

SHIRE OF SHARK BAY MINUTES

29 May 2024

ORDINARY COUNCIL MEETING



SHARK BAY



29 MAY 2024



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The Shire of Shark Bay advises that no action should be taken on any application or item discussed at a Council meeting and should only rely on **WRITTEN ADVICE** of the outcome and any conditions attaching to the decision made by the Shire of Shark Bay.

MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

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 29 May 2024 commencing at 1.05 pm.

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1.0 DECLARATION OF OPENING

The President declared the May 2024 Ordinary Council meeting open at 1.05 pm.

2.0 ACKNOWLEDGEMENT OF COUNTRY

I would like to acknowledge the Malgana People as the traditional custodians of the land and sea in and around the Shire of Shark Bay.

I pay my respects to their Elders past, present and emerging.

3.0 RECORD OF ATTENDANCES / APOLOGIES / LEAVE OF ABSENCE GRANTED

ATTENDANCES

Cr C Cowell	President
Cr P Stubberfield	Deputy President
Cr L Bellottie	
Cr E Fenny	
Cr G Ridgley	
Cr M Smith	
Cr M Vankova	

Mr D Chapman	Chief Executive Officer
Mr B Galvin	Works Manager
Mrs D Wilkes	Deputy Chief Executive Officer
Mrs R Mettam	Executive Assistant

APOLOGIES

No apologies presented to the May 2024 Ordinary Council meeting.

VISITORS

3 Visitors in the Gallery after 2.00 pm.

4.0 RESPONSE TO PREVIOUS PUBLIC QUESTIONS ON NOTICE

There were no previous public questions on notice.

5.0 PUBLIC QUESTION TIME

The President opened public question time at 1.06 pm and as there were no visitors in the gallery at the time the President closed public question time at 1.06 pm.

29 MAY 2024

6.0 APPLICATIONS FOR LEAVE OF ABSENCE

There were no applications for leave of absence from the May 2024 Ordinary Council meeting.

7.0 PETITIONS

There were no petitions presented to the May 2024 Ordinary Council meeting.

8.0 CONFIRMATION OF MINUTES

8.1 CONFIRMATION OF THE MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 24 APRIL 2024

Moved Cr Smith
Seconded Cr Vankova

Council Resolution

That the minutes of the Ordinary Council meeting held on 24 April 2024, as circulated to all Councillors, be confirmed as a true and accurate record.

7/0 CARRIED

9.0 ANNOUNCEMENTS BY THE CHAIR

There were no announcements made by the President.

29 MAY 2024

10.0 FINANCE REPORT

10.1 SCHEDULE OF ACCOUNTS PAID TO BE RECEIVED
CM00017

Author

Finance Officer / Accounts Payable

Disclosure of any Interest

Nil

Moved

Cr Bellottie

Seconded

Cr Vankova

Council Resolution

That the cheques and electronic payments as per the attached schedules of accounts for payment totalling \$809,450.09 be accepted.

7/0 CARRIED

Comment

The schedules of accounts for payment covering -

Municipal fund credit card direct debits for the month of April 2024 totalling \$5,222.82

No Municipal fund account cheque numbers were issued for April 2024 totalling \$0.00

Municipal fund direct debits to Council for the month of April 2024 totalling \$37,005.39

Municipal fund account electronic payment numbers MUNI 32159 to 32267 totalling \$617,380.41

Municipal fund account for April 2024 payroll totalling \$142,303.82

Municipal fund Police Licensing for April 2024 transaction number 222340 totalling \$7,537.65 and

No Trust fund account cheque numbers were issued for April 2024 totalling \$0

The schedule of accounts submitted to each member of Council on 24 May 2024 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.

MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

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.

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

Chief Executive Officer

D Chapman

Date of Report

21 May 2024

MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

SHIRE OF SHARK BAY – CREDIT CARD

PERIOD – APRIL 2024

TOTAL \$5,222.82

CEO

DATE	NAME	DESCRIPTION	AMOUNT
26/03/2024	RAC MONKEY MIA RESORT	DINNER CEO AND PLANNING OFFICER - HOLIDAY HOUSING WORKSHOP	\$98.15
4/04/2024	REGIONAL EXPRESS	RETURN FLIGHTS FOR LIZ BUSHBY TO ATTEND ORDINARY COUNCIL MEETING AND PRESENT WORKSHOP 24 APRIL 2024	\$940.16
		TOTAL	\$1,038.31

SFA

DATE	NAME	DESCRIPTION	AMOUNT
14/03/2024	REX	FLIGHT FOR LIZ BUSHBY TO ATTEND ORDINARY COUNCIL MEETING AND PRESENT WORKSHOP 27 MARCH 2024	\$509.74
20/03/2024	SHARK BAY PHARMACY	HAND SANITISERS FOR ADMINISTRATION OFFICE	\$35.97
22/03/2024	OCEANSIDE VILLAGE	ACCOMMODATION FOR LIZ BUSHBY DURING SITE VISIT	\$360.00
27/03/2024	STARLINK AUSTRALIA	STARLINK INTERNET 20 MARCH TO 19 APRIL 2024 FOR TAMALA CAMP (PP118), REFUSE SITE AND BUSH FIRE BRIGADE	\$452.00
4/04/2024	BELONG	BELONG INTERNET 04 APRIL 2024 TO 03 MAY 2024 FOR RECREATION CENTRE DOOR ENTRY	\$15.00
4/04/2024	BELONG	BELONG INTERNET 04 APRIL 2024 TO 03 MAY 2024 FOR DENHAM HALL DOOR ENTRY	\$15.00
9/04/2024	HOTEL AT BOOKING.COM	ACCOMMODATION FOR RANGER DURING RANGER TRAINING - 4 EXTRA NIGHTS ON CHARGEABLE TO RANGER	\$2,796.80
		TOTAL	\$4,184.51

MINUTES OF THE ORDINARY COUNCIL MEETING

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DCEO

DATE	NAME	DESCRIPTION	AMOUNT
		NO PURCHASES THIS PERIOD	
		TOTAL	\$0.00

**SHIRE OF SHARK BAY – MUNI DIRECT DEBITS
APRIL 2024**

DD #	DATE	NAME	DESCRIPTION	AMOUNT
DD17676.1	04/04/2024	WATER CORPORATION - OSBORNE PARK	COMMUNITY STANDPIPE - WATER USAGE 07 FEBRUARY TO 05 MARCH 2024	-2.87
DD17678.1	07/04/2024	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-2229.78
DD17678.2	07/04/2024	AUSTRALIAN RETIREMENT TRUST	SUPERANNUATION CONTRIBUTIONS	-502.50
DD17678.3	07/04/2024	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-288.81
DD17678.4	07/04/2024	AMP SUPER DIRECTIONS FUND	SUPERANNUATION CONTRIBUTIONS	-265.36
DD17678.5	07/04/2024	FUTURE SUPER FUND	SUPERANNUATION CONTRIBUTIONS	-160.35
DD17678.6	07/04/2024	MLC SUPER FUND	SUPERANNUATION CONTRIBUTIONS	-470.41
DD17678.7	07/04/2024	CRUELTY FREE SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-210.46
DD17678.8	07/04/2024	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-497.02
DD17678.9	07/04/2024	NATIONAL MUTUAL RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	-591.03
DD17681.1	07/04/2024	URL NETWORKS PTY LTD	SHIRE OFFICES TELEPHONE CHARGES - 07 APRIL TO 06 MAY 2024	-128.36
DD17693.1	30/04/2024	EXETEL PTY LTD	ADMINISTRATION OFFICE INTERNET CHARGES - MAY 2024	-105.00
DD17696.1	12/04/2024	WATER CORPORATION - OSBORNE PARK	VARIOUS SHIRE PROPERTIES - WATER USAGE AND SERVICE CHARGES	-3125.26
DD17696.2	17/04/2024	WATER CORPORATION - OSBORNE PARK	VARIOUS SHIRE PROPERTIES - WATER USAGE AND SERVICE CHARGES	-476.06

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DD #	DATE	NAME	DESCRIPTION	AMOUNT
DD17696.3	18/04/2024	WATER CORPORATION - OSBORNE PARK	VARIOUS SHIRE PROPERTIES - WATER USAGE AND SERVICE CHARGES	-3149.99
DD17696.4	24/04/2024	WATER CORPORATION - OSBORNE PARK	DEPOT - WATER USAGE	-1946.38
DD17696.5	29/04/2024	WATER CORPORATION - OSBORNE PARK	COMMUNITY STANDPIPE - WATER USAGE 06 MARCH TO 04 APRIL 2024	-25.80
DD17696.6	15/04/2024	WATER CORPORATION - OSBORNE PARK	VARIOUS SHIRE PROPERTIES - WATER USAGE AND SERVICE CHARGES	-6261.47
DD17698.1	30/04/2024	EXETEL PTY LTD	SHIRE PROPERTIES INTERNET CHARGES - MAY 2024	-382.35
DD17701.1	19/04/2024	VIVA ENERGY AUSTRALIA	MONTHLY FUEL ACCOUNT - MARCH 2024	-77.87
DD17704.1	21/04/2024	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	-1887.27
DD17704.2	21/04/2024	AUSTRALIAN RETIREMENT TRUST	SUPERANNUATION CONTRIBUTIONS	-502.50
DD17704.3	21/04/2024	CBUS SUPER	SUPERANNUATION CONTRIBUTIONS	-288.81
DD17704.4	21/04/2024	AMP SUPER DIRECTIONS FUND	SUPERANNUATION CONTRIBUTIONS	-265.36
DD17704.5	21/04/2024	FUTURE SUPER FUND	SUPERANNUATION CONTRIBUTIONS	-224.49
DD17704.6	21/04/2024	MLC SUPER FUND	SUPERANNUATION CONTRIBUTIONS	-470.41
DD17704.7	21/04/2024	CRUELTY FREE SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-300.66
DD17704.8	21/04/2024	MTAA SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	-497.02
DD17704.9	21/04/2024	NATIONAL MUTUAL RETIREMENT FUND	SUPERANNUATION CONTRIBUTIONS	-591.03
DD17678.10	07/04/2024	AWARE SUPER	SUPERANNUATION CONTRIBUTIONS	-4499.57
DD17678.11	07/04/2024	EQUIP SUPER	SUPERANNUATION CONTRIBUTIONS	-204.07
DD17678.12	07/04/2024	SUNSUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	-260.96
DD17678.13	07/04/2024	MERCER SUPER TRUST	SUPERANNUATION CONTRIBUTIONS	-57.62
DD17678.14	07/04/2024	ASGARD ELEMENTS SUPER ACCOUNT	SUPERANNUATION CONTRIBUTIONS	-275.00
DD17678.15	07/04/2024	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-516.35
DD17704.10	21/04/2024	AWARE SUPER	SUPERANNUATION CONTRIBUTIONS	-3909.28
DD17704.11	21/04/2024	EQUIP SUPER	SUPERANNUATION CONTRIBUTIONS	-191.43
DD17704.12	21/04/2024	SUNSUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	-244.07
DD17704.13	21/04/2024	MERCER SUPER TRUST	SUPERANNUATION CONTRIBUTIONS	-26.02

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DD #	DATE	NAME	DESCRIPTION	AMOUNT
DD17704.14	21/04/2024	ASGARD ELEMENTS SUPER ACCOUNT	SUPERANNUATION CONTRIBUTIONS	-275.00
DD17704.15	21/04/2024	HOSTPLUS PTY LTD	SUPERANNUATION CONTRIBUTIONS	-516.34
			TOTAL	\$37,005.39

**SHIRE OF SHARK BAY – MUNI EFT
APRIL 2024
EFT 32159 – 32267**

EFT #	DATE	NAME	DESCRIPTION	AMOUNT
EFT32159	03/04/2024	BOOEASY AUSTRALIA PTY LTD	BOOEASY BOOKING FEE - FEBRUARY 2024	-275.00
EFT32160	03/04/2024	BOB WADDELL & ASSOCIATES	CONTRACT RATES OFFICER CHARGES	-165.00
EFT32160	03/04/2024	BOB WADDELL & ASSOCIATES	CONTRACT RATES OFFICER CHARGES	-701.25
EFT32161	03/04/2024	GERALDTON HYDRAULICS	SUPER CRIMPS FOR ROODBERG HYDRAULIC BOAT TRAILER - JINKER (P175)	-43.23
EFT32162	03/04/2024	GERALDTON MOWER & REPAIRS SPECIALISTS	IGNITION MODULE FOR MOWER/WHIPPER SNIPPER (PP076)	-192.50
EFT32163	03/04/2024	HORIZON POWER	SHIRE PROPERTIES ELECTRICITY CHARGES - FEBRUARY 2024	-9582.44
EFT32163	03/04/2024	HORIZON POWER	EMERGENCY SERVICES BUILDING - ELECTRICITY CHARGES	-874.15
EFT32164	03/04/2024	IRWIN PLANT HIRE	SUPPLY OF PLANT AND LABOUR HIRE - CART GRAVEL FROM WHALE BONE PIT TO STELLA ROWLEY DRIVE	-8431.50
EFT32164	03/04/2024	IRWIN PLANT HIRE	SUPPLY OF PLANT AND LABOUR HIRE – CART GRAVEL ON USELESS LOOP ROAD	-7689.55
EFT32165	03/04/2024	TEAM GLOBAL EXPRESS PTY LTD	MONTHLY FREIGHT ACCOUNT - MARCH 2024	-773.78
EFT32166	03/04/2024	GRAYT MAINTENANCE SOLUTIONS	PREPARATION AND DIGGING OF GRAVE AT CEMETERY INCLUDING MACHINERY HIRE	-1672.00

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EFT #	DATE	NAME	DESCRIPTION	AMOUNT
EFT32166	03/04/2024	GRAYT MAINTENANCE SOLUTIONS	HIRE OF MINI EXCAVATOR TO INSTALL PUMP AT TOWN OVAL	-280.50
EFT32166	03/04/2024	GRAYT MAINTENANCE SOLUTIONS	REMOVAL AND REPLACEMENT OF STAINLESS STEEL CABLE AND HARDWARE / REFIT OF NEW STAINLESS STEEL CABLE AND HARDWARE AT LITTLE LAGOON CREEK HUT	-1540.00
EFT32167	03/04/2024	LIFTRITE HIRE & SALES	VALVE ASSY AND FILTER CAB AIR FOR KOBELCO EXCAVATOR (PP127) INCLUDES FREIGHT TO R&L	-378.38
EFT32168	03/04/2024	MARTINA DESIREE (TINKA) ZAUGG	REIMBURSEMENT FOR DECAFFEINATED COFFEE FOR ADMINISTRATION OFFICE	-23.00
EFT32169	03/04/2024	NATURALISTE PLUMBING PTY LTD	REPLACEMENT OF SPINDLE TO FOOT TAP AT FORESHORE SHOWER FACILITIES	-150.00
EFT32170	03/04/2024	SHARK BAY PHARMACY	HAND SANITISERS FOR ADMINISTRATION OFFICE AND ELECTROLYTES FOR DEPOT	-112.93
EFT32171	03/04/2024	XL2	MANAGED IT SERVICES	-123.75
EFT32172	03/04/2024	ROTHWELL PUBLISHING	SBDC MERCHANDISE - AUSTRALIAN ADVENTURE PASSPORTS	-660.00
EFT32173	03/04/2024	SMC MARINE WESTERN AUSTRALIA PTY LTD	PROGRESSIVE PAYMENT - CONTRACTOR COST FOR CONSTRUCTION OF NEW DENHAM FINGER JETTY	-29700.00
EFT32174	03/04/2024	SHARK BAY MARINE	REPAIRS TO BILGE SYSTEM ON THE GALLA	-1640.00
EFT32175	03/04/2024	TELSTRA LIMITED	SMS SERVICE TO PUBLIC WITH COMMUNITY MESSAGES - FEBRUARY 2024	-102.45
EFT32176	03/04/2024	TRUCKLINE PARTS CENTRE	SEALED SPRING BRAKE CHAMBER FOR ROADWEST TANDEM SIDE TIPPER (PP097)	-429.09
EFT32177	03/04/2024	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION	4x COUNCIL MEMBER ESSENTIALS E-LEARNING SUBSCRIPTIONS (MARCH 2024 TO 31 OCTOBER 2024) - CR CHERYL COWELL, CR MARK SMITH, CR GREG RIDGLEY AND CR PIETR STUBBERFIELD	-5544.00
EFT32178	03/04/2024	BAY LODGE MIDWEST OASIS	BOOKEASY OPERATOR PAYMENT MARCH 2024	-554.40
EFT32179	03/04/2024	HARTOG COTTAGES	BOOKEASY OPERATOR PAYMENT MARCH 2024	-290.40

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EFT #	DATE	NAME	DESCRIPTION	AMOUNT
EFT32180	03/04/2024	HAMELIN POOL CARAVAN PARK AND TOURIST CENTRE	BOOKEASY OPERATOR PAYMENT MARCH 2024	-1900.09
EFT32181	03/04/2024	ISLAND LIFE ADVENTURES PTY LTD	BOOKEASY OPERATOR PAYMENT MARCH 2024	-2557.50
EFT32182	03/04/2024	MONKEY MIA YACHT CHARTERS (ARISTOCAT)	BOOKEASY OPERATOR PAYMENT MARCH 2024	-3622.08
EFT32183	03/04/2024	MONKEYMIA WILDSIGHTS	BOOKEASY OPERATOR PAYMENT MARCH 2024	-1163.52
EFT32184	03/04/2024	PINNACLE COACHLINES	BOOKEASY OPERATOR PAYMENT MARCH 2024	-164.80
EFT32185	03/04/2024	RAC TOURISM ASSETS P/L T/A MONKEY MIA DOLPHIN RESORT	BOOKEASY OPERATOR PAYMENT MARCH 2024	-618.64
EFT32186	03/04/2024	SHARK BAY DIVE AND MARINE SAFARIS	BOOKEASY OPERATOR PAYMENT MARCH 2024	-3209.36
EFT32187	03/04/2024	SHARK BAY 4WD TOURS	BOOKEASY OPERATOR PAYMENT MARCH 2024	-1455.52
EFT32188	03/04/2024	SHARK BAY COASTAL TOURS	BOOKEASY OPERATOR PAYMENT MARCH 2024	-1680.80
EFT32189	03/04/2024	TASMAN HOLIDAY PARKS - DENHAM SEASIDE	BOOKEASY OPERATOR PAYMENT MARCH 2024	-184.80
EFT32190	03/04/2024	LAURENCE JAMES MICHAEL BELLOTTIE	COUNCILLOR PAYMENTS - APRIL TO JUNE 2024	-2020.00
EFT32191	03/04/2024	CHERYL LORRAINE COWELL	PRESIDENTS ALLOWANCE - APRIL TO JUNE 2024	-6693.75
EFT32192	03/04/2024	EDMUND GEORGE FENNY	COUNCILLOR PAYMENTS APRIL TO JUNE 2024	-2020.00
EFT32193	03/04/2024	MARK CORBETT SMITH	COUNCILLOR PAYMENTS APRIL TO JUNE 2024	-2020.00
EFT32194	03/04/2024	MIROSLAVA VANKOVA	COUNCILLOR PAYMENTS - APRIL TO JUNE 2024	-2020.00
EFT32195	03/04/2024	PIETR JON STUBBERFIELD	DEPUTY PRESIDENTS PAYMENTS APRIL TO JUNE 2024	-2800.00
EFT32196	03/04/2024	GREGORY LEON RIDGLEY	COUNCILLOR PAYMENTS APRIL TO JUNE 2024	-2020.00
EFT32197	11/04/2024	AUSTRALIAN TAXATION OFFICE	PAYROLL DEDUCTIONS	-17244.00
EFT32198	12/04/2024	ALLERDING AND ASSOCIATES	PROGRESSIVE PAYMENT - CONSULTANCY PLANNING FEES FOR THE PROPOSED SUNDAY ISLAND BAY, DIRK HARTOG ISLAND DEVELOPMENT	-264.00
EFT32199	12/04/2024	AUSTRALIA POST	MONTHLY POSTAL SERVICE - MARCH 2024	-112.94
EFT32200	12/04/2024	BOB WADDELL & ASSOCIATES	CONTRACT RATES OFFICER CHARGES	-453.75
EFT32201	12/04/2024	BEAVIS & SMITH CLEANING & CHEMICALS	MONTHLY CLEANING ACCOUNT - MARCH 2024	-21116.25

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EFT #	DATE	NAME	DESCRIPTION	AMOUNT
EFT32201	12/04/2024	BEAVIS & SMITH CLEANING & CHEMICALS	VARIOUS CLEANING CONSUMABLES – MARCH 2024	-497.75
EFT32201	12/04/2024	BEAVIS & SMITH CLEANING & CHEMICALS	GAS BOTTLES REFILLS – LITTLE LAGOON BARBECUES	-88.00
EFT32202	12/04/2024	CITY OF GREATER GERALDTON	BUILDING CERTIFICATION SERVICES - JANUARY TO MARCH 2024	-1499.03
EFT32203	12/04/2024	HORIZON POWER	STREET LIGHTING - MARCH 2024	-4612.43
EFT32204	12/04/2024	TEAM GLOBAL EXPRESS PTY LTD	MONTHLY FREIGHT ACCOUNT - MARCH 2024	-65.04
EFT32205	12/04/2024	GRAYT MAINTENANCE SOLUTIONS	LAY LIMESTONE WALL ON FORESHORE, EAST END	-5280.00
EFT32206	12/04/2024	MIDWEST WINDSCREENS	OPTITUNE WINDOW TINT FOR 16A SUNTER PLACE AND 65 BROCKMAN STREET	-455.00
EFT32207	12/04/2024	OFFICEWORKS LTD	STATIONERY ORDER MARCH 2024 FOR ADMINISTRATION OFFICE, DISCOVERY CENTRE AND COMMUNITY DEVELOPMENT OFFICER	-203.43
EFT32208	12/04/2024	PEST-A-KILL	MICE MONITORING AND BAITING AT SHIRE PROPERTIES	-440.00
EFT32209	12/04/2024	XL2	WATCHGUARD SECURITY SUBSCRIPTION FIREBOX T40 - 12 MONTHS TO 31 MARCH 2025	-989.45
EFT32209	12/04/2024	XL2	3CX PRO ANNUAL LICENCES FOR 22 SHIRE PHONES	-495.00
EFT32209	12/04/2024	XL2	MANAGED IT SERVICES	-82.50
EFT32210	12/04/2024	QUALITY PRESS	SBDC - SHARK BAY FRIDGE MAGNETS FOR TOURISM PROMOTION AT PERTH CARAVAN AND CAMPING SHOW	-1168.20
EFT32211	12/04/2024	MP ROGERS & ASSOCIATES	PROGRESSIVE PAYMENT - PROJECT MANAGEMENT FOR CONSTRUCTION OF UPGRADED DENHAM REVETMENT	-1344.10
EFT32212	12/04/2024	LYONS ENTERPRISES-SHARK BAY CAR HIRE	MONTHLY CAR HIRE FOR VISITING MEDICAL STAFF, INCLUDING FUEL - MARCH 2024	-1265.00

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EFT #	DATE	NAME	DESCRIPTION	AMOUNT
EFT32213	12/04/2024	SHARK BAY SKIPS PTY LTD	MONTHLY SKIP BIN LIFTS USELESS LOOP / SHARK BAY ROADS MARCH 2024 INCLUDING FUEL LEVY – ON CHARGEABLE TO MAIN ROADS AND DBCA	-6098.40
EFT32214	12/04/2024	MOORE AUSTRALIA	CONTRACT FINANCIAL SERVICES TASKS - MARCH 2024	-13860.00
EFT32215	12/04/2024	TOWN PLANNING INNOVATIONS	GENERAL PLANNING SERVICES - MARCH 2024	-6641.25
EFT32215	12/04/2024	TOWN PLANNING INNOVATIONS	PROGRESSIVE PAYMENT – LOCAL GOVERNMENT STRATEGY REVIEW	-2450.67
EFT32216	12/04/2024	WOODLANDS DISTRIBUTORS AND AGENCIES PTY LTD	2 CARTONS OF COMPOSTABLE DOG WASTE BAGS	-386.32
EFT32217	16/04/2024	SHARK BAY AVIATION	BOOKEASY OPERATOR PAYMENT APRIL 2024	-706.80
EFT32218	16/04/2024	BAY LODGE MIDWEST OASIS	BOOKEASY OPERATOR PAYMENT APRIL 2024	-387.20
EFT32219	16/04/2024	HARTOG COTTAGES	BOOKEASY OPERATOR PAYMENT APRIL 2024	-290.40
EFT32220	16/04/2024	HAMELIN POOL CARAVAN PARK AND TOURIST CENTRE	BOOKEASY OPERATOR PAYMENT APRIL 2024	-2153.87
EFT32221	16/04/2024	ISLAND LIFE ADVENTURES PTY LTD	BOOKEASY OPERATOR PAYMENT APRIL 2024	-3865.84
EFT32222	16/04/2024	MONKEY MIA YACHT CHARTERS (ARISTOCAT)	BOOKEASY OPERATOR PAYMENT APRIL 2024	-3014.00
EFT32223	16/04/2024	PINNACLE COACHLINES	BOOKEASY OPERATOR PAYMENT APRIL 2024	-274.27
EFT32224	16/04/2024	RAC TOURISM ASSETS P/L T/A MONKEY MIA DOLPHIN RESORT	BOOKEASY OPERATOR PAYMENT APRIL 2024	-109.12
EFT32225	16/04/2024	SHARK BAY DIVE AND MARINE SAFARIS	BOOKEASY OPERATOR PAYMENT APRIL 2024	-2952.40
EFT32226	16/04/2024	SHARK BAY 4WD TOURS	BOOKEASY OPERATOR PAYMENT APRIL 2024	-578.16
EFT32227	16/04/2024	SHARK BAY COASTAL TOURS	BOOKEASY OPERATOR PAYMENT APRIL 2024	-1936.00
EFT32228	16/04/2024	SHIRE OF SHARK BAY	BOOKEASY OPERATOR COMMISSION MARCH & APRIL 2024	-5176.09
EFT32229	16/04/2024	TASMAN HOLIDAY PARKS - DENHAM SEASIDE	BOOKEASY OPERATOR PAYMENT APRIL 2024	-765.60
EFT32230	16/04/2024	WARROORA STATION	BOOKEASY OPERATOR PAYMENT APRIL 2024	-115.60

MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

EFT #	DATE	NAME	DESCRIPTION	AMOUNT
EFT32231	18/04/2024	CLARKSON GRAND TOYOTA	SUPPLY OF NEW TOYOTA HILUX 4x4 INCLUDING LICENCE AND ON ROAD COSTS - TOWN GARDENER'S VEHICLE (P219)	-62765.84
EFT32231	18/04/2024	CLARKSON GRAND TOYOTA	SUPPLY OF NEW TOYOTA HILUX 4x4 INCLUDING LICENCE AND ON ROAD COSTS - RANGER VEHICLE (P220)	-62765.84
EFT32232	18/04/2024	REFUEL AUSTRALIA	MONTHLY FUEL ACCOUNT - MARCH 2024	-42382.96
EFT32233	19/04/2024	ALPERSTEIN DESIGNS PTY LTD	SBDC MERCHANDISE - LANYARDS AND BAGS INCLUDING FREIGHT	-3959.78
EFT32234	19/04/2024	AUSCOINSWEST	SBDC MERCHANDISE - COLLECTION COINS AND ALBUMS INCLUDING FREIGHT	-1776.50
EFT32235	19/04/2024	BOB WADDELL & ASSOCIATES	CONTRACT RATES OFFICER CHARGES	-536.25
EFT32236	19/04/2024	CELLARBRATIONS DENHAM	REFRESHMENTS FOR OPENING NIGHT OF JILA KUJARRA ART EXHIBITION	-332.00
EFT32237	19/04/2024	CHUBB FIRE & SECURITY LTD	SBDC - QUARTERLY PREVENTATIVE SECURITY MONITORING	-319.51
EFT32238	19/04/2024	SHARK BAY FUEL FISHING AND CAMPING CENTRE	SHIRE ACCOUNT - FEBRUARY AND MARCH 2024	-1189.44
EFT32239	19/04/2024	SHARK BAY SUPERMARKET	MONTHLY SUPERMARKET ACCOUNT - MARCH 2024	-392.01
EFT32240	19/04/2024	DENHAM WA PTY LTD	MONTHLY SUPERMARKET ACCOUNT - MARCH 2024	-1399.32
EFT32241	19/04/2024	TEAM GLOBAL EXPRESS PTY LTD	FREIGHT ACCOUNT - FEBRUARY AND MARCH 2024	-574.62
EFT32242	19/04/2024	LUKE JOSEPH PORTER	CROSSOVER REIMBURSEMENT - 22 TERRY DESCHAMPS WAY	-540.00
EFT32243	19/04/2024	MITCHELL & BROWN RETRAVISION	60L PORTABLE ENGEL FRIDGE/FREEZER WITH CANVAS TRANSIT BAG FOR WORKS MANAGER VEHICLE (P209)	-2274.00
EFT32244	19/04/2024	LYONS ENTERPRISES AUS PTY LTD T/A COASTAL MARINE & RIGGING	MAINTENANCE ON MONKEY MIA JETTY	-13271.50
EFT32245	19/04/2024	MIDWEST WINDSCREENS	SUPPLY, INSTALL AND TRAVEL - WINDOW TINTING RECREATION CENTRE GYM	-4047.00

MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

EFT #	DATE	NAME	DESCRIPTION	AMOUNT
EFT32246	19/04/2024	OCEANSIDE VILLAGE	ACCOMMODATION FOR LIZ BUSHBY DURING WORKSHOP WITH COUNCILLORS	-200.00
EFT32247	19/04/2024	PURCHER INTERNATIONAL PTY LTD	PARK BRAKE VALVE FOR FREIGHTLINER CORONADO (P174)	-565.97
EFT32248	19/04/2024	XL2	MONTHLY WORKSTATION MONITORING AND SUPPORT WEBROOT ENDPOINT PROTECTION, BACK UP SERVICES, MANAGEMENT FEE FOR VOIP PHONE SYSTEM AND COMPUTER LICENCES - MAY 2024	-2186.33
EFT32249	19/04/2024	SHARK BAY SERVICES	BATTERIES FOR GENERATORS (PP126, PP005, PP021)	-1136.00
EFT32250	19/04/2024	SHORELINE DESIGNS	SBDC MERCHANDISE - CANDLES (PART ORDER)	-2190.00
EFT32251	19/04/2024	SOFIE ALICE HAYES (SOFIE SEYAH ILLUSTRATION)	SBDC MERCHANDISE - PRINTS AND STICKERS	-2005.50
EFT32252	19/04/2024	SHIRE OF CARNARVON	CONTRIBUTION TO THE COMMUNITY EMERGENCY SERVICES MANAGER FOR 01 OCTOBER TO 31 DECEMBER 2023	-9892.46
EFT32253	19/04/2024	SUPERIOR PAK PTY LTD	COIL FOR RUBBISH TRUCK (PS007) INCLUDING FREIGHT	-570.64
EFT32254	19/04/2024	STATROLLS (SCRIBAL GROUP P/L)	SBDC - STATROLLS FOR POINT OF SALE TILL INCLUDING FREIGHT	-973.50
EFT32255	19/04/2024	TELSTRA LIMITED	SHIRE MOBILE TELEPHONE SERVICES 16 MARCH TO 15 APRIL 2024	-353.50
EFT32255	19/04/2024	TELSTRA LIMITED	BUSH FIRE BRIGADE SATELLITE PHONES – 14 APRIL TO 13 MAY 2024	-90.00
EFT32256	19/04/2024	VISIT BRANDS PTY LTD	SBDC MERCHANDISE - MOSQUITO / FLY HEAD NETS INCLUDING FREIGHT	-822.91
EFT32257	19/04/2024	WENDY BINKS - STUNNED EMU DESIGN	SBDC MERCHANDISE - VARIOUS EMU THEMED MERCHANDISE INCLUDING FREIGHT	-2008.15
EFT32258	19/04/2024	MARIE ANNE GAMBLE	RENT SUBSIDY FOR DENHAM DAYCARE EDUCATOR - 07 APRIL TO 04 MAY 2024	-2000.00

MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

EFT #	DATE	NAME	DESCRIPTION	AMOUNT
EFT32259	23/04/2024	BETTA ROADS	SUPPLY OF 67 2KG POLYCOM BOTTLES - USELESS LOOP ROAD RRG	-49379.00
EFT32260	23/04/2024	AIYANA JOAN CHRISTI WRIGHT	REIMBURSEMENT FOR MEALS AND PARKING EXPENSES DURING PERTH CARAVAN AND CAMPING SHOW 20 TO 25 MARCH 2024 - TEAM LEADER SHARK BAY DISCOVERY CENTRE	-312.69
EFT32261	23/04/2024	CROSS COUNTRY CIVIL & CARTAGE	DELIVERY OF 55 TONNES OF COLDMIX ASPHALT TO SHIRE DEPOT - SHARK BAY ROAD EDGE AND POTHOLE REPAIRS	-3859.90
EFT32262	23/04/2024	CATWEST PTY LTD	SUPPLY OF COLDMIX ASPHALT FOR SHARK BAY ROAD EDGE AND POTHOLE REPAIRS	-18150.00
EFT32263	23/04/2024	FLEET COMMERCIAL GYMNASIUMS	SUPPLY, DELIVERY AND INSTALLATION OF NEW GYM EQUIPMENT, LESS TRADE IN OF OLD EQUIPMENT - RECREATION CENTRE GYM	-83704.50
EFT32264	23/04/2024	GERALDTON MOWER & REPAIRS SPECIALISTS	FACTORY FREIGHT AND HANDLING CHARGES FOR IGNITION MODULE FOR MOWER/WHIPPER SNIPPER (PP076)	-35.00
EFT32265	23/04/2024	IRWIN PLANT HIRE	SUPPLY OF PLANT AND LABOUR HIRE - USELESS LOOP ROAD RRG	-10550.10
EFT32266	23/04/2024	XL2	MANAGED IT SERVICES	-82.50
EFT32267	23/04/2024	MOORE AUSTRALIA	CONTRACT FINANCIAL SERVICES TASKS	-10267.17
			TOTAL	\$617,380.41

MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

**SHIRE OF SHARK BAY – MUNI
ELECTRONIC PAYROLL TRANSACTIONS
APRIL 2024**

DATE	NAME	DESCRIPTION	AMOUNT
09/04/2024	PAYROLL	EMPLOYEE NET PAY FOR FORTNIGHT ENDING 07 APRIL 2024	\$70,642.21
23/04/2024	PAYROLL	EMPLOYEE NET PAY FOR FORTNIGHT ENDING 21 APRIL 2024	\$71,661.61
		TOTAL	\$142,303.82

**SHIRE OF SHARK BAY
APRIL 2024
POLICE LICENSING TRANSACTION #222340**

CHQ	DATE	NAME	DESCRIPTION	AMOUNT
222340	30/04/2024	COMMISSIONER OF POLICE	POLICE LICENSING MARCH 2024	\$7,537.65
			TOTAL	\$7,537.65

29 MAY 2024

10.2 FINANCIAL REPORTS TO 30 APRIL 2024
CM00017

Author

Chief Executive Officer

Disclosure of Any Interest

Nil

Moved Cr Stubberfield

Seconded Cr Vankova

Council Resolution

**That the monthly financial report to 30 April 2024 as attached be received.
7/0 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 2024** are attached.

