFT26601	09/04/2020	WURTH AUSTRALIA PTY LTD	DEPOT TOOLS - SAW BLADES & DRILL SET	-197.20

MINUTES OF THE ORDINARY COUNCIL MEETING

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CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT26602	21/04/2020	AUSTRALIAN TAXATION OFFICE	MARCH 2020 BAS	-33189.00
EFT26603	17/04/2020	GIULIA CASTAGNARO	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26604	17/04/2020	JOEL GARINGAN	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26605	17/04/2020	BOOEASY AUSTRALIA PTY LTD	MARCH 2020 BOOKING FEE	-275.00
EFT26606	17/04/2020	DESERT VET PTY LTD	PARTNERSHIP PAYMENT FOR DESERT VET SEASON 2	-5500.00
EFT26607	17/04/2020	PROFESSIONAL PC SUPPORT	MONTHLY BILLING FOR MAY 2020 PPS SUPPORT FOR WORKSTATIONS, BACKUP SERVICES, WEBROOT ENDPOINT PROTECTION, 3CX TELEPHONE SYSTEM SUPPORT AND COMPUTER LICENCES	-1419.40
EFT26608	17/04/2020	PAPER PLUS OFFICE NATIONAL	TONER CARTRIDGES FOR SHIRE OFFICE PRINTER	-1295.31
EFT26609	17/04/2020	BUCKINGHAM PEWTER	SBDC MERCHANDISE	-2231.41
EFT26610	17/04/2020	SHARK BAY NEWSAGENCY	NEWSPAPERS AND STATIONERY MARCH 2020	-433.53
EFT26611	17/04/2020	SHARK BAY COMMUNITY RESOURCE CENTRE	MANAGEMENT MARCH 2020	-3052.50
EFT26612	17/04/2020	TELSTRA CORPORATION LTD	TELEPHONE SERVICE FOR SMS TO PUBLIC WITH COMMUNITY MESSAGES	-214.63
EFT26613	17/04/2020	WESTERN INDEPENDENT FOODS	FREIGHT FROM OFFICE NATIONAL - PRINTER CARTRIDGES	-33.00
EFT26614	20/04/2020	JB HIFI	NEW REPLACEMENT MOBILE – BRAD ROGERS – INSURANCE CLAIM	-509.00
EFT26615	24/04/2020	AUSTRALIA POST	SHIRE POSTAGE FOR MARCH 2020	-72.44
EFT26616	24/04/2020	BRIDGESTONE SERVICE CENTRE	NEW TYRES FOR P174 (CORONADO PRIME MOVER)	-852.00
EFT26617	24/04/2020	BLACKWOODS ATKINS	SAFETY EQUIPMENT - DUST MASK FILTERS FOR DEPOT	-860.19
EFT26618	24/04/2020	CANDICE USZKO	SALARY SACRIFICE - COMMUNICATION	-79.00
EFT26619	24/04/2020	DENHAM MEATS	COUNTRY CREW MEAT ACCOUNT - USELESS LOOP ROAD MAINTENANCE	-181.00
EFT26620	24/04/2020	ELGAS LIMITED	GAS BOTTLE REFILL FOR DEPOT	-35.08
EFT26621	24/04/2020	GERALDTON MOWER & REPAIRS SPECIALISTS	GASKET KIT FOR PP076 (WHIPPER SNIPPER)	-28.60

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT26622	24/04/2020	HORIZON POWER	SHIRE PREMISES ELECTRICITY CHARGES FOR MARCH 2020	-10160.16
EFT26623	24/04/2020	TOLL IPEC PTY LTD	TOLL IPEC FREIGHT ACCOUNT - HOSEMANIA	-70.11
EFT26624	24/04/2020	MIDWEST COURIERS	FREIGHT - DEPOT FENCING MATERIALS	-387.20
EFT26625	24/04/2020	PAUL GREGORY ANDERSON	SALARY SACRIFICE FEBRUARY TO APRIL 2020	-858.30
EFT26626	24/04/2020	PATHTECH PTY LTD	BI ANNUAL CALIBRATION OF INTOXIMETER FOR DEPOT	-132.00
EFT26627	24/04/2020	PAULS TYRES	NEW TYRES AND ONE REPAIR FOR P189 (TOYOTA HILUX)	-1025.00
EFT26628	24/04/2020	STATEWIDE BEARINGS	BEARINGS FOR P155 (SEMI TRAILER)	-334.42
EFT26629	24/04/2020	SHARK BAY NEWSAGENCY	SHIRE OFFICE PRINTING PAPER	-439.50
EFT26630	24/04/2020	SHARK BAY COMMUNITY RESOURCE CENTRE	PURCHASE OF PLAY EQUIPMENT FOR RECREATION CENTRE	-354.74
EFT26631	24/04/2020	SHARK BAY SKIPS	MONTHLY SKIP BIN ACCOUNT MARCH 2020 USELESS LOOP TURN OFF AND DENHAM JETTY	-4092.00
EFT26632	24/04/2020	TELSTRA CORPORATION LTD	REFUSE SITE MOBILE PHONE CHARGES	-25.00
EFT26633	24/04/2020	TRUCKLINE PARTS CENTRE	BRAKE SHOES AND SERVICE FILTERS FOR P155 (SEMI-TRAILER), PP127 (EXCAVATOR), P163 (LOADER) & P156 (GRADER)	-948.63
EFT26634	24/04/2020	THE WATERSHED WATER SYSTEMS	POP UP SPRINKLERS FOR TOWN OVAL	-374.00
EFT26635	30/04/2020	CLINTON NIESE	FOURTH QUARTER GYM REFUND OCM RESOLUTION - COVID-19	-43.00
EFT26636	30/04/2020	BUNNINGS BUILDING SUPPLIES PTY LTD	TOWN BORE FENCE EXTENSIONS	-2367.74
EFT26637	30/04/2020	TOLL IPEC PTY LTD	FREIGHT FROM WINC – OFFICE STATIONERY	-42.27
EFT26638	30/04/2020	MIDWEST CONTRACTING	GRADER HIRE - MAINTENANCE GRADING OF EASTERN ROADS	-25795.00
EFT26639	30/04/2020	NATURALISTE PLUMBING PTY LTD	REPLACE HOT WATER SYSTEM AT SBDC	-920.00
EFT26640	30/04/2020	WINC AUSTRALIA PTY LIMITED	FUSING UNIT FOR SHIRE OFFICE PHOTOCOPIER	-1904.14
EFT26641	30/04/2020	SHARK BAY NEWSAGENCY	APRIL 2020 NEWSPAPERS AND STATIONERY - SHIRE OFFICE	-178.17
EFT26642	30/04/2020	TELSTRA CORPORATION LTD	SHIRE MOBILE PHONE ACCOUNT - APRIL 2020	-389.33
EFT26653	30/04/2020	DEPARTMENT OF MINES, INDUSTRY REGULATION AND SAFETY	BSL PERMIT 3331 21 HOULT ST DENHAM	-113.30
EFT26654	30/04/2020	SHIRE OF SHARK BAY	BSL COLLECTION FEE APRIL 2020	-10.00

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
			<b>TOTAL</b>	<b>\$658,194.48</b>

**SHIRE OF SHARK BAY – MUNI  
ELECTRONIC PAYROLL TRANSACTIONS  
APRIL 2020**

DATE	NAME	DESCRIPTION	AMOUNT
14/4/2020	PAYROLL	EMPLOYEE NET PAY FOR FORTNIGHT ENDING 12 APRIL 2020	52,345.00
28/04/2020	PAYROLL	EMPLOYEE NET PAY FOR FORTNIGHT ENDING 26 APRIL 2020	52,369.00
		<b>TOTAL</b>	<b>\$104,714.00</b>

**SHIRE OF SHARK BAY  
APRIL 2020  
POLICE LICENSING TRANSACTION # 192010**

CHQ	DATE	NAME	DESCRIPTION	AMOUNT
192010	30/04/2020	COMMISSIONER OF POLICE	POLICE LICENSING APRIL 2020	-10501.60
			<b>TOTAL</b>	<b>\$10,501.60</b>

**SHIRE OF SHARK BAY – TRUST EFT**

**APRIL 2020  
EFT 26521-26527**

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT26521	02/04/2020	ASHLEY CULL	GYM CARD REFUND	-20.00
EFT26522	02/04/2020	ASHLEY WILLSHIRE	GYM CARD DEPOSIT REFUND	-20.00
EFT26523	02/04/2020	DEBRA HOOK	LIBRARY CARD DEPOSIT REFUND	-50.00



MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

CHQ/EFT	DATE	NAME	DESCRIPTION	AMOUNT
EFT26524	02/04/2020	GARRY WILLIAM POPE	GYM CARD REFUND	-20.00
EFT26525	02/04/2020	KIM LEE	GYM CARD DEPOSIT REFUND	-40.00
EFT26526	02/04/2020	PATRICIA ANDREW	GYM CARD REFUND	-20.00
EFT26527	02/04/2020	TEGAN REINA TOMSHIN	GYM CARD REFUND	-40.00
			<b>TOTAL</b>	<b>\$210.00</b>

27 MAY 2020

12.2 FINANCIAL REPORTS TO 30 APRIL 2020  
CM00017

Author

Executive Manager Finance and Administration

Disclosure of Any Interest

Nil

Moved Cr Fenny

Seconded Cr Burton

**Council Resolution**

**That the monthly financial report to 30 April 2020 as attached be received.**

**6/0 CARRIED**

Comment

As per the requirements of Section 6.4 of the *Local Government Act 1995* and Regulation 34 of the *Local Government Accounting (Financial Management) Regulations 1996*, the following monthly financial reports to **30 April 2020** are attached.

VARIANCE ANALYSIS

Operating Revenue was below the year to date budget by \$63,714. The major contributor was Main Roads Private Works (approximately \$117,000) due to timing of the year to date budget being in advance of year to date actual. This should be resolved by the end of financial year. In addition, due to COVID-19 pandemic resulting in the closure of the Shark Bay Discovery Centre, entrance fees, Merchandise and Pass Sales and Booking commission has fallen below year to date budget by approximately \$27,000. This has been offset by the receipt of Gascoyne Development Commission COVID-19 Emergency Response Grant (\$15,000), increased revenue compared to year to date budget for Refuse Site Fees, Development and Structure Plan Fees, CDEP Employment Incentive Funding, Diesel Fuel Rebate and Refunds Income (approximately \$65,000).

Operating Expenditure is under the year to date budget by \$749,666 and is due to an overall underspend in expenditure and the reduction of depreciation due to Plant and Equipment and Furniture and Fittings Fair Valuation review.

Capital Revenue is in line with year to date budget resulting in a nil variance.

Capital Expenditure is under the year to date budget by \$275,669. This has been contributed to by savings in the purchase of the two Dual Cabs and Prime Mover amounting to \$64,000. The Town Bore project is near completion with the old bore still to be decommissioned. The Records Room relocation is underway and is due to be completed by the end of May 2020.

The Shire has been successful in obtaining a loan of \$800,000 for the Town Bore from Western Australian Treasury Corporation on the 17 April 2020. The term of the loan is 20 years with bi-annual repayments of \$24,923.34 (\$49,846.68 Annually) with a fixed interest rate of 2.24% with repayments commencing in the 2020/2021 financial year.

27 MAY 2020

LEGAL IMPLICATIONS

Section 34 of the Local Government (Financial Management) Regulations 1996, requires a financial report to be submitted to Council on a monthly basis.

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

The financial report shows the financial position of the Shire has exceeded the year to date budget as a result of strategies put in place to address the significant adverse trend in the financial position of the Shire, as the Operating Surplus Ratio has been below the Department of Local Government, Sport and Cultural Industries standard for the past three years. In addition, due to the COVID-19 pandemic further strategies were implemented in March 2020 to further reduce expenditure and the predicted adverse impact on cashflow forecast for the 2020/2021 financial year.

STRATEGIC IMPLICATIONS

Outcome 1.2 To improve fiscal management practices and procedures and maximise operating revenue and social capital.

RISK MANAGEMENT

The financial report reports on the current financial status and this is currently viewed as a low risk to Council.

Voting Requirements

Simple Majority Required

Signature

Author  
Chief Executive Officer  
Date of Report

*A Pears*  
*P Anderson*  
15 May 2020

27 MAY 2020

SHIRE OF SHARK BAY						
MONTHLY FINANCIAL REPORT						
For the Period Ended 30 April 2020						
LOCAL GOVERNMENT ACT 1995						
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996						
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# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SHIRE OF SHARK BAY							
STATEMENT OF FINANCIAL ACTIVITY							
(Statutory Reporting Program)							
For the Period Ended 30 April 2020							
	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(a)	Var.
<b>Operating Revenues</b>		\$	\$	\$	\$	%	
Governance		10,502	10,282	8,366	(1,916)	(18.63%)	▼
General Purpose Funding - Rates	9	1,446,133	1,446,133	1,445,669	(464)	(0.03%)	▲
General Purpose Funding - Other		984,171	747,157	762,197	15,040	2.0%	▲
Law, Order and Public Safety		109,773	108,303	90,992	(17,311)	(16%)	▼
Health		2,250	2,250	1,657	(593)	(26.36%)	▼
Housing		129,105	107,166	113,572	6,406	6.0%	▲
Community Amenities		341,446	325,907	338,784	12,877	3.95%	▲
Recreation and Culture		317,273	266,774	244,233	(22,541)	(8.4%)	▲
Transport		527,620	459,790	441,318	(18,472)	(4.0%)	▼
Economic Services		919,782	849,509	768,102	(81,407)	(9.6%)	▼
Other Property and Services		38,000	31,670	76,335	44,665	141.0%	▲
<b>Total Operating Revenue</b>		<b>4,826,055</b>	<b>4,354,941</b>	<b>4,291,227</b>	<b>(63,714)</b>	<b>(1.46%)</b>	
<b>Operating Expense</b>							
Governance		(288,326)	(240,714)	(216,728)	23,986	10.0%	▲
General Purpose Funding		(115,631)	(96,360)	(79,409)	16,951	17.6%	▲
Law, Order and Public Safety		(319,668)	(284,459)	(230,554)	53,905	18.9%	▲
Health		(80,865)	(57,320)	(43,552)	13,768	24.0%	▲
Housing		(231,263)	(194,429)	(179,276)	15,154	7.8%	▲
Community Amenities		(738,587)	(618,206)	(505,447)	112,759	18.2%	▲
Recreation and Culture		(2,234,519)	(1,856,404)	(1,797,429)	58,975	3.2%	▲
Transport		(1,853,094)	(1,530,562)	(1,389,132)	141,430	9.2%	▲
Economic Services		(1,117,222)	(930,569)	(749,945)	180,624	19.4%	▲
Other Property and Services		(37,500)	(23,215)	108,902	132,117	569.1%	▲
<b>Total Operating Expenditure</b>		<b>(7,016,675)</b>	<b>(5,832,238)</b>	<b>(5,082,572)</b>	<b>749,666</b>	<b>12.9%</b>	
<b>Funding Balance Adjustments</b>							
Add back Depreciation		2,015,110	1,678,317	1,560,506	(117,811)		
Adjust (Profit)/Loss on Asset Disposal	8	66,878	59,089	40,273	(18,816)		
Adjust in Pensioner Rates Non Current		0	0	0	0		
Adjust Provisions and Accruals		0	0	0	0		
<b>Net Cash from Operations</b>		<b>(108,632)</b>	<b>260,109</b>	<b>809,434</b>	<b>549,325</b>		
<b>Capital Revenues</b>							
Grants, Subsidies and Contributions	11	527,462	393,018	393,018	0	0.0%	▲
Proceeds from Disposal of Assets	8	232,636	162,727	162,727	0	0.0%	
<b>Total Capital Revenues</b>		<b>760,098</b>	<b>555,745</b>	<b>555,745</b>	<b>0</b>	<b>0.0%</b>	
<b>Capital Expenses</b>							
Land and Buildings	13	(360,000)	(126,092)	(33,375)	92,717	73.5%	▲
Infrastructure - Roads	13	(795,325)	(705,324)	(737,091)	(31,767)	(4.5%)	▼
Infrastructure - Public Facilities	13	(934,500)	(862,494)	(794,402)	68,092	7.9%	▲
Infrastructure - Footpaths	13	(50,000)	(41,670)	(24,913)	16,757	40.2%	▲
Plant and Equipment	13	(490,513)	(467,183)	(336,529)	130,654	28.0%	▲
Furniture and Equipment	13	(20,000)	(20,000)	(20,784)	(784)	-3.9%	▼
<b>Total Capital Expenditure</b>		<b>(2,650,338)</b>	<b>(2,222,763)</b>	<b>(1,947,094)</b>	<b>275,669</b>	<b>12.4%</b>	
<b>Net Cash from Capital Activities</b>		<b>(1,890,240)</b>	<b>(1,667,018)</b>	<b>(1,391,349)</b>	<b>275,669</b>	<b>16.54%</b>	
<b>Financing</b>							
Proceeds from Loans		800,000	800,000	800,000	0	0.0%	
Transfer from Reserves	7	1,096,255	259,898	259,898	0	0.0%	
Repayment of Debentures	10	(50,599)	(40,986)	(40,986)	0	(0.0%)	
Transfer to Reserves	7	(1,617,002)	(180,445)	(180,445)	0	0.0%	
<b>Net Cash from Financing Activities</b>		<b>228,654</b>	<b>838,467</b>	<b>838,467</b>	<b>0</b>	<b>0.0%</b>	
<b>Net Operations, Capital and Financing</b>		<b>(1,770,218)</b>	<b>(568,442)</b>	<b>256,552</b>	<b>824,994</b>	<b>145.13%</b>	<b>▲</b>
<b>Opening Funding Surplus(Deficit)</b>	3	<b>1,770,218</b>	<b>1,767,832</b>	<b>1,770,218</b>	<b>2,386</b>		
<b>Closing Funding Surplus(Deficit)</b>	3	<b>0</b>	<b>1,199,390</b>	<b>2,026,770</b>	<b>827,380</b>		<b>▲</b>
Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.							
Refer to Note 2 for an explanation of the reasons for the variance.							
Depreciation has not been run for July until Fair Valuation for Plant and Equipment and end of year accounts have been finalised							

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SHIRE OF SHARK BAY				
STATEMENT OF FINANCIAL ACTIVITY				
(By Nature or Type)				
For the Period Ended 30 April 2020				
	Note	Annual Budget	YTD Budget (a)	YTD Actual (b)
<b>Operating Revenues</b>		\$	\$	\$
Rates	9	1,446,133	1,446,133	1,445,669
Operating Grants, Subsidies and Contributions	11	1,511,795	1,216,041	1,219,388
Fees and Charges		1,691,156	1,541,100	1,447,326
Interest Earnings		26,405	22,000	22,011
Other Revenue		138,264	117,365	153,925
Profit on Disposal of Assets	8	12,302	12,302	2,907
<b>Total Operating Revenue</b>		<b>4,826,055</b>	<b>4,354,941</b>	<b>4,291,227</b>
<b>Operating Expense</b>				
Employee Costs		(2,277,223)	(1,827,993)	(1,740,646)
Materials and Contracts		(2,096,582)	(1,760,255)	(1,251,118)
Utility Charges		(187,510)	(155,800)	(140,468)
Depreciation on Non-Current Assets		(2,015,110)	(1,678,317)	(1,560,506)
Interest Expenses		(7,210)	(4,871)	(4,865)
Insurance Expenses		(156,295)	(156,294)	(153,625)
Other Expenditure		(197,565)	(174,669)	(188,162)
Loss on Disposal of Assets	8	(79,180)	(74,039)	(43,182)
<b>Total Operating Expenditure</b>		<b>(7,016,675)</b>	<b>(5,832,238)</b>	<b>(5,082,572)</b>
<b>Funding Balance Adjustments</b>				
Add back Depreciation		2,015,110	1,678,317	1,560,506
Adjust (Profit)/Loss on Asset Disposal	8	66,878	(8,898)	40,273
Adjust in Pensioner Rates Non Current		0	0	0
Adjust Provisions and Accruals		0	0	0
<b>Net Cash from Operations</b>		<b>(108,632)</b>	<b>192,122</b>	<b>809,434</b>
<b>Capital Revenues</b>				
Grants, Subsidies and Contributions	11	527,462	393,018	393,018
Proceeds from Disposal of Assets	8	232,636	162,727	162,727
<b>Total Capital Revenues</b>		<b>760,098</b>	<b>555,745</b>	<b>555,745</b>
<b>Capital Expenses</b>				
Land and Buildings	13	(360,000)	(126,092)	(33,375)
Infrastructure - Roads	13	(795,325)	(705,324)	(737,091)
Infrastructure - Public Facilities	13	(934,500)	(862,494)	(794,402)
Infrastructure - Footpaths	13	(50,000)	(41,670)	(24,913)
Infrastructure - Drainage	13	0	0	0
Plant and Equipment	13	(490,513)	(467,183)	(336,529)
Furniture and Equipment	13	(20,000)	(20,000)	(20,784)
<b>Total Capital Expenditure</b>		<b>(2,650,338)</b>	<b>(2,222,763)</b>	<b>(1,947,094)</b>
<b>Net Cash from Capital Activities</b>		<b>(1,890,240)</b>	<b>(1,667,018)</b>	<b>(1,391,349)</b>
<b>Financing</b>				
Proceeds from Loans		800,000	800,000	800,000
Transfer from Reserves	7	1,096,255	259,898	259,898
Repayment of Debentures	10	(50,599)	(40,986)	(40,986)
Transfer to Reserves	7	(1,617,002)	(180,445)	(180,445)
<b>Net Cash from Financing Activities</b>		<b>228,654</b>	<b>838,467</b>	<b>838,467</b>
<b>Net Operations, Capital and Financing</b>		<b>(1,770,218)</b>	<b>(636,429)</b>	<b>256,552</b>
<b>Opening Funding Surplus(Deficit)</b>	3	<b>1,770,218</b>	<b>1,767,832</b>	<b>1,770,218</b>
<b>Closing Funding Surplus(Deficit)</b>	3	<b>0</b>	<b>1,131,403</b>	<b>2,026,770</b>

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SHIRE OF SHARK BAY								
STATEMENT OF CAPITAL ACQUISITIONS AND CAPITAL FUNDING								
For the Period Ended 30 April 2020								
Capital Acquisitions	Note	YTD Actual New /Upgrade (a)	YTD Actual (Renewal Expenditure) (b)	YTD Actual Total (c) = (a)+(b)	YTD Budget (d)	Annual Budget	Variance (d) - (c)	
		\$	\$	\$	\$	\$	\$	\$
Land and Buildings	13	16,479	16,895	33,375	126,092	360,000	92,717	
Infrastructure Assets - Roads	13	0	737,091	737,091	705,324	795,325	(31,767)	
Infrastructure Assets - Public Facilities	13	37,009	757,394	794,402	862,494	934,500	68,092	
Infrastructure Assets - Footpaths	13	24,913	0	24,913	41,670	50,000	16,757	
Infrastructure Assets - Drainage	13	0	0	0	0	0	0	
Infrastructure Assets - Streetscapes	13	0	0	0	0	0	0	
Plant and Equipment	13	0	336,529	336,529	467,183	490,513	130,654	
Furniture and Equipment	13	0	20,784	20,784	20,000	20,000	(784)	
Capital Expenditure Totals		78,401	1,868,693	1,947,094	2,222,763	2,650,338	275,669	

### CAPITAL REVENUE

Month	Budget 2019-20	Actual 2019-20
Jul	100	100
Aug	120	120
Sep	120	120
Oct	120	120
Nov	120	120
Dec	150	250
Jan	150	250
Feb	300	300
Mar	550	550
Apr	550	550
May		
Jun		

### CAPITAL EXPENDITURE

Month	Budget 2019-20	Actual 2019-20
Jul	100	100
Aug	200	200
Sep	1000	1000
Oct	1100	1100
Nov	1200	1200
Dec	1800	1800
Jan	1500	1500
Feb	1700	1700
Mar	1800	1800
Apr	2200	2000
May		
Jun		



# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 30 April 2020					
1. SIGNIFICANT ACCOUNTING POLICIES					
(a) Basis of Preparation					
This report has been prepared in accordance with applicable Australian Accounting Standards (as they apply to local government and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this budget are presented below and have been consistently applied unless stated otherwise.					
Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.					
The Local Government Reporting Entity					
All Funds through which the Council controls resources to carry on its functions have been included in the financial statements forming part of this budget.					
In the process of reporting on the local government as a single unit, all transactions and balances between those Funds (for example, loans and transfers between Funds) have been eliminated.					
All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 16 to this budget document.					
(b) Rounding Off Figures					
All figures shown in this report, other than a rate in the dollar, are rounded to the nearest dollar.					
( c ) Rates, Grants, Donations and Other Contributions					
Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions.					
Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.					
(d) Goods and Services Tax (GST)					
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.					
( e ) Superannuation					
The Council contributes to a number of Superannuation Funds on behalf of employees. All funds to which the Council contributes are defined contribution plans.					

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 30 April 2020					
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>					
<b>(f) Cash and Cash Equivalents</b>					
Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks, other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.					
Bank overdrafts are shown as short term borrowings in current liabilities in the statement of financial position.					
<b>(g) Trade and Other Receivables</b>					
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 doubtful debts is raised when there is objective evidence that they will not be collectible.					
<b>(h) Inventories</b>					
<b>General</b>					
Inventories are measured at the lower of cost and net realisable value.					
Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.					
<b>Land Held for Resale</b>					
Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.					
Gains and losses are recognised in profit or loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.					
Land held for sale is classified as current except where it is held as non-current based on Council's intentions to release for sale.					
<b>(i) Fixed Assets</b>					
Each class of fixed assets within either property, plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.					
<b>Mandatory Requirement to Revalue Non-Current Assets</b>					
Effective from 1 July 2012, the Local Government (Financial Management) Regulations were amended and the measurement of non-current assets at Fair Value became mandatory.					

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 30 April 2020					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(j) Fixed Assets (Continued)					
<b>Land Under Control</b>					
In accordance with Local Government (Financial Management) Regulation 16(a), the Council was required to include as an asset (by 30 June 2013), Crown Land operated by the local government as a golf course, showground, racecourse or other sporting or recreational facility of state or regional significance.					
Upon initial recognition, these assets were recorded at cost in accordance with AASB 116. They were then classified as Land and revalued along with other land in accordance with the other policies detailed in this Note.					
Whilst they were initially recorded at cost (being fair value at the date of acquisition (deemed cost) as per AASB 116) they were revalued along with other items of Land and Buildings at 30 June 2014.					
<b>Initial Recognition and Measurement between Mandatory Revaluation Dates</b>					
All assets are initially recognised at cost and subsequently revalued in accordance with the mandatory measurement framework detailed above.					
In relation to this initial measurement, 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 Council includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.					
Individual assets acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework detailed above, are carried at cost less accumulated depreciation as management believes this approximates fair value. They will be subject to subsequent revaluation of the next anniversary date in accordance with the mandatory measurement framework.					

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 30 April 2020					
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>					
<b>(j) Fixed Assets (Continued)</b>					
<b>Revaluation</b>					
Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss.					
<b>Transitional Arrangement</b>					
During the time it takes to transition the carrying value of non-current assets from the cost approach to the fair value approach, the Council may still be utilising both methods across differing asset classes.					
Those assets carried at cost will be carried in accordance with the policy detailed in the <b>Initial Recognition</b> section as detailed above.					
Those assets carried at fair value will be carried in accordance with the <b>Revaluation</b> Methodology section as detailed above.					
<b>Land Under Roads</b>					
In Western Australia, all land under roads is Crown land, the responsibility for managing which, is vested in the local government.					
Effective as at 1 July 2008, Council elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB 1051 Land Under Roads and the fact Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.					
In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.					
Whilst such treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail.					
Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the Council.					
<b>Depreciation</b>					
The depreciable amount of all fixed assets including buildings but excluding freehold land, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.					

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SHIRE OF SHARK BAY			
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY			
For the Period Ended 30 April 2020			
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>			
<b>(j) Fixed Assets (Continued)</b>			
Major depreciation periods used for each class of depreciable asset are:			
Buildings			10 to 50 years
Furniture and Equipment			5 to 10 years
Plant and Equipment			5 to 10 years
Heritage			25 to 100 years
Sealed Roads and Streets			
- Subgrade			Not Depreciated
- Pavement			80 to 100 years
- Seal	Bituminous Seals		15 to 22 years
	Asphalt Surfaces		30 years
Formed Roads (Unsealed)			
- Subgrade			Not Depreciated
- Pavement			12 years
Footpaths			40 to 80 years
Drainage Systems			
- Drains and Kerbs			20 to 60 years
- Culverts			60 years
- Pipes			80 years
- Pits			60 years
The assets residual values and useful lives are reviewed, and adjusted if appropriate, at the end of each reporting period.			
An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.			
Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in profit or loss in the period which they arise.			
When revalued assets are sold, amounts included in the revaluation surplus relating to that asset are transferred to retained surplus.			
<b>Capitalisation Threshold</b>			
Expenditure on items of equipment under \$5,000 is not capitalised. Rather, it is recorded on an asset inventory listing.			
<b>(k) Fair Value of Assets and Liabilities</b>			
When performing a revaluation, the Council uses a mix of both independent and management valuations using the following as a guide:			
Fair Value is the price that Council would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.			

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 30 April 2020					
1. SIGNIFICANT ACCOUNTING POLICIES (Continued)					
(k) Fair Value of Assets and Liabilities (Continued)					
As fair value is a market-based measure, the closest equivalent observable market pricing information is used to determine fair value. Adjustments to market values may be made having regard to the characteristics of the specific asset. The fair values of assets that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data.					
To the extent possible, market information is extracted from either the principal market for the asset (i.e. the market with the greatest volume and level of activity for the asset or, in the absence of such a market, the most advantageous market available to the entity at the end of the reporting period (ie the market that maximises the receipts from the sale of the asset after taking into account transaction costs and transport costs)).					
For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.					
<b>Fair Value Hierarchy</b>					
AASB 13 requires the disclosure of fair value information by level of the fair value hierarchy, which categorises fair value measurement into one of three possible levels based on the lowest level that an input that is significant to the measurement can be categorised into as follows:					
<b>Level 1</b>					
Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.					
<b>Level 2</b>					
Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.					
<b>Level 3</b>					
Measurements based on unobservable inputs for the asset or liability.					
The fair values of assets and liabilities that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data. If all significant inputs required to measure fair value are observable, the asset or liability is included in Level 2. If one or more significant inputs are not based on observable market data, the asset or liability is included in Level 3.					
<b>Valuation techniques</b>					
The Council selects a valuation technique that is appropriate in the circumstances and for which sufficient data is available to measure fair value. The availability of sufficient and relevant data primarily depends on the specific characteristics of the asset or liability being measured. The valuation techniques selected by the Council are consistent with one or more of the following valuation approaches:					
<b>Market approach</b>					
Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.					

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 30 April 2020					
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>					
<b>(k) Fair Value of Assets and Liabilities (Continued)</b>					
<b>Income approach</b>					
Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.					
<b>Cost approach</b>					
Valuation techniques that reflect the current replacement cost of an asset at its current service capacity.					
Each valuation technique requires inputs that reflect the assumptions that buyers and sellers would use when pricing the asset or liability, including assumptions about risks. When selecting a valuation technique, the Council gives priority to those techniques that maximise the use of observable inputs and minimise the use of unobservable inputs. Inputs that are developed using market data (such as publicly available information on actual transactions) and reflect the assumptions that buyers and sellers would generally use when pricing the asset or liability and considered observable, whereas inputs for which market data is not available and therefore are developed using the best information available about such assumptions are considered unobservable.					
As detailed above, the mandatory measurement framework imposed by the Local Government (Financial Management) Regulations requires, as a minimum, all assets carried at a revalued amount to be revalued at least every 3 years.					
<b>(l) Financial Instruments</b>					
<b>Initial Recognition and Measurement</b>					
Financial assets and financial liabilities are recognised when the Council becomes a party to the contractual provisions to the instrument. For financial assets, this is equivalent to the date that the Council commits itself to either the purchase or sale of the asset (ie trade date accounting is adopted).					
Financial instruments are initially measured at fair value plus transaction costs, except where the instrument is classified 'at fair value through profit or loss', in which case transaction costs are expensed to profit or loss immediately.					
<b>Classification and Subsequent Measurement</b>					
Financial instruments are subsequently measured at fair value, amortised cost using the effective interest rate method, or cost.					
Amortised cost is calculated as:					
(a) the amount in which the financial asset or financial liability is measured at initial recognition;					
(b) less principal repayments and any reduction for impairment; and					
(c) plus or minus the cumulative amortisation of the difference, if any, between the amount initially recognised and the maturity amount calculated using the effective interest rate method.					



# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 30 April 2020					
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>					
<b>(I) Financial Instruments (Continued)</b>					
<p>The effective interest method is used to allocate interest income or interest expense over the relevant period and is equivalent to the rate that discounts estimated future cash payments or receipts (including fees, transaction costs and other premiums or discounts) through the expected life (or when this cannot be reliably predicted, the contractual term) of the financial instrument to the net carrying amount of the financial asset or financial liability. Revisions to expected future net cash flows will necessitate an adjustment to the carrying value with a consequential recognition of an income or expense in profit or loss.</p>					
<i>(i) Financial assets at fair value through profit and loss</i>					
<p>Financial assets are classified at "fair value through profit or loss" when they are held for trading for the purpose of short term profit taking. Assets in this category are classified as current assets. Such assets are subsequently measured at fair value with changes in carrying amount being included in profit or loss.</p>					
<i>(ii) Loans and receivables</i>					
<p>Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.</p>					
<p>Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.</p>					
<i>(iii) Held-to-maturity investments</i>					
<p>Held-to-maturity investments are non-derivative financial assets with fixed maturities and fixed or determinable payments that the Council's management has the positive intention and ability to hold to maturity. They are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.</p>					
<p>Held-to-maturity investments are included in current assets where they are expected to mature within 12 months after the end of the reporting period. All other investments are classified as non-current.</p>					
<i>(iv) Available-for-sale financial assets</i>					
<p>Available-for-sale financial assets are non-derivative financial assets that are either not suitable to be classified into other categories of financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments.</p>					
<p>They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain or loss pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss.</p>					
<p>Available-for-sale financial assets are included in current assets, where they are expected to be sold within 12 months after the end of the reporting period. All other available for sale financial assets are classified as non-current.</p>					
<i>(v) Financial liabilities</i>					
<p>Non-derivative financial liabilities (excl. financial guarantees) are subsequently measured at amortised cost. Gains or losses are recognised in the profit or loss.</p>					

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 30 April 2020					
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>					
<b>(l) Financial Instruments (Continued)</b>					
<b><i>Impairment</i></b>					
A financial asset is deemed to be impaired if, and only if, there is objective evidence of impairment as a result of one or more events (a "loss event") having occurred, which has an impact on the estimated future cash flows of the financial asset(s).					
In the case of available-for-sale financial assets, a significant or prolonged decline in the market value of the instrument is considered a loss event. Impairment losses are recognised in profit or loss immediately. Also, any cumulative decline in fair value previously recognised in other comprehensive income is reclassified to profit or loss at this point.					
In the case of financial assets carried at amortised cost, loss events may include: indications that the debtors or a group of debtors are experiencing significant financial difficulty, default or delinquency in interest or principal payments; indications that they will enter bankruptcy or other financial reorganisation; and changes in arrears or economic conditions that correlate with defaults.					
For financial assets carried at amortised cost (including loans and receivables), a separate allowance account is used to reduce the carrying amount of financial assets impaired by credit losses. After having taken all possible measures of recovery, if management establishes that the carrying amount cannot be recovered by any means, at that point the written-off amounts are charged to the allowance account or the carrying amount of impaired financial assets is reduced directly if no impairment amount was previously recognised in the allowance account.					
<b><i>Derecognition</i></b>					
Financial assets are derecognised where the contractual rights for receipt of cash flows expire or the asset is transferred to another party, whereby the Council no longer has any significant continual involvement in the risks and benefits associated with the asset.					
Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.					
<b>(m) Impairment of Assets</b>					
In accordance with Australian Accounting Standards the Council's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.					
Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount.					
Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another standard (e.g. AASB 116) whereby any impairment loss of a revaluation decrease in accordance with that other standard.					

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 30 April 2020					
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>					
<b>(m) Impairment of Assets (Continued)</b>					
For non-cash generating assets such as roads, drains, public buildings and the like, value in use is represented by the depreciated replacement cost of the asset.					
<b>(n) Trade and Other Payables</b>					
Trade and other payables represent liabilities for goods and services provided to the Council prior to the end of the financial year that are unpaid and arise when the Council becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.					
<b>(o) Employee Benefits</b>					
<b>Short-Term Employee Benefits</b>					
Provision is made for the Council's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.					
The Council's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the statement of financial position. The Council's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.					
<b>Other Long-Term Employee Benefits</b>					
Provision is made for employees' long service leave and annual leave entitlements not expected to be settled wholly within 12 months after the end of the annual reporting period in which the employees render the related service. Other long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations or service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.					
The Council's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Council does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.					

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SHIRE OF SHARK BAY					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 30 April 2020					
<b>1. SIGNIFICANT ACCOUNTING POLICIES (Continued)</b>					
<b>(p) Borrowing Costs</b>					
Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.					
<b>(q) Provisions</b>					
Provisions are recognised when the Council has a legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.					
Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.					
<b>(r) Current and Non-Current Classification</b>					
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. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where the Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for sale where it is held as non-current based on the Council's intentions to release for sale.					

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

Shire of Shark Bay					
EXPLANATION OF MATERIAL VARIANCES					
For the Period Ended 30 April 2020					
Note 2: EXPLANATION OF MATERIAL VARIANCES					
Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
<b>Operating Revenues</b>					
Governance	(1,916)	(18.6%)	▼	Timing	No Reportable Variance
General Purpose Funding - Rates	(464)	(0.0%)	▲	Timing	No Reportable Variance
General Purpose Funding - Other	15,040	2.0%	▲	Timing	No Reportable Variance
Law, Order and Public Safety	(17,311)	(16.0%)	▼	Timing	Coastal Hazards Identification, Adaptation and Protection Grants Income behind YTD Budget
Health	(593)	(26.4%)	▼	Timing	No Reportable Variance
Housing	6,406	6.0%	▲	Timing	No Reportable Variance
Community Amenities	12,877	4.0%	▲	Timing	Refuse Site Fees, Development and Structure Plan Fees in excess of YTD Budget
Recreation and Culture	(22,541)	(8.4%)	▲	Timing	Reduction in SBDC Merchandise and Park Sales, Entrance Fees and Visitor Centre Commission due to closure and COVID-19 pandemic.
Transport	(18,472)	(4.0%)	▼	Timing	Profit on Sale of Assets less than budgeted and DOT Marina Facility Agreement Income actual timing behind YTD budget
Economic Services	(81,407)	(9.6%)	▼	Timing	Main Road Private Works Income behind timing of YTD budget
Other Property and Services	44,665	141.0%	▲	Timing	Refunds Income, Diesel Fuel Rebate and CDP Employment Incentive Funding in excess of YTD Budget
<b>Operating Expense</b>					
Governance	23,986	10.0%	▲	Timing	Overall underspend in Administration Staff Costs and Shire Office Maintenance
General Purpose Funding	16,951	17.6%	▲	Timing	Underspend in Governance Overhead allocations
Law, Order and Public Safety	53,905	18.9%	▲	Timing	Overall underspend in Coastal Hazards Identification, Adaptation and Protection Expenses, Fire Fighting, Emergency Management Consultant and Ranger Patrols.
Health	13,768	24.0%	▲	Timing	Underspend in Governance Overhead allocations and Health Consultant and Travel Expenses
Housing	15,154	7.8%	▲	Timing	Overall underspend in maintenance and governance overhead expenses
Community Amenities	112,759	18.2%	▲	Timing	Underspend in Recycling Expenses, Refuse Site Operations, Town Planning Schemes and Governance Overhead Expenses compared to YTD budget
Recreation and Culture	58,975	3.2%	▲	Timing	Underspend Council Assistance Programs, maintenance on Multi-purpose courts, SBDC Utilities, Shop Equipment and Furniture under \$5K, Inventory on Hand movement to December 2019 and Governance Overhead Allocations.
Transport	141,430	9.2%	▲	Timing	Overall underspend in expenses compared to YTD Budget
Economic Services	180,624	19.4%	▲	Timing	Overall underspend in expenses compared to YTD budget
Other Property and Services	132,117	569.1%	▲	Timing	Overall increase in Public Work Overheads and Plant Costs Recovery compared to YTD Budget as a result of Fair Valuation of Plant and Equipment
<b>Capital Revenues</b>					
Grants, Subsidies and Contributions	0	0.0%	▲	Timing	No Reportable Variance
Proceeds from Disposal of Assets	0	0.0%	▲	Timing	No Reportable Variance
<b>Capital Expenses</b>					
Land and Buildings	92,717	73.5%	▲	Timing	Staff and Pensioner Capital Works have yet to commence
Infrastructure - Roads	(31,767)	(4.5%)	▼	Timing	R2R Brockman Street expenditure includes \$25K from the Footpath Budget and approx \$8K in seal maintenance. These costs will be reallocated to the Town Roads Maintenance Account and Footpaths Account in May.
Infrastructure - Public Facilities	68,092	7.9%	▲	Timing	Town Oval Bore and Little Lagoon Signs and Barriers YTD Budget in advance of YTD Actual Expenditure
Infrastructure - Footpaths	16,757	40.2%	▲	Timing	\$25K to be transferred from Brockman Street Project for New Footpath
Plant and Equipment	130,654	28.0%	▲	Timing	Prime Mover and Dual Cabs purchased for less than budgeted expenditure.
<b>Financing</b>					
Loan Principal	0	(0.0%)	▼	Timing	No reportable variance.
Note: YTD budgets are an estimation at the time of preparing the draft annual budget.					

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

Shire of Shark Bay

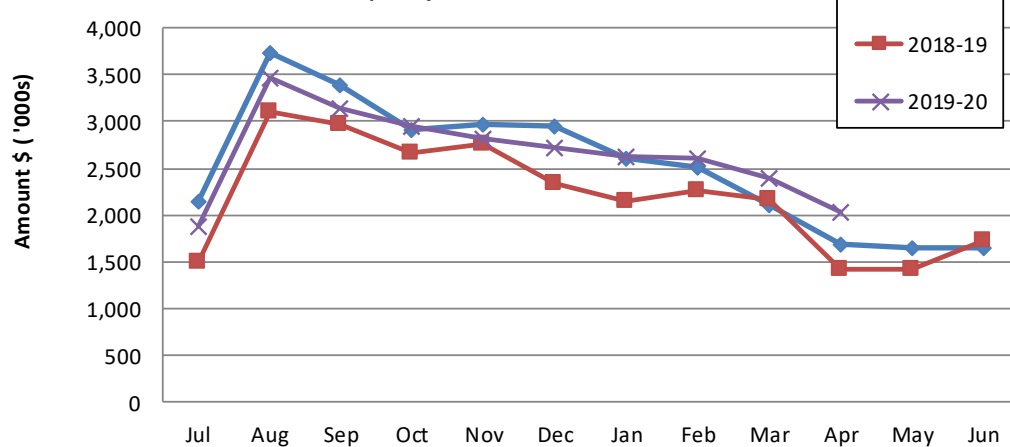
## NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 30 April 2020

### Note 3: NET CURRENT FUNDING POSITION

	Note	Positive=Surplus (Negative=Deficit)	
		30 April 2020	30 April 2019
		\$	\$
<b>Current Assets</b>			
Cash Unrestricted	4	2,211,984	1,596,906
Cash Restricted	4	1,824,942	1,579,291
Receivables - Rates	6	107,569	48,265
Receivables -Other	6	74,943	56,687
Interest / ATO Receivable		33,259	29,708
Inventories		131,104	113,037
		4,383,800	3,423,893
<b>Less: Current Liabilities</b>			
Payables		(311,758)	(165,244)
Provisions		(208,068)	(252,431)
Bond Liability (Formally Trust Account)		(12,262)	0
		(532,088)	(417,675)
Less: Cash Reserves	7	(1,824,942)	(1,579,291)
<b>Net Current Funding Position</b>		<b>2,026,770</b>	<b>1,426,928</b>

Note 3 - Liquidity Over the Year



Comments - Net Current Funding Position

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

Shire of Shark Bay							
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY							
For the Period Ended 30 April 2020							
<b>Note 4: CASH AND INVESTMENTS</b>							
	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Total Amount \$	Institution	Maturity Date
(a) <b>Cash Deposits</b>							
Municipal Bank Account	0.10%	97,195			97,195	Bankwest	At Call
Reserve Bank Account	0.00%		179		179	Bankwest	At Call
Reserve Telenet Saver Account	0.25%		1,824,763		1,824,763	Bankwest	At Call
Municipal Telenet Saver	0.50%	2,113,889			2,113,889	Bankwest	At Call
Trust Bank Account	0.00%			0	0	Bankwest	At Call
Cash On Hand		900			900		On Hand
(b) <b>Term Deposits</b>							
Municipal Investment					0		
Municipal Investment					0		
Reserve Investment					0		
<b>Total</b>		2,211,984	1,824,942	0	4,036,926		
<b>Comments/Notes - Investments</b>							
Surplus funds invested for terms conducive to cashflow requirements.							

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

Shire of Shark Bay

## NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For the Period Ended 30 April 2020

### Note 6: RECEIVABLES

#### Receivables - Rates Receivable

Opening Arrears Previous Years

Levied this year

Less Collections to date

Equals Current Outstanding

**Net Rates Collectable**

% Collected

30 April 2020

30 June 2019

\$

\$

31,927

36,581

1,825,653

1,742,151

(1,750,012)

(1,746,805)

107,569

31,927

107,569

31,927

94.21%

98.21%

#### Receivables - General

Current

30 Days

60 Days

90+Days

\$

\$

\$

\$

Receivables - General

58,588

12,207

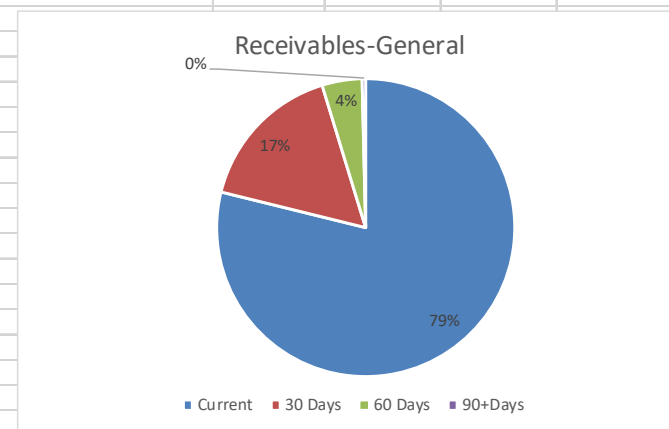
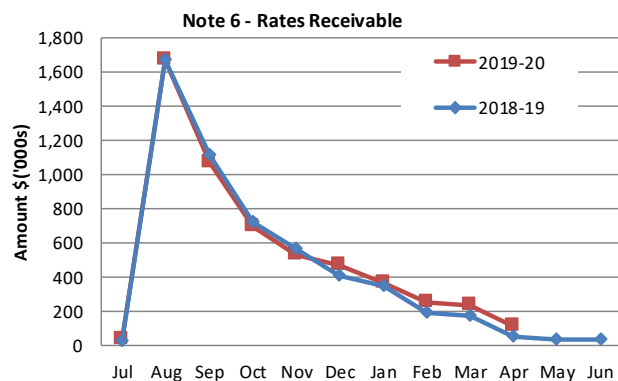
3,215

290

**Total Receivables General Outstanding**

**74,301**

Amounts shown above include GST (where applicable)



#### Comments/Notes - Receivables Rates

No major issues at this time

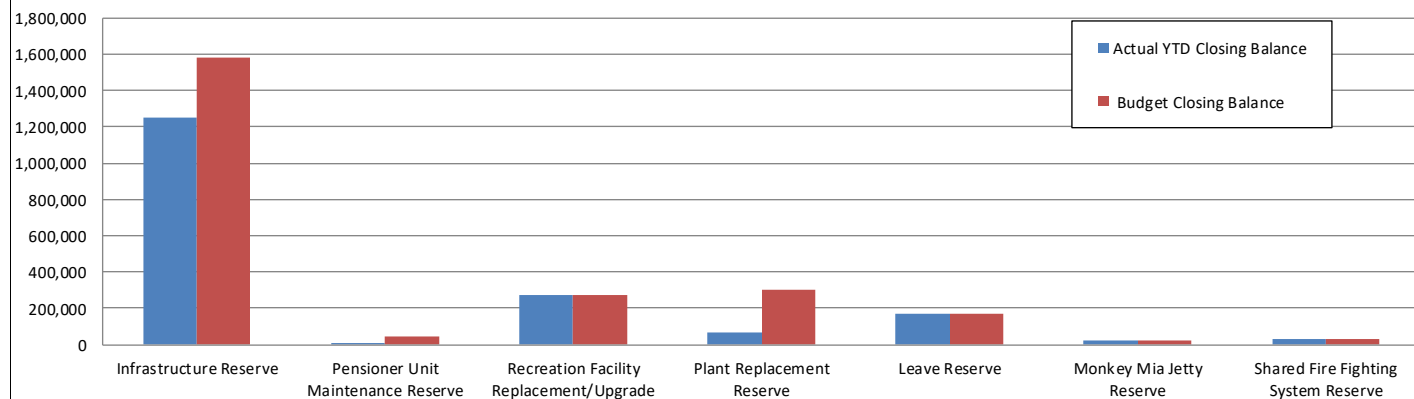


# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

Shire of Shark Bay									
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY									
For the Period Ended 30 April 2020									
<u>Note 7: Cash Backed Reserve</u>									
2019-20									
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
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Infrastructure Reserve	1,332,164	7,800	4,079	869,168	0	(625,255)	(86,096)	1,583,877	1,250,146
Pensioner Unit Maintenance Reserve	10,916	65	49	116,143	0	(85,000)	0	42,124	10,965
Recreation Facility Replacement/Upgrade Res.	269,466	1,400	1,207	52,000	0	(50,000)	0	272,866	270,674
Plant Replacement Reserve	70,302	500	315	568,636	173,802	(336,000)	(173,802)	303,438	70,617
Leave Reserve	170,156	1,000	762	0	0	0	0	171,156	170,919
Monkey Mia Jetty Reserve	21,977	120	98	0	0	0	0	22,097	22,076
Shared Fire Fighting System Reserve	29,413	170	132	0	0	0	0	29,583	29,545
	1,904,395	11,055	6,643	1,605,947	173,802	(1,096,255)	(259,898)	2,425,142	1,824,942

Note 7 - Year To Date Reserve Balance to End of Year Estimate



MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

Shire of Shark Bay							
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY							
For the Period Ended 30 April 2020							
Note 8 CAPITAL DISPOSALS							
Actual YTD Profit/(Loss) of Asset Disposal					Annual Budget		
					YTD 30 04 2020		
Cost	Accum Depr	Proceeds	Profit (Loss)		Annual Budget Profit/(Loss)	Actual Profit/(Loss)	Variance
\$	\$	\$	\$	Plant and Equipment	\$	\$	\$
				Governance			
			0	CEO Vehicle	(3,925)	0	3,925
24,000	0	21,364	(2,636)	EMFA Vehicle	3,000	(2,636)	(5,636)
21,000	0	17,727	(3,273)	EMCD Vehicle	(5,141)	(3,273)	1,868
45,000	0	39,091	(5,909)		(6,066)	(5,909)	157
				Transport			
24,000	0	25,000	1,000	Dual Cab Ute - Ranger	4,594	1,000	(3,594)
24,000	0	25,909	1,909	Dual Cab Ute - Gardner	4,708	1,909	(2,799)
110,000	0	72,727	(37,273)	Prime Mover	(66,250)	(37,273)	28,977
			0	Vibration Roller - Sale Proceeds	(3,864)	0	3,864
134,000	0	123,636	(34,364)		(60,812)	(34,364)	26,448
179,000	0	162,727	(40,273)		(66,878)	(40,273)	26,605
Comments - Capital Disposal/Replacements							

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

Shire of Shark Bay											
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY											
For the Period Ended 30 April 2020											
Note 9: RATING INFORMATION	Rate in \$	Number of Properties	Rateable Value \$	Rate Revenue \$	Interim Rates \$	Back Rates \$	Total Revenue \$	2019/20 Budget Rate Revenue \$	2019/20 Budget Interim Rate \$	2019/20 Budget Back Rate \$	2019/20 Budget Total Revenue \$
RATE TYPE											
<b>Differential General Rate</b>											
GRV Residential	0.102840	316	3,761,841	386,871	2,241	1,047	390,160	386,871	1,825	1,047	389,743
GRV Commercial	0.105690	42	2,114,558	223,477			223,477	223,477			223,477
GRV Vacant	0.102840	18	360,100	37,033			37,033	37,033			37,033
GRV Rural Commercial	0.106880	5	306,280	32,736	973		33,709	32,736	973		33,709
GRV Industrial/Residential	0.113800	46	629,944	71,689			71,689	71,689			71,689
GRV Industrial/Residential Vaca	0.102840	2	10,400	1,070	-10		1,060	1,070	-10		1,060
GRV Rural Resort	0.112820	3	1,132,800	127,805	24,144	19,266	171,214	127,805	24,144	19,266	171,215
UV General	0.207090	7	827,678	171,402			171,402	171,402			171,402
UV Pastoral	0.141820	11	617,360	87,556			87,556	87,556			87,556
UV Mining	0.282450	1	7,947	2,245			2,245	2,245			2,245
UV Exploration	0.271580	2	764,435	207,605	-1,098	8,025	214,532	207,604	-1,098	8,025	214,531
<b>Sub-Totals</b>		453	10,533,343	1,349,490	26,249	28,339	1,404,077	1,349,488	25,834	28,338	1,403,660
<b>Minimum Payment</b>											
GRV Residential	876.00	52	384,173	45,552			45,552	45,552			45,552
GRV Commercial	876.00	17	93,832	14,892	-881		14,011	14,892			14,892
GRV Vacant	876.00	83	271,090	72,708			72,708	72,708			72,708
GRV Rural Commercial	876.00	0	0				0	0			0
GRV Industrial/Residential	876.00	3	19,440	2,628			2,628	2,628			2,628
GRV Industrial/Residential Vaca	546.00	0	0				0	0			0
GRV Rural Resort	876.00	0	0				0	0			0
UV General	735.00	6	9,262	4,410			4,410	4,410			4,410
UV Pastoral	920.00	0	0				0	0			0
UV Mining	920.00	1	654	920			920	920			920
UV Exploration	920.00	2	4,080	1,840			1,840	1,840			1,840
<b>Sub-Totals</b>		164	782,531	142,950	-881	0	142,069	142,950	0	0	142,950
Concessions							(139,394)				(139,394)
<b>Amount from General Rates</b>							<b>1,406,752</b>				<b>1,407,216</b>
Specified Area Rates							38,917				38,917
<b>Totals</b>							<b>1,445,669</b>				<b>1,446,133</b>
Comments - Rating Information											

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

Shire of Shark Bay								
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY								
For the Period Ended 30 April 2020								
10. INFORMATION ON BORROWINGS								
(a) Debenture Repayments								
Particulars	Principal 1-Jul-19	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
			2019/20 Actual	2019/20 Budget	2019/20 Actual	2019/20 Budget	2019/20 Actual	2019/20 Budget
			\$	\$	\$	\$	\$	\$
Loan 57 Monkey Mia Bore	134,616	0	31,653	31,653	102,963	102,963	4,083	5,654
Loan 56 - Staff Housing	28,847	0	9,333	18,946	19,513	9,901	783	1,556
Loan - Town Oval Bore	0	800,000	0	0	0	800,000	0	0
	163,463	800,000	40,986	50,599	122,477	912,864	4,865	7,210
All debenture repayments are financed by general purpose revenue except Loan 57 which is funded through a Specified Area Rate.								

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

## Shire of Shark Bay NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY For the Period Ended 30 April 2020

### Note 11: GRANTS AND CONTRIBUTIONS

Program/Details	Grant Provider	Approval	2019-20 Annual Budget	Variations Additions (Deletions)	Operating	Capital	Recoup Status	
							Received/Invoiced	Not Received
		(Y/N)	\$	\$	\$	\$	\$	\$
<b>GENERAL PURPOSE FUNDING</b>								
Grants Commission - General	WALGGC	Y	692,157	0	692,157	0	519,118	173,039
Grants Commission - Roads	WALGGC	Y	226,736	0	226,736	0	170,052	56,684
LGIS Surplus Share Dividend Distribution	LGIS	Y	16,761	0	16,761	0	16,761	0
Gascoyne Development commission COVID	Gascoyne Development	Y	0	0	0	0	15,000	0
LGIS Members Dividend	LGIS	Y	0	0	0	0	6,202	0
<b>LAW, ORDER, PUBLIC SAFETY</b>								
FESA Grant - Operating Bush Fire Brigade	Dept. of Fire & Emergency Services	Y	8,133	0	8,133	0	10,274	0
Grant FESA - SES	Dept. of Fire & Emergency Services	Y	46,590	0	46,590	0	46,590	0
Coastal Hazard Risk Management & Adaption Plan	WA Planning Commission	Y	32,500	0	32,500	0	19,500	13,000
Coastal Adaptation and Protection	Department of Transport	Y	11,000	0	11,000	0	0	11,000
Gascoyne Sports Modelling	Department of Local Government Sport and Cultural Industries	Y	5,000	0	5,000	0	5,000	0
<b>RECREATION AND CULTURE</b>								
Contributions - HMAS Sydney Exhibit	Visitors to Discovery Centre	Y	200	0	200	0	246	0
Laser Tag	Miscellaneous revenue	Y	0	0	0	0	123	0
<b>ECONOMIC SERVICES</b>								
Thank a Volunteer	Dept of Communities	Y	700	0	700	0	700	0
BBRF Community Investment	Department of Industry, Innovation and Science	Y	20,000	0	20,000	0	20,000	0
<b>TRANSPORT</b>								
Road Preservation Grant	State Initiative - Main Roads WA	Y	113,118	0	113,118	0	113,118	0
Useless Loop Road - Mtce	Main Roads WA	Y	330,000	0	330,000	0	264,000	66,000
Contributions - Road Projects	Pipeline	Y	8,900	0	8,900	0	12,705	0
Roads To Recovery Grant - Cap	Roads to Recovery	Y	297,245	0	0	297,245	198,163	99,082
RRG Grants - Capital Projects	Regional Road Group	Y	230,217	0	0	230,217	194,855	35,362
<b>TOTALS</b>			<b>2,039,257</b>	<b>0</b>	<b>1,511,795</b>	<b>527,462</b>	<b>1,612,406</b>	<b>454,167</b>
			Operating		1,511,795		1,198,186	
			Non-operating		527,462		393,018	
					2,039,257		1,591,204	
<b>Comments - Operating and Non Operating Grants</b>								

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

Shire of Shark Bay					
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY					
For the Period Ended 30 April 2020					
<b>Note 12: BOND LIABILITY</b>					
Funds held at balance date over which the Shire has no control and which are included in Note 3 of this statement are as follows:					
Description	Opening Balance 1 Jul 19	Amount Received	Amount Paid	Closing Balance 30-Apr-20	
	\$	\$	\$	\$	
CITF Levy	\$ -	6,170	(6,170)	0	
Library Card Bond	\$ 250	200	(350)	100	
Bookeasy- Sales	\$ -	305,283	(305,283)	0	
Kerb/Footpath Deposit	\$ 3,800	1,000		4,800	
Bond Key	\$ 3,420	1,390	(1,040)	3,770	
Hall Bond	\$ -	550	(275)	275	
Police Licensing	\$ 997	181,661	(181,849)	809	
Election Deposit	\$ -	800	(800)	0	
Marquee Deposit	\$ -			0	
Building Licence Levy	\$ -	5,496	(5,496)	0	
Road Reserve - Hughes Street	\$ 2,298			2,298	
Tour Sales	\$ -			0	
Property Rental Bonds	\$ -			0	
Rates Unidentified Deposit	\$ 210			210	
	10,974	502,550	(501,263)	12,262	

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

CAPITAL WORKS PROGRAM 2019/2020								
Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Over)/Under	YTD Actual (Renewal Exp)	Comment
<b>Land and Buildings</b>								
<b>Governance</b>								
Asbestos Removal - Shire Office	2.2.1	WKSM	(75,000)	0	0	0	0	
Records Room	4.2.2	CEO	(30,000)	(30,000)	(16,895)	13,105	16,895	Due to be complete in May 2020
<b>Governance Total</b>			<b>(105,000)</b>	<b>(30,000)</b>	<b>(16,895)</b>	<b>13,105</b>	<b>16,895</b>	
<b>Housing</b>								
Staff housing Capital Works								
Staff Housing - 5 Spaven Way	2.2.1	CEO	(10,000)	(8,330)	0	8,330	0	
Staff Housing - 65 Brockman St	2.2.1	EMCD	(10,000)	(8,330)	0	8,330	0	
Staff Housing - 51 Durlacher St	2.2.1	EMFA	(10,000)	(8,330)	0	8,330	0	
Staff Housing - 80 Durlacher St	2.2.1	EMCD	(10,000)	(8,330)	0	8,330	0	
Pensioner Units Capital	2.2.1	EMCD	(35,000)	(29,170)	0	29,170	0	
Pensioner Units Door/Water Pipe Replacement	2.2.1	EMCD	(10,000)	(10,002)	0	10,002	0	
<b>Housing Total</b>			<b>(85,000)</b>	<b>(72,492)</b>	<b>0</b>	<b>72,492</b>	<b>0</b>	
<b>Community Amenities</b>								
<b>Buildings</b>								
Morgue	2.2.1	CEO	(20,000)	0	0	0	0	
<b>Community Amenities Total</b>			<b>(20,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Recreation</b>								
<b>Buildings</b>								
Asbestos Removal - Denham Town Hall/Stables	2.2.1	WKSM	(75,000)	0	0	0	0	
Recreation Centre Panel and Paint Renewal	2.2.1	WKSM	(50,000)	(8,600)	(8,600)	0	0	To commence April 2020
<b>Recreation Total</b>			<b>(125,000)</b>	<b>(8,600)</b>	<b>(8,600)</b>	<b>0</b>	<b>0</b>	
<b>Transport</b>								
<b>Buildings</b>								
Depot - Office Awning	4.2.2	WKSM	(10,000)	0	(600)	(600)	0	
Depot - Boundary Fencing	4.2.2	WKSM	(15,000)	(15,000)	(7,279)	7,721	0	
<b>Transport Total</b>			<b>(25,000)</b>	<b>(15,000)</b>	<b>(7,879)</b>	<b>7,121</b>	<b>0</b>	
<b>Land and Buildings Total</b>			<b>(360,000)</b>	<b>(126,092)</b>	<b>(33,375)</b>	<b>92,717</b>	<b>16,895</b>	
<b>Footpaths</b>								
<b>Infrastructure</b>								
Footpath Construction-Denham Footpath Plan	1.1.1/2.2.1	WKSM	(50,000)	(41,670)	(24,913)	16,757	0	
<b>Footpaths Total</b>			<b>(50,000)</b>	<b>(41,670)</b>	<b>(24,913)</b>	<b>16,757</b>	<b>0</b>	

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
<b>Drainage</b>								
<b>Transport</b>								
Drainage/Sump Construction	1.1.1	WKSM	0	0	0	0	0	
<b>Transport Total</b>			0	0	0	0	0	
<b>Drainage Total</b>			0	0	0	0	0	
<b>Furniture &amp; Office Equip.</b>								
<b>Governance</b>								
Server and Program Upgrade	4.2.2	EMFA	(20,000)	(20,000)	(20,784)	(784)	20,784	Complete
<b>Governance Total</b>			(20,000)	(20,000)	(20,784)	(784)	20,784	
<b>Furniture &amp; Office Equip. Total</b>			(20,000)	(20,000)	(20,784)	(784)	20,784	
<b>Plant , Equipment and Vehicles</b>								
<b>Governance</b>								
CEO Vehicle	2.2.1	CEO	(65,000)	(65,000)	0	65,000	0	Due May 2020
EMFA Vehicle	2.2.1	EMFA	(27,793)	(27,793)	(27,374)	419	27,374	Complete
EMCD Vehicle	2.2.1	EMCD	(27,720)	(27,720)	(27,449)	271	27,449	Complete
<b>Total Governance</b>			(120,513)	(120,513)	(54,824)	65,689	54,824	
<b>Transport</b>								
Major Plant Items	4.2.2	WKSM	(20,000)	(16,670)	0	16,670	0	
Excavator	4.2.2	WKSM	0	0	(11,109)	(11,109)	11,109	Capital Works to Extend Useful Life
Dual Cab Ute - Town Gardener	4.2.2	WKSM	(45,000)	(45,000)	(39,780)	5,220	39,780	Complete
Dual Cab Ute - Ranger	4.2.2	WKSM	(45,000)	(45,000)	(39,780)	5,220	39,780	Complete
Prime Mover	4.2.2	WKSM	(240,000)	(240,000)	(191,036)	48,964	191,036	Complete
<b>Transport Total</b>			(350,000)	(346,670)	(281,705)	64,965	281,705	
<b>Denham Marine Facilities</b>								
Boat Jinker Brake System Upgrade	4.2.2	WKSM	(20,000)	0	0	0	0	
<b>Denham Marine Facilities Total</b>			(20,000)	0	0	0	0	
<b>Plant , Equipment and Vehicles Total</b>			(490,513)	(467,183)	(336,529)	130,654	336,529	



# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

Infrastructure Assets	Strategic Plan Reference	Responsible Officer	2016/17 Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
<b>Public Facilities</b>								
<b>Community Amenities</b>								
Cemetery Shade	2.4.2	WKSM	(5,000)	0	0	0	0	
Hamelin Pool Carpark	2.2.1	WKSM	(10,000)	0	0	0	0	
<b>Community Amenities Total</b>			<b>(15,000)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	
<b>Recreation And Culture</b>								
West End Toilet Roof Replacement	2.2.1	WKSM	(15,000)	0	0	0	0	
Town Oval Bore	2.2.1	WKSM	(800,000)	(800,000)	(750,219)	49,781	750,219	Project awaiting completion
Town Bore Fence Extensions	2.2.1	WKSM	(7,500)	(7,500)	(2,140)	5,360	2,140	
Town Oval Fountain	2.2.1	WKSM	(7,000)	(7,000)	(5,035)	1,965	5,035	Complete
Playground Fence Replacement	2.2.1	WKSM	(8,000)	0	0	0	0	
Charlie Sappie Park Bed Removal and Replacement	2.2.1	WKSM	(20,000)	0	0	0	0	
Multi Purpose Courts Light Upgrade	2.2.1	WKSM	(10,000)	0	0	0	0	
Little Lagoon Signs and Barriers	2.2.1/1.2.2	CEO	(52,000)	(47,994)	(37,009)	10,986	0	
<b>Recreation And Culture Total</b>			<b>(919,500)</b>	<b>(862,494)</b>	<b>(794,402)</b>	<b>68,092</b>	<b>757,394</b>	
<b>Public Facilities Total</b>			<b>(934,500)</b>	<b>(862,494)</b>	<b>(794,402)</b>	<b>68,092</b>	<b>757,394</b>	

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

Infrastructure Assets	Strategic Plan Reference	Responsible Officer	Annual Budget	YTD Budget	YTD Actual	Variance (Under)/Over	YTD Actual (Renewal Exp)	Comment
<b>Roads (Non Town)</b>								
<b>Transport</b>								
R2R Projects 19-20 Brockman Street	1.1.1	WKSM	(450,000)	(450,000)	(480,826)	(30,826)	480,826	Commenced March billed April
Useless Loop Road - RRG 19-20	1.1.1	WKSM	(255,325)	(255,324)	(256,265)	(941)	256,265	Completed
Eagle Bluff - RRG 19-20	1.1.1	WKSM	(90,000)	0	0	0	0	Due to commence May 2020
<b>Transport Total</b>			<b>(795,325)</b>	<b>(705,324)</b>	<b>(737,091)</b>	<b>(31,767)</b>	<b>737,091</b>	
<b>Roads (Non Town) Total</b>			<b>(795,325)</b>	<b>(705,324)</b>	<b>(737,091)</b>	<b>(31,767)</b>	<b>737,091</b>	
<b>Capital Expenditure Total</b>			<b>(2,650,338)</b>	<b>(2,222,763)</b>	<b>(1,947,094)</b>	<b>275,669</b>	<b>1,868,693</b>	

27 MAY 2020

12.3 REQUEST FOR FURTHER ONE YEAR RATE EXEMPTION  
P1396

Author

Executive Manager Finance and Administration

Disclosure of Any Interest

Nil

Officer Recommendation

1. That Council agree to amend the current Deed of Settlement Termination Date from 1 July 2020 to 1 July 2021 and delete the Property listed under Section 1 (b) 82 Durlacher Street, Denham as Murchison Region Aboriginal Corporation no longer owns the property.

OR

2. That Council do not agree to amend the current Deed of Settlement Termination Date.

ABSOLUTE MAJORITY REQUIRED

Moved Cr Fenny 1

Seconded Cr Burton

Council Resolution

**That Council agree to amend the current Deed of Settlement Termination Date from 1 July 2020 to 1 July 2021 and delete the Property listed under Section 1 (b) 82 Durlacher Street, Denham as Murchison Region Aboriginal Corporation no longer owns the property.**

**6/0 CARRIED BY ABSOLUTE MAJORITY**

Background

Murchison Region Aboriginal Corporation is of the view that its properties located within the shire do not constitute rateable land as they satisfy the criteria in section 6.26 (2)(g) of the *Local Government Act 1995* that the properties were used exclusively for charitable purposes. Prior to the 2018/2019 Financial year the Murchison Region Aboriginal Corporation successfully applied each year for a rate exemption under section 6.26 (2)(g) of the *Local Government Act 1995* on the two properties located within the Shire of Shark Bay.

On the 1 October 2018 the Shire of Shark Bay and Murchison Region Aboriginal Corporation entered into a Deed of Settlement with a termination date of 1 July 2020 where the rate record for the two properties were amended to exempt status. In return the Murchison Region Aboriginal Corporation would pay an ex gratia payment to the Shire of Shark Bay to the value of 20 percent of the equivalent rates that would have been levied had the properties been rateable.