VARIANCE ANALYSIS

Revenue from operating activities - Actual revenue as of 30 April 2024 was \$429,935 less than the year-to-date budget. It should be noted that revenue from grants, subsidies and contributions is under budget by \$148,282 primarily due to a \$130,000 contract liability relative to the Department of Planning Lands and Heritage planning strategy review grant, but also including the timing of receipt of the \$5,000 Strandline Resources education grant and the Department of Fire and Emergency Services/State Emergency Services annual grant.

Interest revenue year to date is \$47,975 less than year to date budget primarily due to the treatment of interest earned on the Social Housing Economic Recovery Package Community Housing grant, in that is being applied directly to the project itself.

Year to date income from fees and charges is \$308,535 less than year to date budget mainly due to the timing of invoicing under the Department of Transport Marina Facility Agreement, and Main Roads WA private works income for Shark Bay Road and Monkey Mia Road that has only just commenced.

An increase in Other Revenue year to date of \$87,725, specifically visitor centre booking commission, insurance reimbursements, merchandise sales and diesel fuel rebate actual income higher than year to date budget.

Expenditure from operating activities - Actual expenditure as of 30 April 2024 is less than the year-to-date budget by \$1,244,519. This is substantially due to less than

MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

year to date expenditure on Employee Costs (\$470,651), and Materials and Contracts (\$498,779).

Capital Revenue - Capital Revenue is \$3,333,247 less than year to date budget due to Grants contract liabilities for the Social Housing Economic Recovery Package Community Housing Project and Denham Finger Jetty, Cyclone Seroja resilience funding, Denham foreshore seawall/revetment, and Roads to Recovery funding not yet received.

Capital Expenditure - Capital Expenditure is consequently \$3,063,134 less than year to date budget. This is broken up between payments for property, plant and equipment \$2,413,994, specifically capital works on staff housing, Social Housing Economic Recovery Package Community Housing Project, various items of plant and equipment and pensioner units, and payments for construction and infrastructure \$649,140, specifically due to no actual expenditure against several Local Roads and Community Infrastructure projects and less than year to date spend against Denham Finger Jetty, and Roads to Recovery funding.

LEGAL IMPLICATIONS

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

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

The financial report shows the financial position of the Shire. Strategies built into the budget to closely manage expenditure remain in place.

STRATEGIC IMPLICATIONS

Strategy 7.2 – Provide appropriate services to the community in a professional and efficient manner.

7.2.2 – Maintain accountability and financial responsibility in accordance with Long Term Financial Plan.

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

D Chapman

Date of Report

21 May 2024

29 MAY 2024

SHIRE OF SHARK BAY
MONTHLY FINANCIAL REPORT
(Containing the required statement of financial activity and statement of financial position)
For the period ended 30 April 2024

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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Please refer to the compilation report

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MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

**SHIRE OF SHARK BAY
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 APRIL 2024**

	Amended Budget Estimates	YTD Budget Estimates	YTD Actual	Variance* \$	Variance* %	Var.
Note	(a) \$	(b) \$	(c) \$	(c) - (b) \$	((c) - (b))/(b) %	
OPERATING ACTIVITIES						
Revenue from operating activities						
General rates	1,488,455	1,488,455	1,476,967	(11,488)	(0.77%)	▼
Rates excluding general rates	113,772	113,772	122,843	9,071	7.97%	▲
Grants, subsidies and contributions	880,222	773,342	625,060	(148,282)	(19.17%)	▼
Fees and charges	1,764,150	1,419,736	1,111,151	(308,585)	(21.74%)	▼
Interest revenue	117,250	98,090	50,115	(47,975)	(48.91%)	▼
Other revenue	169,089	146,003	233,728	87,725	60.08%	▲
Profit on asset disposals	24,483	24,483	14,082	(10,401)	(42.48%)	▼
	4,557,421	4,063,881	3,633,946	(429,935)	(10.58%)	
Expenditure from operating activities						
Employee costs	(2,804,627)	(2,284,725)	(1,814,074)	470,651	20.60%	▲
Materials and contracts	(2,340,437)	(1,759,585)	(1,260,806)	498,779	28.35%	▲
Utility charges	(179,775)	(149,993)	(150,701)	(708)	(0.47%)	▼
Depreciation	(5,231,653)	(4,427,910)	(4,247,751)	180,159	4.07%	▲
Finance costs	(20,139)	(14,754)	(14,753)	1	0.01%	▼
Insurance	(242,362)	(228,005)	(242,064)	(14,059)	(6.17%)	▼
Other expenditure	(229,781)	(208,651)	(183,400)	25,251	12.10%	▲
Loss on asset disposals	(145,336)	(145,336)	(60,891)	84,445	58.10%	▲
	(11,194,110)	(9,218,959)	(7,974,440)	1,244,519	13.50%	
Non-cash amounts excluded from operating activities	2(b) 5,352,506	4,548,763	4,294,560	(254,203)	(5.59%)	▼
Amount attributable to operating activities	(1,284,183)	(606,315)	(45,934)	560,381	92.42%	
INVESTING ACTIVITIES						
Inflows from investing activities						
Proceeds from capital grants, subsidies and contributions	5,956,996	4,236,571	952,415	(3,284,156)	(77.52%)	▼
Proceeds from disposal of assets	327,000	327,000	277,909	(49,091)	(15.01%)	▼
	6,283,996	4,563,571	1,230,324	(3,333,247)	(73.04%)	
Outflows from investing activities						
Payments for property, plant and equipment	(5,380,985)	(3,317,291)	(903,297)	2,413,994	72.77%	▲
Payments for construction of infrastructure	(2,342,373)	(1,474,413)	(825,273)	649,140	44.03%	▲
	(7,723,358)	(4,791,704)	(1,728,570)	3,063,134	63.93%	
Amount attributable to investing activities	(1,439,362)	(228,133)	(498,246)	(270,113)	(118.40%)	
FINANCING ACTIVITIES						
Inflows from financing activities						
Transfer from reserves	1,189,340	0	0	0	0.00%	
	1,189,340	0	0	0	0.00%	
Outflows from financing activities						
Repayment of borrowings	(34,324)	(34,324)	(34,324)	0	0.00%	
Transfer to reserves	(1,199,884)	0	(23,693)	(23,693)	0.00%	▼
	(1,234,208)	(34,324)	(58,017)	(23,693)	(69.03%)	
Amount attributable to financing activities	(44,868)	(34,324)	(58,017)	(23,693)	(69.03%)	
MOVEMENT IN SURPLUS OR DEFICIT						
Surplus or deficit at the start of the financial year	2(a) 2,768,413	2,768,413	2,768,413	0	0.00%	
Amount attributable to operating activities	(1,284,183)	(606,315)	(45,934)	560,381	92.42%	▲
Amount attributable to investing activities	(1,439,362)	(228,133)	(498,246)	(270,113)	(118.40%)	▼
Amount attributable to financing activities	(44,868)	(34,324)	(58,017)	(23,693)	(69.03%)	▼
Surplus or deficit after imposition of general rates	2(a) 0	1,899,641	2,166,216	266,575	14.03%	▲

KEY INFORMATION

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

* Refer to Note 3 for an explanation of the reasons for the variance.

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

Please refer to the compilation report

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MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

**SHIRE OF SHARK BAY
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 30 APRIL 2024**

	Actual 30 June 2023 \$	Actual as at 30 April 2024 \$
CURRENT ASSETS		
Cash and cash equivalents	12,103,541	13,237,452
Trade and other receivables	146,630	159,525
Inventories	129,762	129,762
Other assets	40,645	0
TOTAL CURRENT ASSETS	12,420,578	13,526,739
NON-CURRENT ASSETS		
Trade and other receivables	11,217	11,217
Other financial assets	40,745	40,745
Property, plant and equipment	28,741,170	28,415,373
Infrastructure	71,946,339	69,428,237
TOTAL NON-CURRENT ASSETS	100,739,471	97,895,572
TOTAL ASSETS	113,160,049	111,422,311
CURRENT LIABILITIES		
Trade and other payables	1,075,865	372,227
Other liabilities	3,277,741	5,671,530
Borrowings	34,324	0
Employee related provisions	288,217	282,731
TOTAL CURRENT LIABILITIES	4,676,147	6,326,488
NON-CURRENT LIABILITIES		
Borrowings	667,174	667,174
Employee related provisions	43,110	43,110
TOTAL NON-CURRENT LIABILITIES	710,284	710,284
TOTAL LIABILITIES	5,386,431	7,036,772
NET ASSETS	107,773,618	104,385,539
EQUITY		
Retained surplus	39,744,832	34,693,636
Reserve accounts	5,010,342	5,034,035
Revaluation surplus	63,018,444	64,657,868
TOTAL EQUITY	107,773,618	104,385,539

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

Please refer to the compilation report

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MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

SHIRE OF SHARK BAY NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 APRIL 2024

1 BASIS OF PREPARATION AND SIGNIFICANT ACCOUNTING POLICIES

BASIS OF PREPARATION

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

Local Government Act 1995 requirements

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996*, prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Local Government (Financial Management) Regulations 1996, regulation 34 prescribes contents of the financial report. Supporting information does not form part of the financial report.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements.

Judgements and estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimated fair value of certain financial assets
- impairment of financial assets
- estimation of fair values of land, buildings and infrastructure

SIGNIFICANT ACCOUNTING POLICIES

Significant accounting policies utilised in the preparation of these statements are as described within the 2023-24 Annual Budget. Please refer to the adopted budget document for details of these policies.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 20 May 2024

Please refer to the compilation report

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MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

SHIRE OF SHARK BAY
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 APRIL 2024

2 STATEMENT OF FINANCIAL ACTIVITY INFORMATION

		Amended Budget Opening	Actual as at	Actual as at
(a) Net current assets used in the Statement of Financial Activity		1 July 2023	30 June 2023	30 Apr 2024
Note		\$	\$	\$
	Current assets			
	Cash and cash equivalents	11,663,686	12,103,541	13,237,452
	Trade and other receivables	142,412	146,630	159,525
	Inventories	140,182	129,762	129,762
	Other assets	40,645	40,645	0
		11,986,925	12,420,578	13,526,739
	Less: current liabilities			
	Trade and other payables	(500,313)	(1,075,865)	(372,227)
	Other liabilities	(3,384,911)	(3,277,741)	(5,671,530)
	Borrowings	(34,324)	(34,324)	0
	Employee related provisions	(282,731)	(288,217)	(282,731)
		(4,202,279)	(4,676,147)	(6,326,488)
	Net current assets	7,784,646	7,744,431	7,200,251
	Less: Total adjustments to net current assets	(4,976,018)	(4,976,018)	(5,034,035)
	Closing funding surplus / (deficit)	2,808,628	2,768,413	2,166,216

(b) Non-cash amounts excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

	Amended Budget Estimates	YTD Budget Estimates	YTD Actual
	30 June 2024		
	\$	\$	\$
Adjustments to operating activities			
Less: Profit on asset disposals	(24,483)	(24,483)	(14,082)
Add: Loss on asset disposals	145,336	145,336	60,891
Add: Depreciation	5,231,653	4,427,910	4,247,751
Total non-cash amounts excluded from operating activities	5,352,506	4,548,763	4,294,560

(c) Current assets and liabilities excluded from budgeted deficiency

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32* to agree to the surplus/(deficit) after imposition of general rates.

	Amended Budget Opening	Actual as at	Actual as at
	1 July 2023	30 June 2023	30 Apr 2024
	\$	\$	\$
Adjustments to net current assets			
Less: Reserve accounts	(5,010,342)	(5,010,342)	(5,034,035)
Add: Current liabilities not expected to be cleared at the end of the year			
- Current portion of borrowings	34,324	34,324	0
Total adjustments to net current assets	(4,976,018)	(4,976,018)	(5,034,035)

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

Please refer to the compilation report

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MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

SHIRE OF SHARK BAY NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 APRIL 2024

3 EXPLANATION OF MATERIAL VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.
The material variance adopted by Council for the 2023-24 year is \$5,000 or 5.00% whichever is the greater.

Description	Var. \$ \$	Var. % %
Revenue from operating activities		
General rates Difference in revaluations at time of rate modelling.	(11,488)	(0.77%) ▼
Rates excluding general rates Interim rating for GRV Residential, Vacant and back rates.	9,071	7.97% ▲
Grants, subsidies and contributions Grant - Regional North Local Government and Coburn Resources Education are a contract liability. Timing of DFES/SES grant received.	(148,282)	(19.17%) ▼
Fees and charges Development applications, caravan park leases, and private works actual income higher than YTD budget.	(308,585)	(21.74%) ▼
Entrances fees SBDC, merchandise sales, Denham Marina slipway haulage fees, DOT Marina facility agreement, MRWA Monkey Mia Road and MRWA Shark Bay Road actual income less than YTD budget.		
Interest revenue Interest earnings are lower than the YTD budget and are profiled at 10/12th of the annual budget.	(47,975)	(48.91%) ▼
Other revenue Visitor Centre booking commission, insurance reimbursements, merchandise sales and diesel fuel rebate actual income higher than YTD budget. Fire System Monitoring Reimbursement - no income received.	87,725	60.08% ▲
Profit on asset disposals Timing of assets to be disposed.	(10,401)	(42.48%) ▼
Expenditure from operating activities		
Employee costs Most YTD budgets are profiled as 10/12th of the annual budget. Some YTD actuals are lower than the YTD budget as there are vacant employment positions. Useless Loop road maintenance YTD actuals are higher than YTD budgets. Administration and Community Development salaries, PWOH superannuation, Country Roads maintenance, allowances, public holiday and annual YTD actuals are lower than YTD budget.	470,651	20.60% ▲
Materials and contracts Most YTD budgets are profiled as 10/12th of the annual budget. Shire rebranding, pensioner units maintenance, Planning & Strategy - Regional North Local Government and cleaning BBQs - Foreshore & Lagoon, community events YTD actuals are lower than YTD budget. Salaries and wages admin, cleaning BBQ facilities, maintenance - Country Roads, Useless Loop road maintenance, plant operations costs YTD actuals are higher than YTD budget.	498,779	28.35% ▲
Depreciation YTD budgets are profiled as 10/12th of the annual budget.	180,159	4.07% ▲
Insurance Insurance general is profiled as 10/12th of the annual budget.	(14,059)	(6.17%) ▼
Other expenditure Crossovers YTD actuals are higher than YTD budget - these items may also require revision and reallocated to materials and contracts. SES Denham operating, Council assistance program YTD actuals are lower than YTD budget.	25,251	12.10% ▲
Loss on asset disposals Timing of assets to be disposed.	84,445	58.10% ▲
Non-cash amounts excluded from operating activities Asset depreciation, loss on asset disposals, profit on asset disposals.	(254,203)	(5.59%) ▼

Please refer to the compilation report

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MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

SHIRE OF SHARK BAY NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 APRIL 2024

3 EXPLANATION OF MATERIAL VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.
The material variance adopted by Council for the 2023-24 year is \$5,000 or 5.00% whichever is the greater.

Description	Var. \$ \$	Var. % %
Inflows from investing activities		
Proceeds from capital grants, subsidies and contributions	(3,284,156)	(77.52%) ▼
Grants contract liabilities - SHERP Community Housing, Cyclone Seroja resilience, RRG, LRCL, Finger Jetty. R2R grant not yet received.		
Proceeds from disposal of assets	(49,091)	(15.01%) ▼
Timing of assets to be disposed.		
Outflows from investing activities		
Payments for property, plant and equipment	2,413,994	72.77% ▲
Dual Cab Truck 5T and multi tyred rubber roller YTD actual is higher than YTD budget. Office furniture and equipment, Denham Town Hall, Heritage Stables refurbishment - no YTD actual expenditure. Capital works staff housing, major plant items, pensioner units, SHERP community housing, sport and recreation building YTD actuals are lower than YTD budgets.		
Payments for construction of infrastructure	649,140	44.03% ▲
Regional Road Group YTD actuals are higher than YTD budgets due to timing. Hard Shade Structures - Playgrounds and Access Bicycle and Walking Paths - Recreation Precinct - no YTD actual expenditure. Denham finger jetty, R2R and town oval YTD actuals are lower than YTD budgets.		
Outflows from financing activities		
Transfer to reserves	(23,693)	0.00% ▼
Interest earnings are lower than the YTD budget and are profiled at 10/12th of the annual budget.		
Surplus or deficit after imposition of general rates	266,575	14.03% ▲
Due to variances described above		

Please refer to the compilation report

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SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
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Please refer to the compilation report

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MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

SHIRE OF SHARK BAY SUPPLEMENTARY INFORMATION FOR THE PERIOD ENDED 30 APRIL 2024

1 KEY INFORMATION

Funding Surplus or Deficit Components

Funding surplus / (deficit)				
	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
Opening	\$2.77 M	\$2.77 M	\$2.77 M	\$0.00 M
Closing	\$0.00 M	\$1.90 M	\$2.17 M	\$0.27 M

Refer to Statement of Financial Activity

Cash and cash equivalents			Payables		Receivables			
	\$13.24 M	% of total		\$0.37 M	% Outstanding		\$0.10 M	% Collected
Unrestricted Cash	\$8.20 M	62.0%	Trade Payables	\$0.08 M		Rates Receivable	\$0.06 M	96.0%
Restricted Cash	\$5.03 M	38.0%	0 to 30 Days		99.5%	Trade Receivable	\$0.10 M	% Outstanding
			Over 30 Days		0.5%	Over 30 Days		63.1%
			Over 90 Days		0.0%	Over 90 Days		10.4%

Refer to 3 - Cash and Financial Assets Refer to 9 - Payables Refer to 7 - Receivables

Key Operating Activities

Amount attributable to operating activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$1.28 M)	(\$0.61 M)	(\$0.05 M)	\$0.56 M

Refer to Statement of Financial Activity

Rates Revenue			Grants and Contributions			Fees and Charges		
YTD Actual	\$1.60 M	% Variance	YTD Actual	\$0.63 M	% Variance	YTD Actual	\$1.11 M	% Variance
YTD Budget	\$1.60 M	(0.2%)	YTD Budget	\$0.77 M	(19.2%)	YTD Budget	\$1.42 M	(21.7%)

Refer to 10 - Rate Revenue Refer to 13 - Grants and Contributions Refer to Statement of Financial Activity

Key Investing Activities

Amount attributable to investing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$1.44 M)	(\$0.23 M)	(\$0.50 M)	(\$0.27 M)

Refer to Statement of Financial Activity

Proceeds on sale			Asset Acquisition			Capital Grants		
YTD Actual	\$0.28 M	%	YTD Actual	\$0.83 M	% Spent	YTD Actual	\$0.95 M	% Received
Amended Budget	\$0.33 M	(15.0%)	Amended Budget	\$2.34 M	(64.8%)	Amended Budget	\$5.96 M	(84.0%)

Refer to 6 - Disposal of Assets Refer to 5 - Capital Acquisitions Refer to 5 - Capital Acquisitions

Key Financing Activities

Amount attributable to financing activities			
Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)
(\$0.04 M)	(\$0.03 M)	(\$0.06 M)	(\$0.02 M)

Refer to Statement of Financial Activity

Borrowings		Reserves	
Principal repayments	(\$0.03 M)	Reserves balance	\$5.03 M
Interest expense	(\$0.01 M)	Interest earned	\$0.02 M
Principal due	\$0.67 M		

Refer to 11 - Borrowings Refer to 4 - Cash Reserves

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

Please refer to the compilation report

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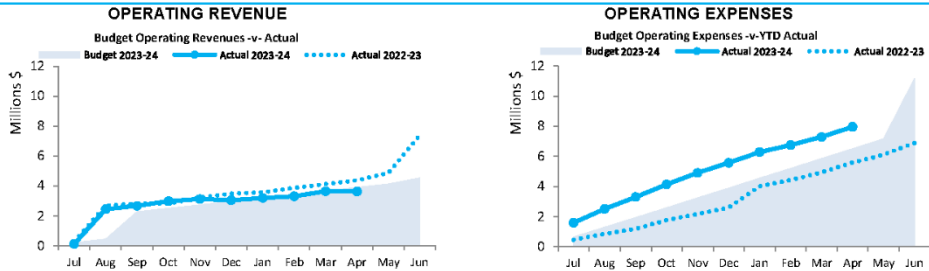
MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

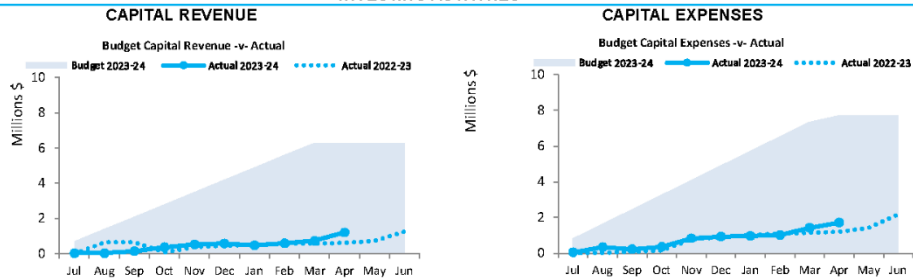
SHIRE OF SHARK BAY SUPPLEMENTARY INFORMATION FOR THE PERIOD ENDED 30 APRIL 2024

2 KEY INFORMATION - GRAPHICAL

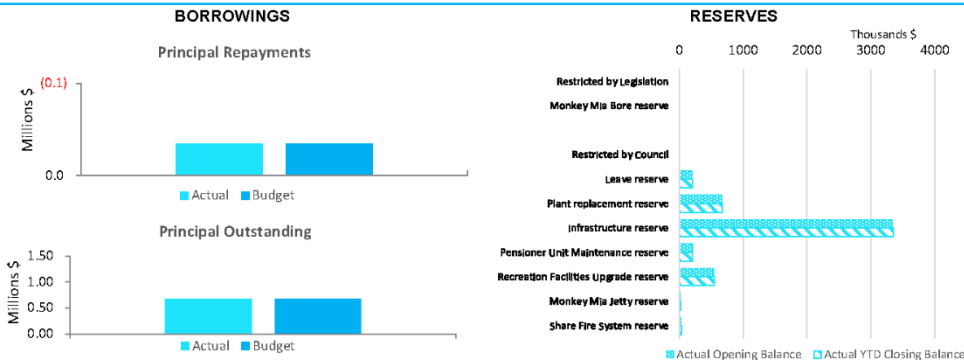
OPERATING ACTIVITIES



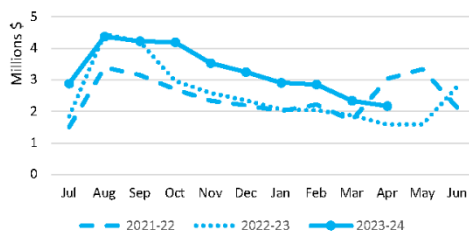
INVESTING ACTIVITIES



FINANCING ACTIVITIES



Closing funding surplus / (deficit)



This information is to be read in conjunction with the accompanying Financial Statements and Notes.

Please refer to the compilation report

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MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

SHIRE OF SHARK BAY SUPPLEMENTARY INFORMATION FOR THE PERIOD ENDED 30 APRIL 2024

3 CASH AND FINANCIAL ASSETS

Description	Classification	Unrestricted	Restricted	Total Cash	Institution	Interest Rate	Maturity Date
		\$	\$	\$			
Cash Float	Cash and cash equivalents	900	0	900	Not applicable	Not applicable	NA
Municipal Fund Bank	Cash and cash equivalents	358,305	0	358,305	Bankwest	Variable	NA
Municipal Telenet Saver Account	Cash and cash equivalents	4,091,714	0	4,091,714	Bankwest	Variable	NA
SHERP Telenet Saver Account	Cash and cash equivalents	827,020	0	827,020	Not available	Not available	NA
Municipal Term Deposit	Cash and cash equivalents	1,000,000	0	1,000,000	Not available	Not available	NA
FESA Grant TD	Cash and cash equivalents	1,925,478	0	1,925,478	Not available	Not available	NA
Reserve Telenet Saver 0454	Cash and cash equivalents	0	2,033,856	2,033,856	Not available	Not available	NA
Reserve Bank Account	Cash and cash equivalents	0	179	179	Bankwest	Variable	NA
Reserve Term Deposit	Cash and cash equivalents	0	2,000,000	2,000,000	Not available	Not available	NA
Reserve Term Deposit	Cash and cash equivalents	0	1,000,000	1,000,000	Not available	Not available	NA
Total		8,203,417	5,034,035	13,237,452			
Comprising							
Cash and cash equivalents		8,203,417	5,034,035	13,237,452			
		8,203,417	5,034,035	13,237,452			

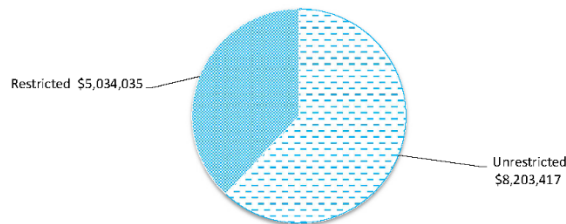
KEY INFORMATION

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments with original maturities of three months or less that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value. Bank overdrafts are reported as short term borrowings in current liabilities in the statement of net current assets.

The local government classifies financial assets at amortised cost if both of the following criteria are met:

- the asset is held within a business model whose objective is to collect the contractual cashflows, and
- the contractual terms give rise to cash flows that are solely payments of principal and interest.

Financial assets at amortised cost held with registered financial institutions are listed in this note other financial assets at amortised cost are provided in Note 4 - Other assets.



Please refer to the compilation report

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MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 30 APRIL 2024

4 RESERVE ACCOUNTS

Reserve name	Budget	Budget	Budget	Budget	Budget	Actual	Actual	Actual	Actual	Actual
	Opening	Interest	Transfers	Transfers	Closing	Opening	Interest	Transfers	Transfers	YTD
	Balance	Eamed	In (+)	Out (-)	Balance	Balance	Eamed	In (+)	Out (-)	Closing
	\$	\$	\$	\$	\$	\$	\$	\$	\$	\$
Restricted by Legislation										
Monkey Mia Bore reserve	0	0	15,200	0	15,200	0	0	0	0	0
Restricted by Council										
Leave reserve	199,109	0	87,300	0	286,409	199,109	941	0	0	200,050
Plant replacement reserve	671,374	0	392,000	(501,785)	561,589	671,374	3,175	0	0	674,549
Infrastructure reserve	3,336,123	0	643,534	(577,555)	3,402,102	3,336,123	15,776	0	0	3,351,899
Pensioner Unit Maintenance reserve	207,868	0	53,000	(60,000)	200,868	207,868	983	0	0	208,851
Recreation Facilities Upgrade reserve	543,114	0	8,000	(50,000)	501,114	543,114	2,568	0	0	545,682
Monkey Mia Jetty reserve	22,560	0	350	0	22,910	22,560	107	0	0	22,667
Share Fire System reserve	30,194	0	500	0	30,694	30,194	143	0	0	30,337
	5,010,342	0	1,199,884	(1,189,340)	5,020,886	5,010,342	23,693	0	0	5,034,035

Please refer to the compilation report

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MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 30 APRIL 2024

INVESTING ACTIVITIES

5 CAPITAL ACQUISITIONS

	Amended		YTD Actual	YTD Actual Variance
	Budget	YTD Budget		
	\$	\$	\$	\$
Capital acquisitions				
Buildings	4,347,200	2,644,452	264,875	(2,379,577)
Furniture & Office Equip.	145,000	118,500	83,208	(35,292)
Plant, Equip. & Vehicles	861,785	527,339	553,272	25,933
Heritage Assets	27,000	27,000	1,942	(25,058)
Acquisition of property, plant and equipment	5,380,985	3,317,291	903,297	(2,413,994)
Roads (Non Town)	528,117	0	390,228	390,228
Footpaths	163,120	163,120	96,840	(66,280)
Town Streets	461,653	461,653	4,346	(457,307)
Public Facilities	1,189,483	849,640	333,859	(515,781)
Acquisition of infrastructure	2,342,373	1,474,413	825,273	(649,140)
Total capital acquisitions	7,723,358	4,791,704	1,728,570	(3,063,134)
Capital Acquisitions Funded By:				
Capital grants and contributions	5,956,996	4,236,571	952,415	(3,284,156)
Other (disposals & C/Fwd)	327,000	327,000	277,909	(49,091)
Reserve accounts				
Plant replacement reserve	501,785	0	0	0
Infrastructure reserve	577,555	0	0	0
Pensioner Unit Maintenance reserve	60,000	0	0	0
Recreation Facilities Upgrade reserve	50,000	0	0	0
Contribution - operations	250,022	228,133	498,246	270,113
Capital funding total	7,723,358	4,791,704	1,728,570	(3,063,134)

KEY INFORMATION

Each class of fixed assets within either plant and equipment or infrastructure, is carried at cost or fair value as indicated less, where applicable, any accumulated depreciation and impairment losses.