At present there is only one property owned by the Murchison Region Aboriginal Corporation within the Shire of Shark Bay and is located at 23 Capewell Drive, Denham. The rate equivalent for this property would be \$983.98 for the 2020/2021 financial year with the 20 percent ex gratia payment totalling \$196.80.

27 MAY 2020

The exemption is only on land rates, not refuse removal or other services charges and Emergency Services Levy.

Comment

The *Local Government Act 1995* reform has not at this stage provided a definition and criteria of what constitutes a charitable purpose and the current interpretation would still be applicable. By extending the Deed of Settlement by a further year enables the current agreement to continue and the Shire of Shark Bay to receive an ex gratia payment of 20 percent of the rate equivalent for the one remaining property within the Shire, owned by the Murchison Region Aboriginal Council.

Legal Implications

Section 6.26 defines what land is to be treated as non-rateable and Section 6.76 allows an objection to a rate record of Council.

Policy Implications

There are no policy implications with this item.

Financial Implications

The amount of the rateable income exempted would be \$983.98. Emergency Service Levy charges, refuse collection and any outstanding interest charges would still need to be paid by the Corporation.

Strategic Implications

There are no strategic implications with this item.

Risk Implications

This is a medium risk item. Any change to the status of rateable land will reduce the capacity of Council to raise the same level of rates in the future and therefore the deficit will need to be applied to other ratepayers which will increase the rate in the dollar for those remaining assessments.

Voting Requirements

Absolute Majority Required

Signatures

Author

*A Pears*

Chief Executive Officer

*P Anderson*

Date of Report

18 May 2020

27 MAY 2020

## Deed of Settlement

Between:

MURCHISON REGION ABORIGINAL CORPORATION (ICN 500)

25 Crawford Street, Geraldton WA 6530

and

SHIRE OF SHARK BAY

65 Knight Terrace, Denham WA 6537

---

This deed of settlement is dated 1 October 2018

### 1 Defined terms

*LG Act* means *Local Government Act 1997 (WA)*.

*MRAC* means the Murchison Region Aboriginal Corporation.

*Properties* means the properties owned by MRAC located within the Shire of Shark Bay, being:

- (a) 23 Capewell Drive, Denham;
- (b) 82 Durlacher Street, Denham.

*Termination Date* means 1 July 2020

### 2 Background

- 2.1 On 14 September 2018, MRAC wrote to the Shire of Shark Bay to object to the rate record and apply for rates exemptions under section 6.76 of the LG Act in respect of the Properties on the ground that the land is not rateable as the Properties are used for an exclusively charitable purpose for the purposes of section 6.26(2)(g) of the LG Act.

### 3 Agreed terms

- 3.1 The Shire of Shark Bay will correct the rate record for the Properties to reflect that the land is not rateable by reason of it being used for an exclusively charitable purpose for the purposes of section 6.26(g) of the LG Act.

## MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

- 3.2 The Shire of Shark Bay will not impose rates in respect of the Properties, or any properties acquired by MRAC after the date of this deed of settlement which are used for an exclusively charitable purpose, in future financial years unless there is a material change in the use of any of the Properties.
- 3.3 MRAC will advise the Shire of Shark Bay as soon as practicable after:
- (a) MRAC becomes aware that any property referred to in clause 3.2 has ceased being used for an exclusively charitable purpose;
  - (b) MRAC disposes of any of the Properties; or
  - (c) MRAC acquires any properties located within the Shire of Shark Bay that are being used for an exclusively charitable purpose.
- 3.4 MRAC will make an ex gratia payment each year to the Shire of Shark Bay to the value of 20% of the rates that would have been levied, had any property referred to in clause 3.2 been rateable.
- 3.5 To facilitate the ex gratia payment contemplated in clause 3.4, the Shire of Shark Bay will advise MRAC each year the value of the rates that would have been levied, had any property referred to in clause 3.2 been rateable.
- 3.6 If a dispute arises under clause 3.8 or in relation to the value of the rates that would have been levied, had any property referred to in clause 3.2 been rateable:
- (a) the parties must negotiate in good faith to resolve the dispute;
  - (b) if the dispute cannot be resolved within 14 days, the matter must be referred to an independent expert mutually acceptable to both parties to resolve the dispute, whose determination will be final and binding on the parties.
- 3.7 Subject to clause 3.8, this deed of settlement will terminate on the Termination Date.
- 3.8 If, prior to the Termination Date, there is a change to the LG Act which affects whether or not any property referred to in clause 3.2 is rateable land, the parties agree to –
- (a) negotiate in good faith as to whether that change, within the context of the evident intent of this deed, is reason to terminate the deed prior to the Termination Date;
  - (b) if it is agreed to terminate the deed it will terminate as and from the date the change came into effect; and
  - (c) if the parties cannot agree on whether or not the deed should be terminated within 14 days of the date the change came into effect, clause 3.8(b) will apply.
- 3.9 This deed of settlement may be executed in counterparts.
- 3.10 This deed of settlement shall be governed by and construed in accordance with the laws of Western Australia.

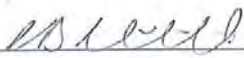
MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

Executed as a deed on (date)

Signed, sealed and delivered by Murchison  
Region Aboriginal Corporation in accordance  
with subsection 99-5(1) of the Corporations  
(Aboriginal and Torres Strait Islander) Act 2006  
(Cth) by:





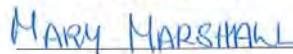
Signature of director




Name of director (print)



Signature of director/secretary



Name of director/secretary (print)

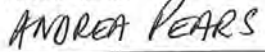


Chief Executive Officer  
Shire of Shark Bay

Signed on behalf of the SHIRE OF SHARK BAY  
~~in accordance with section 9.10A of the Local~~  
~~Government Act 1995 (WA)~~ by Paul Anderson  
Chief Executive Officer of the Shire of Shark Bay  
in the presence of:



Signature of witness



Name of witness (print)

EXECUTIVE MANAGER FINANCE &  
ADMINISTRATION  
SHIRE OF SHARK BAY

27 MAY 2020

**13.0 TOWN PLANNING REPORT**

**13.1 PROPOSED PATIO – LOT 17 (48A) HARTOG CRESCENT, DENHAM P4286**

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire – Section 5.60A of *Local Government Act 1995*

Declaration of Interest: Cr Burton

Nature of Interest: Proximity Interest as parents own adjacent property

Cr Burton left the Council Chamber at 4.08pm.

Moved            Cr Fenny  
Seconded       Cr Stubberfield

**Council Resolution**

**That Council:**

- A. Note that the application was referred to the owner of adjacent Lot 155 Hughes Street to the south and no submissions have been received.**
- B. Approve the application for an open sided patio on Lot 17 (48A) Hartog Crescent, Denham subject to the following conditions and footnotes:**
  - 1. The plans lodged with this application shall form part of this planning approval.**
  - 2. This approval does not include any alterations to existing natural ground levels or the installation of any raised decking.**
  - 3. The development shall substantially commence within 2 years from the date of this decision. If the development does not substantially commence before expiration of the 2 year period, this approval becomes invalid and expires.**

**Footnotes:**

- (i) A planning consent is not an approval to commence any works. A separate building permit must be obtained under the Building Act 2011 and Building Regulations 2012.**

**5/0 CARRIED**

Cr Burton returned to the Council Chamber at 4.14 pm.

BACKGROUND

Lot 17 is zoned Residential with a flexible density code of 'R12.5/30'. The lot has an approximate area of 558m<sup>2</sup> which is comparable to an R20 density.



884 m²

P12666  
**42**  
825 m²

D94710  
**100**  
1727 m²

Int  
13 m²

P12666  
**6**  
653 m²

P12666  
**75**  
1078 m²

P12666  
**74**  
873 m²

P12666  
**61**  
820 m²

P42875  
**7**  
576 m²

P12666  
**60**  
920 m²

P12666  
**77**  
952 m²

P12666  
**59**  
922 m²

P55345  
**17**  
558 m²

P55345  
**18**  
483 m²

P12666  
**43**  
890 m²

D94441  
**115**  
918 m²

P12666  
**45**  
898 m²

P12666  
**79**  
870 m²

P12666  
**46**  
884 m²

DIRT PL

HARTOG CR

HARTOG CR

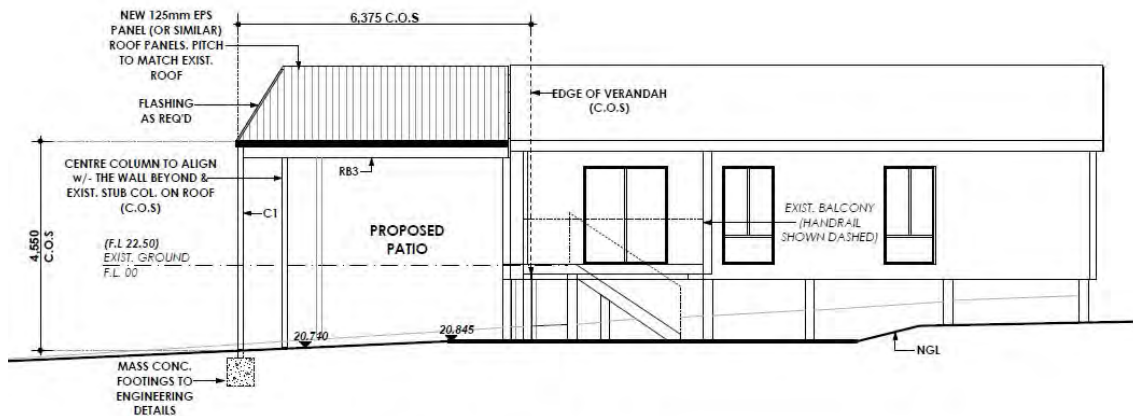
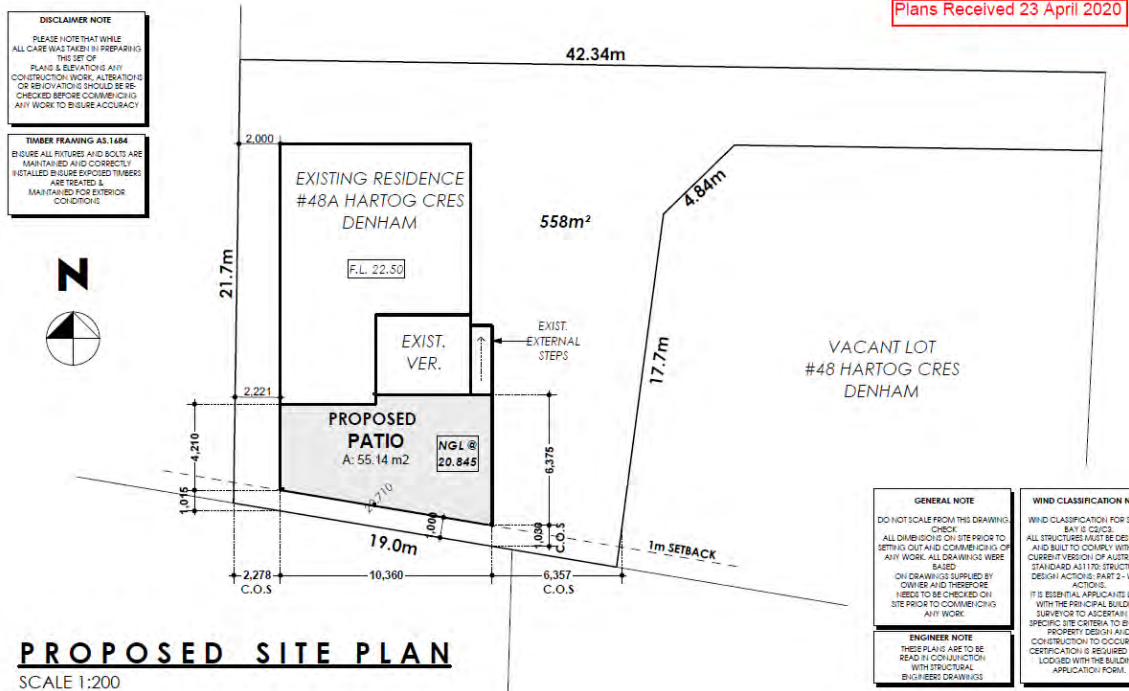
HUGHES ST

D78743

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

Plans Received 23 April 2020



## • Residential Design Codes ('the Codes')

The application complies with the 'deemed to comply' requirements of the Residential Design Codes with the exception that the applicant proposes a 1 metre side setback to the south boundary in lieu of 1.5 metres.

The side setback variation is minor, and will not have any significant visual or amenity impact.

27 MAY 2020

- Neighbour Consultation

The Shire referred the application to the owner of Lot 115 Hughes Street as the neighbour affected by the side setback variation.

No submissions on the application have been received.

LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015

The proposal requires planning approval in accordance with Regulation 61(c) in Schedule 2 (deemed provisions) as it entails a variation to the 'deemed to comply' requirements of the Residential Design Codes.

Clause 67 outlines '*matters to be considered by Council*' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

In accordance with Clause 67 (f) in Schedule 2 the '*matters to be considered by the local government*' includes '*any approved State Planning Policy*'. The Residential Design Codes operate as State Planning Policy 3.1.

Shire of Shark Bay Local Planning Scheme No 4 – explained in the body of this report.

POLICY IMPLICATIONS

There are no known policy implications associated with this matter.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Town Planning Innovations for advice.

STRATEGIC IMPLICATIONS

There are no strategic implications relative to this report.

RISK MANAGEMENT

This is a low risk item to Council.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author *L Bushby*

Chief Executive Officer *P Anderson*

Date of Report 15 May 2020

13.2 PROPOSED SIGN – MONKEY MIA ROAD RESERVE (NEAR SHARK BAY AIRPORT ROAD INTERSECTION)  
P2077 / RD00006

27 MAY 2020

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire –  
Section 5.60A of *Local Government Act 1995*

Moved            Cr Ridgley  
Seconded       Cr Burton

**Council Resolution**

**That Council:**

- 1. Note that the application form has been signed by Main Roads Western Australia as the Monkey Mia Road Reserve is under their care and control.**
- 2. Approve the application (No 5/2020) for a sign within the Monkey Mia Road Reserve subject to the following conditions and footnotes:**
  - (i) The plans lodged with this application shall form part of this planning approval. All development shall be in accordance with the approved plans unless otherwise approved in writing by the Chief Executive Officer.**
  - (ii) The sign is to be maintained in a good condition at all times and be fully contained within the road reserve.**
  - (iii) The development shall substantially commence within 2 years from the date of this decision. If the development does not substantially commence before expiration of the 2 year period, this approval becomes invalid and expires.**

**Footnotes:**

- (a) A planning consent is not an approval to commence any works. A separate building permit must be obtained under the Building Act 2011 and Building Regulations 2012.**
- (b) Separate Main Roads approval is required for the sign in addition to approval by the Shire.**

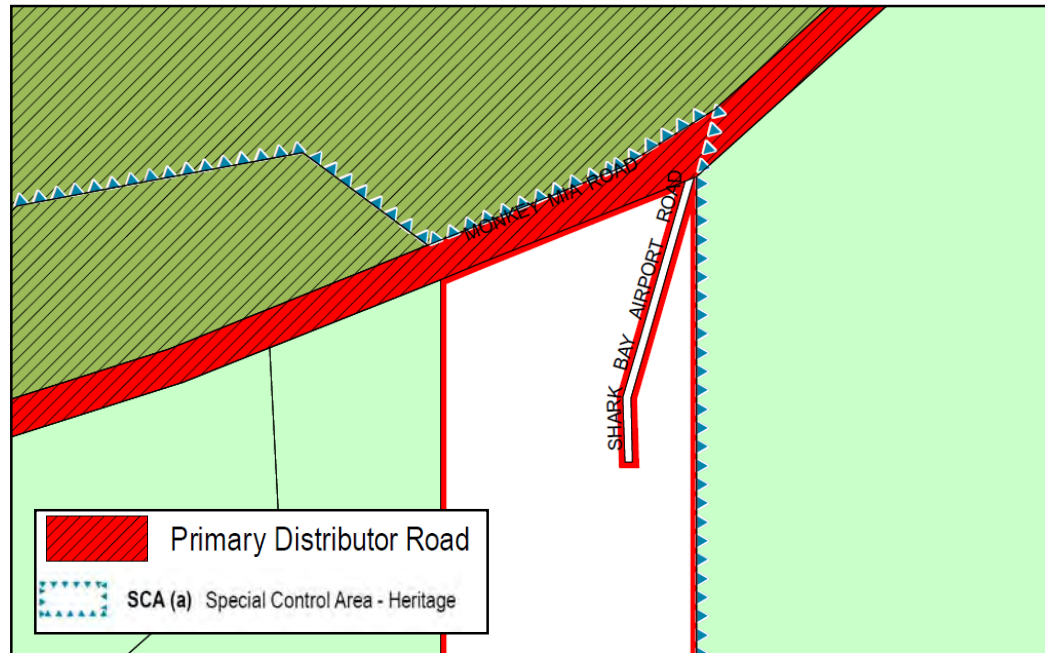
**6/0 CARRIED**

BACKGROUND

27 MAY 2020

Monkey Mia Road is a Local Scheme Reserve for 'Primary Distributor Road' under the Shire of Shark Bay Local Planning Scheme No 4 (the Scheme).

Portions of the road are within a Special Control Area for World Heritage under the Scheme.



Zoning Map

#### COMMENT

- ***Application details***

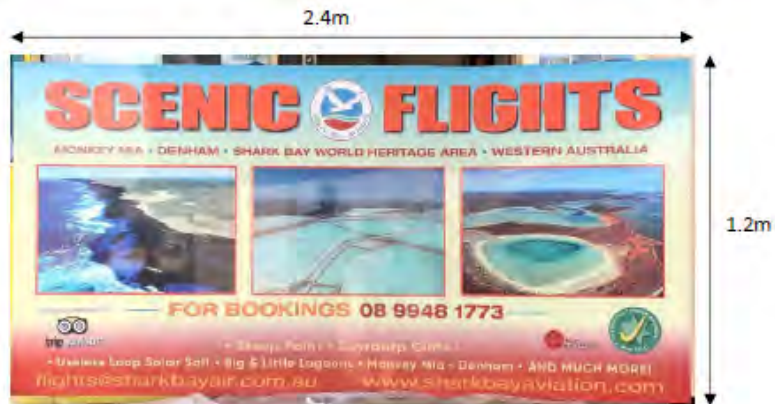
An application has been lodged for a sign facing the Monkey Mia Road and Shark Bay Airport Road intersection.

The sign is proposed with a pole height of 2.2 metres and a sign face size measuring 1.2 metres x 2.4 metres. The sign is proposed to advertise Shark Bay Aviation and their scenic flight services.

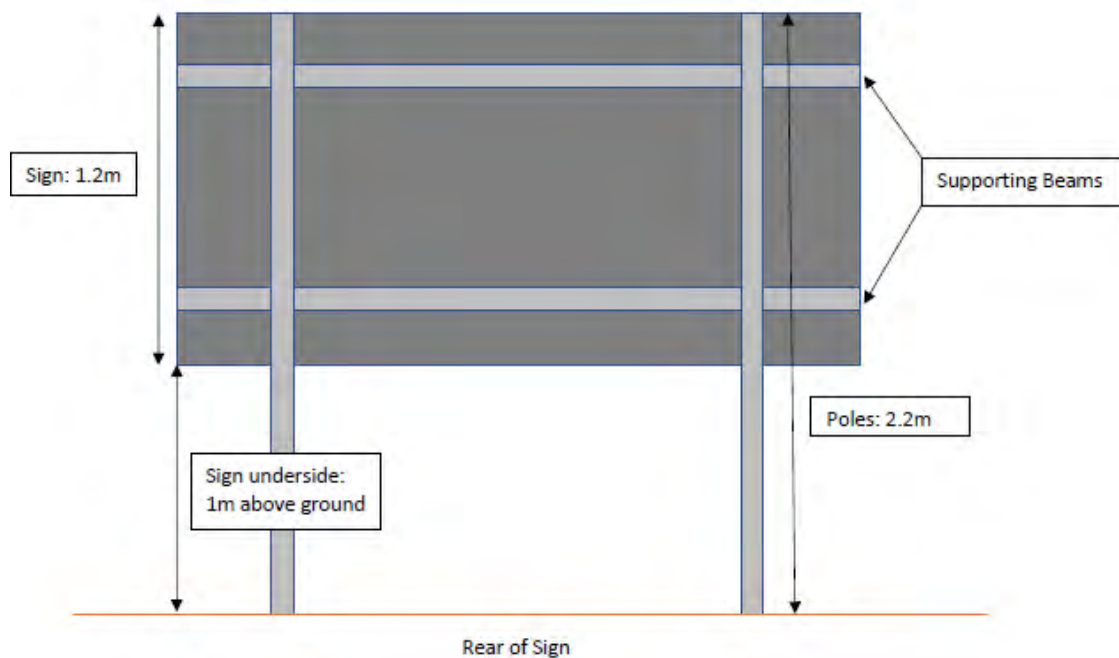
A site plan and elevation is included over page.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020



Sign face



27 MAY 2020

Town Planning Innovation has liaised with Main Roads WA and they have indicated that they are in the process of reviewing their existing sign policy. The applicant has been advised they need separate Main Roads approval for the sign.

Main Roads has signed the planning application form so that the applicant can seek local government approval.

The proposed sign is of a high quality and does not appear unreasonable in size.

#### LEGAL IMPLICATIONS

##### *Planning and Development (Local Planning Schemes) Regulations 2015*

The *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on 25 August 2015 and became effective on 19 October 2015.

The Regulations include 'Deemed Provisions' that automatically apply and override parts of the Shire of Shark Bay Local Planning Scheme No 4.

Clause 67 outlines '*matters to be considered by Council*' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

##### *Shire of Shark Bay Local Planning Scheme No 4*

Clause 32.17.3 outlines matters for consideration of sign applications and states as follows:

*"Without limiting the generality of the matters which may be taken into account when making a decision upon an application for consent to erect, place or display an advertisement, the local government shall examine each such application in the light of the objectives of the relevant zone and consider the following matters:*

- (a) *The need to promote a high standard of design and presentation in outdoor advertising particularly along Knight Terrace and major tourist routes;*
- (b) *The visual impact on major tourist routes, the Shark Bay World Heritage Property and public places balanced with the commercial need to promote tourist accommodation, facilities and attractions in remote locations;*
- (c) *The relationship of the advertising sign and the location of the business being promoted;*
- (d) *The level of integration between of any on site advertising with the overall site development specifically in the Commercial and Tourism zones;*
- (e) *The need to protect visual quality and character of particular localities;*



## MINUTES OF THE ORDINARY COUNCIL MEETING

---

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- (f) *Vehicular and /or pedestrian traffic safety;*
- (g) *The potential for outdoor advertising to negatively impact on the amenity of an area or the attributes which make an area attractive to tourists by virtue of the colours, height, materials, prominence, exposure, size, relevance to the premises or location, number and content;*
- (h) *The general planning considerations under Clause 67 of the deemed provisions of the Planning and Development (Local Planning Schemes) Regulations 2015. “*

### POLICY IMPLICATIONS

There are no known policy implications associated with this matter.

### FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Town Planning Innovations for advice.

### STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this matter.

### RISK MANAGEMENT

This is a low risk item to Council.

### VOTING REQUIREMENTS

Simple Majority Required

### SIGNATURES

Author	<i>L Bushby</i>
Chief Executive Officer	<i>P Anderson</i>
Date of Report	15 May 2020



27 MAY 2020

13.3 PROPOSED NATURE BASED PARK WITH ANCILLARY CAMP KITCHENS AND ABLUTIONS -  
LOTS 62 AND 303 DIRK HARTOG ISLAND  
P4366 & P4280

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Liz Bushby, Town Planning Innovations

Nature of Interest: Financial Interest as receive planning fees for advice to the Shire –  
Section 5.60A of *Local Government Act 1995*

Declaration of Interest: Cr Cowell

Nature of Interest: Impartiality Interest as an employee of the Department of  
Biodiversity, Conservation and Attractions

Officers Recommendation

That Council:

1. Note that:
  - (a) Referral of the application to the Environmental Protection Authority has clarified the environmental issues and provided beneficial advice to the Council. The Environmental Protection Authority has determined not to undertake any formal environmental assessment – Attachment 3.
  - (b) An appeal was lodged against the Environmental Protection Authority decision and was dismissed by the Minister for Environment – Attachment 4.
  - (c) Five submissions on the application were received during advertising as summarised in Attachment 7.
  - (d) Irrespective of any determination of this application, Council can still require a Local Development Plan for any future development.

<p><b><u>OPTION 1 - ALLOW DEVELOPMENT TO PROCEED WITHOUT A LOCAL DEVELOPMENT PLAN AND APPROVE THE APPLICATION.</u></b></p>
--

2. Resolve to Pursue Option 1 to allow development to proceed without a Local Development Plan for the following reasons:
  - (a) The proposed development does not conflict with the principles of orderly and proper planning; and
  - (b) It would be orderly to allow this type of development to proceed without a Local Development Plan as:
    - (i) All 80 sites are for short stay use and the proposed development only includes low scale structures that will have minimal negative visual impact.
    - (ii) The Environmental Protection Authority have concluded that impacts can be adequately managed and the current proposal is small scale.
    - (iii) The land use may have a limited lifespan if impacted on by coastal processes.
  - (c) The proposed development would not prejudice the overall development potential of the area.
  - (d) Some of the Scheme provisions for a Local Development Plan are not relevant to a nature based park.

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AND:

3. Approve the development application for a nature based park and ancillary camp kitchen/ ablutions on Lot 62 and 303 Dirk Hartog Island subject to the following conditions and footnotes:
  - i. The plans lodged with this application shall form part of this development approval. All development shall generally be in accordance with the approved plans.
  - ii. The nature based park shall have a maximum of 23 sites and accommodate a maximum of 80 people at any one time as stated in the application.
  - iii. Lodgement of a Foreshore Access Plan and Signage Strategy for Lots 62 and 303 within 6 months of this development approval for separate written approval by the Shire Chief Executive Officer.
  - iv. The owner/operator shall implement measures, recommendations and works in accordance with a Foreshore Access Plan and Sign Strategy that is approved by the Shire Chief Executive Officer under Condition (iii).
  - v. The owner/operator shall implement measures, recommendations and management strategies in accordance with the annual Sustainable Management Plan for the life of this development.
  - vi. The owner/operator shall implement all of the mitigation measures, recommendations and works outlined in the approved Bushfire Management Plan and Emergency Response Plan prepared by Ecosystem Solutions dated the 9 March 2020 (Revision F) for the life of this development.
  - vii. Internal firebreaks, access tracks, asset protection zones and passing bays are to be established and maintained in accordance with the approved Bushfire Management Plan prepared by Ecosystem Solutions dated the 9 March 2020 (Revision F).
  - viii. Adequate water supply for fire fighting shall be maintained in on site water tanks in accordance with the approved Bushfire Management Plan prepared by Ecosystem Solutions dated the 9 March 2020 (Revision F).
  - ix. The owner/operator shall install directional signage within the lot boundaries to, and maintain demarcation of, the Refuge Open Space area as depicted in the approved Bushfire Management Plan prepared by Ecosystem Solutions dated the 9 March 2020 (Revision F). The Refuge Open Space depicted in the Bushfire Management Plan is to be used for guests in a bushfire event.
  - x. The owner / operator shall provide a written undertaking to the Shire within 2 months of this approval confirming that they will implement all the measures in the approved Bushfire Management Plan prepared by Ecosystem Solutions dated the 9 March 2020 (Revision F).
  - xi. All stormwater from roofed areas (camp kitchens and ablutions) shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage to be fully contained within the property boundaries with no water discharge into adjacent Dirk Hartog National Park or foreshore at any time.
  - xii. Colours for all buildings and structures are to be compatible with the Shark Bay World Heritage Dirk Hartog Island Colour Palette in accordance with the elevations lodged as part of this application.

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- xiii. Any nature based sites and / or development shall be removed should they be directly threatened and impacted on by coastal erosion during the approval period.
- ix. This approval is only for development and use of land within the boundaries of Lots 62 and 303.

Footnotes:

- (a) A separate Licence is required to operate a nature based park in accordance with the *Caravan Parks and Camping Grounds Act 1995* and *Caravan Parks and Camping Grounds Regulations 1997*. An application for a licence should be lodged as soon as possible to comply with separate legislation.
- (b) Planning consent is not an approval for construction. Existing buildings including camp kitchens and ablutions require separate approval under the *Building Act 2011* and Building Regulations 2012.
- (c) A separate application is required to be lodged to the Shire to 'construct or install an apparatus for the treatment of sewerage' as it will require approval by the Department of Health.
- (d) It is acknowledged that a Foreshore Management Plan has been lodged, however the Shire cannot approve works within the foreshore area / National Park managed by the Department of Biodiversity, Conservation and Attractions.

The Shire has imposed Condition (iii) so that an alternative Plan can be prepared to assist with responsible management and access of visitors to the foreshore from within Lots 62 and 303.

The following should be considered in preparing a revised Plan:

- Define and physically demarcate portions of the 5 designated pathway borders within the lots that lead to the beach to ensure there is controlled pedestrian access to the foreshore. Consider use of tree log edges, branches, bollards with ropes, rocks, wood or some other materials.  
Monitor erosion of paths within the lots and include potential future erosion mitigation methods;
- Annual physical monitoring and recording of any coastal impact on the lots coastal boundaries with triggers for removal of development;
- Use and locate signs that identify controlled pathway access to the beach, areas of vegetation for protection, and that discourage visitor access to non designated tracks;
- Outline management measures to discourage unfettered pedestrian access to the foreshore through vegetation.
- A site plan showing where signs will be located within Lots 62 and 303 to direct guests to defined pathway entries to the beach, and signs to inform guests on areas of vegetation being protected. This should give details of signage forms, materials and content. For example, signs stating 'vegetation protection area' or 'please use defined paths' may be employed.
- The Shire supports statements that no structures will be erected in the foreshore unless granted separate written approval by Department of Biodiversity, Conservation and Attractions.

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- (e) Condition xiii has been imposed as recommended by the Department of Planning, Lands and Heritage as the proposed development may be vulnerable to coastal impacts. If the development is affected in the future the owners may need to lodge a new development application if any relocation of the structures is proposed. It is recommended that the owners check private insurance cover in relation to this matter.
- (f) The Shire can still require a Local Development Plan for any future development.

**OPTION 2 – REQUIRE A LOCAL DEVELOPMENT PLAN AND REFUSE THE APPLICATION.**

- 2. Resolve to Pursue Option 2 to require a Local Development Plan (prior to development) in accordance with the Special Use provisions applicable to Lots 62 & 303 under the Shire of Shark Bay Local Planning Scheme No 4 and Part 6 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

AND:

- 3. Refuse the development application for a nature based park and ancillary camp kitchen/ ablutions on Lot 62 and 303 Dirk Hartog Island for the following reasons:
  - (a) A Local Development Plan is required to guide future development in accordance with Condition 3 of Schedule B of the Shire of Shark Bay Local Planning Scheme No 4 applicable to the subject lots.
  - (b) The proposed development conflicts with the principles of orderly and proper planning. It would not be orderly to allow this type of development to proceed in the absence of a Local Development Plan.
  - (c) The proposed development would prejudice the overall development potential of the area. A Local Development Plan should be employed to strategically plan and co-ordinate all future development of the lots.

Moved Cr Ridgely  
Seconded Cr Fenny

**Council Resolution**

**That Council:**

- 1. **Note that:**

- (a) **Referral of the application to the Environmental Protection Authority has clarified the environmental issues<sup>[PA1]</sup> and provided beneficial advice to the Council. The Environmental Protection Authority has determined not to undertake any formal environmental assessment – Attachment 3.**
- (b) **An appeal was lodged against the Environmental Protection Authority decision and was dismissed by the Minister for Environment – Attachment 4.**

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- (c) Five submissions on the application were received during advertising as summarised in Attachment 7.
  - (d) Irrespective of any determination of this application, Council can still require a Local Development Plan for any future development.
2. Resolve to Pursue Option 1 to allow development to proceed without a Local Development Plan for the following reasons:
- (a) The proposed development does not conflict with the principles of orderly and proper planning; and
  - (b) It would be orderly to allow this type of development to proceed without a Local Development Plan as:
    - (i) All 80 sites are for short stay use and the proposed development only includes low scale structures that will have minimal negative visual impact[PA2].
    - (ii) The Environmental Protection Authority have concluded[PA3] that impacts can be adequately managed and the current proposal is small scale.
    - (iii) The land use may have a limited lifespan if impacted on by coastal processes.
  - (c) The proposed development would not prejudice the overall development potential of the area.
  - (d) Some of the Scheme provisions for a Local Development Plan are not relevant to a nature based park.

**AND:**

[PA4]

3. Approve the development application for a nature based park and ancillary[PA5] camp kitchen/ ablutions on Lot 62 and 303 Dirk Hartog Island subject to the following conditions and footnotes:
- i. The plans lodged with this application shall form part of this development approval. All development shall generally be in accordance with the approved plans.
  - ii. The nature based park shall have a maximum of 23 sites and accommodate a maximum of 80 people at any one time as stated in the application.
  - iii. Lodgement of a Foreshore Access Plan and Signage Strategy for Lots 62 and 303 within 6 months of this development approval for separate written approval by the Shire Chief Executive Officer.
  - iv. The owner/operator shall implement measures, recommendations and works in accordance with a Foreshore Access Plan and Sign Strategy that is approved by the Shire Chief Executive Officer under Condition (iii).

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- v. The owner/operator shall implement measures, recommendations and management strategies in accordance with the annual Sustainable Management Plan for the life of this development.
- vi. The owner/operator shall implement all of the mitigation measures, recommendations and works outlined in the approved Bushfire Management Plan and Emergency Response Plan prepared by Ecosystem Solutions dated the 9 March 2020 (Revision F) for the life of this development.
- vii. Internal firebreaks, access tracks, asset protection zones and passing bays are to be established and maintained in accordance with the approved Bushfire Management Plan prepared by Ecosystem Solutions dated the 9 March 2020 (Revision F).
- viii. Adequate water supply for fire fighting shall be maintained in on site water tanks in accordance with the approved Bushfire Management Plan prepared by Ecosystem Solutions dated the 9 March 2020 (Revision F).
- ix. The owner/operator shall install directional signage within the lot boundaries to, and maintain demarcation of, the Refuge Open Space area as depicted in the approved Bushfire Management Plan prepared by Ecosystem Solutions dated the 9 March 2020 (Revision F). The Refuge Open Space depicted in the Bushfire Management Plan is to be used for guests in a bushfire event.
- x. The owner / operator shall provide a written undertaking to the Shire within 2 months of this approval confirming that they will implement all the measures in the approved Bushfire Management Plan prepared by Ecosystem Solutions dated the 9 March 2020 (Revision F).
- xi. All stormwater from roofed areas (camp kitchens and ablutions) shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage to be fully contained within the property boundaries with no water discharge into adjacent Dirk Hartog National Park or foreshore at any time.
- xii. Colours for all buildings and structures are to be compatible with the Shark Bay World Heritage Dirk Hartog Island Colour Palette in accordance with the elevations lodged as part of this application.
- xiii. Any nature based sites and / or development shall be removed should they be directly threatened and impacted on by coastal erosion during the approval period.
- ix. This approval is only for development and use of land within the boundaries of Lots 62 and 303.