Assets for which the fair value as at the date of acquisition is under \$5,000 are not recognised as an asset in accordance with *Financial Management Regulation 17A (5)*. These assets are expensed immediately.

Where multiple individual low value assets are purchased together as part of a larger asset or collectively forming a larger asset exceeding the threshold, the individual assets are recognised as one asset and capitalised.

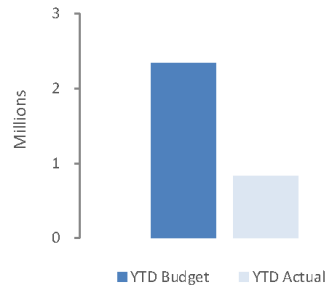
Initial recognition and measurement for assets held at cost

Plant and equipment including furniture and equipment is recognised at cost on acquisition in accordance with *Financial Management Regulation 17A*. Where acquired at no cost the asset is initially recognise at fair value. Assets held at cost are depreciated and assessed for impairment annually.

Initial recognition and measurement between mandatory revaluation dates for assets held at fair value

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 zero cost or otherwise significantly less than fair value, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads.

Payments for Capital Acquisitions



Please refer to the compilation report

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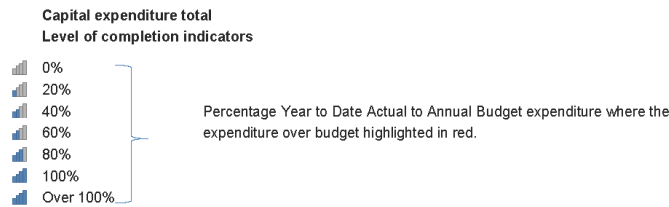
MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 30 APRIL 2024

INVESTING ACTIVITIES

5 CAPITAL ACQUISITIONS - DETAILED



Level of completion indicator, please see table at the end of this note for further detail.

Account Description		Amended		Year to Date Actual	Variance (Under)/Over	
		Current Budget	Year to Date Budget			
Capital Expenditure						
Furniture & Office Equip.						
	05204975	Office Furniture & Equipment	30,000	30,000	0	(30,000)
	35305506	Gymnasium Equipment	85,000	85,000	79,774	(5,226)
	36005001	SBDC - Discovery Centre Upgrade (LRCI)	30,000	3,500	3,434	(66)
		Furniture & Office Equip. Total	145,000	118,500	83,208	(35,292)
Plant, Equip. & Vehicles						
	05205335	CEO Vehicle Replacement	61,193	61,193	61,193	(0)
	45205346	Town Gardener's Ute	56,000	56,000	56,895	895
	45205475	Major Plant Items - Capital	20,000	15,554	216	(15,338)
	45205506	Prime Mover	250,000	0	0	0
	45205510	Dual Cab Truck 5T	105,000	105,000	122,090	17,090
	45205512	Multi Tyred Rubber Roller	180,000	180,000	202,437	22,437
	45205515	Rangers Vehicle	57,000	57,000	56,895	(105)
	45205516	Dual Cab Ute - Country	52,592	52,592	53,546	954
	45205518	Road Sweeper	80,000	0	0	0
		Plant, Equip. & Vehicles Total	861,785	527,339	553,272	25,934
Buildings						
	09128000	Capital Works Staff Housing	52,000	43,320	10,340	(32,980)
	25104775	SHERP - Community Housing Project	3,118,200	2,078,800	241,085	(1,837,716)
	25104785	Pensioner Units Capital Works	60,000	55,000	8,509	(46,491)
	35104702	Denham Town Hall Capital Works	80,000	80,000	0	(80,000)
	35304736	Sport and Recreation Buildings Capital Works	550,000	383,332	1,066	(382,266)
	36004998	SBDC Airconditioner Upgrade	50,000	0	225	225
	09102810	Capital Works - Essential Worker Accommodation	437,000	4,000	3,650	(350)
		Buildings Total	4,347,200	2,644,452	264,875	(2,379,577)
Public Facilities						
	30405593	Cemetery Upgrade	5,500	0	0	0
	30445150	Carpark Capital Works	10,000	0	0	0
	35205538	Hard Shade Structures - Playgrounds	63,129	63,129	0	(63,129)
	35205539	Disability Beach/Water Access and Equipment	50,000	50,000	47,495	(2,505)
	35205540	CCTV Upgrades - Foreshore (LRCI)	21,000	0	0	0
	35205541	Seawall Upgrade - Capital Works	146,649	20,000	20,525	525
	35205542	Beach Emergency Numbers Signage - Capital Expenditure	12,530	12,094	11,364	(730)
	35302284	Little Lagoon Upgrades, Gazebo, Bollards and Signage	5,000	5,000	449	(4,551)
	35305511	Town Oval and Recreation Reticulation/Resurfacing	203,000	203,000	158,412	(44,588)
	35305512	Access Bicycle and Walking Paths - Recreation Precinct	30,000	30,000	181	(29,819)
	35305586	Parks & Gardens Capital Exp	12,000	12,000	495	(11,505)
	45156790	Electronic Road Closed Sign - Useless Loop Road	30,000	0	0	0
	45156791	LRCI Phase 4 - Unallocated Capital Projects	144,258	0	0	0
	45505558	Denham Finger Jetty - Foreshore	419,217	419,217	54,485	(364,732)
	35312163	Limestone Wall Replacemnet - East End CP (LRCI)	7,000	5,000	10,276	5,276
	35605502	BBQ Replacment Little Lagoon - (LRCI)	30,200	30,200	30,177	(23)
		Public Facilities Total	1,189,483	849,640	333,859	(515,780)
Heritage Assets						
	35605182	Heritage Stables Refurbishment	27,000	27,000	1,942	(25,058)
		Heritage Assets Total	27,000	27,000	1,942	(25,058)
Footpaths						
	45145250	Town Footpaths - Dual Use Path Construction	163,120	163,120	96,840	(66,280)
		Footpaths Total	163,120	163,120	96,840	(66,280)
Town Streets						
	45156690	Roads To Recovery - R2R	461,653	461,653	4,346	(457,307)
		Town Streets Total	461,653	461,653	4,346	(457,307)
Roads (Non Town)						
	45165670	Regional Roads Group - RRG	528,117	0	390,228	390,227
		Roads (Non Town) Total	528,117	0	390,228	390,227
		Grand Total	7,723,358	4,791,704	1,728,570	(3,063,134)

Please refer to the compilation report

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MINUTES OF THE ORDINARY COUNCIL MEETING

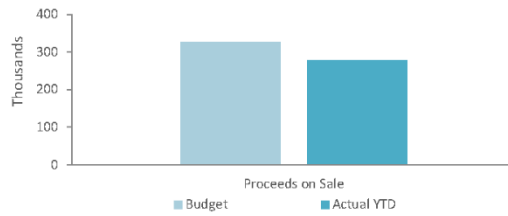
29 MAY 2024

SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 30 APRIL 2024

OPERATING ACTIVITIES

6 DISPOSAL OF ASSETS

Asset Ref.	Asset description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
	Plant and equipment								
	Plant and equipment	400,000	254,664	0	(145,336)	0	0	0	0
	Plant and equipment	47,853	72,336	24,483	0	0	0	0	0
MV203	Toyota Prado	0	0	0	0	53,141	54,545	1,404	0
MV187	Multipac Multi Wheeled Roller	0	0	0	0	110,891	50,000	0	(60,891)
MV178	WA Hino 300 Series 817	0	0	0	0	50,858	55,183	4,325	0
MV206	Dual Cab - Ranger	0	0	0	0	34,295	40,908	6,613	0
MV207	Dual Cab - Gardener	0	0	0	0	39,327	40,000	673	0
MV200	Dual Cab Ute - Town Supervisor	0	0	0	0	36,206	37,273	1,067	0
	Dual Cab Truck 4x4	0	0	0	0	0	0	0	0
		447,853	327,000	24,483	(145,336)	324,718	277,909	14,082	(60,891)



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MINUTES OF THE ORDINARY COUNCIL MEETING

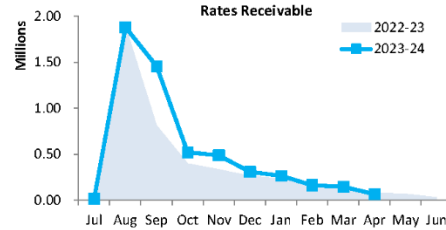
29 MAY 2024

SHIRE OF SHARK BAY SUPPLEMENTARY INFORMATION FOR THE PERIOD ENDED 30 APRIL 2024

OPERATING ACTIVITIES

7 RECEIVABLES

Rates receivable	30 June 2023	30 Apr 2024
	\$	\$
Opening arrears previous years	34,985	31,192
Levied this year	1,915,923	1,599,810
Less - collections to date	(1,919,716)	(1,566,489)
Gross rates collectable	31,192	64,513
Net rates collectable	31,192	64,513
% Collected	98.4%	96.0%



Receivables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Receivables - general	(2,495)	9,863	7,114	3,353	2,061	19,896
Percentage	(12.5%)	49.6%	35.8%	16.9%	10.4%	
Balance per trial balance						
Trade receivables						19,896
GST receivable						75,116
Total receivables general outstanding						95,012

Amounts shown above include GST (where applicable)

KEY INFORMATION

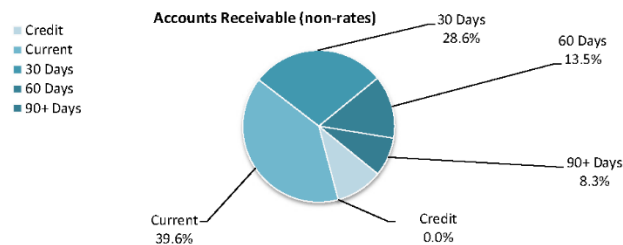
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods and services performed in the ordinary course of business.

Trade receivables are recognised at original invoice amount less any allowances for uncollectable amounts (i.e. impairment). The carrying amount of net trade receivables is equivalent to fair value as it is due for settlement within 30 days.

Classification and subsequent measurement

Receivables which are generally due for settlement within 30 days except rates receivables which are expected to be collected within 12 months are classified as current assets. All other receivables such as, deferred pensioner rates receivable after the end of the reporting period are classified as non-current assets

Trade and other receivables are held with the objective to collect the contractual cashflows and therefore the Shire measures them subsequently at amortised cost using the effective interest rate method.



Please refer to the compilation report

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MINUTES OF THE ORDINARY COUNCIL MEETING

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SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 30 APRIL 2024

OPERATING ACTIVITIES

8 OTHER CURRENT ASSETS

	Opening Balance 1 July 2023	Asset Increase	Asset Reduction	Closing Balance 30 Apr 2024
	\$	\$	\$	\$
Other current assets				
Inventory				
Stock on hand	129,762	0	0	129,762
Other assets				
Prepayments	6,067	0	(6,067)	0
Accrued income	34,578	0	(34,578)	0
Total other current assets	170,407	0	(40,645)	129,762

Amounts shown above include GST (where applicable)

KEY INFORMATION

Inventory

Inventories are measured at the lower of cost and net realisable value.

Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

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MINUTES OF THE ORDINARY COUNCIL MEETING

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SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 30 APRIL 2024

OPERATING ACTIVITIES

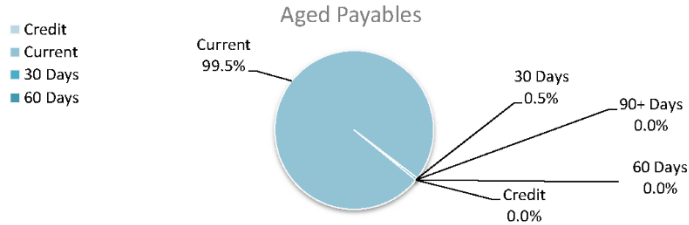
9 PAYABLES

Payables - general	Credit	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$	\$
Payables - general	0	75,406	342	0	0	75,748
Percentage	0.0%	99.5%	0.5%	0.0%	0.0%	
Balance per trial balance						
Sundry creditors						75,748
ATO liabilities						230,671
Other payables						10,132
Bond Liability						42,212
Prepaid Rates						13,464
Total payables general outstanding						372,227

Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the period that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition. The carrying amounts of trade and other payables are considered to be the same as their fair values, due to their short-term nature.



Please refer to the compilation report

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MINUTES OF THE ORDINARY COUNCIL MEETING

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SHIRE OF SHARK BAY
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OPERATING ACTIVITIES

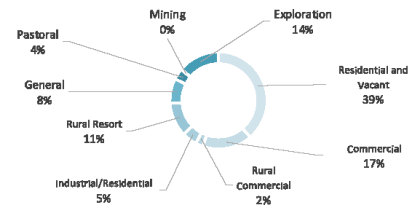
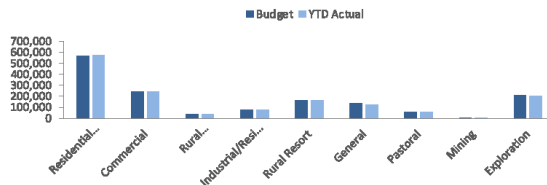
10 RATE REVENUE

General rate revenue

RATE TYPE	Rate in	Number of	Rateable	Rate	Budget	Total	Rate	YTD Actual	Total
	\$				Properties		Value	Revenue	
				\$	\$	\$	\$	\$	\$
Gross rental value									
Residential and Vacant	0.1022	394	5,575,693	570,056	0	570,056	571,465	0	571,465
Commercial	0.1051	41	233,198	245,141	0	245,141	245,141	0	245,141
Rural Commercial	0.1063	5	341,522	36,290	0	36,290	36,290	0	36,290
Industrial/Residential	0.1131	47	648,097	73,324	0	73,324	74,795	0	74,795
Rural Resort	0.1122	2	1,474,654	165,400	0	165,400	165,400	0	165,400
Unimproved value									
General	0.1455	7	922,203	134,180	0	134,180	122,262	0	122,262
Pastoral	0.0996	11	544,677	54,274	0	54,274	54,274	0	54,274
Mining	0.1985	1	9,350	1,856	0	1,856	2,024	0	2,024
Exploration	0.1908	13	1,089,739	207,934	0	207,934	205,316	0	205,316
Sub-Total		521	10,839,133	1,488,455	0	1,488,455	1,476,967	0	1,476,967
Minimum payment									
Minimum Payment \$									
Gross rental value									
Residential and Vacant	866	92	295,702	79,672	0	79,672	78,806	9,552	88,358
Commercial	866	17	90,069	14,722	0	14,722	14,722	0	14,722
Industrial/Residential	866	3	20,036	2,598	0	2,598	1,732	0	1,732
Unimproved value									
General	659	6	9,863	3,954	0	3,954	3,954	0	3,954
Pastoral	910	1	769	910	0	910	910	0	910
Mining	910	2	5,839	1,820	0	1,820	1,820	0	1,820
Sub-total		121	422,278	103,676	0	103,676	101,944	9,552	111,496
Concession						(4,904)			(3,652)
Total general rates						1,587,227			1,584,811
Specified area rates									
Rate in \$									
Monkey Mia Bore Replacement	0.010630		1,411,050	15,000	0	15,000	14,999	0	14,999
Total specified area rates			1,411,050	15,000	0	15,000	14,999	0	14,999
Total						1,602,227			1,599,810

KEY INFORMATION

Prepaid rates are, until the taxable event for the rates has occurred, refundable at the request of the ratepayer. Rates received in advance give rise to a financial liability. On 1 July 2020 the prepaid rates were recognised as a financial asset and a related amount was recognised as a financial liability and no income was recognised. When the taxable event occurs the financial liability is extinguished and income recognised for the prepaid rates that have not been refunded.



Please refer to the compilation report

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MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 30 APRIL 2024

FINANCING ACTIVITIES

11 BORROWINGS

Repayments - borrowings

Information on borrowings Particulars	Loan No.	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments		
		1 July 2023	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
		\$	\$	\$	\$	\$	\$	\$	\$	
Town Oval Bore	58	701,498	0	0	(34,324)	(34,324)	667,174	667,174	(14,753)	(20,139)
Total		701,498	0	0	(34,324)	(34,324)	667,174	667,174	(14,753)	(20,139)
Current borrowings		34,324				0				
Non-current borrowings		667,174				667,174				
		701,498				667,174				

All debenture repayments were financed by general purpose revenue.

KEY INFORMATION

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.

Fair values of borrowings are not materially different to their carrying amounts, since the interest payable on those borrowings is either close to current market rates or the borrowings are of a short term nature. Non-current borrowings fair values are based on discounted cash flows using a current borrowing rate.

Please refer to the compilation report

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MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

SHIRE OF SHARK BAY SUPPLEMENTARY INFORMATION FOR THE PERIOD ENDED 30 APRIL 2024

OPERATING ACTIVITIES

12 OTHER CURRENT LIABILITIES

Other current liabilities	Note	Opening	Liability	Liability	Liability	Closing
		Balance	transferred			
		1 July 2023	from/(to)			30 April 2024
		\$	\$	\$	\$	\$
Other liabilities						
Contract liabilities		193,018	0	82,313	(121,857)	153,475
Capital grant/contributions liabilities		3,084,723	0	3,385,748	(952,415)	5,518,055
Total other liabilities		3,277,741	0	3,468,061	(1,074,272)	5,671,530
Employee Related Provisions						
Provision for annual leave		147,458	0	0	0	147,458
Provision for long service leave		140,759	0	0	(5,486)	135,273
Total Provisions		288,217	0	0	(5,486)	282,731
Total other current liabilities		3,565,958	0	3,468,061	(1,079,758)	5,954,261

Amounts shown above include GST (where applicable)

A breakdown of contract liabilities and associated movements is provided on the following pages at Note 13 and 14

KEY INFORMATION

Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured. Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

Employee Related Provisions

Short-term employee benefits

Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.

The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the calculation of net current assets.

Other long-term employee benefits

The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as employee related provisions in the statement of financial position.

Long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations of service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur. The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

Contract liabilities

An entity's obligation to transfer goods or services to a customer for which the entity has received consideration (or the amount is due) from the customer.

Capital grant/contribution liabilities

Grants to acquire or construct recognisable non-financial assets to identified specifications be constructed to be controlled by the Shire are recognised as a liability until such time as the Shire satisfies its obligations under the agreement.

Please refer to the compilation report

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MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
FOR THE PERIOD ENDED 30 APRIL 2024

OPERATING ACTIVITIES

13 GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Unspent grant, subsidies and contributions liability					Grants, subsidies and contributions revenue		
	Liability	Increase in	Decrease in	Liability	Current	Amended	YTD	YTD
	1 July 2023	Liability	Liability	30 Apr 2024	Liability	Budget	Budget	Revenue
	\$	\$	(As revenue)	\$	\$	\$	\$	\$
Grants and subsidies								
FESA Grant - Operating Bush Fire Brigade	1,819	10,459	(9,605)	2,673	2,673	11,655	11,656	9,604
Grant FESA - SES	0	40,354	(26,903)	13,451	13,451	53,806	53,806	40,355
Planning & Strategy - Regional North LG	130,000	0	(3,241)	126,759	126,759	130,000	130,000	3,240
Coburn Resources Education Contribution	5,000	0	0	5,000	5,000	5,000	5,000	0
Road Preservation Grant	0	0	0	0	0	141,902	141,902	141,902
Useless Loop Road - Mtce	0	0	0	0	0	330,000	264,000	264,000
Community Development	0	1,000	(1,000)	0	0	1,000	1,000	1,000
DoC - Day Care Provider Accommodation Subsidy	24,000	0	(22,000)	2,000	2,000	25,000	20,830	22,000
Every Club - Gaming & Wagering Commission	7,200	0	(3,608)	3,592	3,592	7,200	5,400	3,608
Lotterywest - Beats in the Bay	20,000	0	(20,000)	0	0	20,000	20,000	20,000
Horizon - Beats in the Bay	5,000	0	(5,000)	0	0	5,000	5,000	5,000
RAC Monkey Mia Resort - Beats in the Bay	0	5,000	(5,000)	0	0	5,000	5,000	5,000
Strandline Resources - Beats in the Bay	0	5,000	(5,000)	0	0	5,000	5,000	5,000
High Grade Mechanical - Beats in the Bay	0	20,000	(20,000)	0	0	20,000	20,000	20,000
Grants Commission - General	0	0	0	0	0	71,713	53,785	68,420
Grants Commission - Roads	0	0	0	0	0	29,271	21,953	7,318
Preparing Australian Communities - ERE	0	0	0	0	0	3,300	3,300	3,302
Gascoyne Devel Commission - Beats in the Bay	0	500	(500)	0	0	500	500	500
GDC Grant - Astro Tourism	0	0	0	0	0	5,000	5,000	4,545
	193,019	82,313	(121,857)	153,475	153,475	870,347	773,132	624,794
Contributions								
Donations - HMAS Sydney Exhibit	0	0	0	0	0	250	210	266
Contribution to Road Maintenance - Pipeline	0	0	0	0	0	9,625	0	0
	0	0	0	0	0	9,875	210	266
TOTALS	193,019	82,313	(121,857)	153,475	153,475	880,222	773,342	625,060

Please refer to the compilation report

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MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

SHIRE OF SHARK BAY
SUPPLEMENTARY INFORMATION
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INVESTING ACTIVITIES

14 CAPITAL GRANTS, SUBSIDIES AND CONTRIBUTIONS

Provider	Capital grant/contribution liabilities					Capital grants, subsidies and contributions revenue		
	Liability	Increase in	Decrease in	Liability	Current	Amended	YTD	YTD
	1 July 2023	Liability	Liability	30 Apr 2024	Liability	Budget	Budget	Revenue
	\$	\$	(As revenue)	\$	\$	\$	\$	\$
Capital grants and subsidies								
Grant - SHERP Community Housing Project	823,640	2,059,100	(241,085)	2,641,655	2,641,655	3,118,200	2,823,640	241,085
Grant - Seawall Revelment Capital Projects	1,931,984	0	(20,525)	1,911,459	1,911,459	146,649	17,500	20,525
Grant - Beach Emergency Numbers Signage	0	11,230	(11,230)	0	0	11,230	11,230	11,230
Roads To Recovery Grant - Cap	0	0	0	0	0	297,245	0	0
RRG Grants - Capital Projects	0	281,662	(256,031)	25,631	25,631	352,078	281,662	256,031
Local Road and Community Infrastructure Program Grant	329,098	376,550	(317,478)	388,170	388,170	830,191	454,804	317,478
Grant - Finger Jetty	0	157,206	(105,000)	52,206	52,206	314,403	314,403	105,000
DFES - Local Government Resilience LGRF16 Seroja	0	500,000	(1,066)	498,934	498,934	500,000	333,332	1,066
Grant - Essential Worker Accommodation - GDC	0	0	0	0	0	200,000	0	0
Grant - Essential Worker Accommodation - DPLH	0	0	0	0	0	187,000	0	0
	3,084,722	3,385,748	(952,415)	5,518,055	5,518,055	5,956,996	4,236,571	952,415

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MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

SHIRE OF SHARK BAY SUPPLEMENTARY INFORMATION FOR THE PERIOD ENDED 30 APRIL 2024

15 BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

Description	Council Resolution	Classification	Non Cash Adjustment \$	Increase in Available Cash \$	Decrease in Available Cash \$	Amended Budget Running Balance \$
Budget adoption						0
Grants, subsidies and contributions	27/03/2024 item 11.3	Operating revenue	0	109,784	0	109,784
Fees and charges	27/03/2024 item 11.3	Operating revenue	0	47,000	0	156,784
Other revenue	27/03/2024 item 11.3	Operating revenue	0	27,900	0	184,684
Employee costs	27/03/2024 item 11.3	Operating expenses	0	0	(750)	183,934
Materials and contracts	27/03/2024 item 11.3	Operating expenses	0	0	(22,916)	161,018
Depreciation	27/03/2024 item 11.3	Non cash item	(3,349,973)	0	0	161,018
Capital grants, subsidies and contributions	27/03/2024 item 11.3	Capital revenue	0	0	(2,113,000)	(1,951,982)
Purchase of land and buildings	27/03/2024 item 11.3	Capital expenses	0	13,000	0	(1,938,982)
Purchase of plant and equipment	27/03/2024 item 11.3	Capital expenses	0	0	(33,000)	(1,971,982)
Purchase of furniture and equipment	27/03/2024 item 11.3	Capital expenses	0	0	(30,000)	(2,001,982)
Purchase and construction of infrastructure-roads	27/03/2024 item 11.3	Capital expenses	0	135,697	0	(1,866,285)
Purchase and construction of infrastructure-other	27/03/2024 item 11.3	Capital expenses	0	1,990,500	0	124,215
Transfers to reserve accounts	27/03/2024 item 11.3	Capital expenses	0	0	(84,000)	40,215
Surplus or deficit at the start of the financial year	27/03/2024 item 11.3	Opening surplus(deficit)	0	0	(40,215)	0
				2,323,881	(2,323,881)	0

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29 MAY 2024

10.3 2023/2024 BUDGET AMENDMENT – USELESS LOOP ROAD FUNDING/EXPENDITURE
FM52324 / RD00003

Author
Chief Executive Officer

Disclosure of Any Interest
Nil

Moved Cr Fenny
Seconded Cr Stubberfield

Council Resolution

That Council adopt by absolute majority the following amendment to the 2023/2024 budget:

- 1. Increase revenue.**
 - **Capital grants, subsidies, and contributions \$600,000.**
- 2. Increase expenses.**
 - **Construction of infrastructure \$600,000.**

7/0 CARRIED BY ABSOLUTE MAJORITY

BACKGROUND

A significant increase in tourist traffic, and unfavourable (dry) weather conditions over the past 12 to 24 months have caused significant deterioration of the Useless Loop Road. The Shire has been advocating for additional funding (over and above usual annual funding allocation) to undertake remedial works on the Road following numerous complaints from Useless Loop residents and Shark Bay Resources. Without additional funding and remedial works, closure of the Road by the Shire for safety reasons was a serious consideration.

COMMENT

At the request of Main Roads, the Shires Works Manager prepared a works program and cost estimate for remedial works. On the 14 May 2024, Main Roads agreed to the provision of a one off \$600,000 in funding for remedial works to ensure the Road condition was satisfactory come the commencement of the 2024/2025 funding allocation.

A procurement process will be conducted, and a preferred contractor appointed for provision of the works. The works are expected to take between 35 to 40 days to complete.

The additional funding of \$600,000 dictates and amendment to the 2023/2024 budget as follows:

Description	Current Budget	Amended Budget
-------------	----------------	----------------

MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

	\$	\$
Capital grants, subsidies and contributions	8,069,996	8,669,996
Purchase and construction of infrastructure – roads	(1,125,467)	(1,725,467)

LEGAL IMPLICATIONS

Local Government Act 1995

6.8 Expenditure from municipal fund not included in annual budget.

- (1) Local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure –
 - (a) Is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) Is authorised in advance by resolution*; or
 - (c) Is authorised in advance by the mayor or president in an emergency.

**Absolute majority required.*

POLICY IMPLICATIONS

There are no policy implications associated with this item.

FINANCIAL IMPLICATIONS

Authorisation of expenditure through budget amendments is recommended. Other specific financial implications are as outlined in the body of this report.

STRATEGIC IMPLICATIONS

Strategic Community Plan 2020-2030

Outcome 7: A transparent, resilient organisation demonstrating leadership and governance.

- Strategy 7.2 Provide appropriate services to the community in a professional manner.

RISK MANAGEMENT

This item has been evaluated against the Shire's Risk Management Framework, Risk Assessment Matrix. The perceived level of risk is Low prior to treatment. The adoption of the recommendations as presented will result in reassessed Low level of risk.

Voting Requirements

Absolute Majority Required

Signature

Author

Date of Report

D Chapman

16 May 2024

29 MAY 2024

10.4 IN-KIND REQUEST - COMMUNITY ASSISTANCE GRANTS – CREALITY GS00001

AUTHOR

Community Development Officer

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Cr Vankova

Nature of Interest: Impartiality Interest as the board member treasurer

Moved Cr Ridgley

Seconded Cr Fenny

Council Resolution

Council approve the Creality (previously Gascoyne in May) request for In Kind Support to waive the cost of venue hire to the value of \$750 for 3 days at the Shark Bay Recreation Centre and 2 days at the Denham Town Hall to deliver a series of Faerial Circus Workshops in June 2024 with the Ginger Ninja, Nathan Kell.

7/0 CARRIED

BACKGROUND

Creality, formerly Gascoyne in May, was established in 2012 and quickly evolved into a highly-regarded and anticipated 5-festival touring circuit, held from April to June each year. This major cross-regional arts initiative is dedicated to develop the capacity, resources, policy for and delivery of a sustainable, dynamic festival culture unique to the Gascoyne region.

This year the Gascoyne in May Festival has been scaled back to a small number of Faerial Circus Workshops, with Shark Bay being chosen as one of the locations.

Creality will work closely with the Shire, Shark Bay School and other members of the community to create and deliver this series of workshops, which will be free to the Shark Bay community. Community response to Gascoyne in May activities in previous years has been positive, and community participation numbers in the event have been high.

ABOUT THE PROGRAM (INFORMATION FROM CREALITY)

Faerial Circus Program is a Circus and Physical Theatre annual master class and training intensives for local people. Building capacity for year-round term programs in circus arts for kindergarten up to seniors.

Nathan (the Ginger Ninja) has toured globally, performing in multidisciplinary roles within a 20 year career as a physical theatre creator and artist. Specialising in acrobatic disciplines of circus, Nathan's training and performance has expanded over time to include contemporary dance, puppetry, music, parkour, stunt work, improvisation, clown, choreography and direction, Shakespearean theatre, musical theatre and more. While still performing, Nathan's interests have shifted to ensemble direction, choreography and writing of stage works. The most recent show 'Filium', written and

29 MAY 2024

directed by Nathan, is a 6 person ensemble, full length work which encompasses elements of circus, dance and aerial/theatre rigging. Nathan is also actively engaged in the wider community; teaching and mentoring to youth at risk, performance troupes, emerging professionals, school and community incursions (metro and extreme remote) Nathan has toured with 'Creality Touring Arts Festival' in remote outback WA, as M.C, solo act and circus teacher in 2022 and 2023 and is a lead circus coach supporting Theaker von Ziarno, Beth Sheldon and [Dawn Pascoe](#) with the Faerial Circus Arts Portfolio.

COMMENT

These workshops align with the Shire's Strategic Community Plan. Socially, the local community will have the opportunity to participate in a week-long circus training workshop. This public workshop will take place every day from Monday 24 June to Friday 28 June. The final night will be a showcase all of the skills learnt throughout the week and the local youth will have the opportunity to perform for their friends and family at the Town Hall. This workshop is delivered by Nathan Kell.

Officer Comment:

Creality consistently produce events that involve local community groups and residents and provide the Shark Bay region with exposure to arts and culture that is otherwise limited. It is recommended that Council support the Faerial Circus Workshops by approving In-Kind support to Creality.

Should Council approve Creality's request, the Shire's Community Development Officer will encourage Creality to acknowledge the sponsorship that the Shire is providing by including the Shire's logo and the words "Proudly supported by the Shire of Shark Bay" in any promotional materials.

Example Flyer:



LEGAL IMPLICATIONS

MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

There are no legal implications associated with this report.

POLICY IMPLICATIONS

These recommendations do not comply with Council Policy 2.2 Financial Assistance/ Donations because the applicant does not operate within the Shire of Shark Bay.