**Footnotes:**

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- (a) A separate Licence is required to operate a nature based park in accordance with the *Caravan Parks and Camping Grounds Act 1995* and *Caravan Parks and Camping Grounds Regulations 1997*.

An application for a licence should be lodged as soon as possible to comply with separate legislation.

- (b) Planning consent is not an approval for construction. Existing buildings including camp kitchens and ablutions require separate approval under the *Building Act 2011* and Building Regulations 2012.

- (c) A separate application is required to be lodged to the Shire to 'construct or install an apparatus for the treatment of sewerage' as it will require approval by the Department of Health.

- (d) It is acknowledged that a Foreshore Management Plan has been lodged, however the Shire cannot approve works within the foreshore area / National Park managed by the Department of Biodiversity, Conservation and Attractions.

The Shire has imposed Condition (iii) so that an alternative Plan can be prepared to assist with responsible management and access of visitors to the foreshore from within Lots 62 and 303.

The following should be considered in preparing a revised Plan:

- Define and physically demarcate portions of the 5 designated pathway borders within the lots that lead to the beach to ensure there is controlled pedestrian access to the foreshore. Consider use of tree log edges, branches, bollards with ropes, rocks, wood or some other materials.
- Monitor erosion of paths within the lots and include potential future erosion mitigation methods;
- Annual physical monitoring and recording of any coastal impact on the lots coastal boundaries with triggers for removal of development;
- Use and locate signs that identify controlled pathway access to the beach, areas of vegetation for protection, and that discourage visitor access to non designated tracks;
- Outline management measures to discourage unfettered pedestrian access to the foreshore through vegetation.
- A site plan showing where signs will be located within Lots 62 and 303 to direct guests to defined pathway entries to the beach, and signs to inform guests on areas of vegetation being protected. This should give details of signage forms, materials and content. For example, signs stating 'vegetation protection area' or 'please use defined paths' may be employed.
- The Shire supports statements that no structures will be erected in the foreshore unless granted separate written



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approval by Department of Biodiversity, Conservation and Attractions.

- (e) Condition xiii has been imposed as recommended by the Department of Planning, Lands and Heritage as the proposed development may be vulnerable to coastal impacts. If the development is affected in the future the owners may need to lodge a new development application if any relocation of the structures is proposed. It is recommended that the owners check private insurance cover in relation to this matter.
- (f) The Shire can still require a Local Development Plan for any future development.

6/0 CARRIED

BACKGROUND

- ***Location Plan***

Lots 62 and 303 are located on Dirk Hartog Island. Lot 62 has an area exceeding 40 hectares and Lot 303 has an area exceeding 17 hectares.

The Lodge and a restaurant/exhibition centre/office have been developed on Lot 62.



- ***Restrictive Covenant – Lot 62***



# MINUTES OF THE ORDINARY COUNCIL MEETING

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There is a restrictive covenant registered on the Certificate of Title for Lot 62. It only applies to the 35.64 hectare southern portion of Lot 62.

The restrictive covenant allows the southern portion of Lot 62 to be used for the purpose of low impact eco tourism including visitor accommodation units and staff accommodation, subject to normal local government and other necessary approvals.

Above: Deposited Plan obtained from Landgate with TPI notes in red text

The restrictive covenant allows for the following maximum visitor accommodation numbers for the southern part of the lot:

Lot	Covenant Clause	Calculation	Total Visitor Accommodation
62	Limit the visitor accommodation units to not exceed six times the number of hectares of land (rounded down to the nearest whole number)	35.64 hectares x 6 = 213 visitor accommodation units	213  (only applies to southern 25.64ha part of lot)

## • Restrictive Covenant – Lot 303

The restrictive covenant for Lot 303 includes clauses that:

- Limit the visitor accommodation units to not exceed three times the number of hectares of land (rounded down to the nearest whole number) – refer extract below.

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- (b) the number of Visitor Accommodation Units that may be built or placed on the Land must not exceed the number (rounded down to the nearest whole number) that is three times the number of hectares in the Land (for example, if the Land is 17.3 hectares, the number of Visitor Accommodation Units may not be more than 51 –  $17.3 \times 3 = 51.9$ , rounded down to 51);

- Limit the floor area of visitor accommodation units to 90m<sup>2</sup> (excluding unenclosed verandas not used for sleeping areas);

Limits staff numbers being housed to not more than a 1:1 staff to guest ratio and a floor area of not more than 35m<sup>2</sup> for staff accommodation.

Lot 303 has an area of 17.35 hectares therefore the covenant allows 51 visitor accommodation units (rounded down).

The term 'visitor accommodation unit' is defined slightly different in each covenant however in summary it *'means an accommodation unit (whether as a stand alone structure or a structure containing more than one unit) suitable for temporary residential occupation by one or more persons, but does not include:*

- (i) *accommodation for the caretaker or manager of the low impact ecotourism business conducted on the land, and his or her family;*
- (ii) *staff accommodation;*
- (iii) *those areas of any centre lodge facilities that do not comprise bedrooms or other sleeping areas.*

The covenant does not define the term 'structure'. The covenant is to the benefit of the Minister for Lands under the *Land Administration Act 1997*.

The Shire wrote to the Department of Planning, Lands and Heritage on the 4 July 2019 seeking advice on whether the covenant restrictions applicable to Lots 303 and 62 restricting 'visitor accommodation units' applies to camping and /or maximum visitor numbers.

No response was received so Town Planning Innovations wrote to the Minister for Planning, Lands and Heritage. The Minister for Planning referred the enquiry to the Minister for Lands (Hon Ben Wyatt MLA).

The Minister for Lands (Hon Ben Wyatt MLA) wrote to the Shire regarding vehicle numbers but did not comment on visitor accommodation numbers or numbers for camping – Attachment 1.

- ***Relevant Council Decision July 2019***

The Shire has already considered a Bushfire Management Plan for Lot 62 and 303 which was supported by Council in July 2019.

The applicant was advised that support for the Bushfire Management Plan should not be construed as support for any future development, as no formal application had been lodged at the time.

The Shire Council noted that a Local Development Plan and formal development application had to be lodged for separate consideration.

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- **Relevant Council Decision October 2019**

A preliminary general report on two separate applications for Lot 62 and Lot 303 was referred to the October 2019 Council meeting.

Council resolved to:

**‘1. Note that:**

**(a) Two separate development applications have been lodged including:**

- 1. Lot 62 and 303 - 23 nature based camp sites to accommodate up to 80 people, 3 camp kitchens, 3 ablution blocks and a number of bare earth pedestrian and internal vehicular access ways.**
- 2. Lot 62 - a visitors centre & bar/café to be known as Wirruwana Hub. The development comprises 2 new custom designed transportable buildings with decking designed to accommodate up to 25 people at a time.**

**(b) Both applications have been advertised concurrently. Key government departments, agencies and the Shark Bay World Heritage Committee have been requested to lodge submissions by the 27 October 2019.**

**(c) The application for nature based camping and associated facilities proposed on Lots 62 and 303 was referred to the Environmental Protection Authority.**

**The Environmental Protection Authority Services of the Department of Water and Environmental Regulation has requested additional information to be provided by the applicant so that they can make an informed decision on whether or not any formal environmental assessment is required – Attachment 6.**

**(d) The Shire Council cannot make any decisions on the nature based camping application until such time as the Environmental Protection Authority has completed their process.**

**(e) The separate application for the visitors centre & bar/café was not referred to the Environmental Protection Authority as it is ancillary to the existing resort on Lot 62 and has a much smaller footprint.**

**(f) Instruct Shire Administration not to refer the application for the visitors centre & bar/café on Lot 62 to the Environmental Protection Authority and allow the application to be processed.**

**(g) Reports on both proposals will be referred to a future Council meeting to consider all available options. ‘**

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- Relevant Council Decision October 2019 (Government Sewerage Policy)

A report on the Government Sewerage Policy (2019) was considered by Council at the meeting held on the 30 October 2019.

Council resolved '***not to require detailed effluent disposal information for development applications that were lodged prior to 23 September 2019 and are currently being processed.***'

This resolution applies to the development application for Lots 62 and 303.

- ***Existing Approvals***

At the Ordinary Meeting held on the 27 November 2019, Council resolved to conditionally approve a restaurant/café, exhibition centre, and office (with ancillary ablutions) on Lot 62 without a Local Development Plan.

- ***Zoning and Local Development Plan***

Lots 62 and 303 are zoned 'Special Use' (No 14) under the Shire of Shark Bay Local Planning Scheme No 4 ('the Scheme'). Specific provisions apply under Schedule B of the Scheme – refer Attachment 2.

Condition 3 of Schedule B applicable to the lots states that:

*'Prior to commencement of development of any of the four lots a Local Development Plan shall be prepared in accordance with Part 6 of the Planning and Development (Local Planning Schemes) Regulations 2015.'*

The clause goes on to list the matters that a Local Development Plan needs to address such as a management plan, architectural design, coastal setbacks, bushfire management, environmental report and design guidelines.

A Local Development Plan can facilitate the design and co-ordination of development on unique sites and is a higher level document that would strategically plan for the overall site and guide future development.

- ***Environmental Process***

The application was referred to the Environmental Protection Authority who determined that no formal environmental assessment is required.

The Environmental Protection Authority considered that the likely environmental effects of the proposal were not so significant as to warrant formal assessment because the proposal is unlikely to impact significant flora and vegetation, is small in scale and extent, has appropriate biosecurity measures in place and will not significantly impact the Shark Bay World Heritage Area, the Dirk Hartog Island National Park or Shark Bay Marine Park.

The Environmental Protection Authority formed the view that the potential impacts of the proposal could be adequately managed through the implementation of the proposal in accordance with the referral documentation and the proponent's management and mitigation measures.

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The Environmental Protection Authority decision and public advice are both included as Attachment 3.

An appeal was lodged against the Environmental Protection Authority decision not to formally assess the proposal. The appeal has been dismissed by the Minister for Environment – Attachment 4.

Now that the environmental process is complete, the Shire can determine the current application.

- ***Existing Land Uses / Unauthorised Development***

Camping has occurred on the lots without Shire approval. The applicant confirmed in writing on 15 October 2019 that:

1. Salty's camp kitchen and camp sites were established in 2015;
2. Buddy's camp Kitchen and camp sites were established in 2016.
3. Jeds camp has been used on an ad hoc basis by visiting family and friends for 15 to 20 years.

COMMENT

- ***Description of Application***

The development application is for a nature based park with 23 sites to accommodate up to 80 people, 3 camp kitchens, 3 ablution blocks (with toilet and shower facilities) and a number of bare earth pedestrian and internal vehicular access ways.

In support of the proposal the applicant advises that:

- Native vegetation on the lot has been partially cleared and modified through historical grazing and pastoral use.
- The campsites, access and minor built structures are sited in areas that contain little or no native vegetation. Approximately 2100m<sup>2</sup> of native vegetation is required to be cleared to meet bushfire requirements.
- Only low scale structures are proposed and are expected to have a lifespan of approximately 20 years. They are designed to be sympathetic to the landscape.
- Tent areas will be clustered in areas of the lot that have previously been degraded. This allows remaining areas of native vegetation to be retained.
- Each campsite is numbered for ease of identification.
- The applicant is of the view that development can proceed without a Local Development Plan and that the nature based park will not prejudice future planning for the lots.

The applicants' submission is included as Attachment 5 and outlines their view that the development should be supported without an Local Development Plan.

The operator, Kieran Wardle, has lodged an email dated 11 May 2020 outlining concerns over any Local Development Plan requirement given the lack of Tourism Strategy for Dirk Hartog Island, costs, and unprecedented COVID-19 situation with future uncertainty over tourism – refer Attachment 6.

MINUTES OF THE ORDINARY COUNCIL MEETING

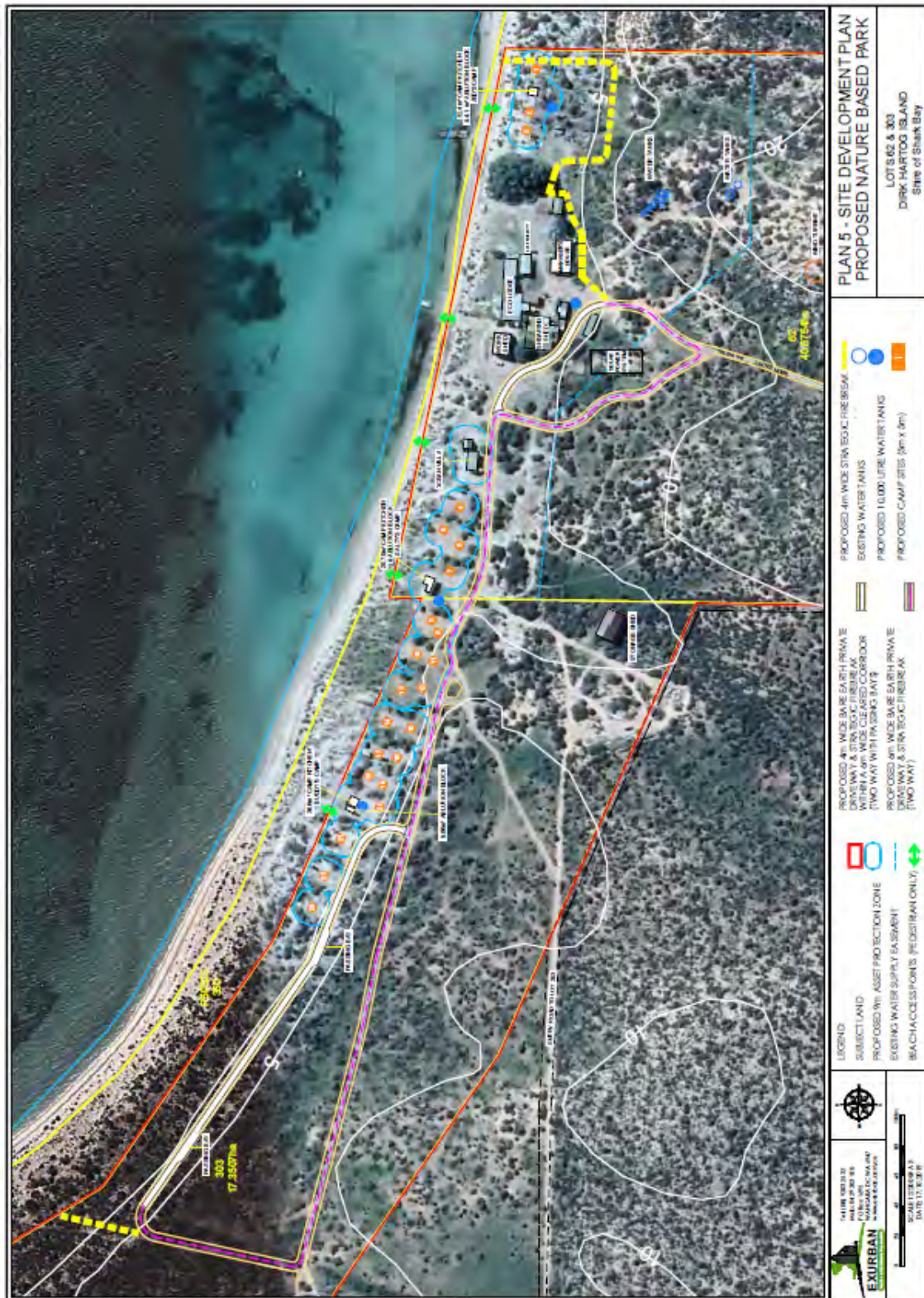
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A site plan is included over page.



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- **Local Development Plan**

Council has two options on how to proceed:

**OPTION 1 - ALLOW DEVELOPMENT TO PROCEED WITHOUT A LOCAL DEVELOPMENT PLAN AND APPROVE THE APPLICATION.**

Council has discretion to allow development to proceed without a Local Development Plan where:

- (a) the proposed development does not conflict with the principles of orderly and proper planning; and
- (b) the proposed development would not prejudice the overall development potential of the area.

There are advantages and disadvantages to both options as summarised below:

Reasons for a Local Development Plan – Officer Comment	Reasons against a Local Development Plan – Officer Comment
<p>The Scheme requirement for a Local Development Plan applies to all freehold lots on the Island.</p> <p>The Shire has required a Local Development Plan for future development of Lot 304 Sunday Island Bay and there is some merit in applying a consistent approach to all development within the applicable special use zone.</p>	<p>Some of the Local Development Plan requirements, such as 'design guidelines' and 'architectural design' have no relevance to this proposal as no significant permanent buildings are proposed.</p> <p>Some Local Development Plan requirements are orientated towards permanent built form.</p>
<p>The application was referred to the Department of Planning, Lands and Heritage who advised that '<i>Considering the nature of the proposals, although provision 6 of SU14 states that the local government may consider development in the absence of a Local Development Plan, a Local Development Plan is recommended in this instance.</i>'</p> <p>Requiring an Local Development Plan would be consistent with state planning recommendations.</p>	<p>As the proposed development includes small structures (being the camp kitchens and ablutions) and nature based sites it is questionable as to how beneficial a Local Development Plan would be to a land use of this nature.</p> <p>Whilst the Department of Planning, Lands and Heritage has an opinion, the final decision is to the discretion of Council.</p>
<p>A higher level of supporting reports and information would need to be provided as part of a Local Development Plan, including a coastal setback report.</p>	<p>Management and environmental issues have already been largely examined by the Environmental Protection Authority and by the Minister for Environment (in considering the appeal).</p> <p>As the application was referred to the Environmental Protection Authority and has undergone rigorous examination through that separate process, it is very clear that Environmental Protection Authority considers that the land use impact can be managed.</p>



# MINUTES OF THE ORDINARY COUNCIL MEETING

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	Coastal setbacks are less important for this nature based park proposal as there are 80 temporary/ short term nature based sites which are removable.
It could be argued that requiring a Local Development Plan is in the interest of orderly and proper planning.  The lots are unique as they are on an Island and located within the World Heritage Area.	A counter argument is that a Local Development Plan has less relevance to a nature based park and that the proposal will not prejudice the overall development potential of Lots 62 and 303 as only small scale development is proposed.
The purpose of a Local Development Plan is to strategically plan for overall development of sites.	Small scale development in the form of the restaurant/ café, exhibition centre and office has already been approved on Lot 62 so there is limited other development to co-ordinate.  Any Local Development Plan would only be for the 80 sites and ancillary structures.
	Lot 62 has already been developed with tourist accommodation facilities. The proposal will expand on an established existing tourism use with 80 sites and will not introduce any significant structures.
	The camp kitchens and ablutions are low scale so will have minimal visual impact <del>(PA7)</del> .

Council may pursue Option 1 having regard that:

- (a) The proposed development does not conflict with the principles of orderly and proper planning.

The term 'orderly and proper planning' is not defined. Any exercise of discretion to allow development to proceed in the absence of a Local Development Plan must be made in an orderly and proper way (ie in a way which is disciplined, methodical, and logical).

It would be orderly to allow this type of development to proceed without a Local Development Plan as:

- (i) All 80 sites are for short stay use and the proposed development only includes low scale structures that will have minimal negative visual impact~~(PA8)~~.

- (ii) The current proposal has been examined by the Environmental Protection Authority who have concluded that impacts can be adequately managed and the development is small scale.

The Environmental Protection Authority referral process has resulted in high scrutiny of the proposal. The Environmental Protection Authority considers that environmental issues can be adequately managed.

- (iii) The land use may have a limited lifespan if impacted on by coastal processes.

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- (b) The proposed development would not prejudice the overall development potential of the area.

The development will operate in conjunction with the existing Lodge and will utilise land for a nature based park (without any significant structures).

The Shire can still require a Local Development Plan for any future development.

Town Planning Innovations recommends Option 1.

It is recommended that Council consider whether a Local Development Plan would provide any strategic benefits or information that would better inform the development outcome.

It is concluded that the issues have been sufficiently examined as part of the rigorous Environmental Protection Authority process and can be addressed through conditions.

This is summarised below:

Matters required to be addressed by a Local Development Plan:	Officer Comment
(i) A Management Plan that addresses visitor access, servicing, maintenance, waste disposal, effluent disposal, service areas, rubbish management and the transport of construction material;	<p>The application includes:</p> <ul style="list-style-type: none"> <li>- A Sustainable Management Plan (including information on rubbish management / recycling)</li> <li>- A commitment to following protocols in the Department of Parks and Wildlife Biosecurity Implementation Plan and measures such as training staff, education of guests and protocols for vehicle transport on the Barge;</li> </ul> <p>Information on effluent disposal is not provided however Council already resolved not to apply the Government Sewerage Policy to this application (as it was lodged prior to the Policy). The owners will need separate Department of Health approval of effluent disposal systems.</p>
(ii) The proposed development is to be of a high architectural quality and be designed to be low scale and sympathetic to the location taking into account topography, physical characteristics and unique character of the surrounding area;	<p>Not Applicable to the proposed 80 sites.</p> <p>The camp kitchens and ablutions are low scale and will have minimal visual impact.</p>

# MINUTES OF THE ORDINARY COUNCIL MEETING

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<p>(iii) Coastal setbacks in accordance with relevant state planning policy;</p>	<p>The application includes some general information on coastal matters however no specific coastal setback report has been lodged.</p> <p>Coastal setbacks are less applicable to nature based parks. If the development is affected by coastal processes in the future it can be removed and / or the owner/operator can apply to relocate them.</p>
<p>(iv) Bushfire management in accordance with relevant state planning policy;</p>	<p>A revised Bushfire Management Plan by EcoSolutions (Revision F) for the nature based park and separate restaurant/ café, exhibition centre and office has been approved in writing by the Shire on the 10 March 2020.</p>
<p>(v) An environmental report that demonstrates that the Local Development Plan and proposed use and/or development will have a low impact on the natural environment, not compromise the high conservation values and have regard for the need to protect the ecological values and special attributes of the island. The report should include information on building envelopes, visitor numbers, a vegetation assessment and how biosecurity measures to mitigate the risks of feral incursions and disease impacts to the National Park will be achieved.</p>	<p>As part of a Local Development Plan the Shire can require an environmental report. If prepared by an environmental consultant it may be more comprehensive than the information included in the development application.</p> <p>Notwithstanding the above, the application has been through a rigorous process and the Environmental Protection Authority has examined in detail issues relating to clearing, vegetation, flora, fauna, and social impact.</p> <p>The Minister for the Environmental also reviewed issues such as visitor numbers, vehicle numbers, water resources, and waste management in determining an appeal against the Environmental Protection Authority decision not to formally assess the proposal.</p> <p>The application includes information on clearing, vegetation species, visitor numbers, vehicles, pedestrian tracks, vehicle tracks, firebreaks, and biosecurity measures.</p>
<p>(vi) Detailed design guidelines to control colours, materials, built form, scale, and achieve a development sympathetic to the natural character of the island may be required by the Local Government.</p>	<p>Design guidelines are not relevant to this application.</p>

**OPTION 2 – REQUIRE A LOCAL DEVELOPMENT PLAN AND REFUSE THE APPLICATION.**

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Council can require a Local Development Plan in accordance Condition 3 of Schedule B under the Scheme which states that:

*‘Prior to commencement of development of any of the four lots a Local Development Plan shall be prepared in accordance with Part 6 of the Planning and Development (Local Planning Schemes) Regulations 2015.’*

A Local Development Plan can be required if Council considers it in the interest of orderly and proper planning and/ or is concerned that the current proposal would prejudice future planning of the area.

The Department of Planning, Lands and Heritage supports requiring a Local Development Plan.

- ***Land Use Permissibility***

The applicant has applied for a ‘nature based park’ and seeks approval for 80 sites.

The Scheme defines ‘nature based park’ as ‘means premises used for a nature based park as defined in the *Caravan Parks and Camping Grounds Regulations 1997*.’

The *Caravan Parks and Camping Grounds Regulations 1997* defines ‘nature based park’ as means a facility in an area that —

- (a) is not in close proximity to an area that is built up with structures used for business, industry or dwelling-houses at intervals of less than 100 m for a distance of 500 m or more; and
- (b) has been predominantly formed by nature; and
- (c) has limited or controlled artificial light and noise intrusion.

Council has discretion to approve a nature based park in the Special Use zone applicable to Lots 62 and 303. Council can only exercise that discretion if it first determines that a Local Development Plan is not required, and that the proposal will not prejudice orderly and proper planning or future development.

- ***Advertising and Submissions***

The application has been advertised for public comment.

Advertising included:

- A. Letters to other freehold lot owners on the Island;
- B. Letters to relevant stakeholders and agencies including the Shark Bay World Heritage Advisory Committee, Department of Biodiversity, Conservation and Attractions, Department of Planning, Lands and Heritage, Department of Health and Department of Fire and Emergency Services.
- C. An advert published in the MidWest Times.
- D. Information on the Shire website.

A total of 5 submissions were received by the:

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1. Department of Planning, Lands and Heritage (on Aboriginal Heritage)
2. Department of Biodiversity, Conservation and Attractions
3. Shark Bay World Heritage Advisory Committee
4. Health Department WA
5. Department of Planning, Lands and Heritage (on Land Use Planning)

All submissions are summarised in Attachment 7. It is recommended that the submissions be noted.

The most common issue raised related to the Scheme requirement for Local Development Plan which is already outlined in the body of this report. It should be noted that the comments related to both this application and a separate application for a café/ restaurant, exhibition and office on Lot 62 (which has been approved).

The most complex issue raised was by the Department of Biodiversity, Conservation and Attractions advising that there are restrictions on private car access to the National Park. It has since been clarified that there is no statutory vehicle restrictions that affect the freehold lots.

- ***Visitor and Vehicle Numbers***

The nature based park will accommodate up to 80 people. The applicant has advised that the operator will limit each campsite to one four wheel drive to help minimise vehicle numbers.

Access to the lots will be via the adjacent national park. In regards to vehicle numbers accessing the national park it should be noted that:

- a) The Shark Bay Terrestrial Reserves and Proposed Reserve Additions Management Plan 2012 allowed for a maximum 10 private vehicles on the island. This limit was increased to 20 visitor vehicles per day, although currently vehicle numbers are not monitored closely.
- b) While Director General approval was issued for the increase in vehicle numbers (from 10 to 20), there was no formal clarification of what that means in relation to any separation of visitor vehicles, management vehicles, vehicles garaged on freehold land etc.
- c) Draft Guidelines were endorsed by the Midwest Regional Manager in March 2017. The Draft guidelines proposed to apply a twenty (20) vehicle maximum for any overnight campers in the national park. No limits were proposed for the number of vehicles on freehold lots.
- d) The Minister for Lands advised the Shire on the 22 January 2020 that the restrictive covenant conditions for Lots 62 and 303 do not limit vehicle numbers on the national park or the freehold lots.

Vehicle numbers are not an impediment to this application.

The Minister for Environment advised the Shire on the 17 January 2020 that the Department of Biodiversity, Conservation and Attractions has commenced scoping of

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a visitor plan for Dirk Hartog Island National Park which will involve consultation with the Shire on how to deliver tourism potential of the island.

- **Clearing of Vegetation**

Town Planning Innovations will not replicate discussion of all environmental issues in this agenda report as these are well documented in the Environmental Protection Authority decision and Minister for Environment appeal decision (Attachments 3 and 4).

It should be noted that the Environmental Protection Authority decision does not mean that there are not environmental issues that need to be considered as part of this application. It means that the Environmental Protection Authority has decided that the environmental issues are not so significant that they require any formal environmental assessment to occur at a state level.

The disturbance footprint of the development including camp sites, camp kitchens and ablutions equates to 0.07 hectares. Remnant vegetation to the south of the campsites on both lots will remain untouched. Denser vegetation in the north western portion of Lot 303 will be retained.

Clearing of approximately 2,100m<sup>2</sup> of vegetation will be required for bushfire management, equating to 0.36% of the combined lot areas. That clearing has already been semi-endorsed by the Shire by virtue of approval of a Bushfire Management Plan for Lots 62 and 303.

A preliminary flora survey of the lots was conducted by EcoSolutions who identified that the dominant species were *Acacia ligulata*, *Frankenia pauciflora*, *Atriplex* species over low open herb land of *Sennecio pinnatifolius*. Large areas are devoid of vegetation and no declared rare or priority flora were observed.

The operator, Kieran Wardle, has lodged photographs showing areas subject to past degradation from historic pastoral uses and revegetation that has occurred on the lots. The applicant has advised campsites are sited in cleared areas subject to past degradation – refer photographs over page.



Shearing shed located on Lot 62. Image taken circa 2006. Vegetation is minimal & degraded



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Shearing shed located on Lot 62. Image taken 2019. Considerable re-vegetation has occurred.



Homestead Bay (circa 2006) showing little to no vegetation on the proposed campsites.



Homestead Bay (2019) show considerable re-vegetation with camp kitchens established on areas that did not contain any vegetation.

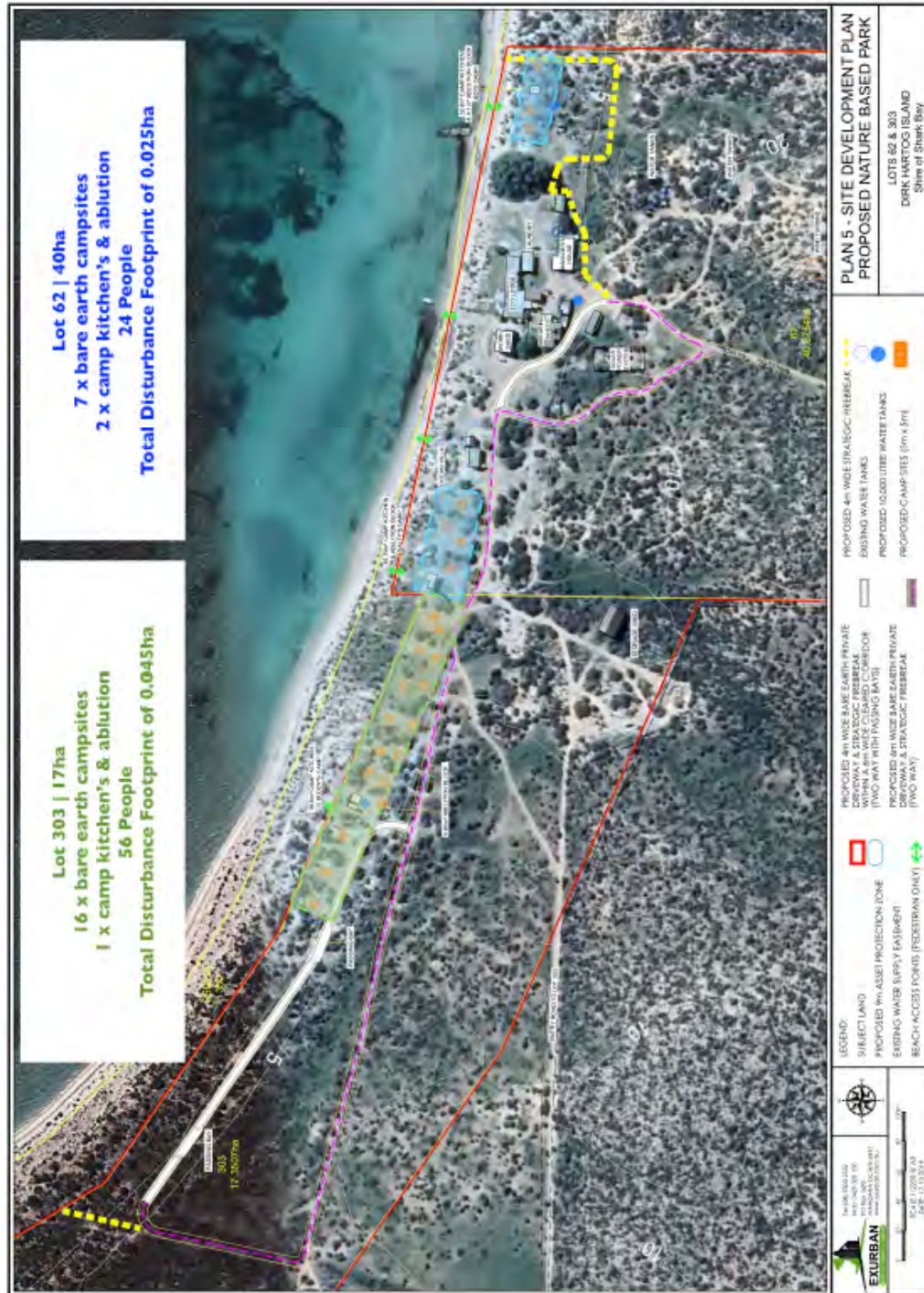
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The plan below shows the extent of areas of disturbance.



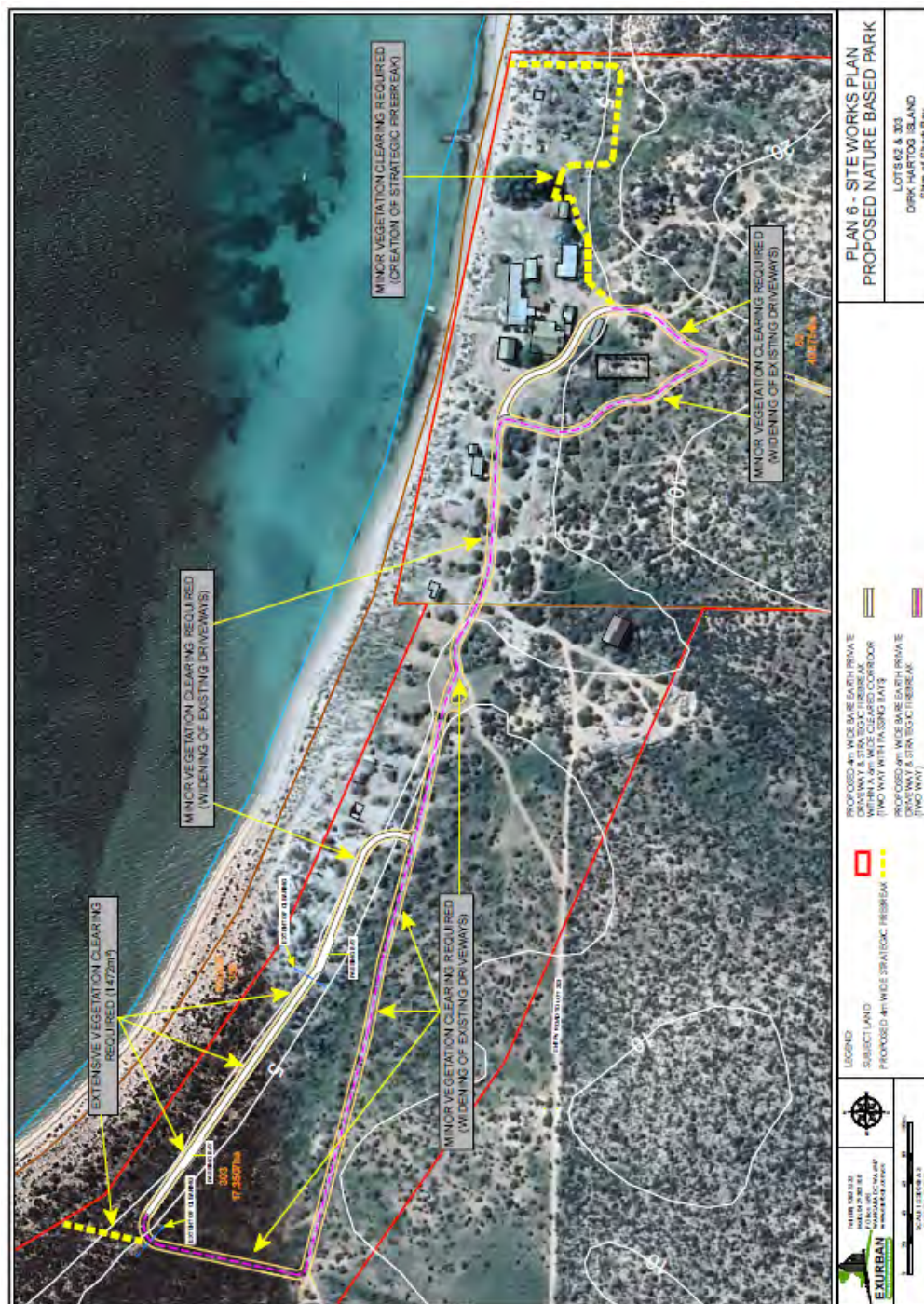
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The plan below shows the extent of clearing for Bushfire Management.