FINANCIAL IMPLICATIONS

An amount of \$50,000.00 is included in the 2023/2024 adopted budget for Community Assistance Grants. This includes Round 1 (larger events), Round 2 (equipment/small project) grants and Significant Event Funding.

To date Council has approved almost \$6,000 in Round 1 funding, \$1,000 in Round 2 Funding and \$13,000 in Significant Event funding. This leaves approximately \$30,000 for the remainder of the year.

STRATEGIC IMPLICATIONS

Social Objective: A safe, welcoming and inclusive community

Economic Objective: A progressive, resilient and diverse economy

RISK MANAGEMENT

This is a low-risk event for Council.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Deputy Chief Executive Officer

D Wilkes

Chief Executive Officer

D Chapman

Date of Report

15 May 2024

29 MAY 2024

10.5 COMMUNITY ASSISTANCE GRANTS - SIGNIFICANT EVENT SPONSORSHIP FUNDING 2023/2024 - SHARK BAY SPEEDWAY CLUB
GS00001

AUTHOR

Community Development Officer

DISCLOSURE OF ANY INTEREST

Nil

Moved Cr Smith
Seconded Cr Ridgley

Council Resolution

That Council approve the Shark Bay Speedway Club application for a Community Assistance Grant – Significant Event Sponsorship Funding for the value of \$3,200.00 to contribute towards various items for the 2024 Far Western Speedway event.

7/0 CARRIED BY ABSOLUTE MAJORITY

BACKGROUND

The Shire of Shark Bay commenced advertising the 2023/2024 Community Assistance Grants following Council's endorsement of the Annual Budget on 23 August 2023. The funding pool for the Significant Event Sponsorship Funding is available for the duration of the financial year and funding is to be allocated at Council's discretion. The Significant Event Sponsorship Funding supports current major events and future innovative events that attract additional funds into town and recognises the positive economic and social value that these events bring to the Shark Bay Community.

An application from Shark Bay Speedway Club was received on 15 May 2024, seeking event sponsorship funding to contribute towards the 37th Far Western Championship in July 2024.

The Shark Bay Speedway Club previously received \$8,000 funding from the Community Assistance Grants Significant Event Sponsorship Funding in August 2020 for prize money for various Club meets. The Club also received \$3,500 in October 2022, through the 2022/2023 - Round 1 Community Assistance Grants to contribute to the rewiring of the canteen at the Shark Bay Speedway Club.

COMMENT

Significant Event Sponsorship Funding supports current major events and future innovative events that attract additional funds into town and recognises the positive economic value that these events bring to the Shark Bay community. The Shark Bay Speedway Club successfully hosts multiple races in Shark Bay each year. These race

MINUTES OF THE ORDINARY COUNCIL MEETING

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meets are supported by the local community and visiting competitors, with high attendance and participation.

Council currently provides in-kind support to the Speedway via the use of Shire Equipment, as follows:

- Loader – 1 hour per race meeting – Total 5 hours per year
- Grader – 1 hour per race meeting – Total 5 hours per year
- Water Cart – 3 hours per race meeting – Total 15 hours per year.

GRANT APPLICATION DETAILS

Group:	Shark Bay Speedway Club
Amount requested:	\$3,200
Project:	2024 Far Western
Funding category:	Funding for a specific event or program
Strategic Community Plan (category):	Economic and Social

The application states that the Shark Bay Speedway Club currently has 90 members. The Club is holding 7 race meets in 2024, including the 37th Annual Far Western Championship. The club welcomed 102 nominations in 2022 and 77 nominations in 2023. The Shark Bay Speedway Club is driven by a volunteer committee of 8 local community members.

The application describes the Far Western as the clubs' annual Blue-Ribbon event which attracts a large number of drivers, friends, pit crew and racing fans to Shark Bay. Visitors contribute financially to businesses in Shark Bay throughout this event creating a strong economic impact. To further boost the Shark Bay local economy and ease the burden of a volunteer shortage, the event organisers are looking to employ local bar staff, which will see an increase in local spending.

The application also describes a positive social impact this event has on the remote community of Shark Bay. This event provides an opportunity for the community to be part of an exciting event that provides activities for locals and visitors. By employing local staff, it not only offers them an additional income source, but the opportunity to be part of an exciting weekend event that they may not otherwise be able to attend.

The Significant Event Sponsorship Funding will contribute to Winners Sashes, Trophies, Junior Prizes and Staffing costs.

The grant application includes:

- Two project referees; Malcolm Chen (Owner of Shark Bay Pharmacy) and Martin Grenside (local business owner and manager of RAC Monkey Mia Resort)
- Quotes and Estimates
- Current Bank Statement – refer to 'Confidential' items folder

Officer Recommendation:

The Shark Bay Speedway Club have demonstrated their ability to attract people to Shark Bay every year, providing a social and economic boost for our community. The

MINUTES OF THE ORDINARY COUNCIL MEETING

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Club is well supported by the Shark Bay community and provide opportunities for local businesses and community groups to be involved in the Club's success.

It is recommended that Council approve \$3,200 to the Shark Bay Speedway Club to support the 37th Far Western Championship in 2024.

Should Council approve the Shark Bay Speedway Club application, the Shire's Community Development Officer will ask Shark Bay Speedway Club to acknowledge the sponsorship that the Shire is providing by including the Shire's logo and the words "Proudly supported by the Shire of Shark Bay" in any promotional materials (e.g. Inscription Post and Social Media).

LEGAL IMPLICATIONS

There are no legal implications associated with this report.

POLICY IMPLICATIONS

These recommendations comply with current Policies made by Council 2.2 Financial Assistance/Donations.

FINANCIAL IMPLICATIONS

An amount of \$50,000 is included in the 2023/2024 adopted budget for Community Assistance Grants this includes Round 1 (larger events), Round 2 (equipment/small project) grants and Significant Event Funding.

To date Council has approved almost \$6,000 in Round 1 funding, \$1,000 in Round 2 Funding and \$13,000 in Significant Event funding. This leaves approximately \$30,000 for the remainder of the year.

If this application is successful there will be approximately \$26,800 left in the Community Assistance Grants fund.

STRATEGIC IMPLICATIONS

Social Objective: A safe, welcoming and inclusive community

Economic Objective: A progressive, resilient and diverse economy

RISK MANAGEMENT

As per the lease agreement, Administration has recently requested a copy of the Speedway's public liability and property insurance policies to ensure these are current and adequate.

VOTING REQUIREMENTS

Absolute Majority Required

SIGNATURES

Executive Manager Community Development *D Wilkes*

Chief Executive Officer *D Chapman*

Date of Report 15 May 2024

29 MAY 2024



**Shire of Shark Bay
Community Assistance Grants
APPLICATION FORM**

Please complete and return the signed application form to the Shire of Shark Bay with the advertised timeframe. **Late submissions will not be considered**

Applications to be addressed to: Chief Executive Officer
Shire of Shark Bay
PO Box 126
Denham WA 6537

Applications can be delivered: Shire of Shark Bay
65 Knight Terrace
Denham WA 6537

Email: cdo@sharkbay.wa.gov.au

For further information, please contact the Community Development Officer on 9948 1218

Please ensure you have read the Shire of Shark Bay Community Assistance Grants – Guidelines before completing the application form to confirm your organisation's eligibility.

FUNDING ROUND

Please indicate which funding round you are applying for:

- Round 1 - Community Projects Year: _____
- Round 2 - Equipment and minor projects Year: _____
- Significant Event Sponsorship Funding Year: 2024 _____

ORGANISATION DETAILS

Organisation Name Shark Bay Speedway Club
Postal Address PO Box 53, Denham WA 6537
Contact Person Tiaza Sellenger
Position/Title Secretary
Telephone 0407 129 487
E-mail sharkbayspeedwayclub@outlook.com

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What category best describes your organisation?

- Sporting Club
- Community Group
- Not-for-profit organisation
- Other: _____

Which of the following best describes your organisation's status?

- | | YES | NO |
|---|-------------------------------------|-------------------------------------|
| • Incorporated | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| • GST Registered | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| • Have a current Association Constitution | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Australian Business Number (ABN): 58004288176

Please note the Shire of Shark Bay requires applicants to have an ABN. Applicants who do not have one may be subjected to withholding tax of 48.5%. If you are unsure, please contact the Shire to discuss how to best proceed.

Bank details

Account Name: Shark Bay Speedway Club Inc
BSB: 066512 Account Number: 10707409

FUNDING DETAILS

Project title: 37th Annual Far Western Championship

Project description: *(max 50 words)*

To provide assistance to our limited volunteer base over the weekend to run a successful event and to be able to reward the efforts of local and travelling drivers

Date(s) the project will take place: Saturday 6th July 2024

Location(s) where the project will take place: Shark Bay Speedway Club

Total project funds requested *(including GST if applicable)* \$ 3200

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Has your organisation previously received funding from the Shire of Shark Bay?

Yes

No

If Yes, Previous funding amount received: \$ 3500

Round / Year funding was received: 2022/2023

Funded project: Electrical rewiring on the canteen

Has your organisation acquitted all previous Shire of Shark Bay funding?

Yes

No

If No, please outline why?

Please Note: Your organisation is not eligible to receive new funding from the Shire of Shark Bay, until previous Shire of Shark Bay funding has been acquitted.

PROJECT DETAILS

What is the funding to be used for?

Leveraging a grant from a State or Federal agency

Purchasing goods and services (i.e. equipment and/or engaging a professional for the purpose of instruction)

If your funding application involves purchasing equipment, can the equipment be used by other community groups in the future?

Yes

No

Infrastructure (i.e. significant construction or improvement of facilities). Please include Planning Approvals from the Shire

Funding for a specific event or program

Prize money.

Does the project meet the objectives of the Shire of Shark Bay Strategic Community Plan 2020-2030? Copy of the Plan can be found on the Shire's website.

Economic A progressive, resilient and diverse economy

Environment Help protect our unique natural and built environment

Social A safe, welcoming and inclusive community

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Outline the project goals and how they will benefit Shark Bay community (*minimum of one objective*):

Economic: (*max 150 words*)

With a dedicated committee of 8 and current membership sitting at 90 members together with our previous Far Western nominations for 2022 and 2023 being 102 and 77 respectively our annual Blue Ribbon event brings a huge number of drivers, friends, pit crew and racing fans to the Shark Bay area. Most of these visitors travel some distance and enjoy and utilize all town facilities and businesses. Assisted funding for additional workers would help immensely by being able to assist the small team of volunteers to run the weekend whilst offering extra work to our local community.

Environment: (*max 150 words*)

Social: (*max 150 words*)

Living remote comes with the challenges of limited events and activities for both the local community and youth as well as our surrounding regions. Ongoing support of the Far Western Championship makes it possible to provide a major local event that is easily accessible to our local community members. By being able to provide recognition for competing in the weekend it helps all those taking part to be proud of their efforts and have something to show for doing well. By being able to offer the community some paid work it also provides the opportunity for 'staff' to be a part of a community weekend that they may normally not be able to enjoy

Please list other organisations involved in this project (*if applicable*)

Name of Organisation	Project Involvement

Project Referees:

Please provide two referees (*that is not associated with your organisation*) that are in support of your application, alternatively you can attach letters of support.

Name	Phone	Email	Organisation and position held
Malcolm Chen	0422 507 503		Shark Bay Pharmacy
Martin Grenside	0458 284 357		Monkey Mia Resort

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SIGNIFICANT EVENT - ONLY

If your project is a **Significant Event** will it attract additional visitors to town? If so, how many additional visitors are you planning for?

- 50-100
- 100-200
- 200-300
- Over 500

Will you be charging an entry fee to attend the event?

- Yes
- No

Adults \$30, Concession \$25, Kids \$15

If Yes, how much? _____

PROJECT BUDGET

Please provide a budget description of how the Shire of Shark Bay funds, your organisation contribution and other funding source (if applicable). Please attach quotes with details of each expenditure item being spent.

Expenditure Item Description (i.e. materials, equipment, advertising, catering, prizes)	Shire of Shark Bay Grant (\$)	*In-Kind (\$)	Other Funding Amount (\$)	Other Funding Organisation Name (your organisation or external)
Sashes for 11 categories	\$1000			
Prizes for Junior divisions	\$500			
Perpetual Trophies	\$200			
Bar Staff	\$1500			
Bar Staff		\$520		Shark Bay Speedway Club
Total	\$ 3200	\$ 520	\$	

*In-Kind value: Number of volunteers x hours worked directly on project x \$25 per hour

Will any of your expenditure items be spent locally with **Shark Bay businesses**?

- Yes
- No

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PART 6 – ADDITIONAL INFORMATION

Please attach a copy of the following:

- Organisation's most recent (Audited) Financial Statement
- Quotations for expenditure items

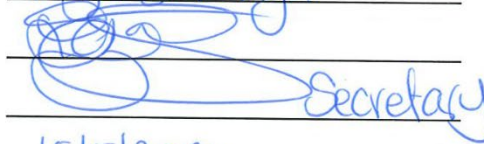
PART 7 – DECLARATION

I hereby certify that I am the authorised person to sign on behalf of the organisation and that the information is correct. I have read, understand and agree to abide by the conditions set out in the Shire of Shark Bay Community Assistance Grants guidelines.

NAME

Tiara Sellenger

SIGNATURE



POSITION IN ORGANISATION

Secretary

DATE

15/5/2024

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A.B.N. 99 575 521 092

307 Place Road
GERALDTON WA 6530
sales@geraldtontrophy.com
Phone: 08 9921 5151

Tax Invoice

Bill To:
Shark Bay Speedway
C/- Shark Bay Caravan Park
6 Spaven Way
DENHAM WA 6537

Invoice #: 00005673

Date: 28/06/2022

Purchase Order #:

QTY.	DESCRIPTION	PRICE	EX PRICE	COD
2	Small plates added to Far Western Perpetual 2021 & 2020	\$15.00	\$30.00	GST

COMMENT

**PAYMENT OF INVOICES CAN BE MADE BY
DIRECT CREDIT TO:
BSB: 086-006
ACC: 27-311-3377**

SALE AMT. \$30.00

GST \$3.00

TOTAL AMT. \$33.00

PAID TODAY \$0.00

\$33.00

Payment terms are 14 days from date of

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Customer: SHARK BAY SPEEDWAY
10 SPAVEN WAY
6537 DENHAM

Contact:

Tax Invoice-Waybill no. 108806

Date: 29/06/2022
Reference no.: 140656
Conditions: 7 days
Due date: 06/07/2022
Currency: AUD

**Customer
Purchase Order:**

Mick

Code	Description	Price	Qty.	Unit	Total
1.	Promotional Items Sashes for Far Western Championship 2022 - Little Stars Juniors, New Star Juniors, Super Mods, Wingless Sprints, Sprint Cars, Top Star Juniors, Modified Sedans, Street Stocks, Production Sedans - 1st, 2nd & 3rd	36.3182	24		871.64

Notes:

Net total: \$871.64
GST(10 %): \$87.16
Total: \$958.80

Please refer to the invoice number and reference number 140656 when making a payment.

Invoice created by: MARISSA B

Signature

Hippocket Workwear & Safety Geraldton
220A LESTER AVE , 6530 GERALDTON,
Australia
geraldton@hippocketworkwear.com.au

Phone: 08 9921 1144
Reg. no.:
ABN : 92394288776

Bank: NAB
BSB: 086 643
ACCOUNT: 04874 7461

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Michelle Fanali

From: enquiries <enquiries@sharkbayhotelwa.com.au>
Sent: Wednesday, 15 May 2024 1:45 PM
To: CDO
Subject: Breakdown of staff costs for Far Western

Friday night bar is open 5pm-11pm....total 6 hours
Estimated 5 staff @ \$30 hour..... x 3 staff for 6 hours (\$180 each) and approx. 2 staff for 4 hours (\$120)
Total \$540 + \$240
STAFF COST FRIDAY \$780

Saturday bar is open 12pm-11.30pm Total 11.5 hours
Estimated 6 staff @ \$30 hour (2 staff 12 – 4, 2 staff 4-8, 2 staff 8-close)....Total 24 hours costing \$720
STAFF COST SATURDAY \$720

TOTAL COST \$1500

Kind Regards

Tiaza Sellenger
Hotel Manager



Shark Bay Hotel
43 Knight Terrace
DENHAM WA 6537

Ph: 08 9948 1203
Fx: 08 9948 1304

E: enquiries@sharkbayhotelwa.com.au
www.sharkbayhotelwa.com.au



w: www.experiencesharkbay.com (download your copy of Shark Bay visitor guide)

* This message has been scanned by the XL2 spam filtering system.

1

**PLEASE BE ADVISED THAT MORE INFORMATION IS SUPPLIED UNDER
CONFIDENTIAL ATTACHMENTS**

29 MAY 2024

11.0 TOWN PLANNING REPORT

11.1 PROPOSED HOLIDAY HOUSE – LOT 232 (12) FRY COURT, DENHAM P1450

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Cr Fenny

Nature of Interest: Financial Interest as family owns adjacent property.

Cr Fenny left the Council Chamber at 1.34 pm.

Moved Cr Bellottie
Seconded Cr Ridgley

Council Resolution

That Council:

A. Note that:

- (i) The application for a Holiday House on Lot 232 (12) Fry Court, Denham has been advertised for public comment.
- (ii) Advertising closed on the 2 May 2024 and one conditional non objection was received.
- (iii) Shire Administration will write to the owners of adjacent 14 Fry Court Denham to advise of the Council decision and to encourage them to notify the Shire if any issues occur within the first 12 months that are not addressed by the property manager.

B. Approve the application seeking planning approval for the existing single house on Lot 232 (12) Fry Court, Denham to be used as a Holiday House subject to the following conditions:

1. This approval is valid for a maximum of 12 months from the date of this planning consent. Following the 12 month period this approval shall expire and become void.
2. This approval for a Holiday House is issued to Richard Singh and Joanne Stirling as the landowners of Lot 232 (12) Fry Court, Denham. This approval shall not be transferred or assigned to any other person and shall not be transferred from the land in respect of which it was granted.

Should there be a change of ownership of Lot 232 this approval is cancelled and expires.

3. The plans and supporting documentation lodged with this application shall form part of this approval.

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4. The owners shall install and construct a new crossover within 6 months from the date of this planning consent or an alternative time period approved separately by the Shire Chief Executive Officer in writing. The crossover shall be constructed out of:
 - a. A 150 mm compacted and water bound road base driveway, sealed with two coat of bitumen and topped with an approved aggregate; or
 - b. A minimum of 100 mm reinforced concrete over a compacted sub-base; or
 - c. A minimum of 50 mm thick brick pavers.
5. Car parking areas with capacity to accommodate a minimum of 2 car parking bays are to be provided and maintained to a trafficable standard on site to the satisfaction of the Shire's Chief Executive Officer in accordance with the information submitted with the application.
6. All guest and boat parking shall be accommodated on Lot 232 at all times.
7. No car, vehicle, trailer, or boat on trailer shall be parked in a manner that obscures, encroaches onto or interferes with access to the existing footpath on Fry Court at any time.
8. The owners shall implement the measures in the Management Plan lodged and approved as part of this application.
9. The owners shall continue to engage a local property manager to manage the holiday house in accordance with the Management Plan approved as part of this application.

If an alternative manager is engaged (other than the agent stated in the Management Plan) , then a revised Management Plan is to be lodged for separate written approval by the Chief Executive Officer with revised contact details for the property manager.
10. The owners shall keep and maintain a working fire extinguisher on the premises at all times in accordance with the Management Plan approved as part of this application, or any revised Management Plan approved separately in writing by the Chief Executive Officer.
11. An A3 laminated copy of each fire escape plan (for the ground floor and second storey) approved as part of this application shall be displayed in prominent places within the existing dwelling.
12. No guest shall be accommodated for periods totalling more than 3 months in any 12 month period.
13. The maximum number of persons to be accommodated at any one time (for short stay accommodation) shall be limited to 4.

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14. If any sign is installed to advertise or identify the holiday house it shall only be located within the lot boundary and the sign face shall not exceed an area of 0.2 square metres.

C. Resolve to advise the applicant in the covering Determination Letter that:

- (i) The Shire will maintain a holiday house register. Where a planning approval is issued Lot 232 will automatically be listed on the holiday house register until such time as the approval expires.
- (ii) This initial approval is limited to a 12 month period in accordance with Clause 32.15.4 of the Shire of Shark Bay Local Planning Scheme No 4.

The Shire has discretion to issue subsequent approvals for a Holiday house for terms of one year, 3 years or up to a maximum of 5 years.

5/1 CARRIED

BACKGROUND

• **Location**

An aerial location plan is included below for ease of reference.

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Above: Location Plan showing Lot 323 in red outline

- **Existing Development**

Lot 232 has been developed with an existing house.



COMMENT

29 MAY 2024

- ***Description of application***

The existing house only has two bedrooms so is proposed to accommodate a maximum of four guests at any one time.

The property will be managed by Ray White.

- ***Parking and Crossover***

There is no crossover servicing the lot, therefore Town Planning Innovations has recommended Condition 4 to require construction of a new crossover in the event that the application is approved.

A carparking plan with photographs has been lodged with the application and is included as Attachment 1.

The existing house has a small footprint, and is setback over 20 metres from the front lot boundary. The majority of the front yard is therefore available for car and boat parking (apart from a vegetated area).

There is a fence in front of the existing dwelling, however it still leaves a large area available for parking.

Town Planning Innovations has included an aerial with some dimensions for Councillors reference over page.



- **Zoning and Proposed Land Use**

Lot 232 is zoned 'Residential' under the Shire of Shark Bay Local Planning Scheme No 4 (the Scheme).

Under the Scheme, Table 1 lists land uses in a table format with different symbols listed under different zones.

Each symbol has a different meaning and determines whether Council has discretion to consider a land use in the corresponding zone (ie if the land use is permitted, not permitted, discretionary or requires advertising).

Part of the planning assessment involves determining which land use definition from the Scheme 'best fits' the proposal.

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The proposed land use is construed as a 'holiday house' which is defined in the Scheme as *'means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast'*.

The land use of 'holiday house' is listed in Table 1 of the Scheme as an 'D' use in the Residential zone which *'means that the use is not permitted unless the local government has exercised its discretion by granting development approval'*.

An extract of Table 1 is included below.

TABLE 1

USE AND DEVELOPMENT CLASS	Commercial	Tourism	Residential	Urban Development	General Industry	Rural	Special use
Holiday house	A	A	D		X	X	

This essentially means that Council has discretion to consider an application for a holiday house in the Residential zone subject to being satisfied that normal planning considerations such as amenity and carparking are adequately addressed.

- **Local Planning Policy No 1 : Holiday Houses**

A summary of the Shire Policy requirements and compliance is included below:

Policy Requirement	Comment
1. A site plan or good quality clear aerial showing the existing house, existing buildings, driveway, and guest parking areas. The location, number and dimensions of parking areas should be clearly marked on the plan.	The applicant has lodged a detailed site plan with photographs showing access and carparking bays.
2. An internal floor plan showing the house layout, the use of each room, and number of double, single or bunk beds per room (including fold out couches).	The applicant has lodged detailed floor plans showing the number of beds per room.
3. Carparking to be provided at a rate of 1 space every 3 guests.	Two carparking bays are required to cater for 4 guests. The applicant has provided information on car and boat parking. Town Planning Innovations has discussed the areas available for carparking in the body of this report.

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<p>4. A Management Plan that addresses how the land use will be managed on a day to day basis to maximise protection of residential amenity, including details of how noise issues will be addressed by the Manager (handling of complaints), and full contact details of the Manager or employee of the Manager.</p>	<p>The Policy includes an example Management Plan that can be used as a base.</p> <p>A Management Plan has been lodged and nominates Ray White as the property manager. It details all property manager responsibilities, booking procedures, and procedures for complaints.</p> <p>The Management Plan is in a format that has been supported and approved for a number of holiday houses in Denham.</p>
<p>5. A Fire and Emergency Response Plan that includes detailed fire escape route maps, provision of a fire extinguisher and emergency contact numbers.</p>	<p>The Policy includes an example Fire and Emergency Response Plan template that can be modified by owners to suit their premises.</p> <p>The owners have lodged detailed floor plans that show the location of smoke detectors, a fire extinguisher, fire blanket, outdoor hose, escape routes and assembly point at the front of the lot.</p> <p>The fire escape route plans can be displayed in the dwelling.</p>

• **Consultation**

The application has been referred to adjacent and nearby landowners for comment. Advertising closed on the 2 May 2024.

One submission from the owners of adjacent 14 Fry Court was lodged stating that:

'With regards to the application, we would like it written into the approval that there is to be no parking of boats, cars etc at our property 14 Fry Court.

Thank you.'

Town Planning Innovations has advised the applicant and Ray White of the neighbours comments.

If planning approval is granted, Shire Administration will also write to the submitters to advise of the Council decision, and that they should advise the Shire if any issues occur that are not resolved by the property manager, especially in the first 12 months.

LEGAL IMPLICATIONS

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

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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.

Shire of Shark Bay Local Planning Scheme No 4 – There are specific provisions that apply to Holiday Houses in Residential zones under Clause 32.15 as follows:

Clause		Comment
32.15	The local government may permit a Holiday house within the Residential zone where, in its opinion, the use would not substantially spoil or detract from the residential character and amenity of the locality.	<p>Council has to consider issues of amenity as part of all planning applications, combined with the other normal planning considerations such as the objectives of the residential zone, parking, management, complaint management etc</p> <p>Council also has to consider the application in accordance with the Shires Local Planning Policy No 1.</p> <p>The Management Plan lodged with the application addresses amenity. If the proposed use is well managed then amenity issues are considered to be addressed.</p> <p>First time approval are issued for a maximum of 12 months. This is similar to have an effective 'trial' period.</p>
32.15.2	<p>The local government shall not consider an application for development approval for a Holiday house unless it is accompanied by:</p> <p>(a) A Management Plan that addresses how the land use will be managed to maximize protection of residential amenity, includes details of how noise issues will be addressed by the Manager, and full contact details</p>	These scheme requirements are also replicated in Local Planning Policy No 1 and are addressed in the body of this report.

MINUTES OF THE ORDINARY COUNCIL MEETING

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	<p>of the Manager or employee of the Manager.</p> <p>(b) A Fire and Emergency Response Plan that includes detailed fire escape route maps and addresses the provision of safety features including hard wired smoke detectors, provision of a fire extinguisher and emergency contact numbers.</p> <p>(c) A detailed site plan which demonstrates adequate carparking can be provided on site.</p>	
32.15.3	The local government may have regard for the following matters when determining an application for development approval for a Holiday house:	This clause is worded to outline matters that Council <u>may</u> have regard for. It does not use the term 'shall' or the term 'due regard' so provides some flexibility.
32.15.3a	A Management Plan adequately demonstrates that the land use will be managed as to ensure that it will not cause nuisance or annoyance to the owners of adjoining or nearby residential properties;	This scheme requirement is replicated in Local Planning Policy No 1 and is addressed in the body of this report.
32.15.3b	A manager, caretaker or a contactable employee of the Manager permanently resides in Denham townsite or within one hours drive of Denham townsite;	This scheme requirement is replicated in Local Planning Policy No 1 and is addressed in the body of this report.
32.15.3c	A Fire and Emergency Response Plan comprehensively addresses fire safety.	This scheme requirement is replicated in Local Planning Policy No 1 and is addressed in the body of this report.
	The proximity of the lot to Denham townsite, the beach and/or any significant tourist attraction.	This report includes a plan showing the location of Lot 232. The lot is within walking distance to the beach and Knight Terrace.
32.15.3d	The need to encourage holiday house's close to the Denham Town Centre and discourage these uses within established residential areas distanced from the Denham Town Centre;	As per above.
32.15.3e	The size of the lot and density of development in the surrounding area;	This report includes an aerial plan showing surrounding development, a location plan, a photograph of the existing house and an aerial with parking area dimensions.

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32.15.3f	The potential for increased impact where adjacent land has been developed for grouped dwellings or there are small lots with dwellings in close proximity to each other;	As per above.
32.15.3g	The potential for occupiers to have different behaviours and routines and the need to protect residents in suburban locations with daily work routines.	To address this the Scheme requires a local property manager, a Management Plan, and the ability to limit the term of any planning approval.
32.15.3h	The location of active outdoor areas and their relationship to sensitive bedrooms within surrounding dwellings in a suburban environment.	Aerials are included in all agenda reports to Council, however access to neighbours' internal floor plans are limited. All applications are advertised for public comment so neighbours can raise any concerns over applications.
32.15.4	The local government shall limit any initial development approval for a Holiday house to a maximum 12 month period.	All 'first time' approvals are limited to 12 months through a condition of approval.
32.15.5	The local government may issue subsequent Development approvals for a Holiday house and has discretion to limit the term of approval to one year, 3 years or up to a maximum of 5 years as deemed appropriate by the local government.	The Shire can issue subsequent approval for terms of 3 or 5 years. Generally, second approvals have been limited to 3 years.
32.15.6	The local government may have regard for any substantiated written complaint or evidence about mismanagement of a Holiday house in considering the issue of subsequent Development approvals.	All applications are advertised to nearby and surrounding neighbours to ascertain whether issues have arisen for any approved holiday house.
32.15.7	Advertising signage associated with a Holiday house shall have a maximum area of 0.2m ² and be fully located within the lot boundary.	A condition is placed on all approvals to limit the size of any sign.
32.15.8	A Holiday house is to comply with the Residential Design Codes and/ or any existing Planning consent already granted for the dwelling or variation to the Residential Design Codes with the exception that Council has discretion to require a higher provision of carparking for any Holiday house having regard for the number of bedrooms and maximum number of persons to be accommodated at any one time.	Council has regard for factors such as number of bedrooms and maximum number of guests in assessing carparking.

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32.15.9	Development approvals can be renewed when an owner/ applicant lodges a new Planning Application to the local government.	Renewals are only considered where a landowner lodges a new application.
32.15.10	A development approval for a Holiday house is issued to a specific owner of a particular parcel of land, it shall not be transferred or assigned to any other person and shall not be transferred from the land in respect of which it was granted. Should there be a change of the owner of the land in respect of which planning consent is issued the planning consent is cancelled.	Conditions are placed on approvals for holiday houses to ensure they are specific to the current landowner(s). If ownership of a lot changes any existing approval lapses and expires.
3.15.11	A Holiday house shall not operate within the Residential zone unless it is registered in respect of the lot under Clause 32.15.12.	The Shire registers holiday houses if an approval is granted.
32.15.12	Outlines that all holiday houses have to be a register maintained by the Shire.	The Shire registers holiday houses if an approval is granted.
32.15.13	Outlines that Council may have a general regard for Clauses 32.15.2 and 32.15.3 in determining applications for a holiday house in the Commercial or Tourism zone.	This clause does not apply as this proposal is in a residential zone.

POLICY IMPLICATIONS

The Holiday House Policy requirements are explained in the body of this report.

Although not a local planning policy, the Shires crossover policy requires a standard sealed or paved crossing comprising of either -

1. A 150 mm compacted and water bound road base driveway, sealed with two coat of bitumen and topped with an approved aggregate; or
2. A minimum of 100 mm reinforced concrete over a compacted sub-base; or
3. A minimum of 50 mm thick brick pavers; or
4. As approved by Council.

The Shires Crossover Policy requires a minimum width of 3 metres.

FINANCIAL IMPLICATIONS

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

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STRATEGIC IMPLICATIONS

It is important to note that:

- The State Government is progressing legislation to improve regulation around the Short-Term Rental Accommodation sector.
- Existing planning approvals will remain valid.
- The Short-Term Rental Accommodation Bill 2024 (Bill) proposes to require all short-term rental accommodation in Western Australia to be registered. If a property is not registered, the operator will not be permitted to advertise or enter into a short-term rental arrangement.
- Compliance mechanisms are proposed including monetary penalties and a power of a Commissioner to suspend or cancel registration.
- Local Government Authorities will retain primary responsibility through their planning schemes for determining development approval requirements to apply to Short Term Rental Accommodation.
- A state register is expected to open mid-2024 and registration will become mandatory on the 1 January 2025.
- Property owners are to demonstrate compliance with local planning requirements or risk de-registration by the 1 January 2026.
- The Western Australian Planning Commission is looking at new and amended tourism-related definitions will be included in the updated *Planning and Development (Local Planning Schemes) Regulations 2015*.