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- ***Bushfire Management Plan***

A Bushfire Management Plan for Lots 62 and 303 was supported by Council in July 2019. The Bushfire Management Plan was processed ahead of lodgement of formal development applications to assist the operator.

When a formal development application was subsequently lodged the applicant introduced changes to the site plan. The Bushfire Management Plan has been updated to reflect the site plan for this development proposal, and to comply with a condition of planning approval for an approved café/ restaurant on Lot 62.

A revised Bushfire Management Plan was approved by the Shire on the 10 March 2020. Bushfire matters have been addressed.

The approved Bushfire Management Plan recognises that this nature based park requires separate specific Shire approval.

- ***Sustainable Management Plan***

The operator has lodged a plan outlining environmental management objectives, sustainable servicing including wind and solar power infrastructure, information on Island biosecurity and waste management.

Waste reduction measures include reuse of containers where possible (refill fuel, water and gas containers), recycling of general waste such as cans, removal of landfill waste to the mainland for recycling, encourage guest refills and reuse of water bottles and non supply of once use products such as takeaway coffee cups.

Waste recycling procedures are outlined in the plan.

- ***Foreshore Management Plan and Access***

The proposed development will result in an increase of visitors accessing the foreshore adjacent to the lots.

The applicant has advised that there are existing paths to the beach which will continue to be used as pedestrian paths (shown on the site plan). No vehicle access to the beach is proposed from Lot 303. One vehicle access to the beach is proposed via Lot 62 to an existing concreted boat ramp located in front of the existing Lodge – refer photo over page.

The applicant has advised that no changes are proposed to the existing paths, visitors will be inducted about access on arrival, and be provided with a map showing the paths. Signage will be erected at suitable locations (however no sign details are provided).

No structures or boardwalks are proposed in the foreshore, with the exception of some existing beach shade shelters.

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Above: Photo provided by Kieran Wardle

The Plan was referred to the Department of Biodiversity, Conservation and Attractions for comment on the 20 November 2020. The Department of Biodiversity, Conservation and Attractions responded on the 16 January 2020 with objections to the proposal.

**Department of Biodiversity, Conservation and Attractions Comments to Shire of Shark Bay – 16 January 2020**

It is noted that the Environmental Protection Authority has recently provided public advice regarding the development proposal for camping on Lot 62 and 303, including consideration of the Foreshore Management Plan. The Environmental Protection Authority recommended the proponent formally consults with the Department of Biodiversity, Conservation and Attractions prior to the formalisation of the Foreshore Management Plan, particularly in defining the location of access pathways, pathway specifications and other details to mitigate potential impacts to foreshore areas.

The Foreshore Management Plan indicates that the proponent intends to develop pedestrian access paths and shade shelter structures within Dirk Hartog Island National Park. However, the proponent has not consulted with the Department of Biodiversity, Conservation and Attractions regarding the Foreshore Management Plan and currently does not have approval to undertake development within Dirk Hartog Island National Park.

Disturbance works and infrastructure development on land managed under the *Conservation and Land Management Act 1984* require significant site planning and landscape design, architectural design, and impact assessment and approvals including environmental and Aboriginal heritage considerations. In addition, licence arrangements will need to be negotiated between the Department of Biodiversity, Conservation and Attractions and the proponent prior to the development of infrastructure, including arrangements for ongoing maintenance and visitor risk management.



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The Department of Biodiversity, Conservation and Attractions considers resolution of these issues critical to determining appropriate management of the foreshore and that it would be inappropriate to provide more detailed comment on the Foreshore Management Plan until such time as the proponent consults with the Department of Biodiversity, Conservation and Attractions and the above matters are resolved.

Kieran Wardle has liaised with the Department of Biodiversity, Conservation and Attractions on the Foreshore Management Plan.

There seems to be contention between two parties as:

- (a) Mr Kieran Wardle does not propose any new works within the foreshore, and cannot do work in the foreshore unless it is approved by the Department of Biodiversity, Conservation and Attractions;
- (b) Department of Biodiversity, Conservation and Attractions seems to have a higher expectation that the operator will undertake monitoring, management and mitigation works within the foreshore itself.

The Foreshore Management Plan states that no structures are proposed in the foreshore at this time (with the exception of some existing shade structures) and if that changes approval will be sought through the Department of Biodiversity, Conservation and Attractions.

Department of Biodiversity, Conservation and Attractions officers met with Kieran Wardle on site (5 March 2020) and made suggestions that:

- Vegetation along the foreshore (regardless of tenure) could be fenced to restrict pedestrian access to only defined paths in each area.
- Meandering (rather than straight) paths would reduce wind erosion. They suggested use of brushing to discourage people walking off the desired path or shortcutting through bare areas, which would assist vegetation regrowth. Jute matting is good for areas that are bare and where planting of cuttings or seed is planned.
- Reducing the width of pedestrian paths would reduce wind erosion. Brushing can be used to narrow path width.
- Brushing material can be sourced by light pruning of large *Acacia* shrubs on Lot 62 or 303.
- There is evidence of water erosion (marine caused). Eroded areas west of the old loading ramp need stabilising with a combination of jute matting and planting (with cuttings and/or seed). Beach spinifex (*Spinifex longifolius*) and the on-site saltbush species (*Atriplex* sp.) are probably the two most suitable species for stabilising this area. Maintaining vegetation cover (or re-establishing vegetation cover) is the most important factor in controlling foreshore water erosion.
- Photo monitoring points could be established and included in the Foreshore Management Plan together with clearly defined actions that would be taken if monitoring indicated the access pathways were eroding.
- The 5 access paths indicated in the Foreshore Management Plan map (shown by green arrows on the map) were all inspected and their locations were considered suitable and warranted.
- Paths could be aligned along existing cleared paths – no vegetation clearing is required to establish these proposed paths.
- There were already visible informal pedestrian paths through the foreshore, leading directly from campsites to the beach.
- Impacts from visitors to the foreshore can be expected to increase in future.
- Fence to be located on the boundary (not within the National Park)

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- Paths through the Dirk Hartog Island National Park probably don't need to be fenced along their length (fences required along the lot boundary side only) however the paths need to be monitored and may need to be fenced along their length if vegetation becomes degraded.
- An additional path was suggested by the Department of Biodiversity, Conservation and Attractions, between the two buildings on the western side of lot 303, as this was a relatively long walk between the two access paths and it was thought people would probably shortcut straight through the foreshore rather than walk across to the nearest access path.

The Shire can require lodgement of a revised Foreshore Management Plan as a condition of any approval. The Shire is the approval authority of any Plan and the condition cannot be worded to require approval of the Plan by a third party, such as the Department of Biodiversity, Conservation and Attractions.

If the Shire requires a revised Foreshore Management Plan it would likely need to achieve a compromise between the aspirations of the operator and the Department of Biodiversity, Conservation and Attractions. As the Shire cannot approve any works in the foreshore the content of a Foreshore Management Plan will be constrained.

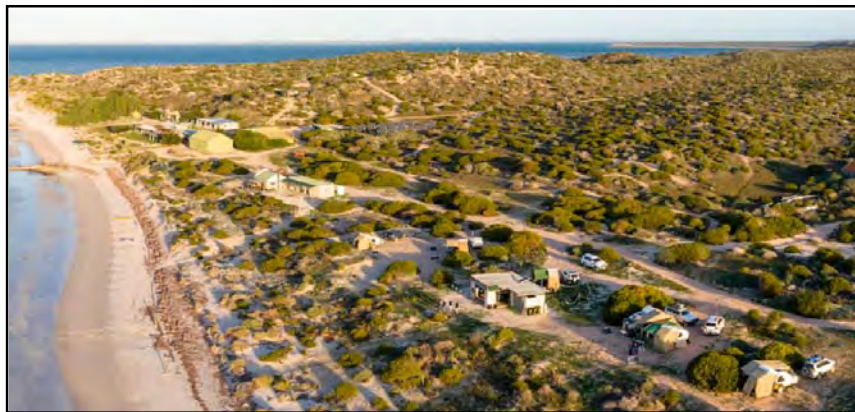
It is recommended that the Shire consider requiring an alternative Foreshore Access Plan and Signage Strategy with a higher focus on pathways and vegetation protection within Lots 62 and 303. Such a Plan could consider:

- (a) Methods employed to clearly and physically demarcate pathway locations, edges or entries within the lot boundaries that lead to the beach (such as use of tree log edges, branches, bollards with ropes, rocks, wood or some other materials).

The fact that existing tracks are proposed to be used does not itself provide justification for not clearly defining pathway edges physically on site. The entries to the beach can be clearly defined where the paths start within Lots 62 and 303.

Visitors are more likely to follow and keep to tracks that are defined.

Department of Biodiversity, Conservation and Attractions has no objections to the 5 path locations for access to the foreshore.



Source: <https://www.dirkhardtogisland.com/>

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- (b) A site plan showing where signs will be located within Lots 62 and 303 to direct guests to defined pathway entries to the beach, and signs to inform guests on areas of vegetation being protected. This should give details of signage forms, materials and content.

For example, signs stating 'vegetation protection area' or 'please use defined paths' may be employed.

- (c) Increased details on the methods to be employed to prevent guests from walking directly from campsites to the beach.
- (d) Clearer ongoing monitoring of tracks within the lots for erosion or coastal impacts, with future mitigation measures.

A Plan can focus on measures that can be employed within Lots 62 and 303 to clearly mark path entries to the beach, maximise vegetation protection and to control access to the foreshore.

It is more practical for a Plan to assist with visitor management and access to the foreshore from within Lots 62 and 303 as:

- (i) The increase in visitors is a direct result of the nature based park proposal;
- (ii) The operator cannot be held responsible for ongoing maintenance of the foreshore as the land is under the care and control of the Department of Biodiversity, Conservation and Attractions;
- (iii) The Shire has no authority to approve any development outside of Lots 62 and 303; and
- (iv) The Shire has to approve any Plan (not the Department of Biodiversity, Conservation and Attractions). As the decision making body it is reasonable for the Shire to have some regard to the potential impacts of access from the development to the foreshore and beach.

Information from the Department of Biodiversity, Conservation and Attractions indicates some existing shade structures encroach into the foreshore area. The Shire cannot approve any structures outside of the boundaries of Lots 62 and 303.



Example of constructed shade structure

- **World Heritage / Colour Palette**

The lot is within the Special Control Area under the Scheme applicable to the Shark Bay World Heritage Property.

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The applicant has advised that colours and materials for the camp kitchens and ablutions will be compatible with the 'Shark Bay World Heritage Committee Dirk Hartog Island Colour Palette'.

The elevations provided include use of limestone blocks, timber beams, and color bond. The color bond includes the colours known as timeless grey, classic cream, and ecru which are compatible with those contained in the Dirk Hartog Island Colour Palette.



*Above: Excerpts from the 'Shark Bay World Heritage Committee Dirk Hartog Island Colour Palette'.*

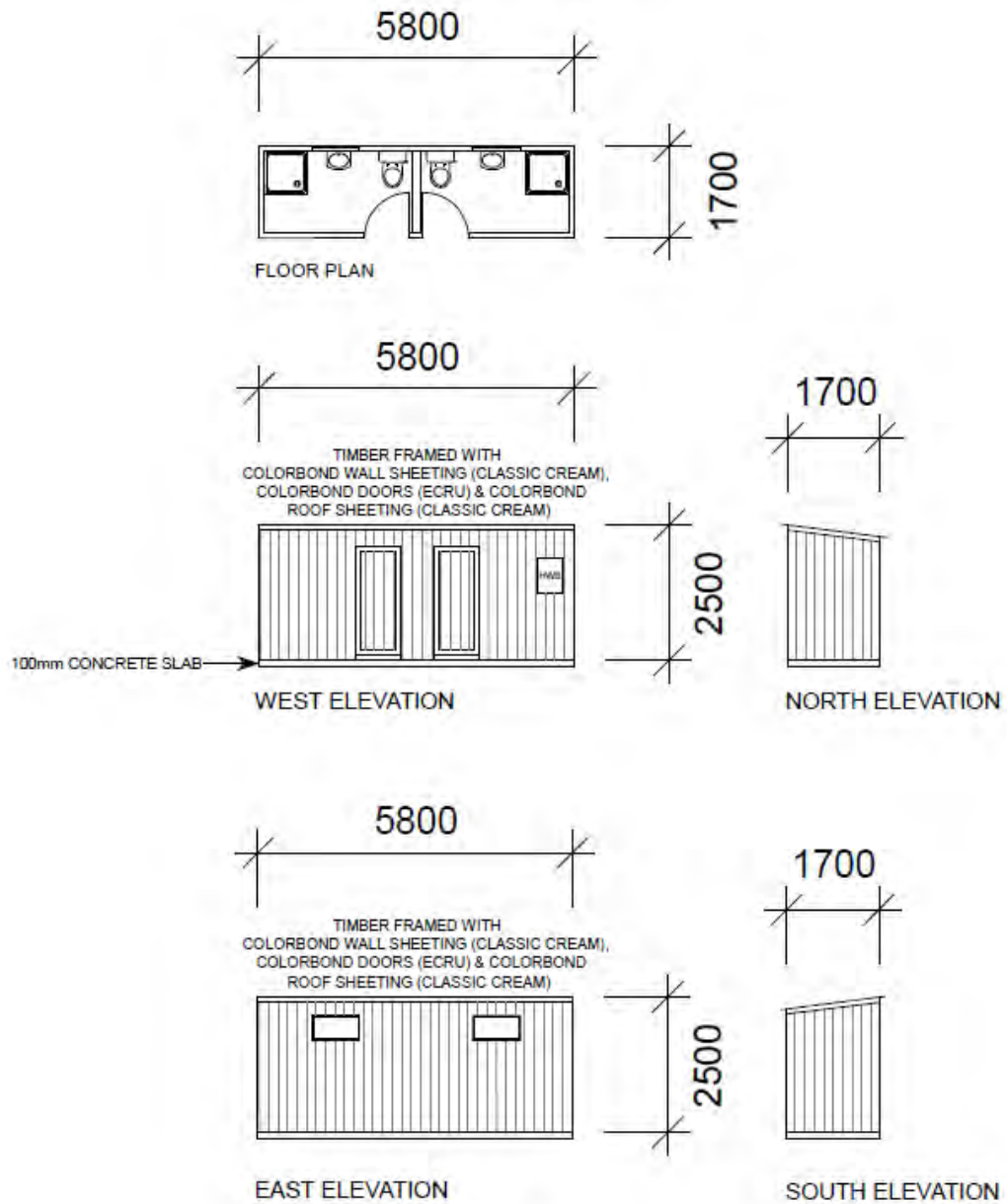
- **Visual Impact**

The nature park sites will be low scale and will have minimal visual impact.

Other ancillary development proposed is also low scale – example elevations are included over page.

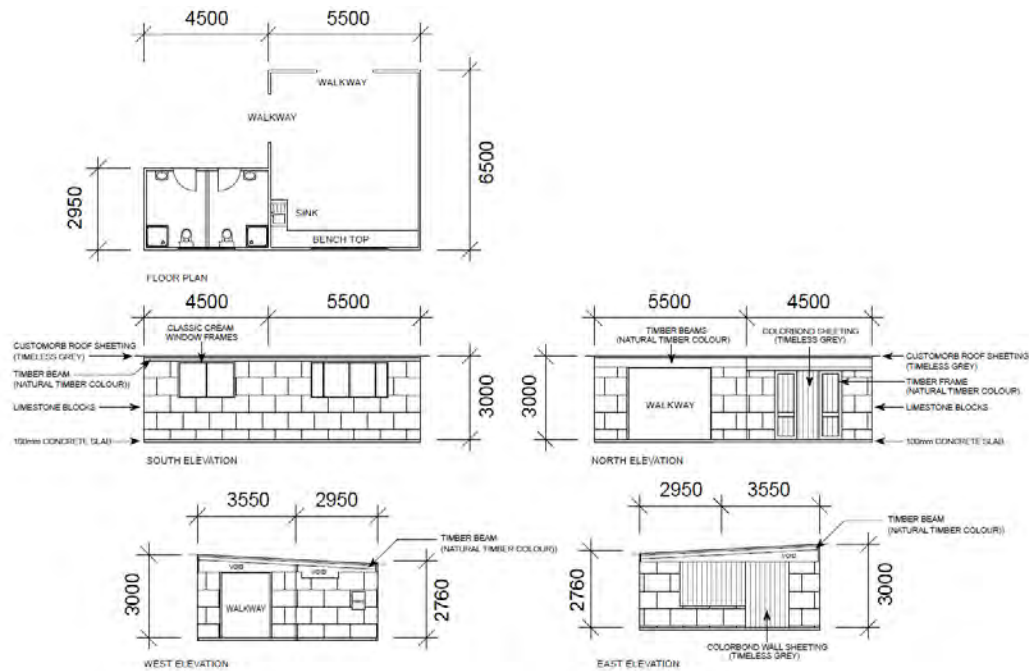


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Above: Buddys Camp Ablution Block

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Above: Saltys Camp Kitchen and Ablution Block

- **State Planning Policy 2.6 – State Coastal Policy**

The Policy provides guidance on aspects of the state planning policy concerning the coastal zone that should be taken into account in planning decision-making.

The application was referred to the Department of Planning, Lands and Heritage for advice. They advised that *'given the proximity of the proposed development to the coast, it is likely that the subject area will be exposed to coastal processes within the planning time frame, therefore requiring the proponent to undertake adequate coastal hazard risk management adaptation planning.'*

Notwithstanding the above the Department has advised that as the development is removable coastal planning policy requirements can be addressed through practical conditions of development. The Department has recommended two conditions:

1. Time limited approval based on the estimated lifespan of the development (PA10) (20 years for the nature based park) and / or
2. The development is to be removed or modified should it be threatened by coastal erosion during the approval period.

Coastal impacts can be addressed through conditions. If development is not impacted on there is mechanism for the owner to seek a modified condition in the future.

If the development is impacted by coastal processes then the owners can remove any sites and structures. Town Planning Innovations has recommended a condition in line with 2. above.

- **Land Subject to Inundation**

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Clause 32.1 (b) of the Scheme requires a minimum finished floor level of not less than RL 4.2 metres AHD for any new development.

Council has discretion to consider a minimum finished floor level less than RL 4.2 metres AHD for any minor non habitable development that is ancillary to existing tourist development in the Scheme Area.

It is not recommended that any minimum finished floor level be required for the camp kitchens and ablutions as they are non habitable.

#### LEGAL IMPLICATIONS

Shire of Shark Bay Local Planning Scheme No 4 – explained in the body of this report.

Environmental Protection Act 1986 – Part IV of the *Environmental Protection Act 1986* (the Act) makes provision for the Environmental Protection Authority to undertake environmental impact assessment of significant proposals, strategic proposals and schemes.

Planning and Development (Local Planning Schemes) Regulations 2015 –

Clause 67 outlines ‘matters to be considered by Council’ including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

The Shire Council may consider development in the absence of a Local Development Plan as provided for under Clause 56(2), Schedule 2, Part 6, of the *Planning and Development (Local Planning Schemes) Regulations 2015* as explained in the body of this report.

Clause 65 allows for ‘subsequent approval of development’ for any application where development has already commenced or carried out.

Caravan Parks and Camping Grounds Act 1994 –

A separate licence is required for a nature based park.

Caravan Parks and Camping Grounds Regulations 1997 -

Under the *Caravan Parks and Camping Grounds Regulations 1997* a person cannot be an occupier at a nature based park for more than 28 nights in total in a 3 month period starting on the first day that the person occupies a site at the facility. Guests are therefore limited to short stay.

#### POLICY IMPLICATIONS

There are no policy implications associated with the development.

#### FINANCIAL IMPLICATIONS

## MINUTES OF THE ORDINARY COUNCIL MEETING

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The Shire pays consultancy fees to Town Planning Innovations for planning advice.

### STRATEGIC IMPLICATIONS

The 'Special Use' zoning of Lot 62 and 303 under the Shire of Shark Bay Local Planning Scheme No 4 is consistent with the recommendations of the Local Planning Strategy (with the exception of modifications required by the Minister for Planning).

Any decision on a foreshore management plan may have implications for other lots in the Special Use zone.

### VOTING REQUIREMENTS

Simple Majority Required

### Signatures

Author	<i>L Bushby</i>
Chief Executive Officer	<i>P Anderson</i>
Date of Report	19 May 2020

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**ATTACHMENT # 1**



**Hon Ben Wyatt MLA**  
**Treasurer; Minister for Finance; Aboriginal Affairs; Lands**

Our Ref: 69-16915  
Your Ref: P4280, P4366/O-CR-18208

Mr Paul Anderson  
Chief Executive Officer  
Shire of Shark Bay

*Via email: [admin@sharkbay.wa.gov.au](mailto:admin@sharkbay.wa.gov.au)*

Dear Mr Anderson

**VEHICLE ACCESS – DIRK HARTOG ISLAND NATIONAL PARK AND FREEHOLD LOTS**

Thank you for your letter dated 4 December 2019 regarding the issue of increased vehicle access to Dirk Hartog Island. I note that you have also raised a number of issues with the Ministers for Tourism and Environment.

With respect to the restrictive covenants on freehold lots 62, 303 and 304, I can confirm that they do not contain any conditions restricting the number of vehicles on either the National Park or the freehold lots, however the covenants do set limits on the number of accommodation units for each lot.

If you require any further information in relation to land tenure issues, please contact Mr Stephen Beesley, Manager Land Management North, Department of Planning, Lands and Heritage, on (08) 6551 8171 or at [stephen.beesley@dplh.wa.gov.au](mailto:stephen.beesley@dplh.wa.gov.au).

Yours sincerely

  
Ben Wyatt MLA  
**MINISTER FOR LANDS**  
22 JAN 2020

Level 11, Dumas House, 2 Havelock Street, West Perth, Western Australia 6005  
Telephone: +61 8 6552 5900 Facsimile: +61 8 6552 5901 Email: [Minister.Wyatt@dpc.wa.gov.au](mailto:Minister.Wyatt@dpc.wa.gov.au)

**ATTACHMENT # 2**

# MINUTES OF THE ORDINARY COUNCIL MEETING

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## SCHEDULE B – SPECIAL USE ZONES (Clause 21)

No.	Description of Land	Special Use	Conditions
SU14	Lot 62, Lot 303, 304 & 305 Dirk Hartog Island  (continued)		<p>6) Notwithstanding condition (3), the local government may consider development in the absence of a Local Development Plan as provided for under Clause 56(2), Schedule 2, Part 6, of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p> <p>7) Any development or Local Development Plan shall demonstrate alignment with the objective of the zone.</p> <p>8) Any development or Local Development Plan shall be referred to the Department of Biodiversity, Conservation and Attractions (Parks and Wildlife Services), the Shark Bay World Heritage Advisory committee and the Department of Planning Lands and Heritage for comment prior to determination.</p> <p>9) Any design guidelines that form part of a Local Development Plan approved by the Local Government shall be enforced as if the requirements form part of the Scheme.</p> <p>10) A Foreshore Management Plan may be required and referred to the Department of Biodiversity, Conservation and Attractions (Parks and Wildlife Services) for endorsement where a physical foreshore exists between the site and the coast as a condition of development.</p> <p>11) A Visual Impact Assessment may be required to demonstrate that any development will not negatively impact on World heritage values or detract from the scenic quality of the land.</p>

# MINUTES OF THE ORDINARY COUNCIL MEETING

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## SCHEDULE B – SPECIAL USE ZONES (Clause 21)

No.	Description of Land	Special Use	Conditions
SU14	Lot 62, Lot 303, 304 & 305 Dirk Hartog Island (continued)		12) In relation to the land use 'Motor vehicle, boats or caravan sales' only hire of motor vehicles, boats or caravans may be considered by the local government.
SU15	Lot 142 Denham Road / corner Oakley Ridge, Denham	<p>As 'P' use:</p> <ul style="list-style-type: none"> <li>Single house</li> <li>Home office</li> </ul> <p>As 'I' use:</p> <ul style="list-style-type: none"> <li>Car park</li> </ul> <p>As 'D' use:</p> <ul style="list-style-type: none"> <li>Aged care facility</li> <li>Bed and breakfast</li> <li>Grouped dwelling</li> <li>Holiday accommodation</li> <li>Holiday house</li> <li>Home Occupation</li> <li>Tourist development</li> </ul> <p>As 'A' use:</p> <ul style="list-style-type: none"> <li>Park Home Park</li> <li>Workforce accommodation</li> </ul>	<p>1) The objective is to provide flexibility for a wide range of tourist accommodation and cater for single or grouped dwellings which may also be used for holiday accommodation, guided by a Local Development Plan.</p> <p>2) Development of the site shall be generally in accordance with an approved Local Development Plan, which has been prepared in accordance with Part 6, Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and approved by the local government.</p> <p>3) A Local Development Plan can ensure a mix of landuses are strategically planned for and coordinated to the satisfaction of the local government.</p> <p>4) Notwithstanding Condition (2), the local government may consider development prior to the approval of a Local Development Plan as provided for under Clause 56(2), Part 6, Schedule 2 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p>
SU16	Lot 91 Monkey Mia Road, Denham	<p>As 'P' use:</p> <ul style="list-style-type: none"> <li>Airfield</li> <li>Carpark</li> </ul>	1) The intent of this Special Use zone is to recognise the established Shark Bay airport as an essential component of regional transport infrastructure.

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Shire of Shark Bay Local Planning Scheme No 4

# MINUTES OF THE ORDINARY COUNCIL MEETING

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## SCHEDULE B – SPECIAL USE ZONES (Clause 21)

No.	Description of Land	Special Use	Conditions
SU14	Lot 62, Lot 303, 304 & 305 Dirk Hartog Island	<p>As 'D' Use:</p> <ul style="list-style-type: none"> <li>• Ancillary dwelling</li> <li>• Bed and breakfast</li> <li>• Camping ground</li> <li>• Caravan park</li> <li>• Car park</li> <li>• Convenience store</li> <li>• Educational establishment</li> <li>• Exhibition centre</li> <li>• Fuel depot</li> <li>• Holiday accommodation</li> <li>• Holiday house</li> <li>• Home occupation</li> <li>• Home office</li> <li>• Liquor store-small</li> <li>• Motor vehicle, boats or caravan sales</li> <li>• Nature based park</li> <li>• Office</li> <li>• Recreation-private</li> <li>• Restaurant/cafe</li> <li>• Shop</li> <li>• Single house</li> <li>• Tourist development</li> <li>• Workforce accommodation</li> <li>• Waste storage facility</li> <li>• Waste disposal facility</li> </ul> <p>As 'A' Use:</p> <ul style="list-style-type: none"> <li>• Airfield</li> </ul>	<p>1) The objective of this zone is to provide for eco-tourism development.</p> <p>2) No subdivision of lots shall be permitted.</p> <p>3) Prior to commencement of development of any of the four lots a Local Development Plan shall be prepared in accordance with Part 6 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i> and address the following:</p> <p>(i) A Management Plan that addresses visitor access, servicing, maintenance, waste disposal, effluent disposal, service areas, rubbish management and the transport of construction material;</p> <p>(ii) The proposed development is to be of a high architectural quality and be designed to be low scale and sympathetic to the location taking into account topography, physical characteristics and unique character of the surrounding area;</p> <p>(iii) Coastal setbacks in accordance with relevant state planning policy;</p> <p>(iv) Bushfire management in accordance with relevant state planning policy;</p>



# MINUTES OF THE ORDINARY COUNCIL MEETING

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## SCHEDULE B – SPECIAL USE ZONES (Clause 21)

No.	Description of Land	Special Use	Conditions
SU14	Lot 62, Lot 303, 304 & 305 Dirk Hartog Island  (continued)		<p>(v) An environmental report that demonstrates that the Local Development Plan and proposed use and/or development will have a low impact on the natural environment, not compromise the high conservation values and have regard for the need to protect the ecological values and special attributes of the island. The report should include information on building envelopes, visitor numbers, a vegetation assessment and how biosecurity measures to mitigate the risks of feral incursions and disease impacts to the National Park will be achieved.</p> <p>(vi) Detailed design guidelines to control colours, materials, built form, scale, and achieve a development sympathetic to the natural character of the island may be required by the Local Government.</p> <p>4) Any staged development is to address the requirements indicated in (3) above.</p> <p>5) The local government will have due regard to coastal setbacks and bushfire management in accordance with relevant state planning policies and Clause 67, Schedule 2, Part 9 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>.</p>

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## ATTACHMENT # 3



## Environmental Protection Authority

*Environmental Protection Act 1986*

## Section 39A(7)

## PUBLIC ADVICE

**Proposal:** Camping on Lot 62 and Lot 303 Dirk Hartog Island

**Proponent:** Hypermarket Pty Ltd

**Decision:**

The EPA considers that the proposal is unlikely to have a significant impact on the environment and does not warrant formal assessment.

**Background:**

On the 20 September 2019, the Shire of Shark Bay referred a development application for the camping on Lot 62 and Lot 303 Dirk Hartog Island (the proposal) to the Environmental Protection Authority (EPA) as a decision making authority under section 38 of the *Environmental Protection Act 1986* (EP Act).

The EPA wrote to Hypermarket Pty Ltd (the proponent) for further information regarding the proposal, which was received on 29 November 2019. The proposal includes an expansion to the existing nature-based campground on Lot 62 and Lot 303 for 23 bare earth campsites, three camp-kitchen/ablution blocks to facilitate up to 80 people in camping accommodation, and the construction of vehicle access roads and firebreaks.

The proposal was advertised for public comment and the EPA received six public comments, including a submission from the Department of Biodiversity, Conservation, and Attractions (DBCA) Midwest Region. The majority of public comments requested the proposal be formally assessed due to potential impacts to the values of the Shark Bay World Heritage Area, and the Dirk Hartog Island National Park, including impacts to biosecurity of DBCA's *Return to 1616* ecological restoration project.

**Relevant Statutory and Administrative Provisions**

The EPA has considered the proposal in accordance with the requirements of the EP Act and the *Environmental Impact Assessment (Part IV Divisions 1 and 2) Administrative Procedures 2016* and *Environmental Impact Assessment (Part IV Divisions 1 and 2) Procedures Manual*.

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**Materials considered in making this decision**

The EPA has considered and had regard to the referral information, which is available on the EPA's consultation hub, the comments received during the 7-day comment period, information conducted through its own inquiries and further information requested from the proponent.

**Consideration**

In making its decision on whether to assess the proposal, the EPA had regard to various matters, including the following (as outlined in the EPA's *Statement of Environmental Principles, Factors and Objectives*):

- a) values, sensitivity and quality of the environment which is likely to be impacted
- b) extent (intensity, duration, magnitude and geographic footprint) of the likely impacts
- c) consequence of the likely impacts (or change)
- d) resilience of the environment to cope with the impacts or change
- e) cumulative impact with other existing or reasonably foreseeable activities, developments and land uses connections and interactions between parts of the environment to inform a holistic view of impacts to the whole environment
- f) level of confidence in the prediction of impacts and the success of proposed mitigation
- g) public interest about the likely effect of the proposal or scheme, if implemented, on the environment and public information that informs the EPA's assessment.

In considering the potential direct and indirect impacts of the proposal on Flora and Vegetation, Terrestrial Fauna, and Social Surroundings, the EPA has had particular regard to:

- the high environmental values of Dirk Hartog Island National Park and the small scale and extent of the proposal;
- the mitigation strategies proposed by the proponent to avoid and minimise impacts, for example
  - quarantine measures would continue to be undertaken in accordance with the *Dirk Hartog Island Biosecurity Plan* (DPAW 2014);
  - the provision of a draft Foreshore Management Plan with proposed management actions for pedestrian beach access between the campground and adjacent foreshore areas;
  - structures and campgrounds are proposed in previously cleared areas, and would be semi-permanent with a height no greater than three metres, in accordance with the formal World Heritage colour palette; and
- the presence of other statutory processes, including conditioning of the development application through the *Planning and Development Act 2005*.



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In summary, although the proposal raises a number of environmental issues, the EPA considers that its objectives for Flora and Vegetation, Terrestrial Fauna and Social Surroundings can be met.

As a result, the EPA considers that the likely effects of the proposal are not so significant as to warrant formal assessment. The EPA is of the view that the potential impacts from the proposal can be adequately managed through the implementation of the proposal in accordance with the referral documentation and the proponent's management and mitigation measures.

#### **1. Advice and Recommendations regarding Environmental Issues**

In determining whether the proposal is likely to have a significant effect on the environment the EPA used its professional judgement and had regard for the points in clause 7 of the Environmental Impact Assessment (Part IV Divisions 1 and 2) Administrative Procedures. The EPA has considered the high values and sensitivity of Dirk Hartog Island National Park and the extent of the potential impacts from the proposal.

##### **a) Flora and Vegetation, and Terrestrial Fauna**

The proposal involves the clearing of 0.21 hectares (ha) of native vegetation and potential fauna habitat for the purpose of vehicle access and firebreaks. No clearing is required to facilitate the proposed campgrounds or camp-kitchen/ablution structures, as these elements would be developed on 0.07 ha of previously cleared land.

Vegetation within Lot 62 and Lot 303 is slowly revegetating following the previous 150 years of livestock grazing. The vegetation is classified as part of the Edel system, which covers approximately 20,000 ha of Dirk Hartog Island. The EPA considers clearing 0.21 ha of the vegetation for the purpose of vehicle access and firebreaks is unlikely to have a significant impact on the Edel system or fauna habitat on Dirk Hartog Island.

The proponent has included details of its ongoing biosecurity measures, conducted in accordance with the *Dirk Hartog Island Biosecurity Plan* (DPAW 2014). The EPA considers ongoing implementation of biosecurity measures are critical in ensuring that the integrity of the DBCA's *Return to 1616* project is not compromised through the introduction of weeds, or feral and domesticated animals. The proponent operates the only public access barge operation to the island and is licensed to do so by DBCA. The EPA notes that visitors to the island would also be required to abide by quarantine measures, including cleaning four-wheel drives and equipment prior to transportation.

Pedestrian access from the campgrounds to the adjacent beach would require passage through the Dirk Hartog Island National Park, which is managed by DBCA. The proponent has drafted a Foreshore Management Plan with actions to reduce potential impacts to the beach from continued pedestrian access. The EPA recommends the proponent formally consults with DBCA prior to formalisation of the Foreshore Management Plan, particularly in defining the location of access pathways,

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pathway specifications and other details to mitigate potential impacts to foreshore areas.

Given the above information, the EPA considers that the proposal, as consistent with the referral information, can meet the EPA's objectives for Flora and Vegetation and Terrestrial Fauna.

**b) Social Surroundings**

The EPA notes that the proposal is located within the Shark Bay World Heritage Area (World Heritage Area) and is adjacent to the Dirk Hartog Island National Park and the Shark Bay Marine Park. The proposal is located on the South-East Coast of Dirk Hartog Island and has the potential to impact visual amenity of the World Heritage Area, particularly "the superlative natural phenomena, formation or features" value which includes the coastal scenery of Dirk Hartog Island.

The proposal includes an expansion of the existing campground in previously cleared areas and development of three camp-kitchen/ablution structures with a height no greater than three metres. The proponent advises that the development would not include any permanent buildings, rather it would comprise a number of small structures with timber decking, limestone blocks and tents. The lifespan of the structures would be approximately 20 years, with the ability to be relocated or removed easily. The EPA notes the proponent's commitment to using the formal World Heritage colour palette and designing the structures to blend into the landscape.

The EPA considers that the proposal is small in scale and extent. The three proposed camp-kitchen/ablution structures would have a low profile and are unlikely to significantly impact the natural landscape, features or scenic quality of Dirk Hartog Island or the visual amenity aspects of the World Heritage Area.

The EPA recommends the Shire of Shark Bay place a condition on the development application requiring the proponent to use the appropriate colour palette for the World Heritage Area.

Given the above information, the EPA considers that the proposal, as implemented consistent with the referral information, can meet the EPA's objectives for Social Surroundings.



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## Environmental Protection Authority

**Public record pursuant to s39(1) of the *Environmental Protection Act 1986*****Proposal Title:** Camping on Lot 63 and Lot 303 Dirk Hartog Island**Proposal Location:** Lot 62 and Lot 303 Dirk Hartog Island, Shire of Shark Bay**Case Number:** CMS17703**Date referral received:** 20-09-2019**Date more information received:** 29-11-2019**Referrer:** Shire of Shark Bay**Proponent:** Hypermarket Pty Ltd**Potential significant effects:**

Potential impacts on: Flora and Vegetation and Terrestrial Fauna from the clearing of 0.21 ha of native vegetation for vehicle access and firebreaks, and potential biosecurity issues through introduction of invasive species. Potential impacts to Social Surroundings, particularly visual amenity, through development of a campground within the Shark Bay World Heritage Area.

**Public comment on referral information:**

Do not assess:	0
Assess: a) Referral information	0
b) Environmental review - no public review	0
c) Public environmental review	5
<b>Total submissions:</b>	<b>6</b>

**Decision:** s. 39A – Not Assess

Referral Examined, preliminary investigations and inquiries conducted. Proposal not to be assessed under Part IV of the EP Act – Advice given.

**Explanation of decision:**

The EPA considers that the likely environmental effects of the proposal are not so significant as to warrant formal assessment because the proposal is unlikely to impact significant flora and vegetation, is small in scale and extent, has appropriate biosecurity measures in place and will not significantly impact the Shark Bay World Heritage Area, the Dirk Hartog Island National Park or Shark Bay Marine Park. The EPA is of the view that the potential impacts of the proposal can be adequately managed through the implementation of the proposal in accordance with the referral documentation and the proponent's management and mitigation measures. The EPA provides public advice for the proponent, the Shire of Shark Bay and the Department of Biodiversity, Conservation, and Attractions.

**Appeals:** This decision is appealable. Appeals close 20-01-2020. Appeals are administered by the Office of the Appeals Convenor.

**Dr Tom Hatton**

CHAIRMAN

Delegate of the Environmental Protection Authority

**Date:** 18 Dec 2019**ATTACHMENT # 4**

27 MAY 2020

Appeal Number:  
003 of 2020



Environmental Protection Act 1986

**Hon Stephen Dawson MLC**  
**Minister for Environment**

### MINISTER'S APPEAL DETERMINATION

#### APPEAL AGAINST DECISION OF ENVIRONMENTAL PROTECTION AUTHORITY NOT TO ASSESS A PROPOSAL CAMPING ON LOT 62 AND LOT 303 DIRK HARTOG ISLAND, HYPERMARKET PTY LTD

**Purpose of this document**

This document sets out the Minister's decision on an appeal lodged under section 101(1)(a) of the *Environmental Protection Act 1986* in objection to the Environmental Protection Authority's decision not to assess the above proposal. This document is produced by the Office of the Appeals Convenor for the Minister but is not the Appeals Convenor's own report, which can be downloaded from the Appeals Convenor's website at [www.appealsconvenor.wa.gov.au](http://www.appealsconvenor.wa.gov.au).

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<b>Appellant:</b>	Russell Speed
<b>Proponent:</b>	Hypermarket Pty Ltd
<b>Proposal description:</b>	Camping on Lot 62 and Lot 303 Dirk Hartog Island.
<b>Minister's Decision:</b>	The Minister dismissed the appeal
<b>Date of Decision:</b>	21 April 2020

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#### REASONS FOR MINISTER'S DECISION

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The appeal was received against the decision of the Environmental Protection Authority (EPA) not to assess the above proposal.

The Minister was advised that the proposal involves the development of 23 camp sites, three camp kitchen and ablution facilities, and associated tracks and firebreaks, to cater for an additional 80 overnight visitors to the current capacity of up to 26.

The EPA concluded that the likely environmental effects are not so significant as to warrant formal assessment and considered that potential impacts can be adequately managed through implementation in accordance with the referral documentation and the proponent's management and mitigation measures.

The Minister understood that the broader basis for the appeal appeared to be a concern that the EPA, by not assessing this proposal, has not had appropriate regard for the cumulative impacts of this and a potential future development scenario catering for up to 2,500 overnight

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visitors. In this context, the Minister was advised that the appellant was particularly concerned about how impacts from increased visitor numbers and demand on water resources will be assessed and managed. The Minister also understood that the appellant was seeking for him to remit the proposal to the EPA for full assessment within the context of the *Shark Bay Terrestrial Reserves and Proposed Reserve Additions Management Plan* (2012) and World Heritage Listing.

### Decision

Having considered the concerns, the EPA's advice, the Appeals Convenor's report and recommendation, and other relevant information including advice provided by the Department of Biodiversity, Conservation and Attractions (DBCA), the Minister considered that the EPA was justified in deciding not to assess the proposal. As a result, the Minister dismissed the appeal.

The full reasons for the Minister's decision are set out below, but in short, the Minister came to this conclusion on the basis that the proposal before the EPA was relatively small in scale, and is not expected to cause a substantial increase in the number of vehicles visiting Dirk Hartog Island, or otherwise detrimentally impact on the values of the Dirk Hartog Island National Park. Given the significant values of the area the Minister expects that any proposals to expand beyond this proposal would be the subject of further consideration by the EPA.

### Visitor and vehicle numbers

The appellant submitted that the implementation of the proposal will result in a four-fold increase in permitted visitor numbers, and questioned the capacity for this additional patronage to be satisfactorily managed on the Island. The appellant specifically noted that the Shark Bay Management Plan places a limit of 10 vehicles on the Island, and questioned whether this was compatible with the scope of the proposal.

The Minister noted that the Management Plan states that the vision for the National Park is to provide a combination of four-wheel drive destinations that offer a range of nature-based recreation, tourism opportunities and experiences in a remote and natural environment that is managed for ecological restoration.

The Management Plan notes that ecotourism developments on the Island have implications for visitor management within the National Park, which are managed by (among other things) limiting the number of private vehicles, including tour operator vehicles, to 10 at any time. The Management Plan further states that this limit will be monitored to determine if it can be changed.

DBCA advised that after assessing visitation rates and the capacity of designated campsites within the National Park, in August 2016, it approved an increase in the number of private vehicles allowed in the National Park from 10 to 20. DBCA considers this new limit is satisfactory to meet current visitor demand and growth in the short to medium term.

In terms of visitor numbers generally, DBCA acknowledged that the Management Plan estimates potential overnight stays on freehold lots on the Island at 1,600 to 2,500, assuming all lots are developed to full capacity and are at full occupation. However, DBCA considered that this maximum capacity is not likely to be realised in the foreseeable future and is not relevant to the current proposal.

In response to the appellant's concerns about the provision of resources to service the increase in visitor numbers, the EPA advised that like any remote destination, the onus is largely on visitors to ensure they are adequately supplied for the duration of their stay on the Island. The



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EPA noted that this fact is communicated to potential visitors by both the proponent and DBCA. Overall, the EPA considered that the proposal is not incompatible with the Management Plan.

DBCA advised that it is currently preparing a visitor master plan for the National Park, which will address future vehicle access management, including in relation to potential and proposed development of freehold and leasehold lots on the Island.

On the basis of the information available to him, the Minister considered that the potential impacts on the National Park associated with the proposed increase in visitor numbers can be sustainably managed under the terms of the Management Plan and proposed visitor master plan. Any future proposals would need to be considered on their merits. For these reasons, the Minister considered the EPA was justified in determining not to assess the proposal in respect to visitor and vehicle numbers.

The Minister acknowledged that Dirk Hartog Island is a sensitive location with significant environmental values. It is important that current and future ecotourism development proposals are carefully considered and managed to ensure these values are not compromised. To this end, the Minister has written to DBCA requesting that it continues to monitor private vehicle numbers accessing the Island and entering the National Park to ensure that they are managed in accordance with the Management Plan.

### Water resources and stygofauna

The appellant raised questions about the adequacy of the EPA's consideration of hydrology and water resources on the Island to support the increased visitation. To overcome these shortcomings, the appellant requested that a further review be undertaken and a management plan developed to manage the sustainable use of water resources on the Island. The appellant also questioned whether water use will impact on stygofauna, and requested that a biological survey is undertaken.

In response to this ground of appeal, the EPA advised that visitors are expected to bring an appropriate supply of water to the Island with them, and that potable water used on the premises is only small in scale, and is sourced from a well located within the National Park that has historically been used for pastoral activities and which the proponent has authority to access.

The proponent has indicated that the expected level of water use at the expanded camping facility will be in the order of 8,000 litres per day at maximum occupancy. When compared to the previous pastoral land use, the proponent stated that the amount of water to be abstracted will be minimal.

The Minister noted that a licence under the *Rights in Water and Irrigation Act 1914* is not required for the taking of water in this case, as the well is located outside a proclaimed area and the water is not being drawn from the artesian aquifer.

Noting the EPA's advice about the scale of the proposal, and that the right to access the National Park for abstraction is subject to the conditions of an easement, the Minister accepted the EPA's view that the proposal will not significantly impact on the quality of groundwater or surface water, or on subterranean fauna, and that a biological survey is not necessary. The Minister was also of the view that this position is sound, given the level of abstraction associated with the proposal is understood to be substantially less than that abstracted for the former pastoral land use.

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Any future proposal to increase visitor numbers will need to carefully consider the impacts on water resources. This is open to referral to, and assessment by, the EPA in the event that such a proposal is put forward.

### Waste management

The appellant questioned the EPA's consideration of waste management for the proposal, specifically in relation to potential contamination of groundwater, collection and disposal of general and septic waste, and waste from increased vehicle numbers.

The EPA advised that to maintain certification of an eco-tourist destination, the proponent is required to manage waste in a sustainable and ecologically sensitive manner. The Minister was also advised that general waste from the proponent's existing accommodation facilities is separated into waste streams and recycled, reused, and returned to the mainland, with minimal waste being sent to landfill. In relation to vehicle waste (including tyres, broken parts and engine oil), the EPA advised that this is collected by the proponent and returned in sealed containers to the mainland disposal area in Denham for recycling.

In relation to septic waste, the EPA advised that the proposal includes three septic disposal systems; each with a 4,000 litre tank, a 2,200 litre tank and a 24 metre leach drain. The EPA advised that while it does not recognise the use of septic tanks as best practice, the proponent's referral information states that the capacity of the existing system is sufficient to accommodate the additional visitors. In addition, the EPA noted that the proponent has committed to replacing the septic disposal system in the future with more contemporary technology such as Aerobic Treatment Units. In making its determination, the EPA supported the proponent's decision to upgrade the septic tank system to more suitable technology in the future.

The Minister also noted the Appeals Convenor's advice that the appropriateness of the design, location and capacity of the septic disposal system is a matter for the Shire of Shark Bay to determine in assessing the proponent's development application. In that regard, the proponent has advised that if the development is approved, then a separate application to construct and install an apparatus for the treatment of sewerage is required to be submitted to the Shire of Shark Bay which will require approval by the Department of Health.

Based on the small scale of the proposal, and the EPA's advice that risks from the septic system can manage potential impacts, the Minister was satisfied that no further assessment of the proposal is required.

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Note: this decision is published pursuant to the terms of section 110 of the *Environmental Protection Act 1986* and regulation 8 of the *Environmental Protection Regulations 1987*.

### Office of the Appeals Convenor

Level 22, 221 St Georges Terrace  
Perth WA 6000  
Tel: (08) 6364 7990  
Fax: (08) 6364 7999  
[www.appealsconvenor.wa.gov.au](http://www.appealsconvenor.wa.gov.au)

## ATTACHMENT # 5

# MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020



5 September 2019

Shire of Shark Bay  
65 Knight Terrace  
DENHAM WA 6537

Attention: Mr Paul Anderson - Chief Executive Officer & Ms Liz Bushby – Town Planning Consultant

Dear Paul & Liz,

**APPLICATION FOR DEVELOPMENT APPROVAL  
PROPOSED NATURE BASED PARK  
LOTS 62 & 303 DIRK HARTOG ISLAND**

On behalf of the current landowner Hypermarket Pty Ltd we hereby submit an application for development approval for an existing unauthorised nature based park on portions of the abovementioned properties.

Please find enclosed the following information to assist the Shire's consideration and processing of the application:

- A completed and signed Planning Application Form (see Attachment 1);
- A recently sourced copy of the current certificates of title, deposited plans and title encumbrances for each lot (see Attachment 2); and
- Various documents and plans submitted in support of the proposal (see Attachments 3 to 6).

We request that the Shire confirm the development application fee payable in this instance so this information can be conveyed to the landowner. Arrangements will then be made regarding payment to enable processing of the application to proceed.

When assessing the application it is requested the Shire have due regard for the following key points:

1. Council's development approval is hereby sought for an existing unauthorised nature based park on portions of freehold Lots 62 and 303 Dirk Hartog Island that has been established and operated on the land since 2015.
2. Lots 62 and 303 are located on the eastern, leeward side of Dirk Hartog Island in a small, sheltered sandy bay with the existing tourism accommodation facilities thereon (i.e. Dirk Hartog Island Eco Lodge) which have been designated by the Western Australian Planning Commission as a 'Minor Tourism Node' (see Attachment 3 – Plans 1 to 3).
3. The subject land is located midway between the northern and southern climatic regions and experiences a Mediterranean-type climate with hot, dry summers

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Exurban Pty Ltd ATF Vista Trust ABN 94 794 308 323

27 MAY 2020



and mild winters during which most rainfall is received. Due to its location at the bottom edge of the cyclone zone it may also receive cyclonic rains over summer months however such rains and the associated high winds are infrequent.

4. The prevailing breezes are south-west to westerly in the afternoons and easterly to south-easterly in the mornings from April to October. Over summer months the predominant winds are south-westerly.
5. The subject land forms part of a sandy coastal environment comprising unlithified / unconsolidated sediments with little to no rock and features gently sloping shores backed by small elevated dunes behind the coastal foreshore reserve with no historical evidence of dune blowouts in the immediate area.
6. The adjoining sandy coastal bay is a low-energy, low-wave environment with a micro-tidal range and gentle currents. As such the coastal foreshore area abutting the subject land is stable with limited sand drift and no evidence of any coastal erosion problems over the past 20 years (see Attachment 4).
7. Soils on the land are sandy in nature with a deep limestone base and have proven capability to accommodate small-scale built form improvements and on-site effluent disposal given the land's historical development and usage.
8. There are no rivers, creeks or wetlands traversing the subject land. It is understood groundwater is available at a depth ranging from 10 to 25 metres below the land's natural ground level.
9. The subject land is located within the Edel Vegetation System which covers approximately 20,000 hectares of the eastern and southern portions of Dirk Hartog Island. The existing vegetation on that portion of the land where the existing tourism accommodation facilities and associated improvements have been developed mainly comprises low level shrubland less than two (2) metres in height dominated by *Acacia ligulata* and sparse understorey. It is significant to note the existing native vegetation has been partially cleared and/or modified with evidence of degradation and weed infestation arising from the land's historical development and use for pastoral and tourism purposes.
10. The proposed nature based park the subject of this application has been established on Lots 62 and 303 to complement the existing tourist accommodation facilities currently provided which have been in operation for many years. The proposed park is an important and valuable addition to the existing tourism business on the land as it will provide for the diversification of nature-based recreation and tourism opportunities and experiences currently available on the island and Gascoyne Region more generally.
11. The nature based park is located adjacent to the subject land's frontage to a recently designated coastal foreshore reserve (i.e. Crown Reserve 50325) which forms part of an 'A' class reserve with a management order issued in favour of the Conservation and Parks Commission for the designated purpose 'National Park'.
12. The proposed development comprises:
  - twenty three (23) camp sites capable of accommodating up to 80 people

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- during peak operating periods including their camping equipment and four wheel drive vehicles;
- three (3) camp kitchens comprising medium size tents and small timber decking;
  - three (3) small ablution buildings comprising toilet and shower facilities including associated water supply tanks and effluent disposal systems (i.e. septic tanks and leach drains); and
  - a number of existing bare earth vehicle access tracks/driveways as well as five (5) separately located bare earth pedestrian accessways to the coastal foreshore reserve.
13. In addition to the existing unauthorised use and associated improvements, approval is also sought for the following additional improvements to satisfy the specific requirements of the Western Australian Planning Commission's *Guidelines for Planning in Bushfire Prone Areas 2017* as well as the guidance provided in the recently endorsed Bushfire Management Plan for the land:
- creation of an asset protection zone around each camp site including all associated structures;
  - widening of a number of existing vehicle access tracks/driveways within the subject land's designated boundaries to four (4) metres and six (6) metres every 200 metres along their existing alignment to accommodate vehicle passing bays which collectively will form part of the required internal perimeter strategic firebreak ;
  - construction of a four (4) metre wide internal perimeter strategic firebreak over the eastern portion of Lot 62 and north-western portion of Lot 303; and
  - placement of four (4) new 10,000 litre water supply tanks in designated locations with suitable couplings for firefighting purposes.
- (see Attachment 5, Plans 5 to 8 – Proposed Site Development Plan, Building Floorplan & Elevation Drawings)
14. Under the terms of the land's current Special Use zoning classification in the Shire of Shark Bay Local Planning Scheme No.4 (i.e. SU14) (see Attachment 3 – Plan 4), the stated objective of which is to provide for eco-tourism development, a Local Development Plan is typically required to be prepared and approved by Council prior to commencement of any development.
15. Investigations have confirmed the cost to prepare a Local Development Plan for Lots 62 and 303 in accordance with the specific requirements of Local Planning Scheme No.4 and Part 6, Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* is likely to be in the order of \$120,000 to \$150,000 excluding GST and could take two (2) to three (3) years to finalise before a development application for any further development and usage of the land can be prepared and submitted to the Shire for consideration and determination by Council.
16. Notwithstanding the requirement to prepare a Local Development Plan, condition No.6 in Schedule B of Local Planning Scheme No.4 as it applies specifically to the land's current Special Use zoning classification expressly states

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Council may consider and approve a development application in the absence of a Local Development Plan if it is satisfied that:

- a) the proposed development does not conflict with the principles of orderly and proper planning; and
- b) the proposed development would not prejudice the overall development potential of the area.

17. It is contended Council's approval to this application prior to the preparation and endorsement of a Local Development Plan will not conflict with the principles of orderly and proper planning or prejudice the overall development potential of the subject land for the following reasons:
- i) The development and use of the subject land for tourism related purposes is consistent with the strategic direction articulated in a number of endorsed strategic planning documents including:
    - *Shark Bay Regional Strategy* (WAPC, 1997);
    - *Shark Bay World Heritage Property Strategic Plan 2008–2020* (DEC, 2008);
    - *Shire of Shark Bay Local Planning Strategy* (Gray & Lewis, 2013);
    - *Gascoyne Regional Tourism Strategy* (GDC, 2014);
    - *Shark Bay Local Tourism Planning Strategy* (Landvision & Tourism Key, 2014);
    - *Gascoyne Regional Investment Blueprint* (GDC, 2015);
    - *Gascoyne Regional Planning and Infrastructure Framework* (WAPC, 2015);
    - *Gascoyne Coast Sub-Regional Strategy* (WAPC, 2018).
  - ii) The development and use of the subject land for tourism related purposes is consistent with the long standing vision for Dirk Hartog Island articulated by the Department of Biodiversity, Conservation and Attractions which is to provide a destination that offers a range of nature-based recreation and tourism opportunities and experiences in a remote and natural environment that is managed for ecological restoration;
  - iii) Lots 62 and 303 are burdened by restrictive covenants registered on title in perpetuity which clearly recognise and allow for the development and use of the land for low impact ecotourism purposes. The covenants include a range of legally enforceable controls relating to occupancy by staff and visitors (i.e. frequency and numbers), the protection of native fauna and flora, biosecurity measures and pest management;
  - iv) The nature based park has been sited in close proximity to the existing tourist accommodation facilities on the land in an area that has historically been developed and used for the grazing of stock and associated activities as well as short-stay camping. The clustering of all development in one location previously degraded as a result of the land's historical use represents a logical extension to the continued use of the land for tourism purposes and contains it within a designated area that will help minimise the potential impacts on the natural environment and visual landscape and safeguard users from any future potential bushfire threat;

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- v) The nature based park has been sited on stable sand dunes abutting an equally stable coastal foreshore area with limited sand drift and no evidence of any coastal erosion problems. Natural sedimentation processes, including lithification and wind or water transport, will not be altered in any way. Furthermore all stormwater drainage and effluent disposal associated with the proposed use will be contained internally within the land's designated boundaries to avoid any negative impacts on the adjacent coastal environment;
- vi) The nature based park and other existing tourist accommodation facilities on the land cover a total area of approximately 3.18 hectares. Given the total area occupied by these uses represents approximately 5.48% of the total combined area of Lots 62 and 303 being 58.0261 hectares, it is contended the development footprint is only minor in terms of its overall scale and therefore capable of being managed in a responsible and sustainable manner without compromising the environmental and visual landscape values of the remaining balance portions of the land;
- vii) In recognition of the land's location in a designated World Heritage Area, unique environmental values and limited capacity to accommodate higher intensity development and usage, the majority balance portions of Lots 62 and 303 will remain undeveloped in the short to medium term future with the exception of a proposed new single house at the western end of Lot 303 and a new visitors centre and associated bar/café on Lot 62 which are the subject of two (2) separate development applications. The intention is to continue to conserve and manage the land's unique environmental values in direct consultation with the Department of Biodiversity, Conservation and Attractions for the benefit of future generations which has proven highly successful to-date without the need for preparation of a Local Development Plan pursuant to the requirements of Local Planning Scheme No.4;
- viii) The current landowner has and will continue to manage and rehabilitate the land where required to ensure the existing and proposed uses have minimal impact on the natural environment. Significant effort and investment have already been made in this regard including:
- targeted revegetation works using seeds from local endemic flora species;
  - pest and weed management in consultation and accordance with the Department of Biodiversity, Conservation and Attractions' *Dirk Hartog Island Biosecurity Implementation Plan*;
  - preparation and implementation of a site specific 'Sustainable Management Plan' which is reviewed and updated regularly to integrate conservation initiatives and values with an acceptable level of tourism use and provide clear guidance for both employees and guests regarding sustainability philosophies, policies, practices and future goals and objectives (see Attachment 6);
  - implementation of foreshore management measures in consultation with the Department of Biodiversity, Conservation and Attractions to help protect the coastal foreshore reserve from uncontrolled access and guard against any associated negative impacts;
  - education programs for all employees and guests; and



27 MAY 2020



- ongoing monitoring and surveillance of all tourism related activities on the land to protect and conserve the land's environmental and visual landscape values;
- ix) The camp sites, vehicle accessways, parking areas and other minor built form improvements associated with the nature based park have been sited and constructed on portions of the land that contain little to no native vegetation (i.e. areas previously degraded by historical grazing activity and existing access tracks and firebreaks). Notwithstanding this fact, it is estimated approximately 2,100m<sup>2</sup> of native vegetation is required to be cleared to address the specific requirements of the recently endorsed Bushfire Management Plan for the land as it applies to asset protection zones, vehicle access tracks/driveways and internal perimeter strategic firebreaks. A flora survey by a suitably qualified environmental consultant has been commissioned by the landowner and will be undertaken in September this year, following which a clearing permit application pursuant to the requirements of the *Environmental Protection (Clearing of Native Vegetation) Regulations 2004* will be prepared and submitted to the Department of Water and Environmental Regulation for consideration and determination;
- x) The nature based park comprises a small number of low scale structures with an estimated lifespan of twenty (20) years that can easily be removed or relocated should they ever be threatened by erosion or create an erosion threat to the adjoining coastal foreshore reserve. The design of these structures is also sympathetic to the visual landscape values of the immediate locality and comprise external materials, colours and finishes that complement the existing natural environment of Dirk Hartog Island and its coastal setting in accordance with the guidance provided in the *Peron Peninsula Colour Palette*;
- xi) Given the significant investment made in recent years by the current landowner in terms of the provision of renewable energy and potable water supply infrastructure on the land, there is sufficient capacity to accommodate the power and water supply needs of the development including those associated with effluent disposal and firefighting; and
- xii) There are numerous statutory and regulatory controls currently in place that can and are expected to be applied at both State and local government level to ensure the subject land is developed and used to minimise any potential negative impacts on the natural environment and visual landscape and is suitably managed and controlled to safeguard the amenity, health and safety of all users.
18. Lastly it significant to note the existing tourism business on the subject land makes an important and valuable contribution to the local economy, particularly small businesses based in Denham and the wider Gascoyne region which provide a range of goods and services to support the existing activities on the land. With the establishment of the nature based park on the subject land in recent years, visitor numbers to Dirk Hartog Island and the region more generally have increased substantially which has generated confidence, further business investment and local economic development and growth.

27 MAY 2020



In light of the above information and justifications, we respectfully request the Shark Bay Shire Council's favorable consideration and approval of this application at its earliest possible convenience. We welcome the Shire's referral of the application to various government agencies with a potential interest in the proposal.

We also hereby confirm and agree that the information and plans submitted in support of the application may be made available by the Shire for public viewing at nil cost as part of the assessment process pursuant to the requirements of Regulation 85 in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Should you have any queries or require any additional information please do not hesitate to contact the undersigned of this office on 9303 2532 or [joe@urp.com.au](mailto:joe@urp.com.au).

Yours faithfully,



**Joe Douglas**  
**Director / Principal Town Planner**  
**Exurban Rural & Regional Planning**

cc: Messrs Kieran & Geoff Wardle - Hypermarket Pty Ltd (Landowner)

## ATTACHMENT # 6

## MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

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**From:** [Kieran Wardle](#)  
**To:** [liz](#)  
**Cc:** [ceo@sharkbay.wa.gov.au](mailto:ceo@sharkbay.wa.gov.au)  
**Subject:** Dirk Hartog Island - Camping DA  
**Date:** Monday, 11 May 2020 9:42:02 AM  
**Attachments:** [image001.png](#)

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Hi Liz,

Hope all is well in Perth.

I would like to check to see if you required any further details from us to allow you to prepare your report for councils consideration re the development application on Lots 62 & 303. There has been so many emails since lodging the application and it would be great to clarify any concerns that you may have with the information provided.

My concern, is the option for the Shire to request a Local Development Plan for Lot 62 & 303 before an approval can be granted. Obviously, the costs associated with an LDP is considerable (\$120,000 plus) and this is not feasible for a small business during uncertain times with COVID-19, regional borders closed and the tourism business shut down. I would also like to reference the lack of a tourism strategy for Dirk Hartog Island National Park and the uncertainty of when this plan will be developed.

It's an extremely frustrating situation that I find myself. On one hand the Shire would like to see a Local Development Plan for Lot 62 & 303 and on the other hand DBCA have not confirmed the direction of tourism on Dirk Hartog Island. I can see the value in a LDP once a tourism strategy and direction on what visitor interactions within DHI National Park is developed by DBCA. It seemed to get some priority behind it last year when the Shire requested further details on the 4WD numbers allowed on the island, however during my March meeting with DBCA they mentioned that they no longer have the funds to prepare the plan.

As explained to Cheryl Cowell last year, an LDP is great for future planning however, without DBCA having developed a tourism strategy for DHI, I have no idea if we should for example be basing an LDP around visitors accessing the island with their own 4WD's and therefore using their own camping equipment or do I plan for a 'Rottnest Island' scenario with visitors accessing the island without transport and therefore we need an LDP to cover the development of self-contained villas, glamping tents, resorts, restaurants, 4WD hire, tour vehicles, service areas etc..

A 'Rottnest Island' model would not be something we could plan now as we require the support and collaboration of the World Heritage Advisory committee and the Department of Planning Lands and Heritage and DBCA. This can't be achieved without the development of a tourism strategy for Dirk Hartog Island National Park by DBCA. A tourism strategy by DBCA would provide all stakeholders an understanding and direction for all future tourism infrastructure requirements for Dirk Hartog Island and the Shire of

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

ATTACHMENT # 7

SCHEDULE OF SUBMISSIONS – LOT 62 AND 303 DIRK HARTOG ISLAND (NATURE BASED PARK)			
Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
1. Department of Planning, Lands and Heritage  Heritage Officer	1a) A review of the Register of Places and Objects, Department of Planning, Lands and Heritage Aboriginal Heritage Database and plans provided by yourself, confirms that the proposed works do not intersect with any known Aboriginal Heritage Sites or Places. However the land in question has only been subject to one heritage scoping survey in 1995, and additional surveys are required to determine if any Aboriginal heritage sites or places exist in the area. It is understood the proposed works will consist of the placement of two transportable buildings with decking, capable of accommodating 25 people, placement of a double ablution block, 10000 litre water tank septic tanks and leech drains, the creation of a nine metre wide cleared asset protection zone around the periphery of all structures and widening of existing tracks.	1a) Noted.	That the submission be noted.
	1b) Department of Planning, Lands and Heritage recommends that proponents refer to the State's Aboriginal Heritage Due Diligence Guidelines (Guidelines). The Guidelines can be found on the Department of Planning, Land and Heritage website and allow proponents to undertake their own risk assessment regarding any proposal's potential impact on Aboriginal heritage.	1b) Noted.	

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SCHEDULE OF SUBMISSIONS – LOT 62 AND 303 DIRK HARTOG ISLAND (NATURE BASED PARK)			
Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
2. Department of Biodiversity, Conservation and Attractions  Formal Submission	2a) Thank you for your letter of 19 September 2019 and supporting information provided regarding the development applications for Camping and Visitor Centre / Café / Bar developments on Lots 62 and 303 Dirk Hartog Island. The Department of Biodiversity, Conservation and Attractions offers the following comments for the Shire's consideration.	2a) Noted. The Department of Biodiversity, Conservation and Attractions comments are on two applications being the café/bar/visitor centre on Lot 62 and this separate proposal for a nature based park on Lots 62 and 303.	That the submission be noted.  Ongoing management of the Dirk Hartog National Park is a broader strategic issue identified in the <i>Shark Bay Terrestrial Reserves and Proposed Reserve Additions Management Plan 2012</i> .
	2b) In respect to the retrospective elements of the application Department of Biodiversity, Conservation and Attractions notes that: i. There has been considerable development on Lots 62 and 303 without development approval. ii. Department of Biodiversity, Conservation and Attractions has not been afforded the opportunity to consider, advise and provide comment on the development through the usual planning approval process. iii. Department of Biodiversity, Conservation and Attractions has not been consulted regarding the development, outside the formal planning approval process. iv. The development has the potential to impact the values of Dirk Hartog Island National Park and Shark Bay World Heritage Area.	2b) This comment mainly relates to unauthorised camping that has occurred on Lots 62 and 303. The Shire has consulted with Department of Biodiversity, Conservation and Attractions through the planning process as is standard process.	It is understood that Department of Biodiversity, Conservation and Attractions are looking at issues pertaining to management of tourism and visitor numbers.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SCHEDULE OF SUBMISSIONS – LOT 62 AND 303 DIRK HARTOG ISLAND (NATURE BASED PARK)			
Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<p>v. In the absence of a formal planning process, the development has occurred without a demonstrated consideration of broader planning context, such as the <i>Shark Bay Terrestrial Reserves and Proposed Reserve Additions Management Plan 2012</i> and the <i>Shark Bay World Heritage Property Strategic Plan 2008-2020</i>.</p> <p>vi. In the absence of a formal planning process, the matter of long-term planning for the freehold lots is not addressed.</p>		
	<p>2c) Given the above, Department of Biodiversity, Conservation and Attractions suggest that the approvals process advocated by the proponent is inconsistent with the principles of orderly and proper planning and recommends that the conditions of the <i>Shire of Shark Bay Local Planning Scheme No. 4</i>, including the condition requiring preparation of a Local Development Plan, are applied to the development of Lots 62 and 303.</p>	<p>2c) The Shire Council has discretion to allow development to proceed without a Local Development Plan. All options have been outlined in the agenda report for Council consideration.</p>	
	<p>2d) In respect to the applications themselves, Department of Biodiversity, Conservation and Attractions notes:</p> <p>i. the development applications do not identify how the impact of visitors associated with the development (23</p>	<p>2d) Until such time as develops further tourist/ access management strategies it is difficult for the Shire as a decision making authority, and private landowners, to be able to respond to</p>	

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SCHEDULE OF SUBMISSIONS – LOT 62 AND 303 DIRK HARTOG ISLAND (NATURE BASED PARK)			
Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<p>proposed campsites / 80 people) to the surrounding national park and marine park will be managed. In particular:</p> <ul style="list-style-type: none"> <li>The applications do not adequately address the protection of the foreshore portion of national park immediately adjacent to Lot 303. A foreshore management plan is warranted, as per the <i>Shire of Shark Bay Local Planning Scheme No. 4</i>.</li> <li>The management of vehicle numbers associated with the proposed developments is not addressed. Under the <i>Shark Bay Terrestrial Reserves and Proposed Reserve Additions Management Plan 2012</i>, there is a limit of 20 vehicles per day to the national park.</li> </ul> <p>ii. The development applications (for 23 campsites and 80 people) are inconsistent with the bushfire management plan (for a total of 43 campsites and 200 people).</p> <p>2e) Department of Biodiversity, Conservation and Attractions is of the view that the application does not clearly demonstrate consistency with the visual impact requirements of the <i>Shire of Shark Bay Local Planning Scheme No. 4</i>, which would ensure development is appropriate for the World</p>	<p>issues raised about vehicle access and management of the National Park.</p> <p>Ongoing management is a broader strategic issue identified in the <i>Shark Bay Terrestrial Reserves and Proposed Reserve Additions Management Plan 2012</i>.</p> <p>2e) The requirements referred to by Department of Biodiversity, Conservation and Attractions are those that apply to any Local Development Plan.</p> <p>In terms of this specific application for a camping ground Council should note:</p>	



MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SCHEDULE OF SUBMISSIONS – LOT 62 AND 303 DIRK HARTOG ISLAND (NATURE BASED PARK)			
Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<p>Heritage Values of the location. These requirements include:</p> <ul style="list-style-type: none"> <li>• Visual Impact Assessment to demonstrate that the development will not negatively impact on World heritage values or detract from the scenic quality of the land.</li> <li>• Proposed development to be of a high architectural quality and to be low scale and sympathetic to the location, taking into account topography, physical characteristics and unique character of the surrounding area</li> <li>• Detailed design guidelines be required to achieve a development sympathetic to the natural character of the island.</li> </ul>	<ul style="list-style-type: none"> <li>• The sites are for tents/caravans which are removable and only low scale camp kitchens/ablutions are proposed. It will have minimal visual impact.</li> <li>• Architectural quality has not relevance to the nature based park.</li> <li>• Detailed design guidelines are not relevant.</li> </ul>	
2. (continued) Department of Biodiversity, Conservation and Attractions (DEPARTMENT OF BIODIVERSITY, CONSERVATION AND ATTRACTIONS)	<p>2f) As you have highlighted, the restrictive covenants that apply to the four freehold lots on the island allow for a theoretical maximum of 340 accommodation units on the four freehold lots on the island (243 units on Lot 62, 51 units on Lot 303, 33 units on Lot 304 and 13 units on Lot 305.</p> <p>2g) The 2005 Agreement between State of WA and Hypermarket concerning the transfer of the freehold lots to Hypermarket does not discuss the number of vehicles permitted on the island, but does state:</p>	<p>2f) Noted.</p> <p>2g) Noted. It is not clear how this is relevant as that requirement is not included in the restrictive covenant registered for part of the lot on the Certificate of Title.</p>	That the submission be noted.