Matters such as holiday houses need to be examined strategically as part of development of a new Local Planning Strategy. When the state brings out new land use definitions for Short Term Rental Accommodation, the Shire will need to consider whether any scheme amendment is warranted.

RISK MANAGEMENT

This is a low risk item to Council

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

L Bushby

Chief Executive Officer

D Chapman

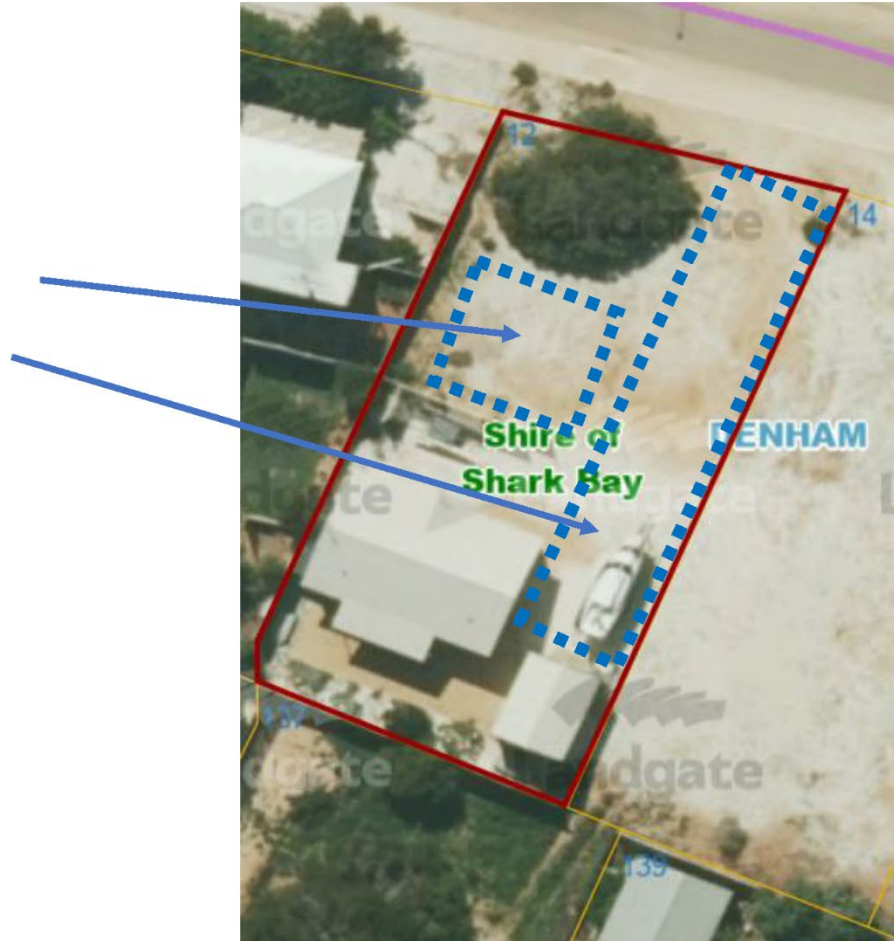
Date of Report

14 May 2024

Attachment 1

Aerial View

Car & Boat Parking
Ample room for at least
2 cars and 1 boat on
the property



Attachment 1

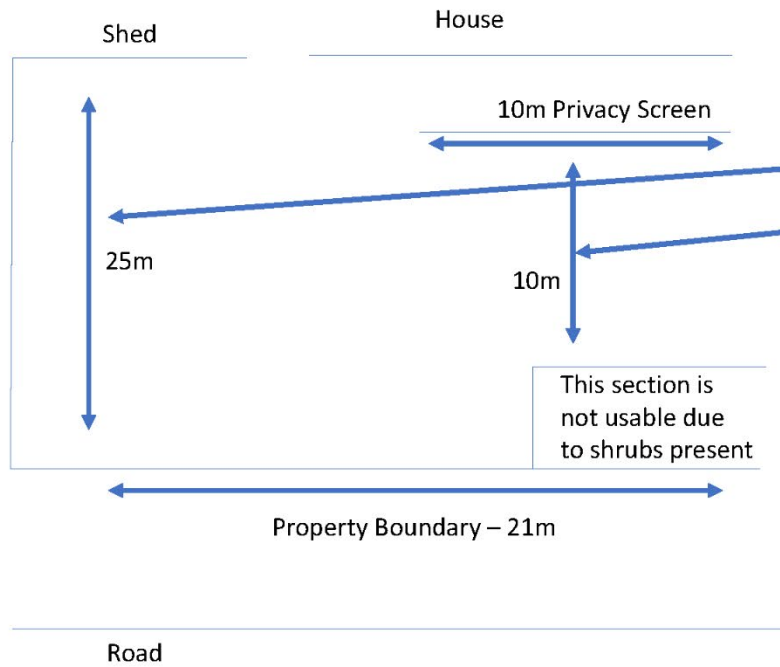
Street View

**Car & Boat Parking
Ample room for at least
2 cars and 1 boat on
the property**



Attachment 1

**Parking Dimensions
12 Fry Court**



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11.2 PLANNING APPLICATION SEEKING APPROVAL FOR ALTERATIONS / ADDITIONS TO EXISTING HOUSE AND ANCILLARY DWELLING AND PROPOSED OUTBUILDING – LOT 3 (143) KNIGHT TERRACE, DENHAM
P1006

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Declaration of Interest: Cr Fenny

Nature of Interest: Financial Interest as family owns adjacent property.

Declaration of Interest: Cr Ridgley

Nature of Interest: Financial Interest as staff member lives at this address.

Cr Ridgley left the Council Chamber at 1.37 pm.

Moved Cr Vankova
Seconded Cr Bellottie

Council Resolution

That Council:

- A. Note that the original application for various development on Lot 3 (143) Knight Terrace, Denham has been advertised to nearby and adjacent landowners for comment. Advertising closed on the 2 April 2024 and one comment has been received.**
- B. Note that although Clause 32.1 of the Scheme recommends a minimum finished floor level of 4.2 metres Australian High Datum for land subject to inundation, there is discretion to vary it as follows:**
- (i) For non-habitable development that is detached from any single house or dwelling unit on the same lot in the Denham townsite.
 - (ii) Refurbishment of an existing building or a minor extension to an existing development.
 - (iii) Under Clause 34 which states that *‘the local government may approve an application for a development approval that does not comply with additional site and development requirements’*.
- C. Approve the application (with revised plans) seeking planning approval for alterations/additions to the existing house and ancillary dwelling, and the proposed outbuilding on Lot 3 (143) Knight Terrace, Denham subject to the following conditions and footnotes:**
- 1. The revised plans lodged with this application dated the 10 May 2024 shall form part of this planning approval. All development shall be in accordance with the approved plans.
 - 2. The proposed ‘BBQ’ area’ shall be open on the south-east side as shown on the attached approved plans.

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3. This approval includes works for removal of the existing asbestos roof and replacement with a colorbond roof for the existing house.
4. All stormwater from roofed and paved areas 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 road reserve unless otherwise approved in writing by the Chief Executive Officer.
5. If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.

Footnotes:

- (a) Lot 3 is an area subject to inundation, where minimum finished floor levels are recommended. Approval for this development is based on the following:
 - (i) There is specific discretion to approve non-habitable outbuildings with a lesser floor area where they are detached from any dwelling;
 - (ii) There is also specific discretion to approve a lower floor area for minor additions.
 - (iii) Some of the development is clearly ancillary to the existing dwellings including the verandahs. These are considered minor based on the type of structures and their uses.
- (b) Planning consent is not an approval to commence construction. A separate building permit must be obtained for all work, including the proposed new roof for the existing house.

General information on the building process and application forms are available on the Shires website - [Building Process Approval House Dwelling \(sharkbay.wa.gov.au\)](https://sharkbay.wa.gov.au)

- (c) Any asbestos should be removed by a suitably qualified Asbestos Competent Person. Before any asbestos is taken to the local waste facility that person must:
 - i. Wrap or contain the material containing asbestos in a manner that prevents asbestos fibres entering the atmosphere during transport;
 - ii. Label the material with the words 'Caution Asbestos';
 - iii. Contact and inform staff at the local waste facility that the material contains asbestos, prior to transporting any such materials to the waste facility.

A Department of Health Guidance note on asbestos roofs can be viewed on line - [DoH Multi-page Template \(health.wa.gov.au\)](https://health.wa.gov.au).

- (d) Any future front fencing is to comply with the provisions of the Residential Design Codes, which require front wall and fences to be visually permeable above 1.2 metres. Where a fence entails a

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variation to the Residential Design Codes, planning approval is required.

Any new fencing will require a Building Permit.

5/0 CARRIED

Cr Fenny and Cr Ridgley returned to the Council Chamber at 1.45 pm.

BACKGROUND

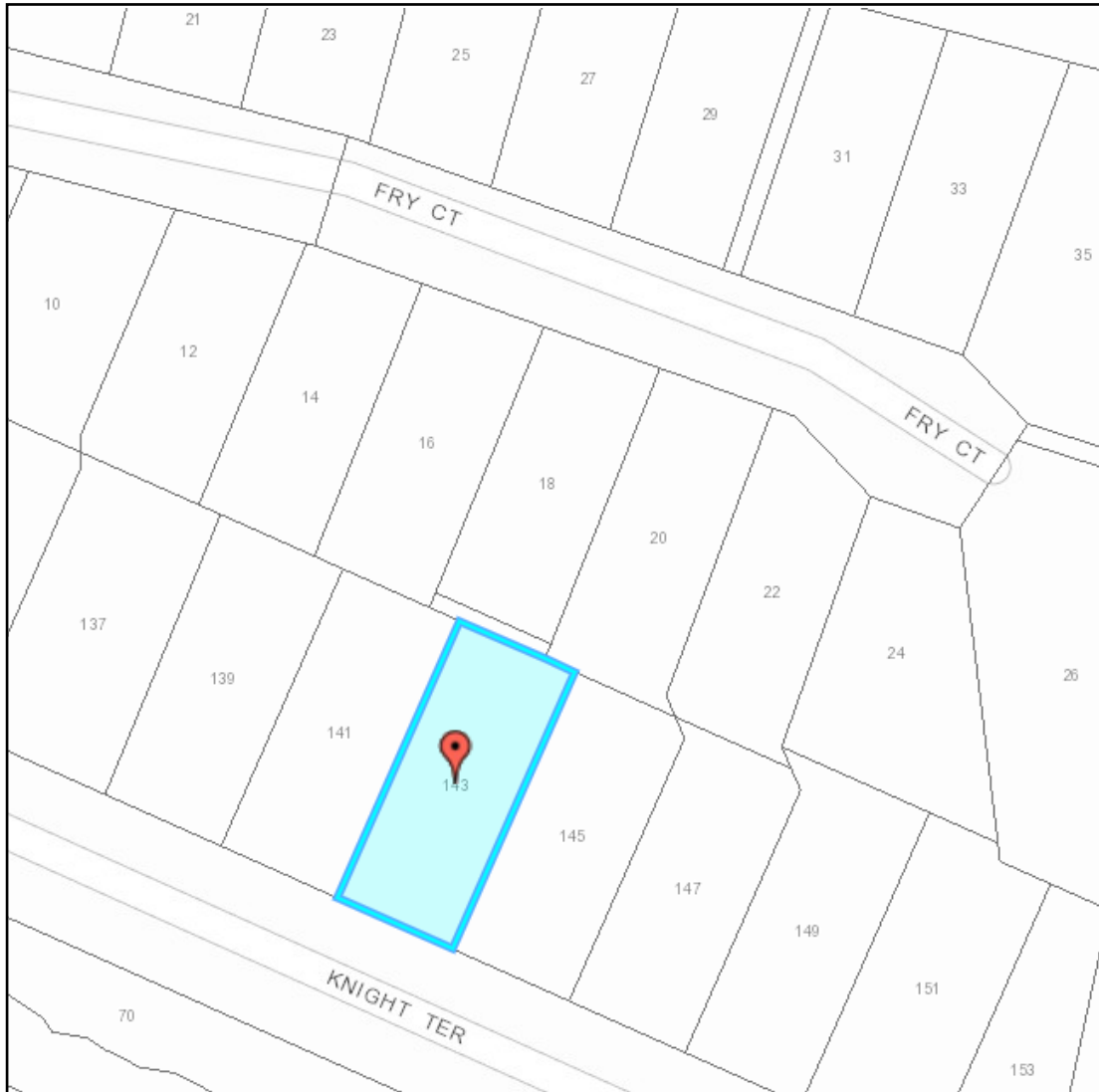
- **Zoning**

The lot is zoned 'Residential' with a density code of R30 under the Shire of Shark Bay Local Planning Scheme No 4 ('the Scheme').

- **Location**

A location plan is included below for ease of reference.

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Above: Location Plan

- **Existing Development**

The lot has been developed with an existing house and an ancillary dwelling.

The lot historically contained an older outbuilding to the north east of the house, and an outdoor toilet (detached from the house). Both of these structures have been removed – refer to photographs below.

Some alteration works have already commenced, including basic framework to the south east of the house (near where the old outbuilding used to be located).

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Below is a photograph of the old toilet/shower/laundry which has been removed.



Note: Photograph supplied by the current property owners

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- ***Relevant Council decision March 2024***

A report on the application was referred to Council at the Ordinary Meeting held on the 27 March 2024. The officer recommendation to delegate authority to the Chief Executive Officer to determine the application was set aside.

Instead Council resolved to defer the item until the April 2024 Ordinary Council meeting, until after all advertising was closed.

A revised report was referred to Council at the Ordinary Meeting held on the 24 April 2024. Council deferred the item due to concerns with the proposed shed height of 4.26 metres.

Council also had concerns that the extensions to the existing house were not minor and therefore the minimum finished floor level of 4.2m Australian Heights Datum is a requirement.

COMMENT

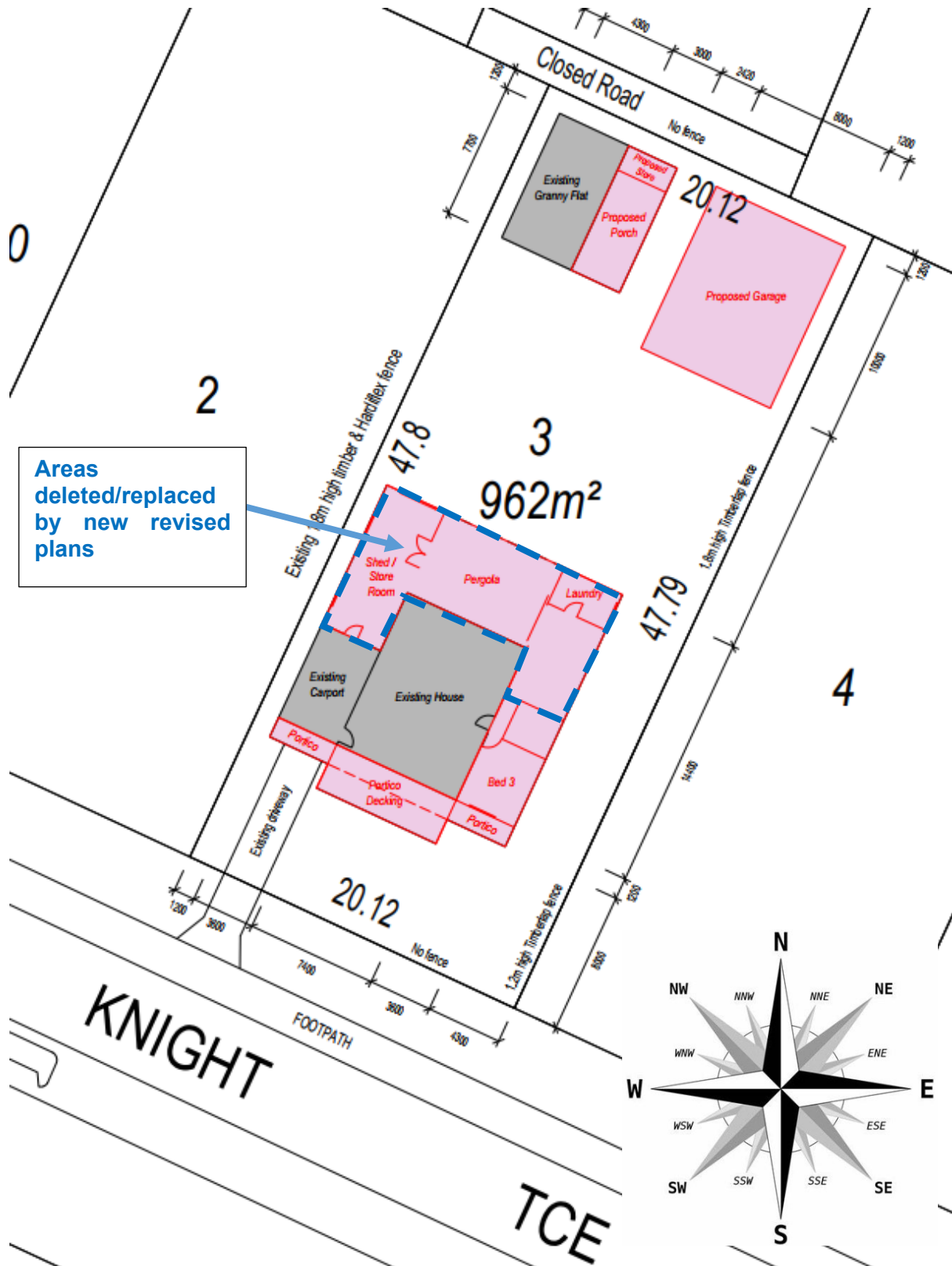
- ***Description of original application (alterations and additions)***

An application had originally been lodged for alterations and additions to the existing single house to include new front porticos, front decking, new bedroom/living space, a rear pergola and attached shed/storeroom.

A storeroom and porch/verandah addition was also proposed to the south-east elevation of the existing ancillary accommodation.

The original site plan is included over page for ease of reference.

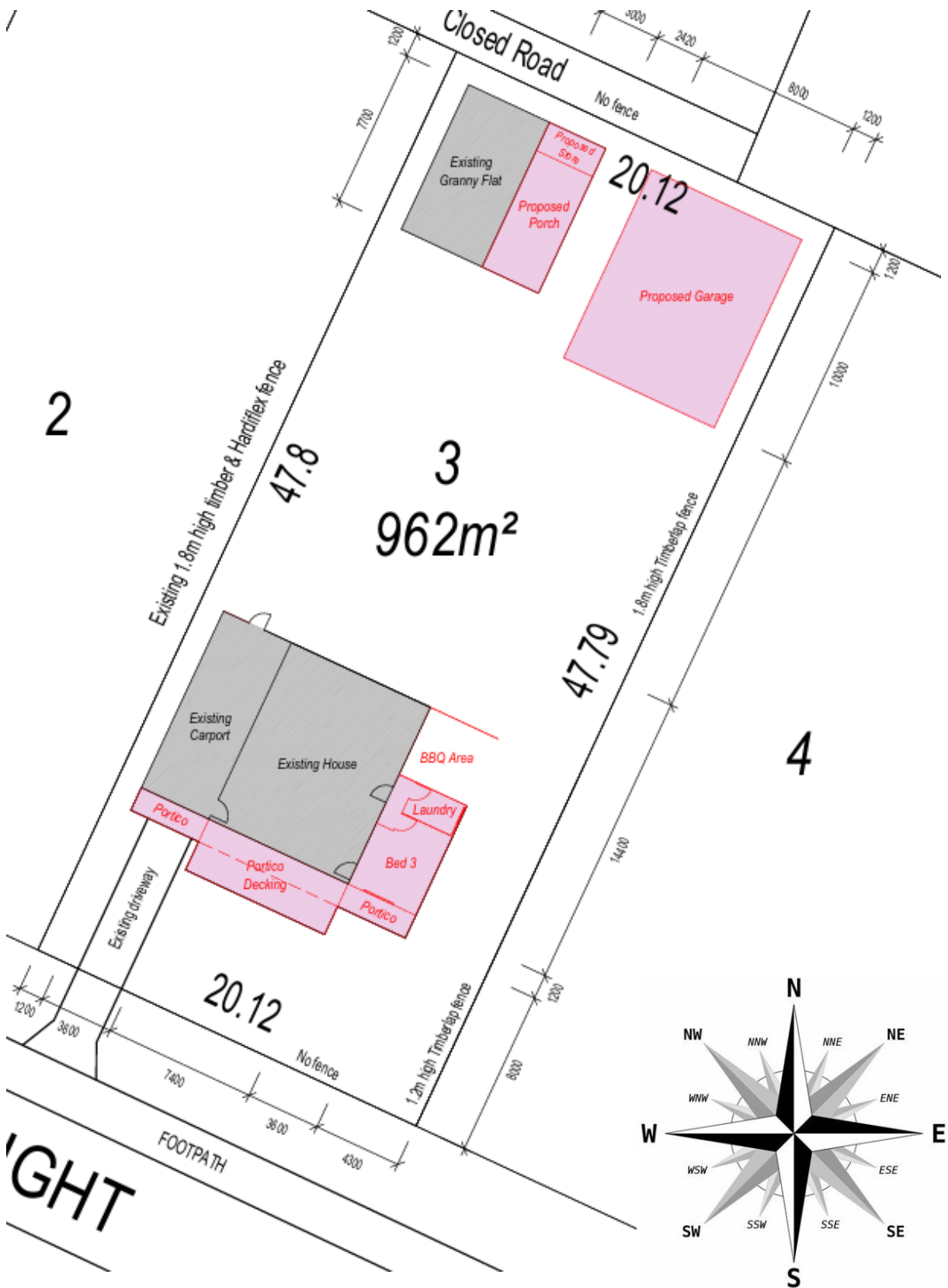
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Above: Original Site Plan (not supported by Council at the April 2024 meeting). Revised plans have been lodged and delete or replace the areas shown as a dashed blue line.

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The revised site plan is included below.



• **Description of Revised Plans (alterations and additions)**

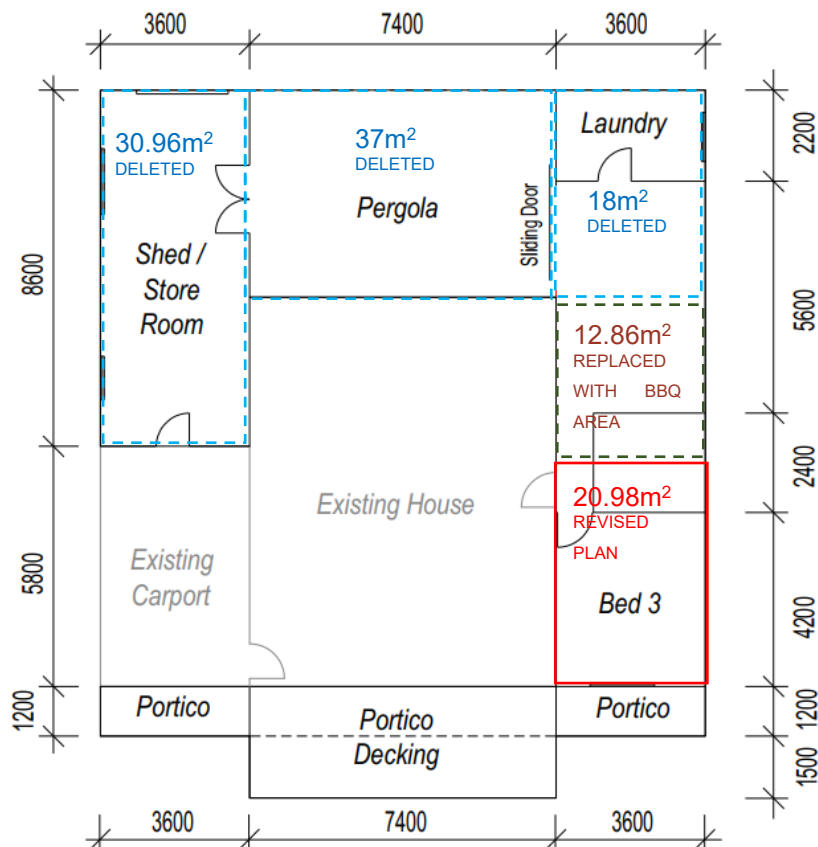
The owners of Lot 3 have lodged revised plans to address the concerns raised by Council.

The revisions include:

- a) Deletion of the proposed attached storeroom to the west of the existing house. The storeroom had an area of 30.96m².
- b) Deletion of the proposed rear pergola area (37m²).
- c) Deletion of part of the laundry and living space south-east of the house;
- d) Reduction of the maximum outbuilding height from 4.26 metres to 4.2 metres.

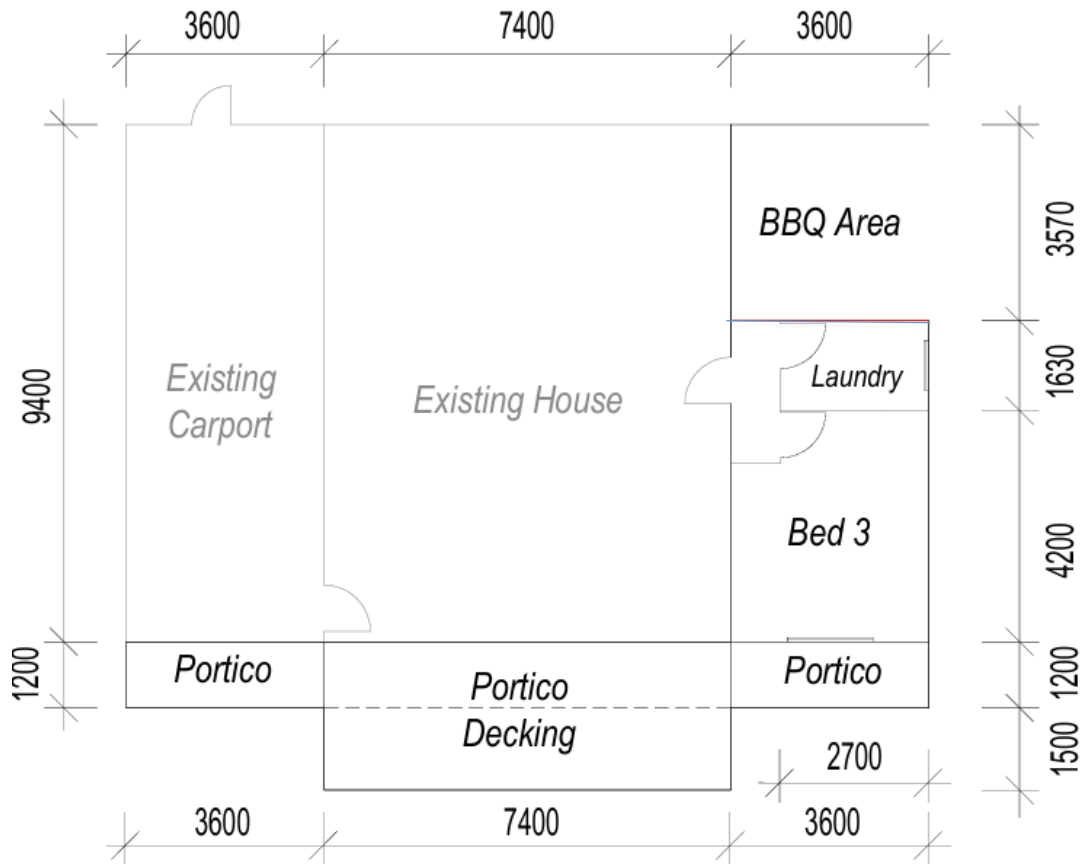
As Council expressed concern that the extensions to the existing house were not considered 'minor', the total footprint of all the house extensions has been reduced from 119.74m² (including the attached storeroom, pergola and east house extension) to a total of 33.88m² (including the BBQ area).

The extension to the south-east of the house has been reduced from 51.84m² to 20.98m² (excluding the BBQ area) as shown on the original floor plan below.



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The revised floor plan for the existing house is included below.



The application still proposes a verandah/storeroom addition to the existing ancillary dwelling, and a detached outbuilding to the rear of the existing house.

A full set of plans is included as Attachment 1.

- **Residential Design Codes (alterations and additions)**

Under the Residential Design Codes there are specific 'Deemed to Comply' setback and site requirements.

The alterations/additions for the main house and the ancillary dwelling comply with all site and setback requirements of the Residential Design Codes.

- **Land Subject to Inundation**

A minimum finished floor level of 4.2 metres Australian Height Datum is a requirement for development on 'land subject to inundation' under the Shire of Shark Bay Local Planning Scheme No 4 (the Scheme).

Council has discretion to allow a lower finished floor level for refurbishment of an existing building or a minor extension to an existing development.

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A description of the different works is summarised and commented on in the table below.

Description of Works	Officer Comment
Extensions to the south-east of the existing house	<p>The existing house has a floor area of 69.56m² (excluding the carport).</p> <p>The proposed house extension floor area is 20.98m² (excluding the BBQ area), which equates to a 30% increase of the floor area to accommodate one new bedroom and one laundry.</p> <p>Town Planning Innovations supports the house extension being considered as 'minor' – especially as an existing detached laundry has been demolished and is simply being replaced in this revised plan.</p>
Verandah to the existing house	<p>Consideration of whether a development is 'minor' does not rely solely on assessment based on floor area. Council can consider the verandah to be minor development as it is non-habitable and ancillary to the existing house.</p>
Verandah to the existing ancillary dwelling	<p>Consideration of whether a development is 'minor' does not rely solely on assessment based on floor area. Council can consider the verandah to be minor development as it is non-habitable and ancillary to the existing ancillary dwelling.</p>
Storeroom to existing ancillary dwelling	<p>The existing ancillary dwelling has a floor area 33.11m².</p> <p>The storeroom only has a floor area of 4.5m², so is considered to be a 'minor' extension.</p>
Proposed outbuilding	<p>Council also has discretion to allow a lesser finished floor area for non-habitable development that is detached from any single house or dwelling unit on the same lot (as is the case for the separate outbuilding).</p>

The owners have advised that:

1. When they purchased the property there was an outside laundry that also incorporated a toilet and shower. It was originally their intention to keep this building and just re clad and refit the existing building. Upon inspection it was noticed that the toilet was only a long-drop toilet. The concrete floor was being

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held up by a piece of wood and the actual structure was riddled with white ants and unstable (wobbled when leant on). The owners decided they had no option but to remove the structure. They had a local earthmoving contractor come to level the block and he knocked it over and filled the drop toilet hole. They then had the deep sewerage connected to the house and made provision for the future plumbing to be connected when the new structure was completed.

2. The house has no laundry at the moment. It consists only of 2 bedrooms, a toilet, a bathroom, a living room and kitchen.
3. The existing shed did not allow for vehicle access to the rear of the property. They had been using the property behind them for access for earthmoving equipment and general cartage of building goods until a house was installed on that property in December. Therefore they removed the existing shed to increase the side access to the rear from 2.4 metres to 4 metres. The shed was also riddled with white ants and structurally unsound.
4. The revised plans incorporates a laundry near to where the original one stood. Also an additional bedroom is proposed as their main bedroom (with ocean view) at the front, to come in line with the original outbuilding and make it aesthetically pleasing.

A lower finished floor level is supported at an officer level for the proposed development having regard for the nature of the proposed works, that some works are ancillary including the portico/decks, and that the eastern house extension only results in a 30% increase in floor area.

• **Residential Design Codes (Outbuilding)**

Under the Residential Design Codes there are specific 'Deemed to Comply' requirements for outbuildings.

At the Ordinary Meeting held in April 2024, Council expressed concern over the proposed ridge height of 4.26 metres. There was some discussion over the impact of the height on amenity and neighbours.