MINUTES OF THE ORDINARY COUNCIL MEETING

27 MAY 2020

SCHEDULE OF SUBMISSIONS – LOT 62 AND 303 DIRK HARTOG ISLAND (NATURE BASED PARK)			
Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
Supplementary Email Advice	<p>3.10 <i>Access and Management Plan</i>  <i>(b) Hypermarket acknowledges and agrees that after a management plan is implemented under the CALM Act (Management Plan) all future access to the Island and the use of the airstrip will be subject to the terms and conditions of that Management Plan and any rights or licences granted under sub-clause (a) will automatically cease. The draft Management Plan submitted for approval under the CALM Act will include provision for the grant of a non-exclusive licence to Hypermarket to access and use the airstrip on the Island.</i></p> <p>2h) In regards to vehicle numbers and development of the four freehold lots, the Management Plan (<i>Shark Bay Terrestrial Reserves and Proposed Reserve Additions Management Plan 2012</i>) outlines:</p> <ul style="list-style-type: none"> <li>○ <i>The vision for Dirk Hartog Island National Park is to provide a combination of four-wheel drive destinations that offer a range of nature-based recreation, tourism opportunities and experiences in a remote and natural environment that is managed for ecological restoration.</i></li> </ul>	<p>Informal telephone discussions with Department of Biodiversity, Conservation and Attractions revealed this may have been a condition of the contract of sale, however that would not likely be enforceable after the land transfer has occurred (if it was in fact included as a condition of the sale contract). Department of Biodiversity, Conservation and Attractions has indicated they do not have a copy of the said State Agreement.</p> <p>The Minister for Lands has confirmed on the 22 January 2020 that restrictive covenants do not restrict the number of vehicles on the National park or the freehold lots.</p> <p>2h) Ongoing management is a broader strategic issue identified in the <i>Shark Bay Terrestrial Reserves and Proposed Reserve Additions Management Plan 2012</i>.</p> <p>It is understood that Department of Biodiversity, Conservation and Attractions are looking at tourism and management issues.</p>	

MINUTES OF THE ORDINARY COUNCIL MEETING

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SCHEDULE OF SUBMISSIONS – LOT 62 AND 303 DIRK HARTOG ISLAND (NATURE BASED PARK)			
Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<ul style="list-style-type: none"> <li>Any development of the freehold lots on Dirk Hartog Island as eco-tourism accommodation will lead to increased numbers of visitors staying overnight on the island. This could result in pressure for increasing vehicle numbers on the island. However, more vehicles are likely to have a negative impact on the track conditions and potentially affect the ecological restoration project. The limit of 10 private vehicles per day on the island has been set but will be monitored to determine if the upper limit for vehicle numbers can be changed. The implementation of an island-based vehicle hire system may also be considered. Other strategies may be required to consider visitor access around the island.</li> <li>The impact of the vehicles on the island will be monitored and reviewed on a regular basis and if negative environmental impacts occur then alternative arrangements such as tracking vehicles electronically or a further restriction on the number of vehicles may be considered.</li> <li>The commencement of the ecological restoration project and especially the reintroduction of threatened native fauna will require access restrictions for both vehicles and boats. Therefore access to Dirk Hartog Island National Park will be by</li> </ul>		

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SCHEDULE OF SUBMISSIONS – LOT 62 AND 303 DIRK HARTOG ISLAND (NATURE BASED PARK)			
Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<p><i>permit. A permit system will be used to control where visitors can travel, provide valuable visitor information, allow limits to be placed on the number of vehicles, outline appropriate behaviour and provide a means for informing visitors on how they can best avoid disturbing the site whilst visiting the area.</i></p> <p>2i) The 2012 management plan allowed for maximum of 10 private vehicles on the island at any one time.</p> <p>2j) This limit has since been increased to 20 visitor vehicles per day, although currently vehicle numbers are not monitored closely.</p> <p>2k) The two recent development applications do not outline how the additional vehicle numbers associated with the proposed development (23 proposed campsites / 1 vehicle per campsite) will be reconciled with the 20 visitor vehicles / day limit that currently applies to the National Park.</p> <p>2l) To date there has been no consultation between Department of Biodiversity, Conservation and Attractions and the owners of the freehold lots as to how many vehicles are to be catered for on the island, or how development of the freehold lots will be reconciled with the vehicle number limits specified in the management plan.</p>	<p>As per 2h).</p> <p>As per 2h).</p> <p>2k) This issue is beyond the scope of the applicant to address.</p> <p>2l) This issue is beyond the scope of the applicant to address. The Minister for Lands has confirmed on the 22 January 2020 that restrictive covenants do not restrict the number of vehicles on the National Park or the freehold lots.</p>	

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SCHEDULE OF SUBMISSIONS – LOT 62 AND 303 DIRK HARTOG ISLAND (NATURE BASED PARK)			
Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	2m) Vehicle numbers within the national park is a key issue that needs to be resolved prior to further development of the freehold lots for tourist accommodation.	2m) This issue is beyond the scope of the applicant to address. The Minister for Lands has confirmed on the 22 January 2020 that restrictive covenants do not restrict the number of vehicles on the National Park or the freehold lots.	
2. (continued) Department of Biodiversity, Conservation and Attractions Supplementary Email Advice	<p><b><i>Note: Town Planning Innovations sought clarification from Department of Biodiversity, Conservation and Attractions on the increase of vehicle limit from 10 to 20 and received subsequent email advice below.</i></b></p> <p>2n) As you know the 2012 management plan allowed for maximum of 10 private vehicles on the island at any one time, although the plan does allow for that limit to be altered with Director General approval. In August 2016 the Director General approved the increase from 10 vehicles to 20 vehicles per day.</p> <p>2o) In March 2017 draft guidelines were endorsed for increasing the vehicle numbers limit from 10 to 20 visitor vehicles per day. It was considered that the level of 10 vehicles per day was relatively minimal given the size of the island and the extensive track network, and the island has a significantly greater capacity. It was considered at that time that an increase from 10 to 20 vehicles per day would be appropriate and</p>	<p>2n) Noted. Town Planning Innovations sought clarification on the review process from the Department of Biodiversity, Conservation and Attractions.</p> <p>2o) Noted.</p>	That the submission be noted.

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SCHEDULE OF SUBMISSIONS – LOT 62 AND 303 DIRK HARTOG ISLAND (NATURE BASED PARK)			
Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<p>sustainable with appropriate and adequate management.</p> <p>2p) In 2017 regional and district staff conducted an analysis of the carrying capacities of the various designated campsites within the national park and considered that was adequate capacity for an increased vehicle quota to be accommodated. It was also considered that demand for the island had increased significantly over the 18 months since the 1616/2016 celebrations given the wide publicity, and given that the translocation of rare and threatened fauna on the island would also be a significant drawback.</p> <p>2q) While Director General approval was received for the increase in vehicle numbers, there was no formal clarification of what that means in relation to any separation of visitor vehicles, management vehicles, CTO vehicles, vehicles garaged on freehold land etc. The following endorsed draft guidelines were intended to clarify this matter:</p> <ol style="list-style-type: none"> <li>1. Twenty (20) vehicles is the maximum number of vehicles allowable on any given day/overnight.</li> <li>2. This refers to visitor vehicles only, that are within the Dirk Hartog Island National Park overnight.</li> <li>3. This 20 vehicle limit does not include: <ul style="list-style-type: none"> <li>• Commercial Tour Operator vehicles</li> </ul> </li> </ol>	<p>2p) Noted.</p> <p>2q) Noted. This is very different advice than the initial Department of Biodiversity, Conservation and Attractions submission. It is certainly not clear that the 20 car restriction was intended to apply to visitors staying over night on freehold lots.</p> <p>Based on the Draft Guidelines, which seems to be the only current guide, the restrictions were limited to vehicle staying overnight on the Island and not to visitors staying overnight on freehold lots.</p> <p>The Minister for Lands has confirmed on the 22 January 2020 that restrictive covenants do not restrict the number of</p>	

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SCHEDULE OF SUBMISSIONS – LOT 62 AND 303 DIRK HARTOG ISLAND (NATURE BASED PARK)			
Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<ul style="list-style-type: none"> <li>Department of Biodiversity, Conservation and Attractions vehicles</li> <li>Private vehicles garaged on freehold land</li> <li>Visitors vehicles overnighting on freehold land</li> <li>Vehicles driven by personnel approved by Department of Biodiversity, Conservation and Attractions assisting with or undertaking works within the national park.</li> <li>Shark Bay Shire or Australian Maritime Safety Authority vehicles enroute to Cape inscription</li> </ul> <p>4. Approval may be granted by the Shark Bay District Manager for 'one off' increase in vehicle numbers under special circumstances or events.</p> <p>2r) As we discussed this morning, Department of Biodiversity, Conservation and Attractions is looking at developing a Tourism Strategy for Dirk Hartog Island National Park and surrounding waters given the increasing need for guidance in this area. This would also include consideration of the vehicle limits.</p>	<p>vehicles on the National park or the freehold lots.</p> <p>2r) Noted.</p>	
3.	3a) Comments below relate to the Shire's referral for comments from the Shark Bay World Heritage Advisory Committee to planning proposals by Hypermarket Pty Ltd, the	3a) Noted. The Shark Bay World Heritage Advisory Committee comments are on two applications being the café/bar/visitor centre on Lot 62 and	That the submission be noted.



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Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
Shark Bay World Heritage Advisory Committee  Formal correspondence.	<p>current owner of freehold Lots 62 and 303 on Dirk Hartog Island.</p> <p>3b) It is noted that the camp kitchens and camping sites at 'Salty's' and 'Buddy's' have already been established, in 2015 and 2016 respectively. However, referral of these developments is retrospective as no planning or building permits have previously been applied for, with the 'Jed's' camp proposal yet to commence.</p> <p>3c) Also noted is that the Shire has referred these applications to the Environment Protection Authority and the Department of Planning, Lands and Heritage.</p> <p>3d) The on-going management of requirements in relation to the Department of Biodiversity, Conservation and Attraction's <i>Shark Bay Terrestrial Reserves and Proposed Reserve Additions Management Plan 2012</i>, should be the subject of discussions between the freehold owners and the Parks and Wildlife Service, as the Plan recommends development of a limited number of camping sites, limitations on the number of private vehicles on the island, no pets, biosecurity issues, etc.</p>	<p>this separate application for camping on Lots 62 and 303.</p> <p>3b) This comment relates to unauthorised camping that has occurred on Lots 62 and 303. Town Planning Innovations is of the understanding that the operator is trying to work through all of the necessary approval processes.</p> <p>3c) The application seeking retrospective planning approval for unauthorised camping on Lots 62 and 303 has been referred to the Environmental Protection Authority. No formal environmental assessment is required.</p> <p>3d) Vehicle numbers in the national park is beyond the scope of the applicant to address. The application includes information on biosecurity, education of guests, a no pet policy and outlines the number of camp sites, visitors and cars.</p>	

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	<p>3g) The current existing 28 camp sites have the capacity to accommodate 100 people. With maximum occupancy on both lots, the owner has the ability to provide for up to 200 people.</p> <p>3h) As a consequence of a development referral at Sunday Island Bay in 2015, the Environmental Protection Authority identified environmental factors such as;</p> <ul style="list-style-type: none"> <li>• Protocols to minimise impacts to the Dirk Hartog Island National Park through management of visitor access and recreation,</li> <li>• Procedures to ensure that the development does not introduce nor proliferate non-indigenous terrestrial species to the island,</li> <li>• Sewage and on-site effluent disposal, water provisioning from multiple sources (due to unreliability of rainfall and long-term sustainability of groundwater), and</li> <li>• The use of the appropriate World Heritage colour palette for the island so buildings and infrastructure blend to the landscape with minimal negative visual amenity.</li> </ul> <p>3i) The requirement for a Local Development Plan would provide clear guidelines in regard to accommodation numbers by specifying limits for development of these lots. Without</p>	<p>3g) Noted.</p> <p>3h) Noted. The Environmental Protection Authority comments were on a past application that did not proceed.</p> <p>3i) The Shire Council has discretion to allow development to proceed without a Local Development Plan. All options have been outlined in the agenda report for Council consideration.</p>	

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	a Local Development Plan and Foreshore Management Plan, insufficient information is available for all parties to assess the impact of the proposal and the development has the potential to impact the World Heritage values of Dirk Hartog Island.		
4. Department of Health  Formal correspondence.	<p>4a) The development is to have access from a sufficient potable water supply that is of the quality specified under the Australian Drinking Water Quality Guidelines 2004.</p> <p>4b) Suitable provisions of an adequate on site effluent disposal area is to be accommodated in accordance with the Government Sewer Policy (2019). A wet season 'site and soil evaluation' is required.</p> <p>4c) All food related areas are to comply with the <i>Food Act 2008</i> and related code.</p>	<p>4a) Noted.</p> <p>4b) On the 30 October 2019 Council resolved not to require detailed effluent disposal information for development applications that were lodged prior to 23 September 2019 that are currently being processed.</p> <p>Town Planning Innovations has liaised with the Shire Environmental Health Officer and provided Kieran Wardle with a separate application to install on site effluent disposal, which requires separate approval by the Department of Health.</p> <p>4c) Noted.</p>	That the submission be noted.

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	<p>4d) All public areas are to comply with the <i>Health (Miscellaneous Provisions) Act 1911</i>.</p> <p>4e) An emergency response plan should be developed to address issues for areas subject to hazards.</p>	<p>4d) Noted.</p> <p>4e) Noted. The approved Bushfire Management Plan includes an Emergency Evacuation Plan.</p>	
<p>5. Department of Planning, Lands and Heritage</p> <p>Land Use Planning</p>	<p>5a) We would like to note that the first application is on Lots 62 and 303 for the development of 23 camp sites (accommodating up to 80 people), 3 camp kitchens, 3 ablution blocks and several pedestrian and vehicle access ways. The second application which is on Lot 62 for the development of a visitor centre and bar/café, comprised of two transportable buildings designed to accommodate up to 25 people at a time.</p> <p>5b) We have reviewed both proposals and would like to advise on the following:</p> <p><b>5c) Coastal hazard risk management and adaptation planning</b> The proposals lack supporting information regarding coastal processes making it difficult to determine whether they are located in appropriate areas that will not be subject to coastal processes during the 100-year planning time frame. However, given the proximity of the proposed development to the coast, it is likely that the subject area will be exposed to coastal processes within the</p>	<p>5a) Noted. Two separate applications were advertised concurrently.</p> <p>5b) Noted.</p> <p>5c) Noted.</p>	That the submission be noted.

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	<p>planning time frame, therefore requiring the proponent to undertake adequate coastal hazard risk management adaptation planning.</p> <p>5d) However, it is noted that the development proposals are easily relocatable should they be threatened by coastal hazards such as erosion. In addition, both development proposals have a relatively short lifespan (20 and 25 years). Therefore these policy requirements can be appropriately dealt with through conditions should the Shire decide to approve the proposals. It is recommended that the conditions imposed reflect the following points:</p> <ol style="list-style-type: none"> <li>1. Time limited approval based on the estimated lifespan of the development (20 years for the nature based park, and 25 years for the visitor centre and bar/café).</li> <li>2. The development is to be removed or modified should it be threatened by coastal erosion during the approval period.</li> <li>3. An emergency evacuation management plan be prepared.</li> </ol> <p>5e) <b>Shire of Shark Bay Local Planning Scheme No.4</b></p>	<p>5d) Noted.</p> <p>5e) Noted.</p>	

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Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<p>The subject site forms part of the Special Use zone under Local Planning Scheme No. 4 (SU14) and is surrounded by a 'Environmental Conservation' reserve also under Local Planning Scheme No. 4. The subject site and surrounds are also under Special Control Area (SCA(a)) - Shark Bay World Heritage Property.</p>		
	<p>5g) We expect that the Shire will consider applying the provisions for Special Control Area(a) and the conditions for SU14 under Local Planning Scheme No. 4 during their assessment of both proposals. However, it is noted in provision 3 of SU14, that prior to commencement of development of the subject site a Local Development Plan) shall be prepared in accordance with Part 6 of the <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>. Considering the nature of the proposals, although provision 6 of SU14 states that the local government may consider development in the absence of a Local Development Plan, a Local Development Plan is recommended in this instance.</p>	<p>5g) Noted. The Shire Council has discretion to allow development to proceed without a Local Development Plan. All options have been outlined in the agenda report for Council consideration.</p>	
	<p>5h) We also expect the Shire will consider reviewing the proposals under the objectives of the Shire's Local Planning Strategy, Shark Bay Regional Strategy, Gascoyne Coast Sub-Regional Strategy and Shark Bay</p>	<p>5h) Noted.</p>	

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Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	Terrestrial Reserves and Proposed Reserve Additions Management Plan No. 75 (2012) for Dirk Hartog Island.		
	5i The subject site falls within a Bushfire Prone Area and is subject to State Planning Policy 3.7 – Planning in Bushfire Prone Areas and associated Guidelines. We understand that a Bushfire Management Plan has been provided to the satisfaction of the Shire and that the applicant/owner will apply the necessary requirements.	5i) Noted.	
	5j) It would be advisable for the Shire to refer the proposals to the Department of Biodiversity, Conservation and Attractions, the Department of Water and Environmental Regulation, Tourism Western Australia and the Shark Bay World Heritage Area.	5j) Noted. Consultation has been completed.	



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**14.0 TOURISM, RECREATION AND CULTURE REPORT****14.1 REQUEST FOR FUNDING FOR CELEBRATORY COMMUNITY EVENT  
GS00001**AUTHOR

Executive Manager Community Development

DISCLOSURE OF ANY INTEREST

Nil

Moved Cr Ridgely  
Seconded Cr Burton

**Council Resolution**

**The Council include an allocation of \$10,000 in the 2020/2021 draft annual budget for a community celebration once the Covid-19 restrictions are sufficiently lifted to enable it to safely take place.**

**0/6 LOST**

**Reason:** Council felt that due to the current economic climate a budget allocation for a celebration was not appropriate.

BACKGROUND

As shown in the table below Council has traditionally allocated funding in its annual budget to support a number of specified community events. Some of these events are run by local groups and clubs with support from the Shire (eg Australia Day, Anzac Day, Youth Week) while some are run by the Shire with support from the community (eg Winter Festival Markets).

Event	Amount of funding for 2019/2020
Australia Day	\$1,800
Anzac Day	\$1,000
Clean Up Australia Day	\$500
Remembrance Day	\$500
Senior Projects/Activities	\$700
Seniors Christmas Party	\$1,000
Winter Festival Markets	\$10,500
Youth Week	\$1,650
Fishing Fiesta	\$6,000
Thank A Volunteer Day	\$1,000
Youth Projects/activities	\$1,500

Over the past few months, Covid-19 has caused considerable disruption to the local community, including the cancellation, or an inability to schedule, some of these regular events. In addition, Covid-19 has significantly impacted many of those in the local community in terms of income, and social connection, while others have continued to work to provide essential services for everyone.

COMMENT

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The events currently funded by Council are either part of a National event (Australia Day, Anzac Day), support a specific group (Youth Week/activities, Seniors events) or are designed to attract a tourism spend in town (Winter Festival Markets).

This agenda item proposed Council consider allocating a one-off amount in 2020/2021 specifically for an event to “thank” the local community. This event would acknowledge the essential workers who continued to provide services, thank the business who had to hibernate or creatively adjust their business product, thank the broader community for its compliance with State and Federal directives, and thank everyone who supported, encourage and helped everyone else during the uncertainty of Covid-19.

As the State roadmap to recovery is still being finalised, there are no specifics for this event at this stage, but it is suggested the event be held outside of school holidays so it can be directed at the local community rather than tourists. The timing of when the event can be held will influence what it looks like, for instance, a street party could possibly be held in August/September, or if it needs to be held later, a community Christmas party may become an option.

If Council agrees to the concept of such an event, the community development staff will also seek external funding sources to complement, or even reduce, Council’s contribution to the event.

### LEGAL IMPLICATIONS

There are no legal implications relevant to this item.

### POLICY IMPLICATIONS

There are no policy implications relevant to this item.

### FINANCIAL IMPLICATIONS

If Council agrees to consider an allocation of \$10,000 for a celebratory event, this will reduce the amount of money remaining for other considerations in the 2020/2021 budget.

Council may also consider allocating the \$10,000 from the Community Assistance Grants budget for 2020/2021. In 2019/2020 Council approved an allocation of \$50,000 for the Community Assistance Grants, consisting of \$10,000 for equipment and small grants (Round1), \$20,000 for community events (Round 2) and \$20,000 for Significant Events (available throughout the year).

### STRATEGIC IMPLICATIONS

Strategic Community Plan 2020– 2030

7.1 Encourage and support community engagement

### RISK MANAGEMENT

There are no risks relevant to this item

### VOTING REQUIREMENTS

Simple majority required

### SIGNATURES

Author

*D Wilkes*

Chief Executive Officer

*P Anderson*

Date of Report

15 May 2020

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14.2 NATIONAL REDRESS SCHEME – PARTICIPATION OF WESTERN AUSTRALIAN LOCAL GOVERNMENTS  
CU00012

AUTHOR

Executive Manager Community Development

DISCLOSURE OF ANY INTEREST

Nil

Officer Recommendation

Option 1. That Council:

- a. Notes the consultation undertaken and information provided by the Department of Local Government, Sport and Cultural Industries in regarding the National Redress Scheme and the participation of WA Local Governments;
- b. Notes that the Shire of Shark Bay will not be included in the WA Government's amended participation declaration (and afforded the associated financial and administrative coverage), unless the Shire of Shark Bay makes a specific and formal decision to be included;
- c. Endorses the participation of the Shire of Shark Bay in the National Redress Scheme as a State Government institution and included as part of the State Government's declaration;
- d. Grants authority to the Chief Executive Officer to execute a service agreement with the State, if a Redress application is received;
- e. Notes that a confidential report will be provided if a Redress application is received by the Shire of Shark Bay.

OR

Option 2. That Council

- a. Notes the consultation undertaken and information provided by the Department of Local Government, Sport and Cultural Industries in regarding the National Redress Scheme and the participation of WA Local Governments;
- b. Notes that the Shire of Shark Bay will not be included in the WA Government's amended participation declaration (and afforded the associated financial and administrative coverage), unless the Shire of Shark Bay makes a specific and formal decision to be included;
- c. Endorses that the Shire of Shark Bay does NOT want to participate in the National Redress Scheme either individually or as part of the State's declaration.

Moved            Cr Cowell

Seconded      Cr Fenny

**Council Resolution**

**That Council:**

- a. Notes the consultation undertaken and information provided by the Department of Local Government, Sport and Cultural Industries in regarding the National Redress Scheme and the participation of WA Local Governments;**
- b. Notes that the Shire of Shark Bay will not be included in the WA Government's amended participation declaration (and afforded the associated financial and**

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administrative coverage), unless the Shire of Shark Bay makes a specific and formal decision to be included;

c. Endorses the participation of the Shire of Shark Bay in the National Redress Scheme as a State Government institution and included as part of the State Government's declaration;

d. Grants authority to the Chief Executive Officer to execute a service agreement with the State, if a Redress application is received;

e. Notes that a confidential report will be provided if a Redress application is received by the Shire of Shark Bay.

**6/0 CARRIED**

#### BACKGROUND

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) was established in 2013 to investigate failures of public and private institutions to protect children from sexual abuse. The Royal Commission released three reports throughout the inquiry:

- Working with Children Checks (August 2015);
- Redress and Civil Litigation (September 2015); and
- Criminal Justice (August 2017).

The Royal Commission's Final Report (15 December 2017) incorporated findings and recommendations of the three previous reports and contained a total of 409 recommendations, of which 310 are applicable to the Western Australian Government and the broader WA community.

The implications of the Royal Commission's recommendations are twofold: the first is accountability for historical breaches in the duty of care that occurred before 1 July 2018 within any institution; the second is future-facing, ensuring better child safe approaches are implemented holistically moving forward.

The scope of this report addresses only the historical element of institutional child sexual abuse through the National Redress Scheme.

All levels of Australian society (including the WA local government sector and the Shire of Shark Bay) will be required to consider leading practice approaches to child safeguarding separately in the future.

#### National Redress Scheme

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single National Redress Scheme (the Scheme) to recognise the harm suffered by survivors of institutional child sexual abuse.

The Scheme acknowledges that children were sexually abused, recognises the suffering endured, holds institutions accountable and helps those who have been abused access counselling, psychological services, an apology and a redress payment.

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The Scheme commenced on 1 July 2018, will run for 10 years and offers eligible applicants three elements of Redress:

- A direct personal response (apology) from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

All State and Territory Governments and many major non-government organisations and church groups have joined the Scheme.

The WA Parliament has passed the legislation for the Government and WA based non-government organisations to participate in the National Redress Scheme.

The Western Australian Government (the State) started participating in the Scheme from 1 January 2019.

Under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth), local governments may be considered a State Government institution.<sup>1</sup>

A decision was made at the time of joining the Scheme to exclude WA local governments from the State Government's participation declaration. This was to allow consultation to occur with the sector about the Scheme, and for fuller consideration of how the WA local government sector could best participate.

#### DETAILS

Following extensive consultation, the State Government (December 2019):

- Noted the consultations undertaken to date with the WA local government sector about the National Redress Scheme;
- Noted the options for WA local government participation in the Scheme;
- Agreed to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and
- Agrees to the Department of Local Government, Sport and Cultural Industries leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

The following will be covered for local governments participating in the Scheme as a State Government institution and part of the State's declaration:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping in accordance with the *State Records Act 2000*); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below for further explanation).

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State Government financial support for local government participation in the Scheme, as set out, will ensure that Redress is available to as many WA survivors of institutional child sexual abuse as possible.

Individual local governments participating in the Scheme as a State Government institution, with the State will be responsible for:

- Providing the State with the necessary (facilities and services) information to participate in the Scheme;
- Resources and costs associated with gathering their own (internal) information and providing that information (Request for Information) to the State (if they receive a Redress application); and
- Costs associated with the delivery of a Direct Personal Response (apology), if requested (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). The State's decision includes that all requested Direct Personal Response's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice, on every occasion.

The Western Australian Local Government Association State Council meeting of 4 March 2020:

1. Acknowledged the State Government's decision to include the participation of Local Governments in the National Redress Scheme as part of the State's declaration;
2. Endorsed the negotiation of a Memorandum of Understanding and Template Service Agreement with the State Government, and
3. Endorsed by Flying Minute the Memorandum of Understanding prior to execution, in order to uphold requirements to respond within legislative timeframes.

The State and Western Australian Local Government Association will sign a Memorandum of Understanding to reflect the principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration.

State agencies (led by Department of Local Government, Sports and Cultural Industries, Western Australian Local Government Association and Local Government Professionals WA will support all local governments to prepare to participate in the Scheme from 1 July 2020 (or earlier, subject to completing the necessary arrangements).

The State's decision allows for the WA Government's Scheme participation declaration to be amended to include local governments and this report seeks endorsement of the Shire of Shark Bay's participation in the Scheme.

As an independent entity and for absolute clarity, it is essential that the Shire of Shark Bay formally indicates via a decision of Council, the intention to be considered a State

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Government institution (for the purposes on the National Redress Scheme) and be included in the WA Government's amended participation declaration.

The Shire of Shark Bay will not be included in the State's amended declaration, unless it formally decides to be included.

The financial and administrative coverage offered by the State will only be afforded to WA local governments that join the Scheme as a State Government institution, as part of the State's amended declaration.

The option also exists for the Shire of Shark Bay to formally decide not to participate in the Scheme (either individually or as part of the State's declaration).

Should the Shire of Shark Bay formally decide (via a resolution of Council) not to participate with the State or in the Scheme altogether, considerations for the Shire of Shark Bay include:

- Divergence from the Commonwealth, State, Western Australian Local Government Association and the broader local government sector's position on the Scheme (noting the Commonwealth's preparedness to name-and-shame non-participating organisations).
- Potential reputational damage at a State, sector and community level.
- Complete removal of the State's coverage of costs and administrative support, with the Shire of Shark Bay having full responsibility and liability for any potential claim.
- Acknowledgement that the only remaining method of redress for a victim and survivor would be through civil litigation, with no upper limit, posing a significant financial risk to the Shire of Shark Bay.

### **Considerations for the Shire of Shark Bay**

Detailed below is a list of considerations for the Shire of Shark Bay to participate in the Scheme:

#### **1. Executing a Service Agreement**

All Royal Commission information is confidential, and it is not known if the Shire of Shark Bay will receive a Redress application. A Service Agreement will only be executed if the Shire of Shark Bay receives a Redress application.

Shire of Shark Bay needs to give authority to an appropriate position / officer to execute a service agreement with the State, if a Redress application is received. Timeframes for responding to a Request for Information are 3 weeks for priority applications and 7 weeks for non-priority applications. A priority application timeframe (3 weeks) will be outside most Council meeting cycles and therefore it is necessary to provide the authorisation to execute an agreement in advance.

#### **2. Reporting to Council if / when an application is received**



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Council will receive a confidential report, notifying when a Redress application has been received. All information in the report will be de-identified but will make Council aware that an application has been received.

3. Application Processing / Staffing and Confidentiality

Administratively the Shire of Shark Bay will determine:

- Which position(s) will be responsible for receiving applications and responding to Requests for Information;
- Support mechanisms for staff members processing Requests for Information.

The appointed person(s) will have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest and confidentiality requirements

4. Record Keeping

The State Records Office advised (April 2019) all relevant agencies, including Local Governments, of a 'disposal freeze' initiated under the *State Records Act 2000* (the Act) to protect past and current records that may be relevant to actual and alleged incidents of child sexual abuse. The Shire of Shark Bay's record keeping practices as a result, have been modified to ensure the secure protection and retention of relevant records. These records (or part thereof) may be required to be provided to the State's Redress Coordination Unit in relation to a Redress application.

The Redress Coordination Unit (Department of Justice) is the state record holder for Redress and will keep copies of all documentation and Request for Information responses. Local Governments will be required to keep their own records regarding a Redress application in a confidential and secure manner, and in line with all requirements in *The Act*.

5. Redress Decisions

The Shire of Shark Bay should note that decisions regarding Redress applicant eligibility and the responsible institution(s), are made by Independent Decision Makers, based on the information received by the applicant and any Request for Information responses. The State Government and the Shire of Shark Bay do not have any influence on the decision made and there is no right of appeal.

CONSULTATION

The State, through the Department of Local Government, Sport and Cultural Industries, consulted with the WA local government sector and other key stakeholders on the Royal Commission into Institutional Responses to Child Sexual Abuse (in 2018) and the National Redress Scheme (in 2019).

The consultation throughout 2019 has focused on the National Redress Scheme with the aim of:

- raising awareness about the Scheme;

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- identifying whether WA local governments are considering participating in the Scheme;
- identifying how participation may be facilitated; and
- enabling advice to be provided to Government on the longer-term participation of WA local governments.

Between March and May 2019, Department of Local Government, Sport and Cultural Industries completed consultations that reached 115 out of 137 WA local governments via:

- Webinars to local governments, predominately in regional and remote areas;
- Presentations at 12 Western Australian Local Government Association Zone and Local Government Professional WA meetings;
- Responses to email and telephone enquiries from individual local governments.

It was apparent from the consultations local governments were most commonly concerned about the:

- potential cost of Redress payments;
- availability of historical information;
- capacity of local governments to provide a Direct Personal Response (apology) if requested by Redress recipients;
- process and obligations relating to maintaining confidentiality if Redress applications are received, particularly in small local governments;
- lack of insurance coverage of Redress payments by Local Government Insurance Service, meaning local governments would need to self-fund participation and Redress payments.

Local Government Insurance Service published and distributed an update (April 2019) regarding the considerations and (potential) liability position of the WA local government sector in relation to the National Redress Scheme.

The Western Australian Local Government Association State Council meeting on 3 July 2019 recommended that:

1. *WA local government participation in the State's National Redress Scheme declaration with full financial coverage by the State Government, be endorsed in principle, noting that further engagement with the sector will occur in the second half of 2019.*
2. *Western Australian Local Government Association continue to promote awareness of the National Redress Scheme and note that local governments may wish to join the Scheme in the future to demonstrate a commitment to the victims of institutional child sexual abuse.*

Department of Local Government, Sport and Cultural Industries representatives presented at a Western Australian Local Government Association hosted webinar on 18 February 2020 and presented at all Western Australian Local Government Association Zone meetings in late February 2020.

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The State's decision, in particular to cover the costs / payments to the survivor, has taken into account the feedback provided by local governments during the consultation detailed above.

LEGAL IMPLICATIONS

The Shire of Shark Bay in agreeing to join the Scheme, is required to adhere to legislative requirements set out in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth).

Authorisation of an appropriately appointed person to execute a service agreement with the State, if a Redress application is received, will be in accordance with s.9.49A(4) of the *Local Government Act 1995*.

POLICY IMPLICATIONS

There are no policy implications relevant to this item.

FINANCIAL IMPLICATIONS

The State's decision will cover the following financial costs for local governments:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination or requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response (Direct Personal Response – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below).

The only financial cost the local government may incur will be the payment of the Direct Personal Response's, which is on an 'as requested' basis by the survivor. This will be based on the standard service fee of \$3,000 plus travel and accommodation depending on the survivor's circumstances. All requested Direct Personal Response's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice.

The State's decision also mitigates a significant financial risk to the local government in terms of waiving rights to future claims. Accepting an offer of redress has the effect of releasing the responsible participating organisation and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that the person who receives redress through the Scheme, agrees to not bring or continue any civil claims against the responsible participating organisation in relation to any abuse within the scope of the Scheme.

STRATEGIC IMPLICATIONS

Shire of Shark Bay Strategic Community Plan 2020-2030

Outcome 7: A transparent, resilient organisation demonstrating leadership and governance

RISK MANAGEMENT

If a claim was to be lodged against the Shire of Shark, there is a significant financial risk should the Shire not be part of the National Redress Scheme.