The owners have lodged revised plans to reduce the height of the outbuilding from 4.26 metres to 4.2 metres.

The proposed outbuilding seeks variations to the Residential Design Codes (the Codes) as detailed below:

Clause 5.4.3 C3 B 'deemed to comply' criteria / Outbuildings that:	Officer Comment - Town Planning Innovations
(i) individually or collectively does not exceed 60sqm in area or 10 percent in aggregate of the site area, whichever is the lesser	Variation. A floor area of 80m ² is proposed.
(ii) setback in accordance with Table 2a.	Complies
(iii) does not exceed a wall height of 2.4 metres	Variation. A wall height of 3.6 metres is proposed.

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(iv) does not exceed a ridge height of 4.2 metres	Complies.
(vi) not located within the primary or secondary street setback area; and	Complies.
vi) does not reduce the open space and outdoor living area requirements in Table B.	Complies.

The owners have advised that the outbuilding size and height is proposed to accommodate their existing caravan and boat. Their caravan is 3.08 metres high and their boat on a trailer is 3.6 metres high.

They currently store the boat in a garage on a lot in Ledge Point and have provided a photograph of it – refer below.



The owners advise that the height of their Ledge Point garage opening is 3.6 metres and the boat only 'just fits in'.

- **Outbuilding Assessment – Design Principle**

The application proposes variations to the 'Deemed to Comply' requirements therefore the Shire has to determine if the outbuilding complies with the alternative 'Design Principle' (5.4.3 P3) of the Codes which is:

“Outbuildings that do not detract from the streetscape or the visual amenity of residents of neighbouring properties”.

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It is the applicants right to pursue an approval under the available alternative Design Principle of the Codes. The Design Principle pathway offers an alternative merit-based approach when one or more of the 'deemed-to-comply' provisions are not satisfied.

Town Planning Innovations is of the view that the outbuilding complies with the alternative 'Design Principle' (5.4.3 P3) of the Codes for the following reasons:

1. The outbuilding is proposed to the rear of the existing house, so will partially be screened from view from the front of Lot 3.
2. Similar wall heights of 3.6 metres have been approved for outbuildings on other lots in Denham.
3. The outbuilding will be over 36 metres from the Knight Terrace lot boundary. As such, it will not be visually dominant in the existing streetscape.

• **Relevant Decisions on Outbuildings**

Each streetscape has different characteristics which need to be taken into account as part of specific assessments.

The table below outlines the sizes of approved outbuildings in Denham townsite. Some outbuildings with comparable or higher wall and roof heights have been approved as highlighted in blue in the table.

Address	Wall Height	Ridge Height	Floor Area	Council meeting date
Lot 36 (5) Dirk Place Denham	4	4.6	54m ²	February 2017
Lot 182 (4) Fletcher Court, Denham	4.2	4.2	88m ²	Delegated authority after general report to Council in May 2015
Lot 83 (47) Hartog Crescent, Denham	4	4.611	94m ²	Delegated authority after general report to Council in March 2015
Lot 154 (7) Sunter Place Denham	3.7	4.2	88.07m ²	December 2015
Lot 249 (4) Talbot Street, Denham	3.425	4.232	78m ²	June 2015
Lot 210 (10) Edwards Street, Denham	3.5	4.088	36.3m ²	July 2014
Lot 294 (33) Hughes Street, Denham (abuts child care centre and church)	3.6	5	90m ²	September 2014
Lot 191 (Strata Lot 2 – 71A) Brockman Street, Denham	2.7	3.571	58.5m ²	August 2024
Lot 200 (39) Capewell Drive, Denham (alteration and extension of existing outbuilding)	2.7-2.9	3.504	54m ²	February 2024
Lot 264 (Unit 2) Mead Street, Denham	3	4.2	68m ²	August 2024

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Lot 85 (43) Hartog Crescent, Denham	4.5	5.029	54m ²	April 2012
Lot 216 (5) Poland Road, Denham	4.1	4.95	80m ²	July 2012
Lot 39 (4) Sellenger Heights, Denham	4.2	4.9	89.9m ²	Refused February 2018
Lot 39 (4) Sellenger Heights, Denham (Revised plans lodged after refusal issued in February 2018)	3.45 metres to 3.845 metres	3.845 metres	77m ²	February 2019
Lot 223 (10) Fry Court Denham	2.6 metres to 2.8 metres.	4.2	129m ²	Delegated authority after general report to Council in March 2019
Lot 4 (145) Knight Terrace, Denham	3 metres	4.7	73.73m ²	March 2020
Lot 159 (37) Durlacher Street, Denham	3.6 metres	4.31 metres	29.6m ² is proposed and the existing outbuilding is 44.4m ² .	August 2020
Lot 224 (9) Leeds Court, Denham	3.7 metres	4.16 metres	96m ² in addition to a 54m ² existing outbuilding.	September 2020
Lot 61 (8) Hartog Crescent, Denham	2.7 metres	4.065 metres	60m ²	December 2020
Lot 148 (71) Durlacher Street, Denham	2.7 metres	3.22 metres	60m ²	December 2020
Lot 105 (9) Oakley Ridge, Denham	3 metres	3.8 metres	72m ²	February 2021
Lot 160 (22) Capewell Drive, Denham	3.5 metres	4.11 metres	56m ²	March 2021
Lot 226 (24) Fry Court, Denham	3.981 to 4.41 metres	4.41 metres	84m ²	Refused May 2021
Lot 226 (24) Fry Court, Denham	4.086 to 4.319 metres	4.4 metres	75.6m ²	Refused July 2021
Lot 31 (13) Mitchell Rise, Denham	3.588 metres	4.2 metres	65m ²	Delegated authority after general report to Council in April 2021
Lot 17 (16) Terry Deschamps Way, Denham	3.6 to 3.9 metres	3.9 metres	57.84m ²	August 2021
Lot 226 (No 24) Fry Court, Denham	4.086m to 4.319 metres	4.4 metres	84m ²	October 2022
Lot 156 (1) Sunter Place, Denham	3.5	4.8	51.3m ²	Refused March 2022
Lot 209 (14) Edwards Street, Denham	2.59	2.59	14.7m ²	Approved August 2023
Lot 11 (4) Terry Deschamps Way, Denham	3.65 metres	4.15 metres	100m ²	August

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				2023 OCM/granted delegation to CEO
Lot 203 (131) Knight Terrace, Denham	4.1 metres	4.4 metres	73.5m ² (31.5m ² portion is open sided)	Approved September 2023

• **Consultation**

The application has been referred to adjacent and nearby landowners for comment. Advertising closed on the 2 April 2024.

A letter was lodged by the owner of adjacent 141 Knight Terrace asking questions about whether the existing framework met building requirements, whether the extensions will be attached to the existing roof, where stormwater will go and querying privacy requirements for a window in the ancillary dwelling.

The letter also included questions about whether plumbing details need to be shown on the plans, and if the development will be connected to sewer.

Town Planning Innovations has provided a written email response explaining that plumbing details do not need to be shown, that the development is connected to sewer, that privacy setbacks do not apply where the finished floor level is not more than 0.5 metres above natural ground level, and that the owners will need to lodge a separate application seeking building approval.

Town Planning Innovations has also advised the neighbour that the existing house roof will be replaced, and the owners have been advised of the requirements on how to dispose of asbestos safely.

LEGAL IMPLICATIONS

Planning and Development Act 2005 – The current Residential Design Codes were made under Part 3A of the Act. The Codes have moved from a being a State Planning Policy to being a Planning Code.

The R Codes now have an elevated legal status of subsidiary legislation under the Act.

New Residential Design Codes (Volume 1, 2024) became operative on the 10 April 2024.

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.

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The proposed development will improve the appearance of the existing house and Town Planning Innovations has no concerns over matters such as amenity, streetscape or compatibility of the development in the immediate locality.

Shire of Shark Bay Local Planning Scheme No 4 –

Clause 32.1(a) state that *'no development shall be constructed upon any land within an area considered by the local government as being vulnerable to coastal storm surge inundation unless granted specific development approval by the local government.'*

Clause 32.1(e) outlines where the local government has discretion to consider and require alternative minimum finished floor levels including where:

1. *'the proposed development only involves refurbishment of an existing building or a minor extension to an existing development.'* Or
2. *'for non-habitable development that is detached from any single house or dwelling unit on the same lot in the Denham townsite'.*

Clause 34 outlines that Council has the ability to consider 'Variations to site and development standards and requirements'.

Clause 34 outlines that **additional site and development standards** means requirements that are set out in Clause 32.

The minimum finished level of 4.2m Australian Height Datum is listed under Clause 32, and can be varied under Clause 34.

Clause 34(2) outlines that 'the local government may approve an application for a development approval that does not comply with additional site and development requirements'.

Council can advertise any application seeking a variation to any site requirement. As outlined in this report this application was advertised for public comment.

Clause 34 (5) states that:

- (1) The local government may only approve an application for development approval under this clause if the local government is satisfied that -
 - (a) approval of the proposed development would be appropriate having regard to the matters that the local government is to have regard to in considering an application for development approval as set out in clause 67 of the deemed provisions; and
 - (b) the non-compliance with the additional site and development standard will not have a significant adverse effect on the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.

POLICY IMPLICATIONS

The Residential Design Codes operate as State Planning Code.

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FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this report.

RISK MANAGEMENT

This is a low risk item to Council.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author

L Bushby

Chief Executive Officer

D Chapman

Date of Report

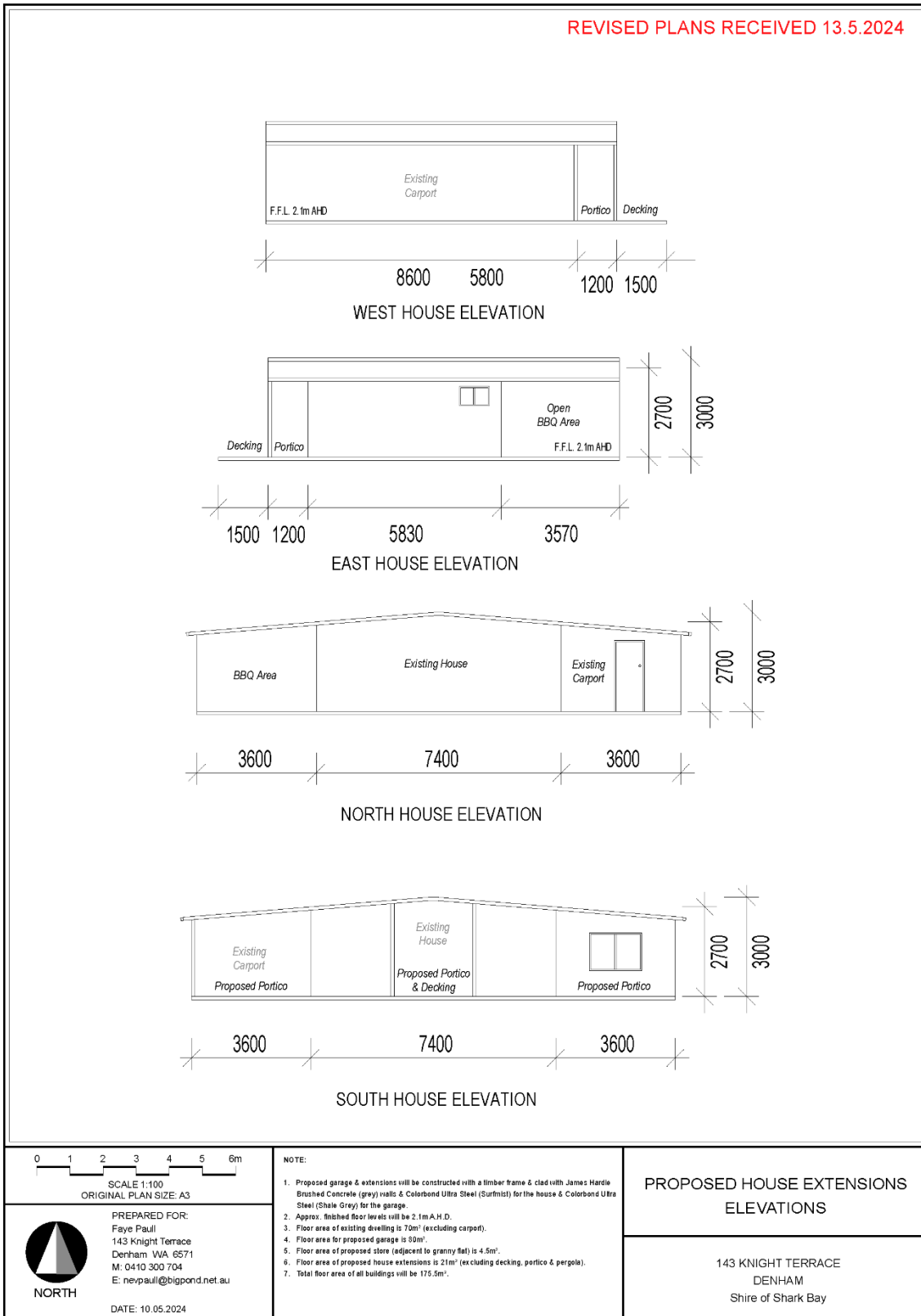
15 May 2024

ATTACHMENT # 1



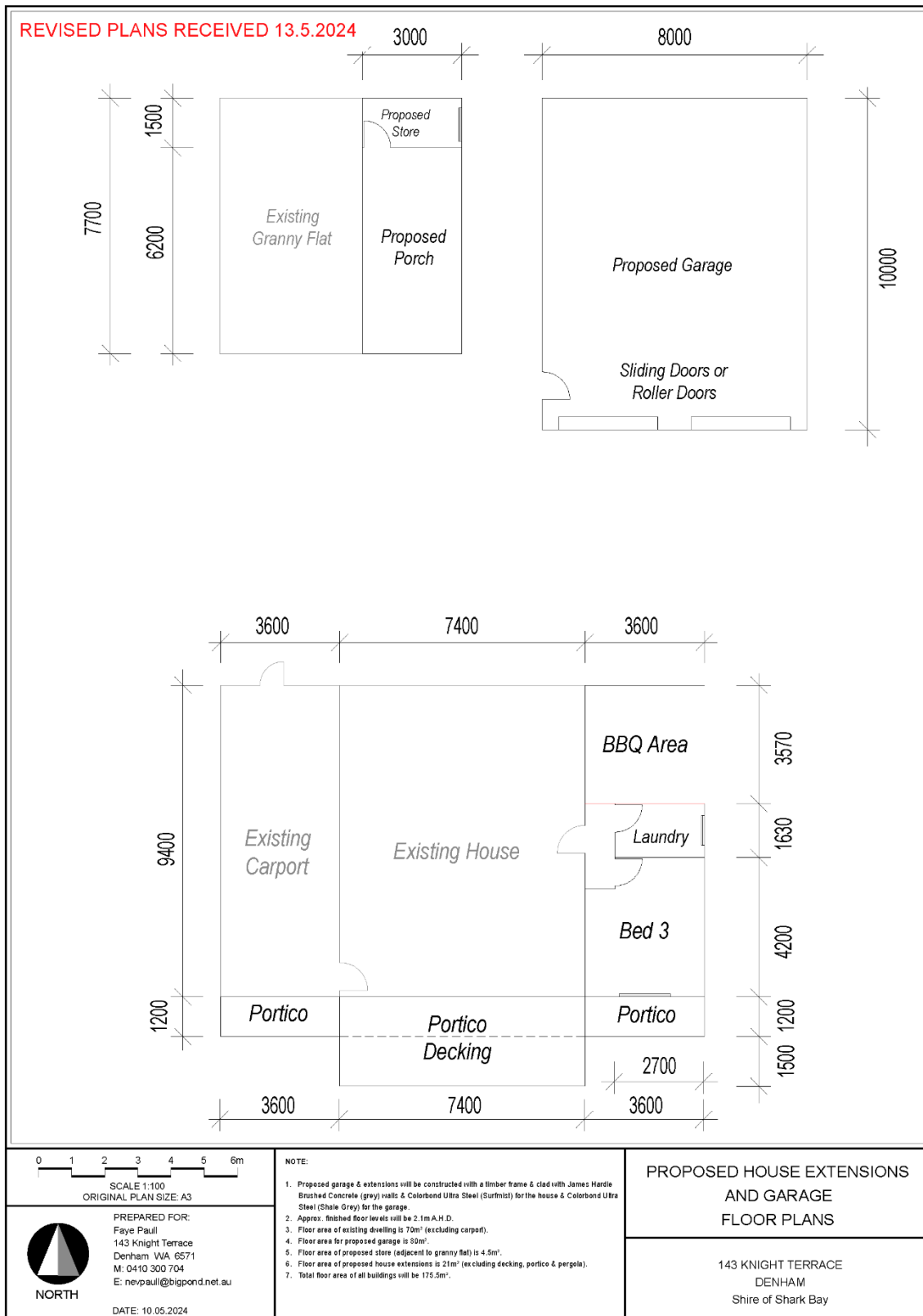
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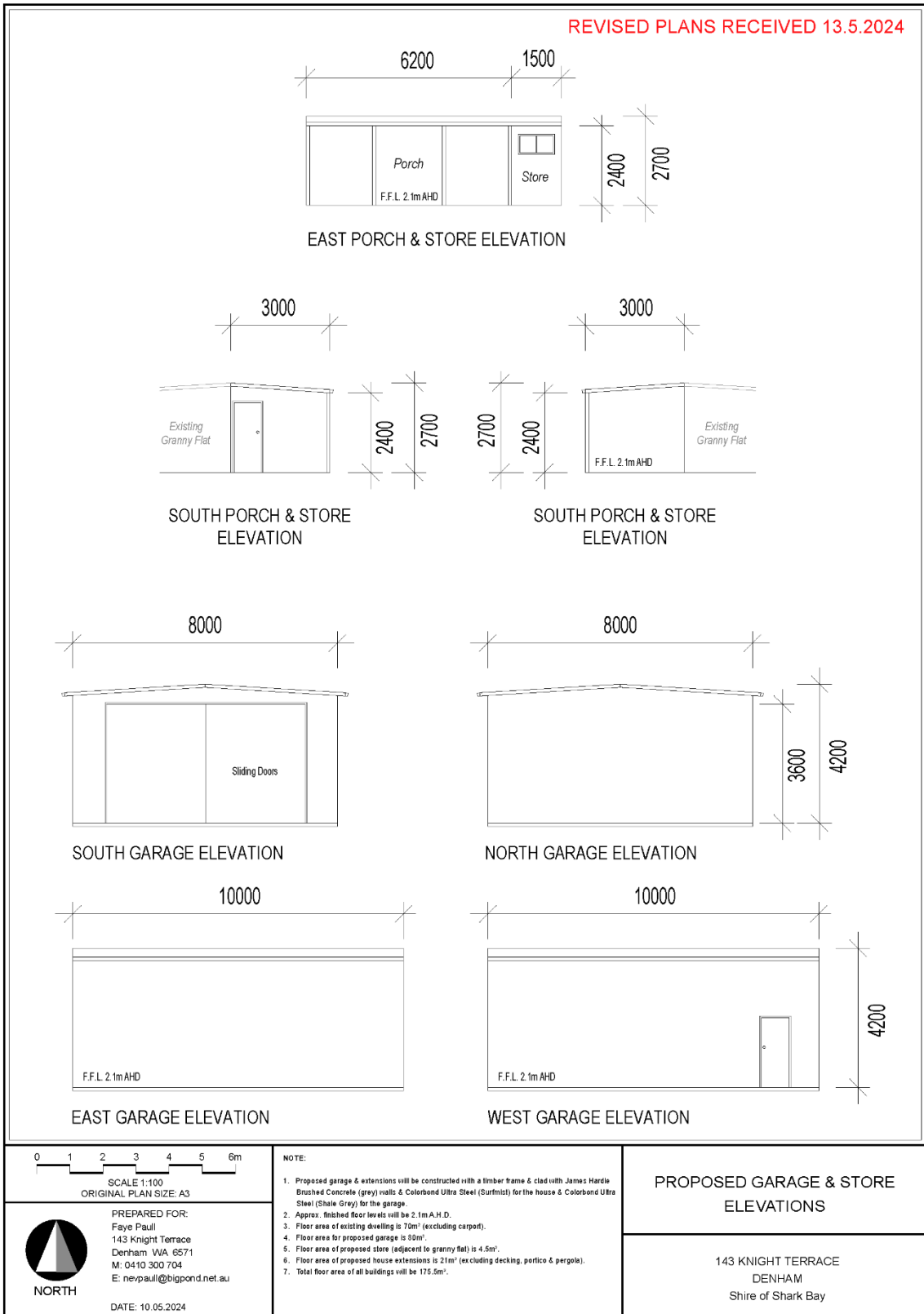
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11.3 APPLICATION SEEKING APPROVAL FOR AN EXISTING DWELLING TO BE USED FOR SHORT STAY – STRATA LOT 3 (36C) DENHAM ROAD, DENHAM P1106

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Nil

Moved Cr Vankova
Seconded Cr Ridgley

Council Resolution

That Council:

- A. Note that the dwelling on Strata Lot 3 has been used for short stay accommodation and was granted an initial 12 month approval on the 31 March 2023.**
- B. Determine that the ‘short stay strata dwelling’ use may be consistent with the objectives of the Residential zone and give notice under clause 64 of the deemed provisions before determining an application for development approval for the use of the land.**
- C. Note that:**
- (i) The application relating to Strata Lot 3 (36C) Denham Road, Denham has been advertised for public comment.**
 - (ii) Advertising closed on the 17 May 2024, and two comments have been received (as detailed in this report).**
 - (iii) Shire Administration will write to the submitters to advise of the Council decision and to encourage them to notify the Shire if any issues occur that are not addressed by the property manager.**
- D. Approve the application seeking approval for an existing dwelling on Strata Lot 3 (36C) Denham Road, Denham to be used for short stay accommodation subject to the following conditions:**
- 1. This approval is valid for a maximum of 3 years from the date of this planning consent. Following the 3 year period this approval shall expire and become void.**
 - 2. This approval for the existing dwelling unit to be used for short stay accommodation is issued to Anthea Monger. This approval shall not be transferred or assigned to any other person and shall not be transferred from the land in respect of which it was granted.**

Should there be a change of ownership of Strata Lot 3 this approval is cancelled and expires.

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3. The plans lodged with this application shall form part of this approval.
4. All car parking areas are to be provided and maintained to a trafficable standard on site to the satisfaction of the Shire's Chief Executive Officer in accordance with the site plan submitted with the application.
5. All guest car parking shall be accommodated within the boundary of Strata Lot 3 and the common property area to the rear.
6. The owner shall implement the measures in the Management Plan lodged and approved as part of this application.
7. The owner shall continue to engage a local property manager to manage the holiday house in accordance with the Management Plan approved as part of this application.

If an alternative manager is engaged (other than the person stated in the Management Plan) , then a revised Management Plan is to be lodged for separate written approval by the Chief Executive Officer with revised contact details for any new property manager.

8. The owner shall keep and maintain a working fire extinguisher on the premises at all times in accordance with the Management Plan approved as part of this application, or any revised Management Plan approved separately in writing by the Chief Executive Officer.
9. An A3 laminated copy of each fire escape plan (for the ground floor and second storey) approved as part of this application shall be displayed in prominent places within the existing dwelling.
10. No guest shall be accommodated for periods totalling more than 3 months in any 12 month period.
11. The maximum number of persons to be accommodated at any one time shall be limited to 6.
12. If any sign is installed to advertise or identify the holiday house it shall only be located within the lot boundary and the sign face shall not exceed an area of 0.2 square metres.

7/0 CARRIED

BACKGROUND

- ***Relevant Council decision: Adjacent Strata Lot 2 (36B) Denham Road, Denham***

An initial 12 month planning approval for short term holiday accommodation on Strata Lot 2 (36B) Denham Road, Denham was issued on the 6 April 2022. A condition was imposed on the approval that required the existing crossover to be upgraded.

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A new crossover has been constructed to service the property.

A new approval for Strata Lot 2 to be used for short term holiday accommodation was issued on the 18 July 2023. A condition on the approval limits the approval period to three years.

- ***Relevant Council decision : Strata Lot 3 (36C) Denham Road, Denham***

Planning approval for short term holiday accommodation on Strata Lot 3 (36C) Denham Road, Denham was issued on the 31 March 2023, after being considered at the Ordinary Meeting of Council held on the 29 March 2023.

A condition was imposed on the approval that required the existing crossover to be upgraded, and the approval was limited to an initial 12 month period.

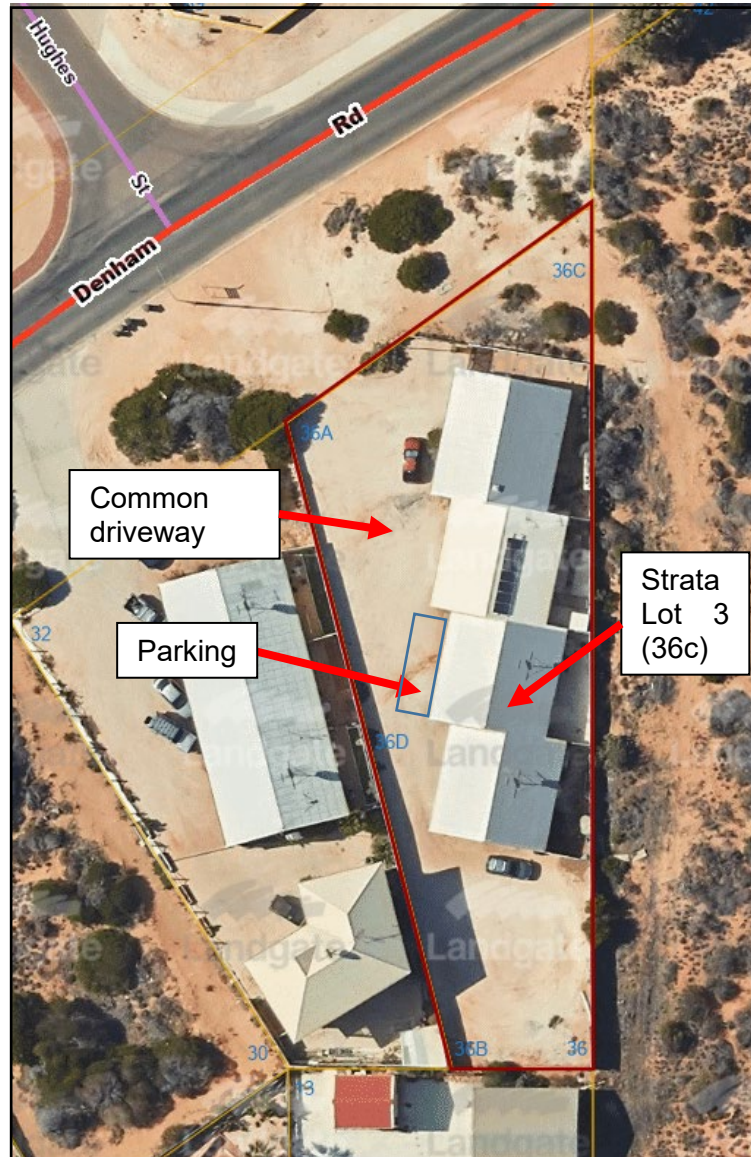
A new crossover has been constructed to service the property.

- ***Location***

The lot is located opposite to the intersection of Denham Road and Hughes Street. There are four grouped dwellings on the property.

A location plan is included over page for ease of reference.

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Location Plan

- **Strata Plan**

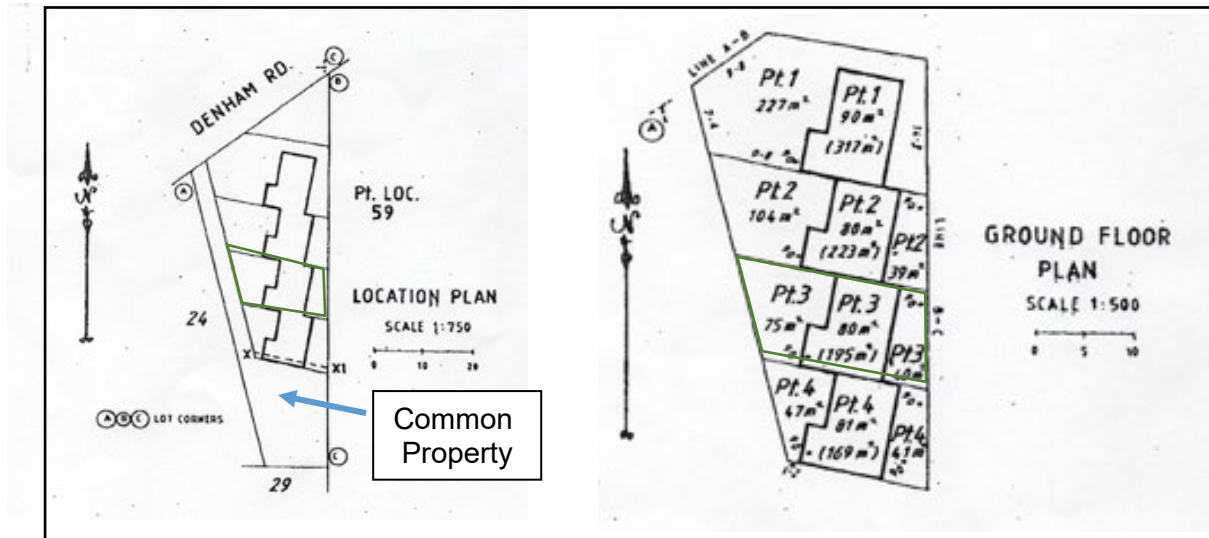
The existing dwelling is on a strata lot and it should be noted that:

- There is an existing approval for Strata Lot 2 to be used for short stay accommodation. This application is for Strata Lot 3.
- There are four strata lots on the property, with a shared common driveway and rear parking area.
- The driveway access is within common property.

Strata Lot 3 is outlined in orange on the strata plan overpage.

The 'orange' outline also represents the area for exclusive use associated with the dwelling on Strata Lot 3.

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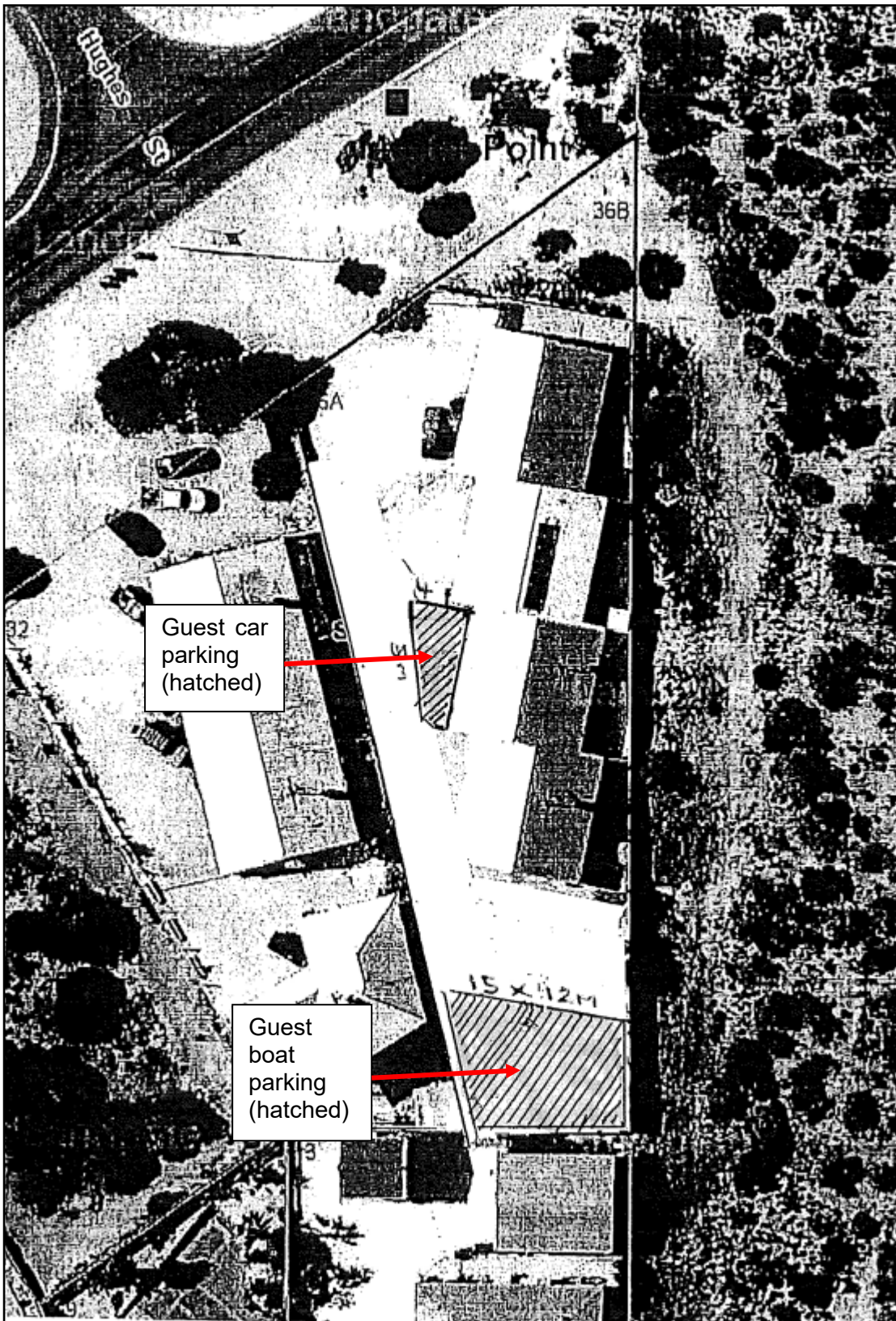
COMMENT

• **Description of proposal**

The application is summarised as follows:

- (i) The unit can accommodate a maximum of 6 persons at any one time.
- (ii) There is a long driveway to the side of the dwelling which can accommodate at least 2 cars. This is the main parking for guests.
- (iii) The owners intend to continue to use a local person who resides in Denham as the property manager. The property manager is responsible for all bookings, provision of information to guests, monitoring the property, ongoing maintenance, and dealing with any complaints.
- (iv) The lot is connected to sewer.
- (v) There is a common property area to the rear of the lot that can be used for boat parking, however they cannot use the entire area or block access to the area as it needs to be available for other guests, and residents within the strata.

The owner has lodged a parking plan which is shown over page.



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- **Zoning and Proposed Land Use**

Strata Lot 3 is zoned 'Residential' under the Shire of Shark Bay Local Planning Scheme No 4 (the Scheme).

Under the Scheme, Table 1 lists land uses in a table format with different symbols listed under different zones.

Each symbol has a different meaning and determines whether Council has discretion to consider a land use in the corresponding zone (ie if the land use is permitted, not permitted, discretionary or requires advertising).

Part of the planning assessment involves determining which land use definition from the Scheme 'best fits' the proposal.

A dwelling on a strata lot is not construed as a 'single house' under the Residential Design Codes. Accordingly the proposed land use is not construed as a 'holiday house' which is defined in the Scheme as '*means a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast*'.

The Residential Design Codes define a single house as a dwelling on a green title or survey strata lot, without common property. Strata Lot 3 was created as part of a built strata, and not a survey strata.

This proposal is somewhat unusual as;

- the short term accommodation is on one strata lot;
- there is an existing approval for Strata Lot 2 to be used for short stay; and
- the other two strata lots are used for permanent habitation.

- **Use Not Listed**

The proposal is construed as a 'short stay strata dwelling' which is not defined in the Scheme or listed in 'Table 1-Zoning Table' of the Shire of Shark Bay Local Planning Scheme No 4 (the Scheme).

In accordance with Clause 18 (4) of the Scheme, as the use of the land for a 'short stay strata dwelling' is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the other existing use land use definition categories the Council may:

Option 1: Determine that the 'short stay strata dwelling' use is consistent with the objectives of the Residential zone and is therefore a use that may be permitted in the zone subject to conditions imposed by the local government; or

Option 2: Determine that the 'short stay strata dwelling' use may be consistent with the objectives of the Residential zone and give notice under clause 64 of the deemed provisions before considering an application for development approval for the use of the land; or

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- Option 3: Determine that the 'short stay strata dwelling' use is not consistent with the objectives of the Residential zone and is therefore not permitted in the zone.

It is recommended that Council pursue Option 2 and advertise the application for public comment. This is consistent with how the application for Strata Lot 2 was processed.

- **Advertising**

The application was advertised for 28 days, and the closing date for submissions was the 17 May 2024.

The Shire has received an email from the owner of a larger lot to the rear (Sigma) stating they have '*no objection to the proposal*'.

An owner of one of the strata lots has commented as follows:

'Thank you for the opportunity to comment on this application.

My position is as follows. I would prefer that Units in this complex not be available for short-stay accommodation. However, Units 2 and 3 (or B and C) have been available for this purpose ever since I purchased Unit 1 (or A) in 2005 and, for the most part, this has caused me only the occasional, relatively minor, problem. When an issue has arisen - usually related to parking, or the use of my land to turn vehicles - the owners of these Units have taken what action they could to prevent further instances (though there is a limit to what they can do).

All in all, despite the preference expressed above, I don't feel that I could fairly raise any objection to renewal of short-stay accommodation approval for Unit 3/C.

I trust this email is sufficient response for your purposes.'

- **Local Planning Policy No 1 : Holiday Houses**

The Local Planning Policy does not strictly apply to this application as the proposal is not considered to be a 'holiday house'. The Policy is being used as a general guide only for the planning assessment as follows:

Policy Requirement	Comment
1. A site plan or good quality clear aerial showing the existing house, existing buildings, driveway, and guest parking areas. The location, number and dimensions of parking areas should be clearly marked on the plan.	The owners have lodged a clear aerial showing access and carparking bays.
2. An internal floor plan showing the house layout, the use of each room, and number of double, single or bunk beds per room (including fold out couches).	The owners have lodged detailed floor plans showing all bedrooms and written advice on the number of bedrooms.

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<p>3. Carparking to be provided at a rate of 1 space every 3 guests.</p>	<p>2 carparking bays are required and can be accommodated to the side of the existing dwelling.</p> <p>Additional boat parking can be accommodated to the rear of the lot. All four strata owners lodged written consent to the common property being used for parking as part of the first application in 2023.</p> <p>All four strata owners were consulted in 2024 as part of advertising for this proposal.</p>
<p>4. A Management Plan that addresses how the land use will be managed on a day to day basis to maximise protection of residential amenity, including details of how noise issues will be addressed by the Manager (handling of complaints), and full contact details of the Manager or employee of the Manager.</p>	<p>A Management Plan has been lodged with nomination of a local resident as the property manager. It details all property manager responsibilities, booking procedures, and procedures for complaints. The plan also outlines some of the owners responsibilities.</p>
<p>5. A Fire and Emergency Response Plan that includes detailed fire escape route maps, provision of a fire extinguisher and emergency contact numbers.</p>	<p>The Policy includes an example Fire and Emergency Response Plan template that can be modified by owners to suit their premises.</p> <p>The owners have lodged detailed floor plans that show the location of a fire extinguisher, fire blanket, outdoor hose, escape routes and assembly point at the front of the lot.</p>

- **Crossover**

A crossover has been constructed to meet a condition imposed on the first approval issued in 2023.

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LEGAL IMPLICATIONS

Planning and Development (Local Planning Schemes) Regulations 2015 –

Regulation 57 of the deemed provisions outlines '*matters to be considered by Council*' including but not limited to orderly and proper planning, the compatibility of the development with its setting including the relationship to development on adjoining land, the amenity of the locality, the adequacy of proposed means of access to and from the site, the amount of traffic to be generated by the development, and any submission received.

Clause 64 outlines advertising requirements for different applications. Any application for a 'use not listed' is considered a complex application, and requires a longer 28 day advertising period.

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

Clause 16(2) of the Scheme outlines the following objectives of the Residential Zone:

- To provide for a range of housing and a choice of residential densities to meet the needs of the community.
- To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.
- To provide for a range of non-residential uses, which are compatible with and complementary to residential development.
- To provide for tourist development which is compatible with and complementary to residential development.

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POLICY IMPLICATIONS

The Shire has a Policy Manual which includes Policy No 9.1 – Crossovers. The existing crossover complies with the Shires Policy.

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this report.

RISK MANAGEMENT

There are no known risks associated with the proposed development.

VOTING REQUIREMENTS

Simple Majority Required

SIGNATURES

Author	<i>L Bushby</i>
Chief Executive Officer	<i>D Chapman</i>
Date of Report	17 May 2024

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11.4 PROPOSED SINGLE HOUSE – LOT 3 (25) FREYCINET DRIVE, DENHAM P4185

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Nil

Moved Cr Stubberfield
Seconded Cr Smith

Council Resolution

That Council:

A. Note that the application has been advertised for public comment. Advertising closed on the 2 May 2024 and no submissions have been received.

B. Note that there is a separate Item No 11.5 in this agenda for a proposed single house and outbuilding for adjacent Lot 2 (27) Freycinet Drive, Denham.

Lot 2 has comparable topography to Lot 3, and similar retaining wall heights on Lot 2 are proposed, which is relevant to consideration of this proposal for Lot 3.

C. Note that from the 1 July 2024 all future applications for single houses and outbuildings will be determined by the Chief Executive Officer as required by planned amendments to the *Planning and Development Act 2005*, and the *Planning and Development (Local Planning Schemes) Regulations 2015* – refer Attachment 2.

D. Approve the application for a single house and associated site works/retaining walls on Lot 3 (25) Freycinet Drive, Denham subject to the following conditions and footnotes:

1. 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.

2. A hardstand driveway capable of accommodating two car parking bays shall be constructed to the satisfaction of the Chief Executive Officer in accordance with the site plan approved as part of this application, within 12 months of the date of the issue of a building approval for the single house.

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3. The owner to install and construct a new crossover within 12 months of the issue of a Building Permit for the single house or an alternative time period approved separately by the Shire Chief Executive Officer in writing. The crossover shall be constructed out of:
 - c. A 140 mm compacted and water bound road base driveway, sealed with two coat of bitumen and topped with an approved aggregate; or
 - d. A minimum of 100 mm reinforced concrete over a compacted sub-base; or
 - e. A minimum of 40 mm thick brick pavers.
4. The constructed driveway and crossover shall be maintained to a good quality trafficable standard to the satisfaction of the Chief Executive Officer.
5. All stormwater from roofed and paved areas 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 land or road reserve unless otherwise approved in writing by the Chief Executive Officer.
6. If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.

Footnotes:

- (i) A planning consent is not an approval to commence any works. Separate Building Approvals must be obtained for all works including retaining walls.
- (ii) This dwelling has been approved as a single house and not for short stay holiday accommodation.
- (iii) Please be advised that any future front fencing is to comply with the provisions of the Residential Design Codes, which require front wall and fences to be visually permeable above 1.2 metres. Any fencing that does not comply with the Codes requires a separate planning approval.
- (iv) In regards to Condition 3, the owner / applicant is advised that a Crossover Application and Reimbursement Pack is available on the **Shire website** - [Crossover Application and Reimbursement Pack.pdf \(sharkbay.wa.gov.au\)](https://sharkbay.wa.gov.au/Crossover%20Application%20and%20Reimbursement%20Pack.pdf)

This pack includes the Crossover Information Sheet, Checklists and Reimbursement Forms.

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Once a crossover is constructed to the Shires requirements, an application can be lodged seeking a contribution from the Shire towards a portion of the construction cost.

- (v) Any future outbuilding that proposes variations to the Residential Design Codes requires separate planning from the Shire. Any outbuilding or fencing will also require a building permit.

7/0 CARRIED

BACKGROUND

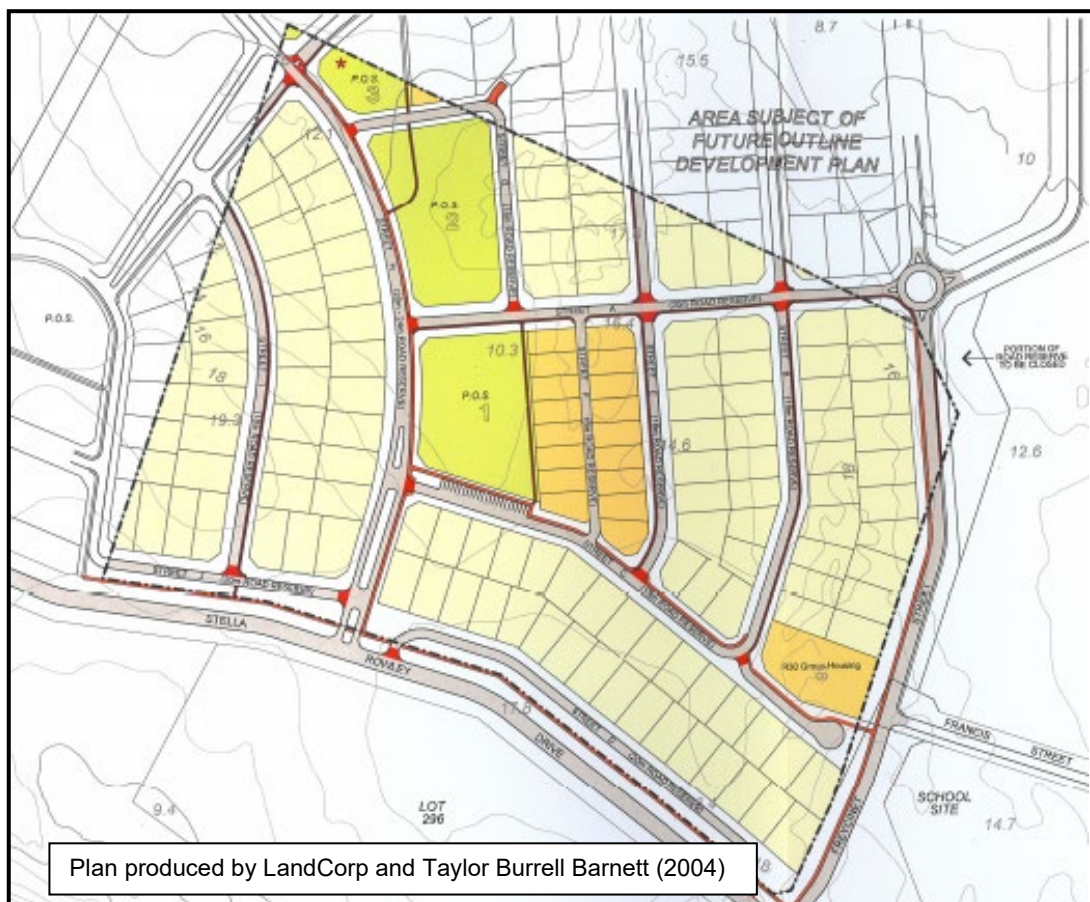
- **Outline Development Plan**

Lot 3 forms part of an area known as ‘Denham Estate’ which is land that was originally subdivided by LandCorp. Development WA is now the State Governments central development agency, and is responsible for the sale of land in Denham Estate.

There is an Outline Development Plan for the area and the existing Denham Estate subdivision proceeded as Stage 1.

As part of the subdivision, Design Guidelines for Denham Estate were prepared by Taylor Burrell Barnett (planning consultants) and were commissioned by LandCorp.

The Design Guidelines state that ‘Stage 1 comprises 45 single residential lots with a Residential Code of R15 and one group housing lot with a R Code of R30.’



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Compliance with the Guidelines is assessed by Zuideveld Marchant Hur architects on behalf of Development WA.

The Design Guidelines require owners or their agent to submit an Application for Design Guidelines Approval including all appropriate drawings, plans with a completed 'Design Guidelines Checklist' to the architects for assessment before lodging any planning and / or building permit application to the Shire.

Zuideveld Marchant Hur architects have assessed the plans for Lot 3 and deemed them compliant with the Design Guidelines. They do not assess the plans against the requirements of the Residential Design Codes.

Planning approval is required for any variation to the Residential Design Codes irrespective of compliance with the Design Guidelines.

- **Location**

Lot 3 has an area of approximately 803m² and is located near the intersection of Freycinet Drive and Oxenham Chase.

A location plan is included below.



Above: Location Plan. Aerial may not be current.

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COMMENT

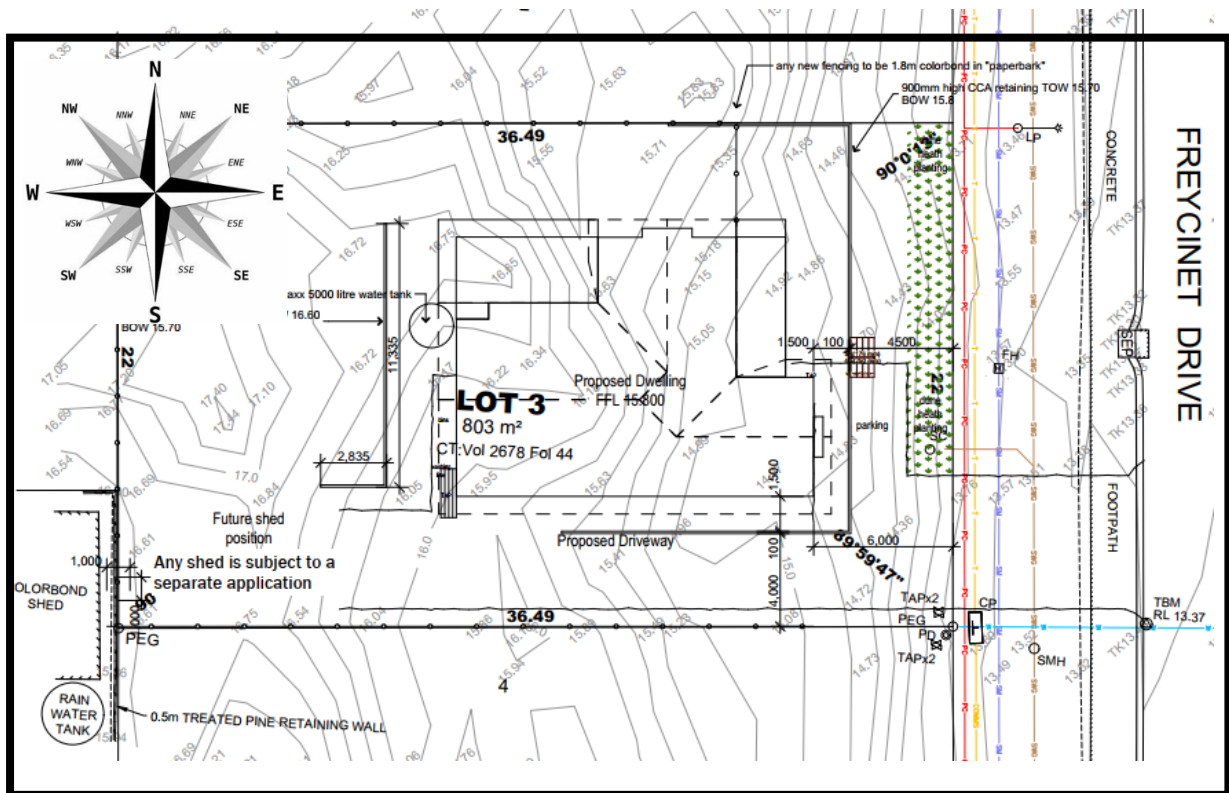
- **Description of application**

The applicant proposes a single house and associated retaining walls on Lot 3.

The external walls will be weatherboard and a zinc/ume roof is proposed.

It should be noted that the lot slopes upwards away from Freycinet Drive. Levels at the front lot boundary are between 13.71 to 13.76. Levels at the rear of the lot go up to a maximum of 17.44.

A site plan is included below.



A complete set of plans are included as Attachment 1.

- **Zoning and Density Code**

The lot is zoned 'Residential' with a density code of R15 under the Shire of Shark Bay Local Planning Scheme No 4 ('the Scheme').

The R15 density code under the Scheme was based on the approved Outline Development Plan for this area.

The R15 density code dictates the site requirements that apply under the Residential Design Codes.

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- ***Residential Design Codes – general site requirements (single house)***

Under the Residential Design Codes (R-Codes) there are specific ‘Deemed to Comply’ requirements for single dwellings.

The proposed dwelling complies with the site open space, vehicular access, street surveillance, building heights, privacy setbacks and parking requirements of the R-Codes.

The only variation is for some of the retaining walls as discussed in more detail in this report.

- ***Residential Design Codes – Retaining Walls***

The applicant is seeking a variation to the R-Codes for:

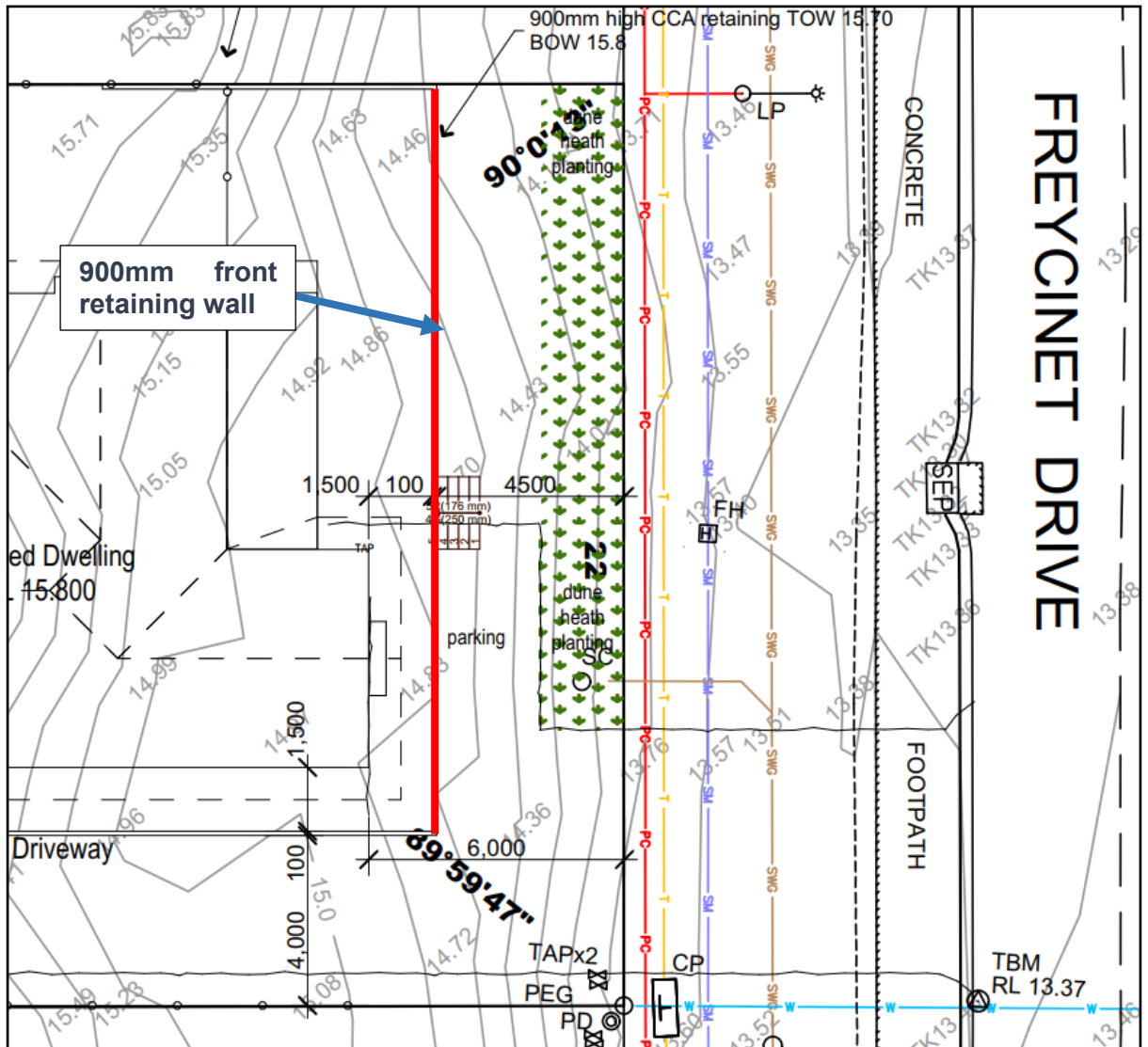
- a) A 900mm high retaining wall in front of the proposed dwelling;
- b) A retaining wall along the north lot boundary.

- a) ***Front Retaining Wall Assessment***

The front setback for buildings is 6 metres. Retaining walls in the front setback area that are higher than 0.5 metres require planning approval.

The owner proposes to excavate the rear portion of the lot and fill the front portion of the lot to create a flat building area. As a result, a 900mm high retaining wall is proposed in front of the house, and it will be setback 4.5 metres from the front lot boundary.

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Above: Front retaining wall shown as a red line

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The front retaining wall has to be assessed in accordance with the Design Principles under the R Codes.

Design Principle from R Codes under which the front retaining wall has to be assessed	Officer Comment
<p>Development that considers and responds to the natural features of the site and requires minimal excavation/fill</p>	<p>The lot slopes upwards with level differences of up to 3.68 metres, and it contains some dune like peaks.</p> <p>The owner proposes to excavate the rear of the lot and fill the front of the lot to create a flat building area.</p> <p>Town Planning Innovations cannot conclusively advise that excavation and fill has been 'minimised' as the only way that can be achieved is through a pole house design. However, the proposed finished floor level of 15.8 is appropriate in context of the average site level being around 15.5.</p> <p>In terms of streetscape, retaining walls of some height have already been established for the house on the corner of Freycinet Drive and Oxenham Chase.</p> <p>The proposed excavation and fill has been supported by the developers architects as complying with Design Guideline requirement for ground levels to relate to the average site levels to minimise the extent of cut and fill.</p>
<p>Where excavation/fill is necessary, all finished levels respecting the natural ground level at the lot boundary of the site and as viewed from the street.</p>	<p>The front retaining wall will be setback from the lot boundary, and the developers architects require a 2 metre wide dunal strip at the front to be provided to comply with the Design Guidelines enforced by Development WA.</p>
<p>Retaining walls that result in land which can be effectively used for the benefit of residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped.</p>	<p>The front retaining wall will assist the owner to achieve a flat building area, as is similarly proposed for development planned for adjacent Lot 2.</p> <p>The Top of Wall height of 15.7 for the front retaining wall will match the proposed Top of Wall height for a similar front retaining wall proposed on adjacent Lot 2 to the north.</p>

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	<p>This means the retaining wall heights for both proposed developments on Lot 2 and Lot 3 will be compatible.</p> <p>Engineering details for the wall are provided as part of the separate building permit stage.</p> <p>As explained above, the wall will be landscaped as the developers architects require a 2 metre wide dunal strip at the front to be provided to comply with the Design Guidelines enforced by development WA.</p>
--	--

Town Planning Innovations recommends support for the proposed front retaining wall.

Photographs of an example of existing retaining walls built at nearby Lot 1 (29) Freycinet Drive are included below. Lot 1 is on the corner of Freycinet Drive and Oxenham Chase.



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b). North Retaining Wall Assessment

The Residential Design Codes permit retaining walls on lot boundaries (behind the front setback) where they do not exceed 0.5m above or below Natural Ground Level.

The R-Codes have a table that outlines minimum setbacks for retaining walls based on the height as follows:

Table 4 Setback of site works and retaining walls

Height of site works and/or retaining walls	Required minimum setback
0.5m or less	0m
1m	1m
1.5m	1.5m
2m	2m
2.5m	2.5m
3m	3m

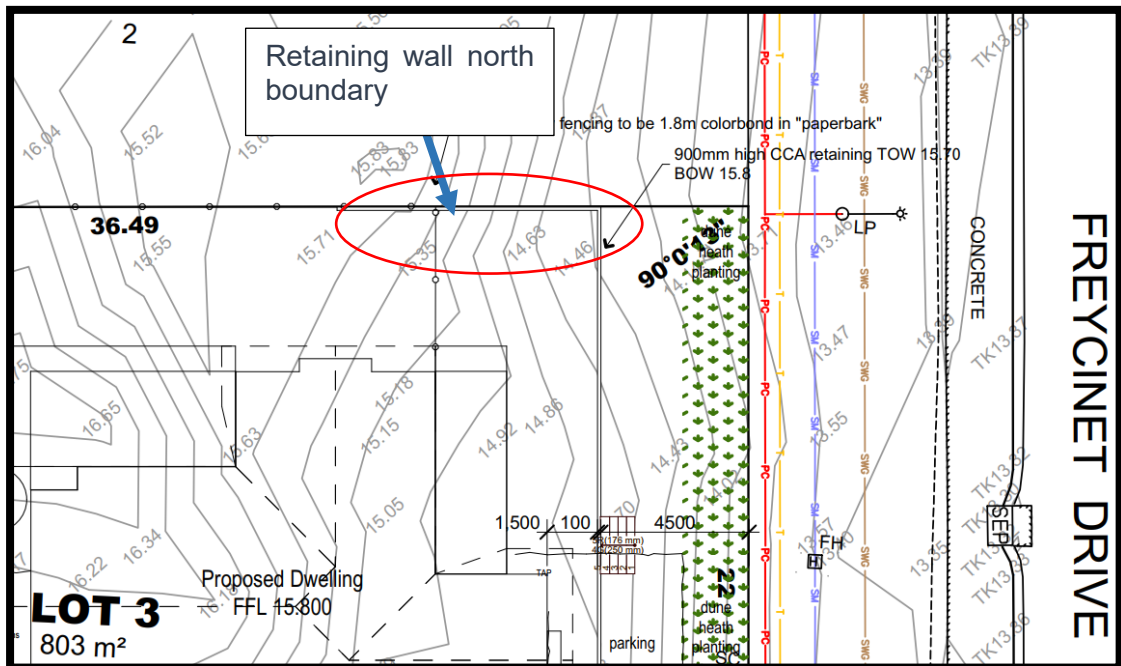
Above: R Code setback table

The R-Codes require the assessment to *'take the nearest higher value for all height and length calculations'*.

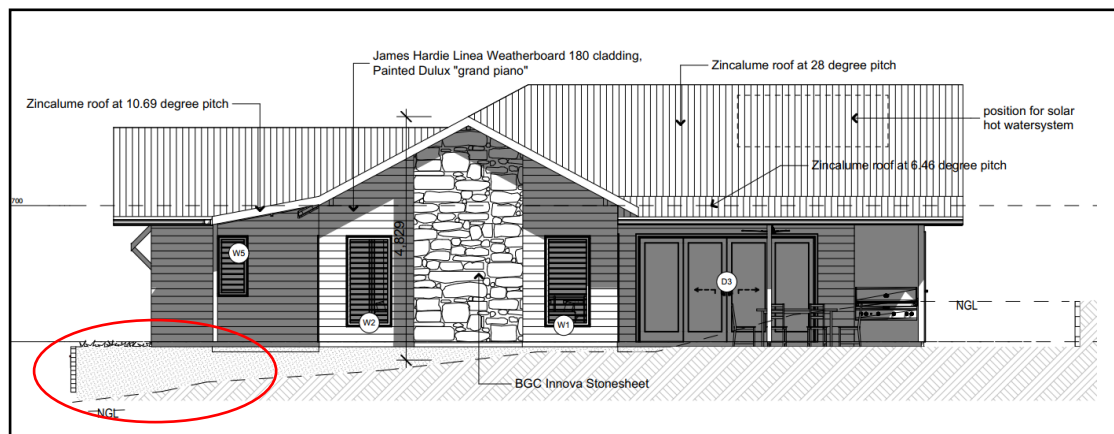
Retaining to the west of the proposed house is setback from lot boundaries and complies with the R-Codes.