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There is also a potential reputational risk to the Shire if it does not participate in the Scheme, as it may be perceived as disinterested in, or insensitive to, the issues of child sexual abuse.

### VOTING REQUIREMENTS

Simple majority required

### SIGNATURES

Author	<i>D Wilkes</i>
Chief Executive Officer	<i>P Anderson</i>
Date of Report	5 May 2020

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14.3 COMMUNITY ASSISTANCE GRANTS 2020/2021  
GS00001

AUTHOR

Executive Manager Community Development

DISCLOSURE OF ANY INTEREST

Nil

Moved            Cr Ridgely  
Seconded       Cr Bellottie

**Council Resolution**

**1. Council include a budget allocation of \$50,000 for Community Assistance Grants in the draft 2020/2021 budget.**

**2. Council endorse a restructure to the timing of the 2020/2021 Community Assistance Grants allocation to enable Round 2 Community Projects to be given priority as the first available funding for the financial year due to the COVID-19 impact. As the date of the COVID-19 restrictions being lifted is unknown, the timing of the proposed timing restructure for 2020/2021 Community Assistance Grants will be finalised by administration in line with Federal and State directives:**

<b>\$20,000</b>	<b>Round 2 (applications open as soon as relevant restrictions are lifted) Community projects \$2,000 - \$5,000 per application</b>
<b>\$10,000</b>	<b>Round 1 (applications open approx. 6 months after Round 2) Equipment or minor projects \$1,000 per application</b>
<b>\$20,000</b>	<b>Significant Event Sponsorship Funding (applications open all year round).</b>

**6/0 CARRIED**

BACKGROUND

Each year, the Community Assistance Grants allocation of funds are approved by Council. These grants are dedicated to ensuring local community-based organisations are supported to reach their full potential.

At the March 2019 Ordinary Council Meeting, Council resolved a restructure for the 2019/2020 Community Assistance Grants:

Round 1 (applications open September 2019)  
Equipment or minor projects  
\$1,000 per application

Round 2 (applications open April 2020)  
Community projects  
\$2,000 - \$5,000 per application

Significant Event Sponsorship Funding (applications open all year round).

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In 2019/2020 Council approved a budget of \$50,000 for the Community Assistance Grant. Round 1 was advertised in September 2019, with Council approving grants to the value of \$3,688.95. Council have also approved 2 applications for Significant Event funding. However, Round 2, which was scheduled to open in April 2020 did not proceed due to the COVID-19 impact.

### COMMENT

It is important to note that because Round 2 of the Community Assistance Grants (Community Projects) did not process as planned in April 2020, Council has not been able to support small community projects and events so far in 2020. Government directives have also meant that social gatherings have not been able to take place for the past 3 months. The recommendation to change the timing of the Community Assistance Grants in 2020/2021 will benefit the wider Shark Bay community. This will provide a revitalisation opportunity for local community-based organisations to facilitate community projects that will attract additional funds into Town, support local businesses and provide a social connection for our community members. This economic and social support will be necessary following the COVID-19 impact. As the date of the COVID-19 restrictions being lifted is unknown, the timing restructure proposed for 2020/2021 Community Assistance Grants implementation dates cannot be confirmed at this time. Ideally, Round 2 community projects applications will be given a priority and open within the first half of the new financial year.. As per the funding guidelines, successful applicants will have six months to facilitate and acquit their funding. Round 1 will then be advertised approximately 6 months after Round 2.

### LEGAL IMPLICATIONS

There are no legal implications relating to this report

### POLICY IMPLICATIONS

Council Policy 2.2 Financial Assistance and Donations adopted at February 2020 Ordinary Council Meeting

### FINANCIAL IMPLICATIONS

Allocation for each grant round will be as per Councils adopted budget for 2020/21.

### STRATEGIC IMPLICATIONS

Social Objective: A safe, welcoming and inclusive community

### RISK MANAGEMENT

There are no risks associated with this item.

### VOTING REQUIREMENTS

Simple Majority Required

### SIGNATURES

Executive Manager Community Development

*D Wilkes*

Chief Executive Officer

*P Anderson*

Date of Report

15 May 2020

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14.4 BIN STICKER ARTWORK  
WM00008

AUTHOR  
EXECUTIVE MANAGER COMMUNITY DEVELOPMENT

DISCLOSURE OF ANY INTEREST  
Nil

Moved           Cr Stubberfield  
Seconded       Cr Burton

**Council Resolution**

**Council select three winning designs being design numbers 3, 4 and 1 to be used on the Shire's public bins promoting the positive message 'put it in the bin' supporting Keep Australia Beautiful WA, Tidy Towns Sustainable Communities bin sticker art project:**

**6/0 CARRIED**

BACKGROUND

Keep Australia Beautiful WA is providing an opportunity for small remote and regional towns in Western Australia to take part in the Tidy Towns Sustainable Communities bin sticker art project. This project invites community members to design bin stickers to promote the positive 'put it in the bin' message.

At the March 2020 Ordinary Council Meeting, Council resolved:

- 1. Council note that the Shire Community Development Officer will facilitate a community art project to promote the positive message 'put it in the bin' and to advertise the Shark Bay Bring Centre. The art project will include a competition element that will be brought back for Council to choose the winning art designs.*
- 2. Council consider including \$500 for maintenance and/or replacement of stickers in the 2020/2021 budget deliberations.*

The selected stickers will be placed on the yellow public bins along the foreshore, at the Town Hall, Shark Bay Recreation Centre and any other public spaces to encourage residents and tourists to place their rubbish in the bins.

COMMENT

The art competition was facilitated during the month of April, utilising social media, the children and youth take-home activity packs, noticeboards and email communication to promote the competition. The art competition outlined that Council would select three winning designs. Eight creative designs were received from variety of ages groups.

The Shire has about 60 yellow public bins which are used in a rotational pattern with about half the bins being used at any one time and the other half being cleaned. 10 printed stickers will be made from each winning design, a total of 30 stickers. It is acknowledged that at any one time there will be some public bins without stickers, but it is likely this will draw more attention to those that do have stickers, promoting a



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greater usage of them. Alternatively, the cost for additional stickers to be printed (including artwork) is \$25 each + GST.

This project also provides an opportunity for Council to promote recycling at the Bring Centre. An advertisement for the Bring Centre will be placed on the lids of the yellow public bins that have the art stickers.

### LEGAL IMPLICATIONS

There are no legal implications associated with this report.

### POLICY IMPLICATIONS

There are no Policy implications

### FINANCIAL IMPLICATIONS

The total cost for this project is \$362.50 for 30 artwork bin stickers and the Shark Bay Bring Centre advertisement to be printed. The amount can be accommodated within Council's approved 2019/2020 budget allocations.

Should Council wish to select more winning designs and/or print more stickers, each additional sticker will be \$25.00 (ex GST).

### STRATEGIC IMPLICATIONS

Social Objective: A safe, welcoming and inclusive community

Environment Objective: Help protect our unique natural and built environment.

### RISK MANAGEMENT

There is a potential reputational risk to Council in operating a competition. To ensure fairness, the administration staff provided art project guidelines that mentioned Council decision was final when selecting the winning designs.

### VOTING REQUIREMENTS

Simple Majority Required

### SIGNATURES

Executive Manager Community Development

*D Wilkes*

Chief Executive Officer

*P Anderson*

Date of Report

15 May 2020

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Design No: 1

**Design a  
Bin Sticker**  
(print template  
A4 or A3 size)

THIS WAY UP



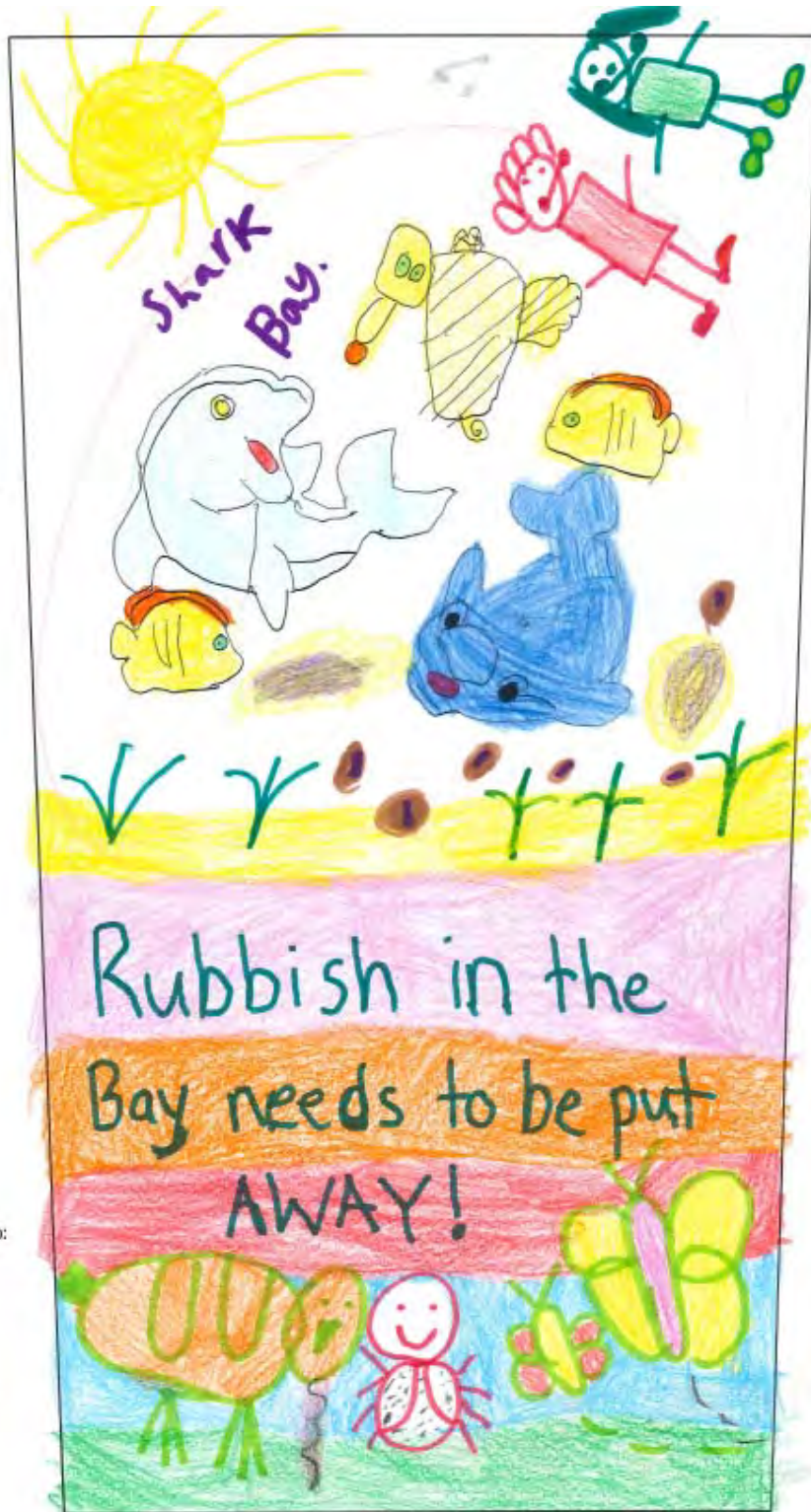
*Pippa Francis*  
Name  
Community: Shire of Shark Bay

Send completed designs to:

Shire of Shark Bay  
65 Knight Tce, Denham

OR

[info@sharkbay.wa.gov.au](mailto:info@sharkbay.wa.gov.au)



Design No: 2

27 MAY 2020

**Design a  
Bin Sticker**  
(print template  
A4 or A3 size)

THIS WAY UP



Name Kaylee Francis

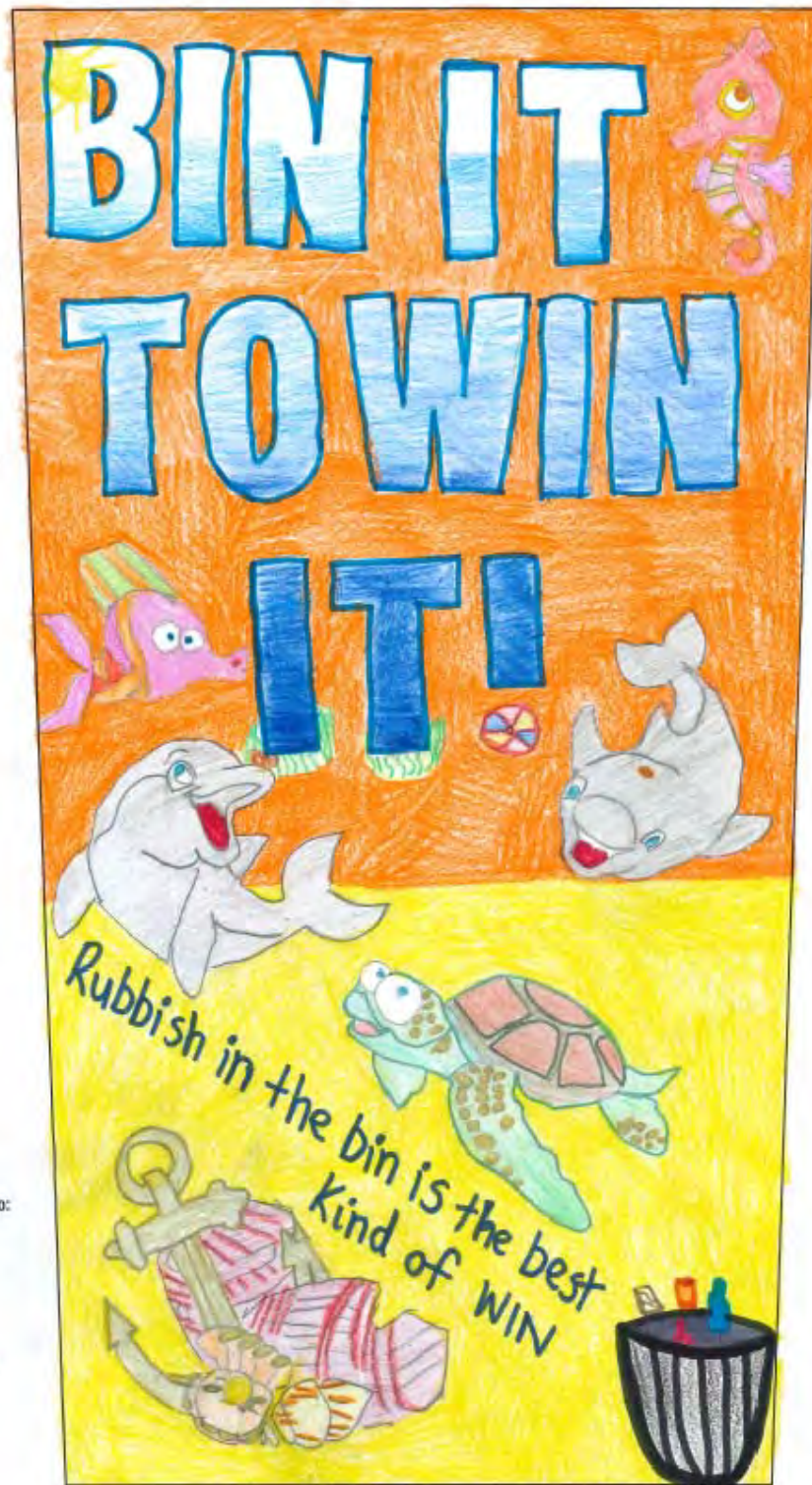
Community: Shire of Shark Bay

Send completed designs to:

Shire of Shark Bay  
65 Knight Tce, Denham

OR

[cdo@sharkbay.wa.gov.au](mailto:cdo@sharkbay.wa.gov.au)



**Design No: 3**



27 MAY 2020

**Design a  
Bin Sticker**  
(print template  
A4 or A3 size)



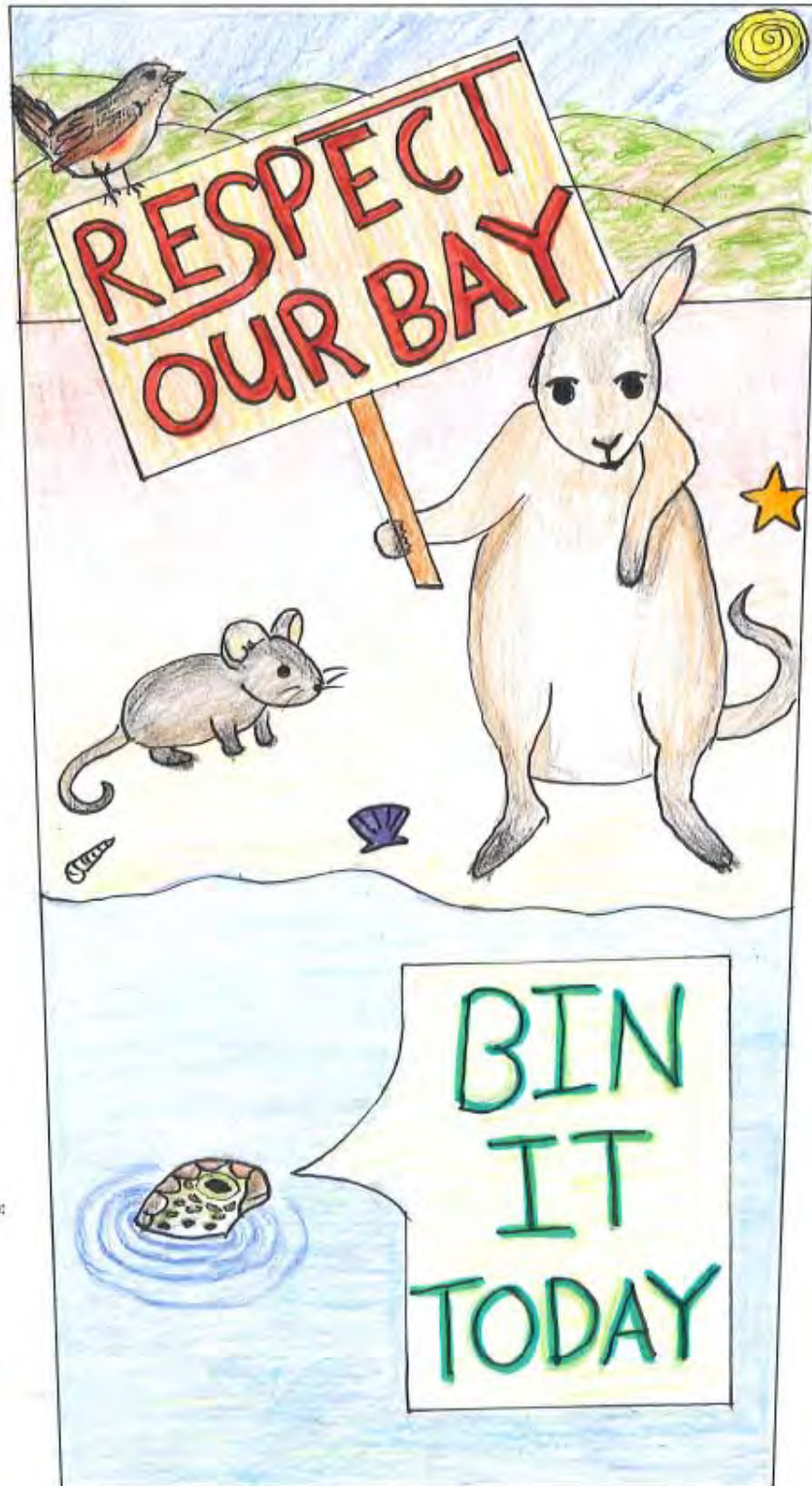
Name Jaylah Garner  
Community: Shire of Shark Bay

Send completed designs to:

Shire of Shark Bay  
65 Knight Tce, Denham

OR

[cdo@sharkbay.wa.gov.au](mailto:cdo@sharkbay.wa.gov.au)



**Design No: 4**

27 MAY 2020

**Design a  
Bin Sticker**  
(print template  
A4 or A3 size)

THIS WAY UP



Name Nat. Dul  
Community: Shire of Shark Bay

Send completed designs to:

Shire of Shark Bay  
65 Knight Toe, Denham

OR

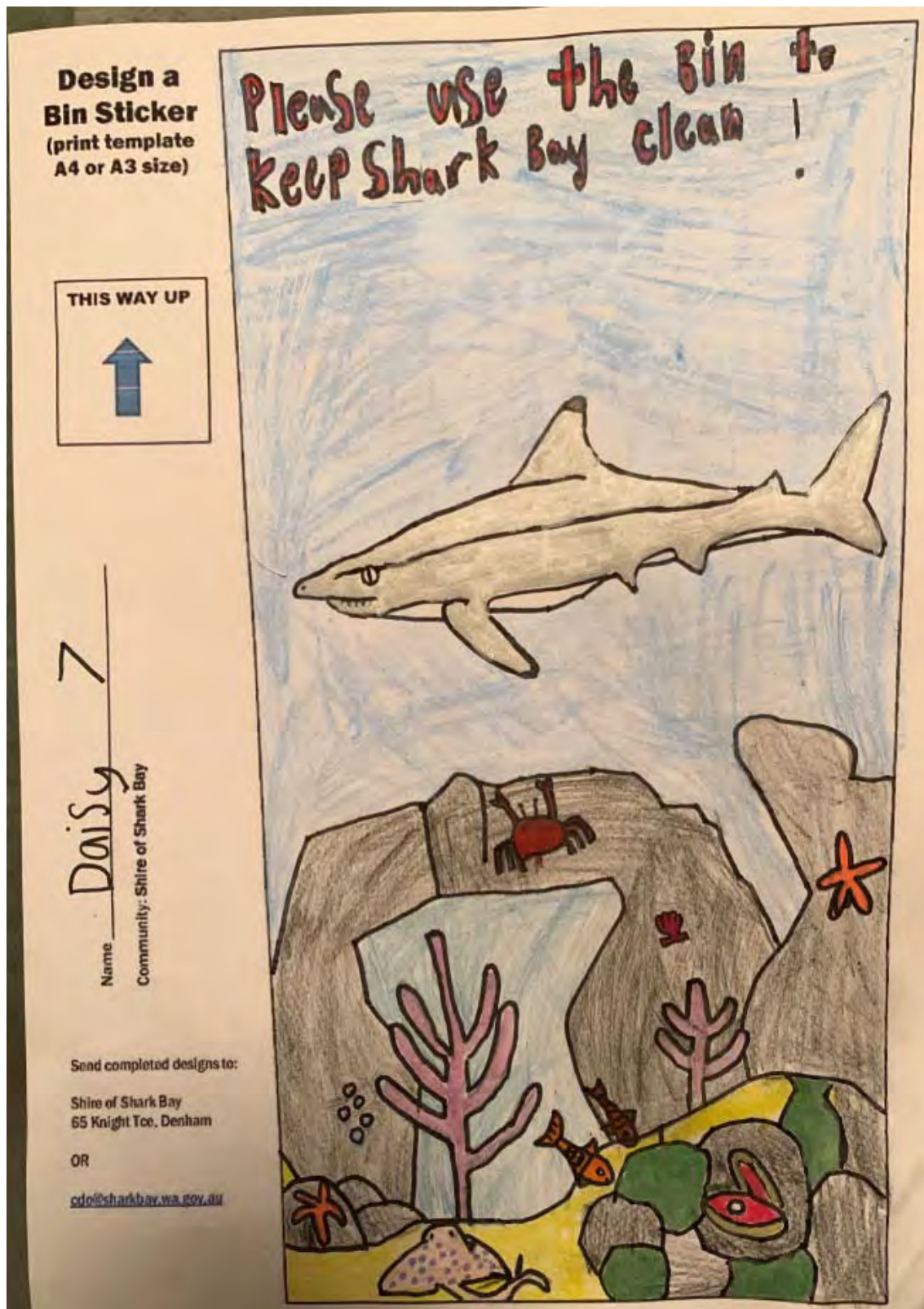
[cdo@sharkbay.wa.gov.au](mailto:cdo@sharkbay.wa.gov.au)



**Design No: 5**



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Design No: 6

27 MAY 2020

**Design a  
Bin Sticker**  
(print template  
A4 or A3 size)



Name Anonymous  
Community: Shire of Shark Bay

Send completed designs to:

Shire of Shark Bay  
65 Knight Tce, Denham

OR

[cdo@sharkbay.wa.gov.au](mailto:cdo@sharkbay.wa.gov.au)



**Design No: 7**



27 MAY 2020

**Design a  
Bin Sticker**  
(print template  
A4 or A3 size)

THIS WAY UP



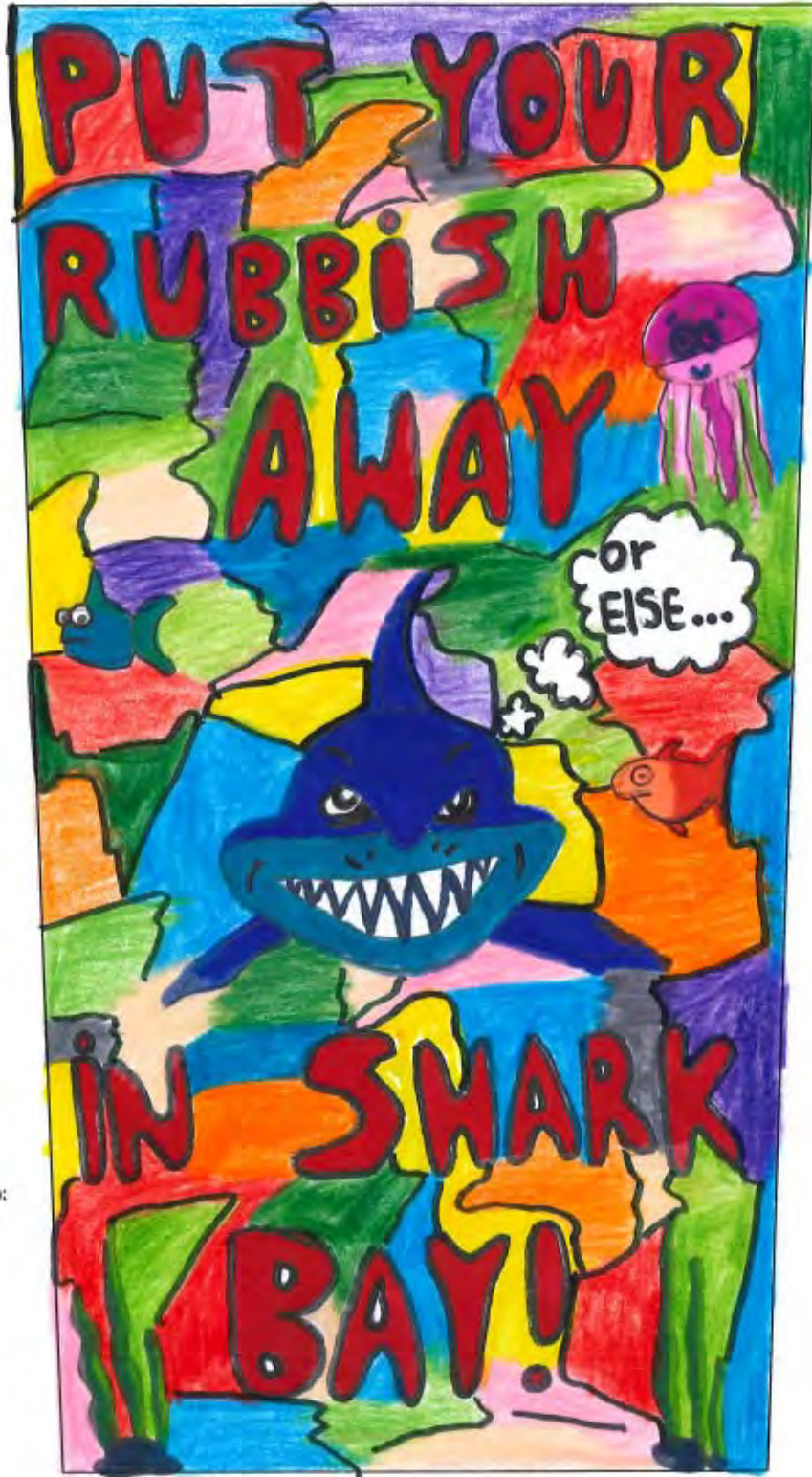
Name *Amidy Oakley*  
Community: Shire of Shark Bay

Send completed designs to:

Shire of Shark Bay  
65 Knight Tce, Denham

OR

[cdo@sharkbay.wa.gov.au](mailto:cdo@sharkbay.wa.gov.au)



**Design No: 8**

27 MAY 2020

**Design a  
Bin Sticker**  
(print template  
A4 or A3 size)

THIS WAY UP



Anonymous

Name

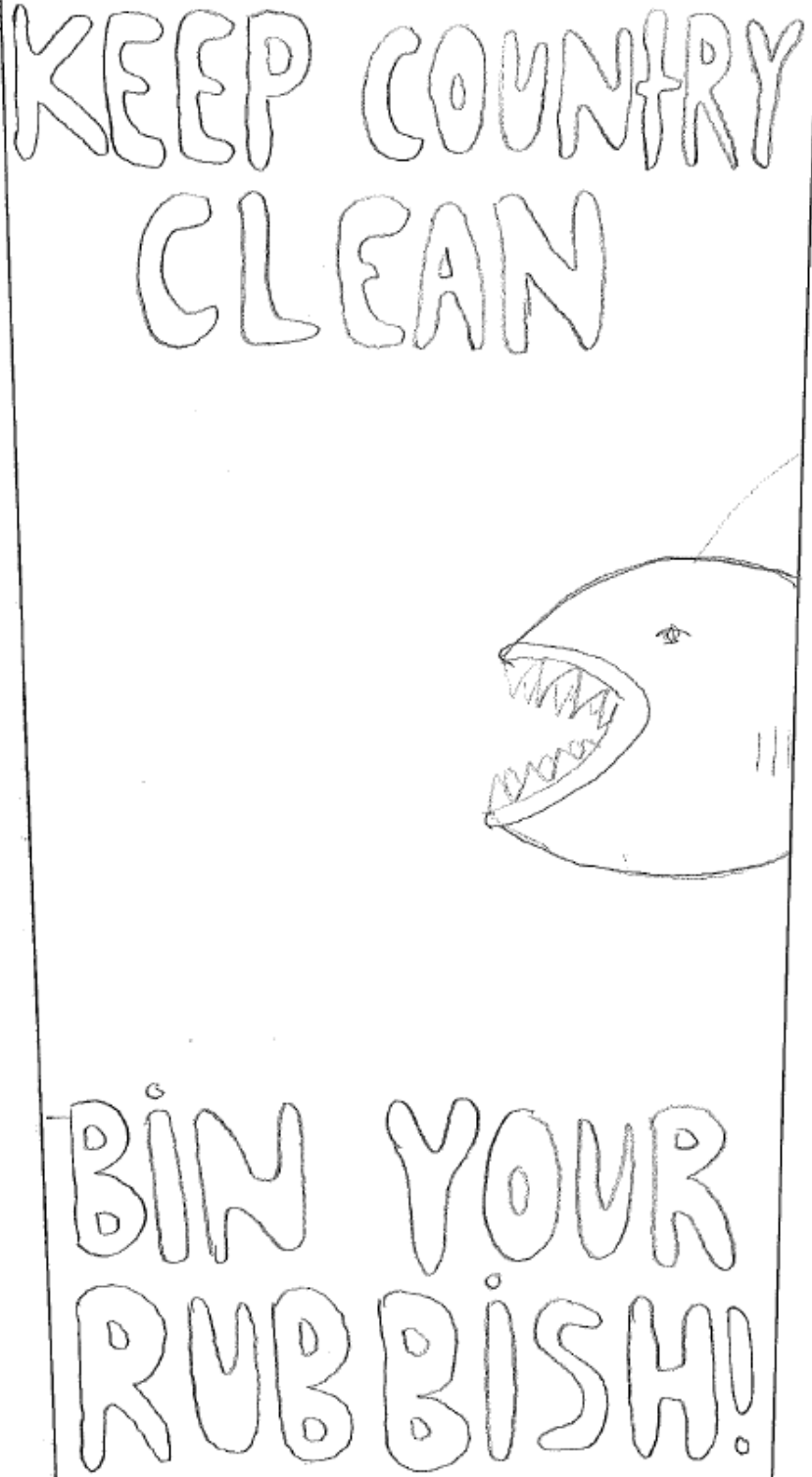
Community: Shire of Shark Bay

Send completed designs to:

Shire of Shark Bay  
65 Knight Tce, Denham

OR

[cdo@sharkbay.wa.gov.au](mailto:cdo@sharkbay.wa.gov.au)



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**15.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

There were no motions of which previous notice haven been given.

**16.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

Moved            Cr Fenny  
Seconded       Cr Burton

**Council Resolution**

**That Council accept the tabling of urgent business items as follows:**

**16.1 Malgana Signage**

**6/0 CARRIED**

**16.1 MALGANA SIGNAGE**  
RD00025

Author  
Works Manager

Disclosure of Any Interest  
Nil

Moved            Cr Ridgely  
Seconded       Cr Fenny

**Council Resolution**

**That Council instruct administration to proceed with the implementation of the Malgana sign installation with artwork as presented.**

**That Council authorise an amount of \$2,296.36 be allocated for the fabrication and installation of a Dual Language Malgana sign approximately 1 Kilometre west of the Shark Bay Road / North West Coastal Highway intersection.**

**6/0 CARRIED**

**Background**

At the Ordinary Council Meeting held 26 February 2020 the following resolution was made by council:

Moved            Cr Ridgely  
Seconded       Cr Cowell

**Council Resolution**

***That Council note and endorse, as amended by Council, the Shire signage incorporating the Malgana language in the concept drawing's as presented.***

***That Council instruct administration to proceed with artwork, as amended by Council and costings for presentation to the March 2020 Ordinary Council meeting.***

**6/0 CARRIED**

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Comment

As per the resolution by council on the 26 February 2020 administration has the final artwork and costing to present to Council.

Legal Implications

There are no legal implications to this report

Policy Implications

There are no policy implications to this report

Financial Implications

Costs associated with this project will be the Sign cost, Freight cost and plant and labour cost to install the sign.

A quote received from Jason Signs has been attached to this report.

The total cost of the sign is \$891.72.

The sign has been costed to the same specifications as Parks and Wildlife's signs. This is also the same specifications as the recent signage installed at the Little Lagoon for the rehabilitation project.

Freight quotes have come in at \$129.64

One day's labour for two shire staff and a truck has been allowed for the installation.

Labour and plant costs come to \$1,275.00

Total cost for the project is expected to be \$2,296.36

Strategic Implications

There are no strategic implications relative to this report.

Risk Management Implications

There are no risk associated with this report

Voting Requirements

Simple Majority Required

Signatures

Author *B Galvin*

Chief Executive Officer *P Anderson*

Date of Report 26 May 2020



27 MAY 2020



## MINUTES OF THE ORDINARY COUNCIL MEETING

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**17.0 MATTERS BEHIND CLOSED DOORS**

There were no matters required for behind closed doors presented to the May 2020 Ordinary Council meeting.

**18.0 DATE AND TIME OF NEXT MEETING**

The next Ordinary meeting of the Shark Bay Shire Council will be held on the 24 June 2020, commencing at 3.00 pm.

**19.0 CLOSURE OF MEETING**

As there was no further business the President closed the Ordinary Council meeting at 4.50 pm.