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A retaining wall is proposed along a portion of the north lot boundary. It will be 900mm (circled in red) at the highest point.



Although only part of the retaining wall more than 0.5 metres high, it technically is required to be setback 1 metre under R-Codes.



Town Planning Innovations is supportive of the north retaining wall as:

- a) It assists to deal with level differences on Lot 3;
- b) It is consistent with an alternative design principle under the R-Codes as it respects the natural ground level at the lot boundary and as viewed from the street.
- c) It results in land that can effectively be used for the benefit of residents and does not detrimentally affect adjoining properties.

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- **State Planning Policy 3.7 – Planning for Bushfire Protection**

Under the ‘deemed provisions’ of the *Planning and Development (Local Planning Schemes) Regulations 2015* Council is to have ‘due regard’ to any state planning policy. This essentially means Council has an obligation to give proper, genuine and realistic consideration to the requirements of ‘State Planning Policy 3.7: Planning in Bushfire Prone Areas’.

Mapping identifying Bushfire Prone Areas is available through the Department of Fire and Emergency Services website.

The subject lot is within the declared bushfire prone area. A Bushfire Attack Level assessment is not required as part of the planning process as the lot has an area less than 1100m².

A Bushfire Attack Level Assessment has been lodged as part of a separate certified building application, and a Bushfire Attack Level of BAL-12.5 can be achieved, which is acceptable.

- **Consultation**

The application has been advertised for public comment, and no submissions have been received.

Advertising closed on the 2 May 2024.

LEGAL IMPLICATIONS

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.

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

Clause 25 ‘R-Codes’ states as follows:

- (1) The R-Codes, modified as set out in clause 26, are to be read as part of this Scheme.
- (2) The local government —
 - (a) must make a copy of the R-Codes available for public inspection during business hours at the offices of the local government; and
 - (b) may publish a copy of the R-Codes on the website of the local government.
- (3) The coding of land for the purposes of the R-Codes is shown by the coding number superimposed on a particular area contained within the boundaries of the area shown on the Scheme Map.

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- (4) The R-Codes apply to an area if the area has a coding number superimposed on it in accordance with subclause (3).

Planning and Development Amendment Act 2023

Legislative changes for future applications for Single Houses and associated development such as Outbuildings, will be come effective on the 1 July 2024.

From 1 July 2024, the determination of development applications for single houses or any development associated with a single house, excluding development of or associated with a heritage protected place, must be made by the Chief Executive Officer of the local government or employees authorised by the Chief Executive Officer. These applications will not be able to be determined by Council.

Advice from the Department of Planning, Lands and Heritage is included as Attachment 2 for information.

The changes are in line with the state government planning reforms to 'cut red tape'.

POLICY IMPLICATIONS

Although not a local planning policy, the Shires crossover policy requires a standard sealed or paved crossing comprising of either -

5. A 150 mm compacted and water bound road base driveway, sealed with two coat of bitumen and topped with an approved aggregate; or
6. A minimum of 100 mm reinforced concrete over a compacted sub-base; or
7. A minimum of 50 mm thick brick pavers; or
8. As approved by Council.

The Shires Crossover Policy requires a minimum width of 3 metres.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for planning 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	<i>L Bushby</i>
Chief Executive Officer	<i>D Chapman</i>
Date of Report	17 May 2024

MINUTES OF THE ORDINARY COUNCIL MEETING


29 MAY 2024

ATTACHMENT # 1



Drawing No:	Description	Issue / Revision	1	2	3	4	5	6	7	8	9	10
	Cover sheet											
	Cover Sheet											
S1	Floor Plan											
S2	Site Plan											
S3	Elevations											
S4	Elevations											
S5	Sections											
S7	Window Schedule											
S8	Door List											
S9	Electrical Plan											
S10	Breezeplan											
S11	BAL Details											

2 Index 1:1





This document forms part of the CDC

3 Area's 1:1

Basis			
Story	Area Type	Room Name	Measured Area
FFL	Afresco	Afresco	18.32
FFL	Afresco	Verandah	12.84
FFL	Living	Living	31.16 m ²
FFL	Living	Living	129.62
FFL	Unconditioned Area	Stone	129.62 m ²
FFL	Unconditioned Area	Stone	4.03
FFL	Unconditioned Area	Stone	4.03 m ²
FFL	Unconditioned Area	Stone	164.81 m ²

*Copy 1 for the designs and documentation for project is reserved by Spaces by Fee. 1:15.10

BUSHFIRE ATTACK LEVEL:

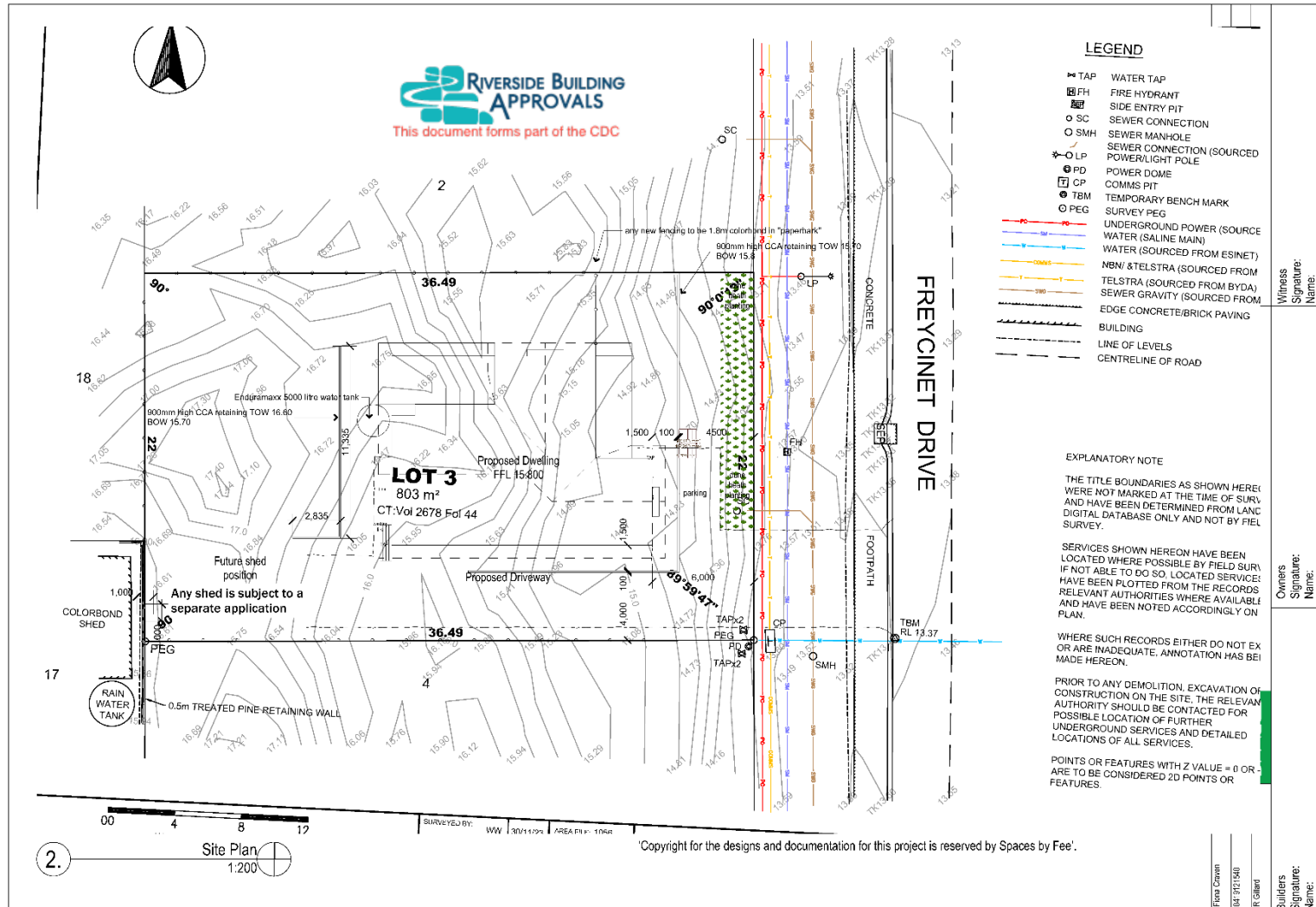
Highest BAL rating for the proposed dwelling is calculated at BAL-12.5 subject to BPZ

Construction as per AS 3959

Lot 3 #25 Freycinet Way Denham WA 6537

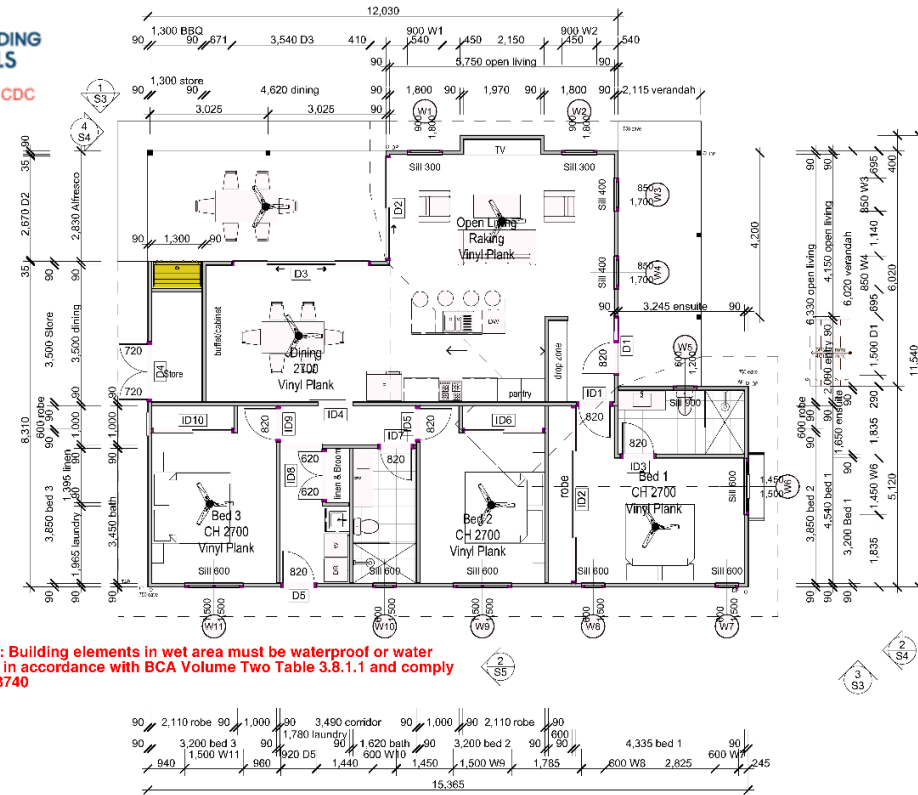
MINUTES OF THE ORDINARY COUNCIL MEETING

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MINUTES OF THE ORDINARY COUNCIL MEETING

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- **Wet area: Building elements in wet area must be waterproof or water resistant in accordance with BCA Volume Two Table 3.8.1.1 and comply with AS 3740**

1

Floor Plan
1:100

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Eline Cowen 24/10/2024 R Colard	Lot 3 #25 Freycinet Way Denmark WA 6537	R6.1.2.23 New Build \$1
Builders Signature: Name: Date:	Owners Signature: Name: Date:	Witness Signature: Name: Date:



MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

This document forms part of the CDC

1 One
1:100

3 Three
1:100

Lot 3 #25 Freycinet Way Denham WA 6637

From: Carwen
1417/21540
R. Gillard

Witness
Signature:
Name:
Date:

Owners
Signature:
Name:
Date:

Builders
Signature:
Name:
Date:

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MINUTES OF THE ORDINARY COUNCIL MEETING

29 MAY 2024

Two
1:100

Termite Protection Details:
All Primary Building elements used for construction of this building/s Will consist entirely of, or a combination of materials not considered to be subject to termite attack. Proposed termite treatment in accordance with AS 3660.1 will comply with Clause 3.1.3.2 of the NCC 2019 volume two Amendment 1.

Four
1:100

Copyright for the designs and documentation for this project is reserved by Spaces by Fee.

RIVERSIDE BUILDING APPROVALS
This document forms part of the CDC

Front Owner
041972540
T. Cobald

Builder's
Signature:
Name:
Date:

Witness
Signature:
Name:
Date:

Owners
Signature:
Name:
Date:

Lot 3 #25 Freyinet Way Denham WA 6537

SPACES

29 MAY 2024

ATTACHMENT # 2



**Department of Planning,
Lands and Heritage**

Our ref: DG-2024-1212
Enquiries: Elyse Saraceni, 6551 9447

CHIEF EXECUTIVE OFFICER
LOCAL GOVERNMENT AUTHORITY

REFORMS TO DECISION MAKING ON DEVELOPMENT OF SINGLE HOUSES

Earlier this year the Minister for Planning announced that a number of planning reforms would commence on 1 July 2024, including changes to local government roles and responsibilities in decision making on development applications for single houses.

This reform will see implementation of Part 4 of the *Planning and Development Amendment Act 2023* supported by amendments to *Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations* that:

- introduce a new section 257C into the *Planning and Development Act 2005*, which provides the ability for regulations to specify that certain types of development applications must be determined by the officers of the local government; and
- amend Schedule 2 of the Regulations to specify that a single house development or any development associated with a single house such as additions, alterations, patios or carports, where not otherwise exempt, are to be determined by the Chief Executive Officer (CEO) of the local government or other local government officer/s authorised by the CEO. This will not apply to any heritage protected place as defined in Schedule 2.

The rationale for this reform was outlined in the material available during the public consultation period between October 2023 and January 2024. The Department would like to thank everyone who took the time to provide feedback on the draft amendments to the Regulations, which has been reviewed and no changes were recommended. The amendments to the Regulations have now been finalised, will come into effect on Monday 1 July 2024 and can be viewed [here](#).

As a result, from 1 July 2024, the determination of development applications for single houses or any development associated with a single house, excluding development of or associated with a heritage protected place, must be made by the CEO of the local government or employees authorised by the CEO. This cannot be determined by Council.

In preparation for the commencement of this reform you are advised that you should:

- review and update the register of delegated authority from Council to remove any references to development approval functions for single houses and associated development, except in relation to a heritage protected place;

Postal address: Locked Bag 2506 Perth WA 6001 Street address: 140 William Street Perth WA 6000
Tel: (08) 6551 8002 info@dplh.wa.gov.au www.dplh.wa.gov.au
ABN 68 565 723 484
wa.gov.au

MINUTES OF THE ORDINARY COUNCIL MEETING

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- where necessary, prepare and approve the appropriate authorisations from the CEO to local government officers. The CEO is automatically authorised under the Regulations and there is no action required by a local government to authorise a CEO; and
- consider any necessary updates to reporting to reflect the new authorisations. This may only be required if your local government reports regularly to Council on planning decisions made under delegated authority.

Local governments that utilise the services of a consultant or other contractor to assess single house development applications can continue to have a contractual arrangement with a private consultant or other contractor to provide services regarding assessment, analysis, preparation of reports for development applications and the making of a recommendation with conditions and/or reasons.

From 1 July 2024, that report and attachments must be provided to the CEO or other authorised local government officer who will consider the recommendation and make the decision. The procurement of consultants and contractors remains subject to the provisions of the *Local Government Act 1995* and the changes to decision making outlined above does not impact those provisions.

Further detail on this reform can be viewed [here](#). For further information please contact planningreform@dph.wa.gov.au.

Yours sincerely



Anthony Kannis PSM
Director General
16 May 2024

29 MAY 2024

11.5 PROPOSED SINGLE HOUSE, ANCILLARY OUTBUILDING AND ASSOCIATED SITE WORKS WITH RETAINING WALLS - LOT 2 (27) FREYCINET DRIVE, DENHAM P4184

AUTHOR

Liz Bushby, Town Planning Innovations

DISCLOSURE OF ANY INTEREST

Nil

Moved Cr Stubberfield
Seconded Cr Smith

Council Resolution

That Council:

E. Note that the application has been advertised for public comment. Advertising closed on the 16 May 2024 and no submissions have been received.

F. Note that there is a separate Item No 11.4 in this agenda for a proposed single house and outbuilding for adjacent Lot 3 (25) Freycinet Drive, Denham.

Lot 3 has comparable topography to Lot 2, and similar finished floor levels on Lot 3 are proposed, which is relevant to consideration of this proposal for Lot 2.

G. Approve the application for a single house, ancillary outbuilding and associated site works/retaining walls on Lot 2 (27) Freycinet Drive, Denham subject to the following conditions and footnotes:

3. 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.

4. A hardstand driveway capable of accommodating two car parking bays shall be constructed to the satisfaction of the Chief Executive Officer, within 12 months of the date of the issue of a building approval for the single house.

The driveway is to be setback a minimum of 0.5 metres from the southern lot boundary in accordance with Clause C5.3 of the Residential Design Codes, with a minimum width of 3 metres at the street boundary.

3. The owner to install and construct a new crossover within 12 months of the issue of a Building Permit for the single house or an

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alternative time period approved separately by the Shire Chief Executive Officer in writing. The crossover shall be constructed out of:

- f. A 140 mm compacted and water bound road base driveway, sealed with two coat of bitumen and topped with an approved aggregate; or
 - g. A minimum of 100 mm reinforced concrete over a compacted sub-base; or
 - h. A minimum of 40 mm thick brick pavers.
4. The constructed driveway and crossover shall be maintained to a good quality trafficable standard to the satisfaction of the Chief Executive Officer.
 5. This approval includes an outbuilding ancillary to the proposed dwelling. The outbuilding can be constructed at the same time or after construction of the dwelling has commenced.
 6. All stormwater from roofed and paved areas 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 land or road reserve unless otherwise approved in writing by the Chief Executive Officer.
 7. If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.

Footnotes:

- (i) A planning consent is not an approval to commence any works. Separate Building Approvals must be obtained for all works including retaining walls.
- (ii) This dwelling has not been approved as a single house and not for short stay holiday accommodation.
- (iii) Please be advised that any future front fencing is to comply with the provisions of the Residential Design Codes, which require front wall and fences to be visually permeable above 1.2 metres. Any fencing that does not comply with the Codes requires a separate planning approval.
- (iv) In regards to Condition 3, the owner / applicant is advised that a Crossover Application and Reimbursement Pack is available on the **Shire** website - [Crossover Application and Reimbursement Pack.pdf \(sharkbay.wa.gov.au\)](#)

This pack includes the Crossover Information Sheet, Checklists and Reimbursement Forms.

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Once a crossover is constructed to the Shires requirements, an application can be lodged seeking a contribution from the Shire towards a portion of the construction cost.

- (v) Any fencing will also require a building permit.

Moved Cr Smith
Seconded Cr Stubberfield

Council Resolution

That Council adjourn the Ordinary Council meeting at 2.04 pm to discuss the item with the property owner.

7/0 CARRIED

Moved Cr Smith
Seconded Cr Fenny

Council Resolution

That Council reconvene the Ordinary Council meeting at 2.08 pm.

7/0 CARRIED

7/0 CARRIED

BACKGROUND

• ***Outline Development Plan***

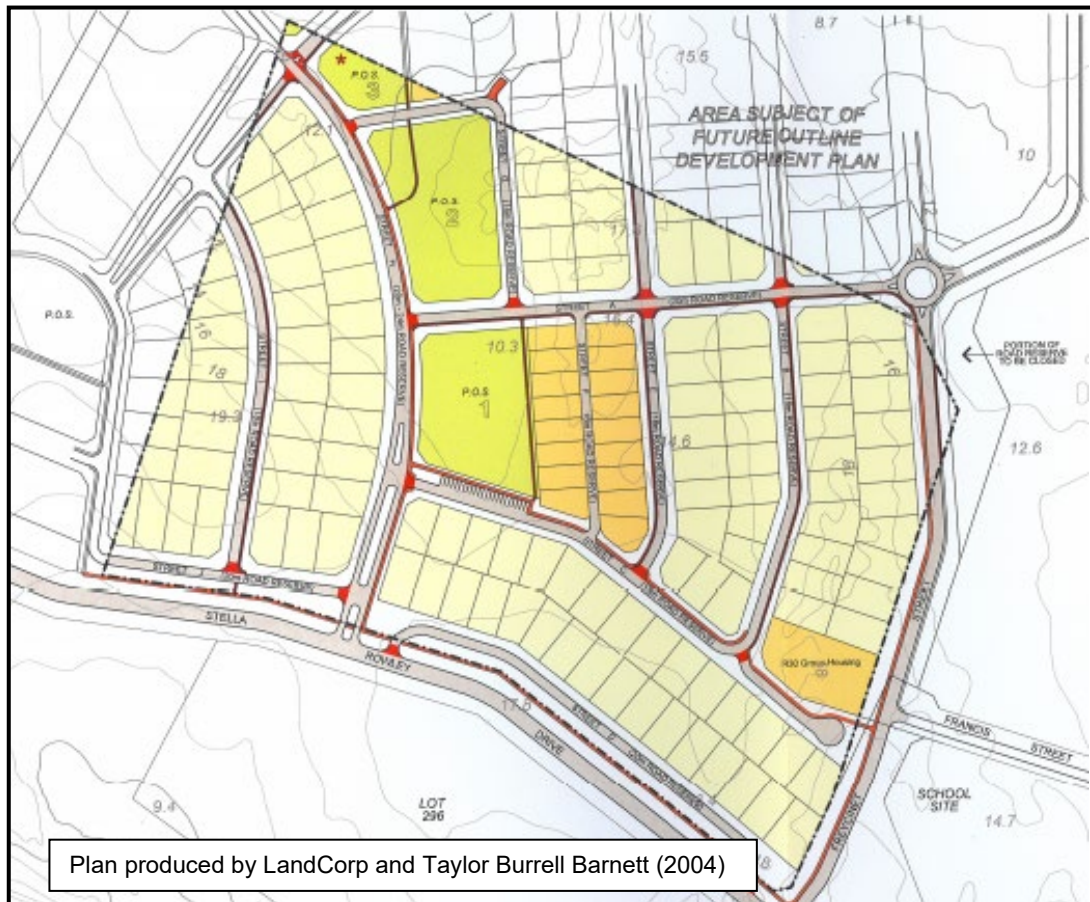
Lot 2 forms part of an area known as 'Denham Estate' which is land that was originally subdivided by LandCorp. Development WA is now the State Governments central development agency and is responsible for the sale of land in Denham Estate.

There is an Outline Development Plan for the area and the existing Denham Estate subdivision proceeded as Stage 1.

As part of the subdivision, Design Guidelines for Denham Estate were prepared by Taylor Burrell Barnett (planning consultants) and were commissioned by LandCorp.

The Design Guidelines state that '*Stage 1 comprises 45 single residential lots with a Residential Code of R15 and one group housing lot with a R Code of R30.*'

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Compliance with the Guidelines is assessed by Zuideveld Marchant Hur architects on behalf of Development WA.

The Design Guidelines require owners or their agent to submit an Application for Design Guidelines Approval including all appropriate drawings, plans with a completed 'Design Guidelines Checklist' to the architects for assessment before lodging any planning and / or building permit application to the Shire.

Zuideveld Marchant Hur architects have assessed the plans for Lot 2 and deemed them compliant with the Design Guidelines. They do not assess the plans against the requirements of the Residential Design Codes.

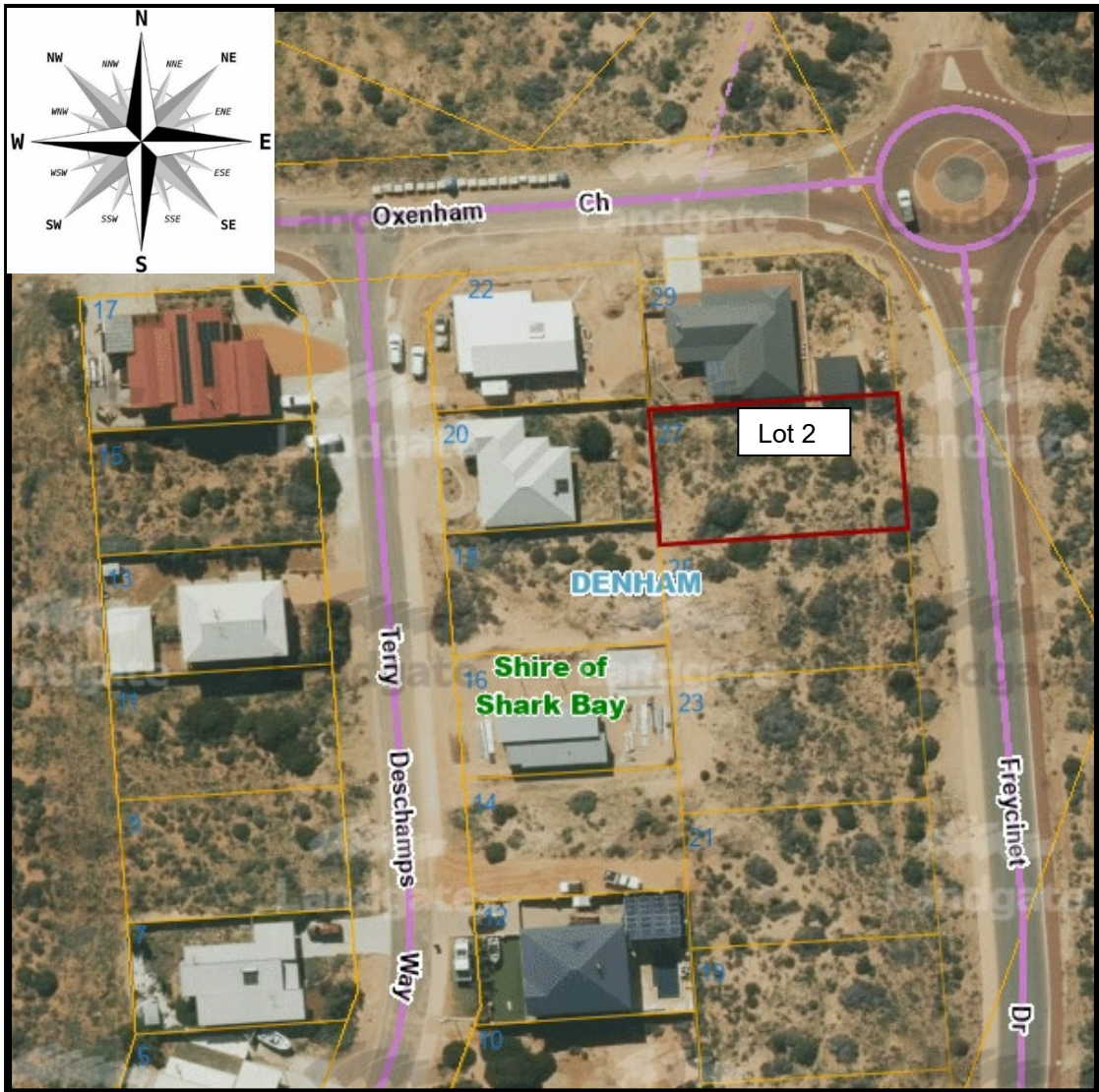
Planning approval is required for any variation to the Residential Design Codes irrespective of compliance with the Design Guidelines.

- **Location**

Lot 2 has an area of approximately 803m² and is located near the intersection of Freycinet Drive and Oxenham Chase.

A location plan is included overpage.

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Above: Location Plan. Aerial may not be current.

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A photograph of Lot 2 is included below. In the background is the existing house at adjacent 29 Freycinet Drive to the immediate north of Lot 2.



COMMENT

- ***Description of application***

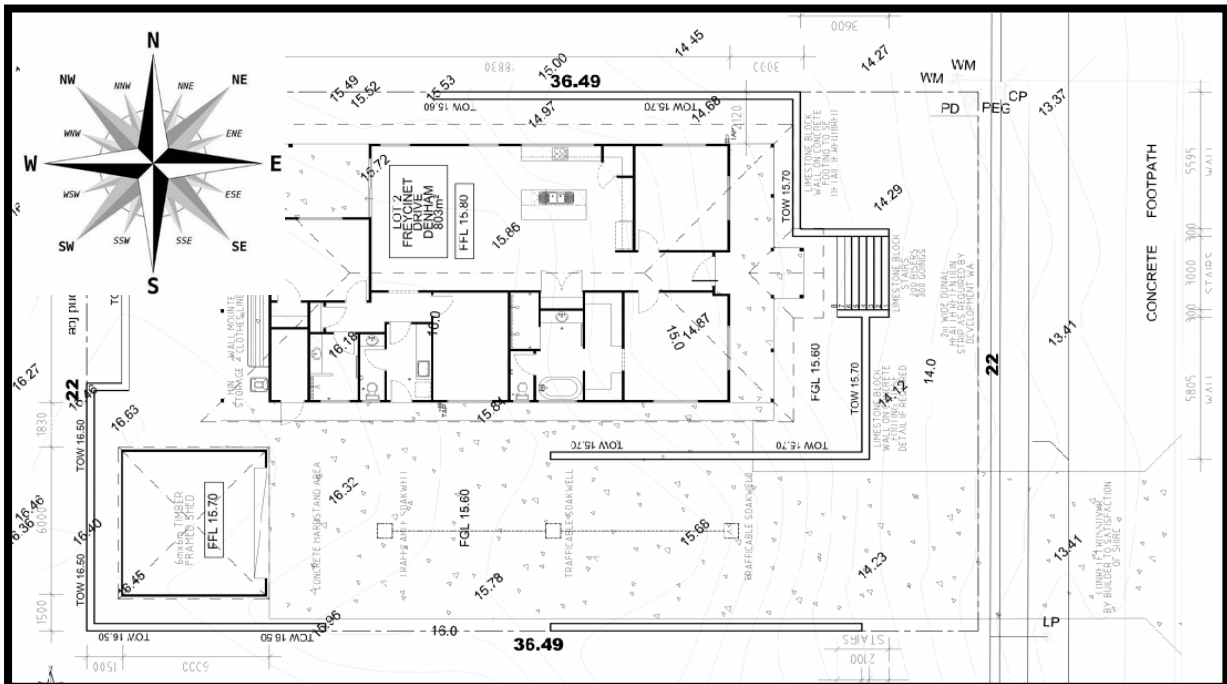
The applicant proposes a single house, an ancillary outbuilding and associated retaining walls on Lot 2.

The external walls will be weatherboard and a colorbond roof is proposed.

It should be noted that the lot slopes upwards away from Freycinet Drive. The level at the front of the lot is 14.0 however the level at the rear is 16.46.

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A site plan is included below.



A complete set of plans are included as Attachment 1.

- **Zoning and Density Code**

The lot is zoned 'Residential' with a density code of R15 under the Shire of Shark Bay Local Planning Scheme No 4 ('the Scheme').

The R15 density code under the Scheme was based on the approved Outline Development Plan for this area.

The R15 density code dictates the site requirements that apply under the Residential Design Codes.

- **Residential Design Codes – general site requirements (single house)**

Under the Residential Design Codes (R-Codes) there are specific 'Deemed to Comply' requirements for single dwellings.

The proposed dwelling complies with the site open space, vehicular access, street surveillance, building heights, and parking requirements of the R-Codes.

The variations are discussed in more detail in this report.

MINUTES OF THE ORDINARY COUNCIL MEETING

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The proposed house complies with all site setback requirements with the exception that a 2.12 metre side setback is proposed to the north lot boundary in lieu of the 'deemed to comply' 3.4 metre setback.

Setback calculation table

Wall/Section description	Setback Required	Setback Provided	Compliance
Front of house	6m	10.3m to house 7.3m to retaining wall	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
North / RHS	3.4m	2.12m	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
South / LHS	1.5m	9.33m	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
West	6m	7.48m	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

The north side setback variation will not have a major impact as the neighbouring lot has already been developed with retaining and an outbuilding near to the shared lot boundary.

A view of development to the north at adjacent 29 Freycinet Drive is included over page.



Above: View of development to the north at 29 Freycinet Drive

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• **Residential Design Codes – Privacy and Overlooking**

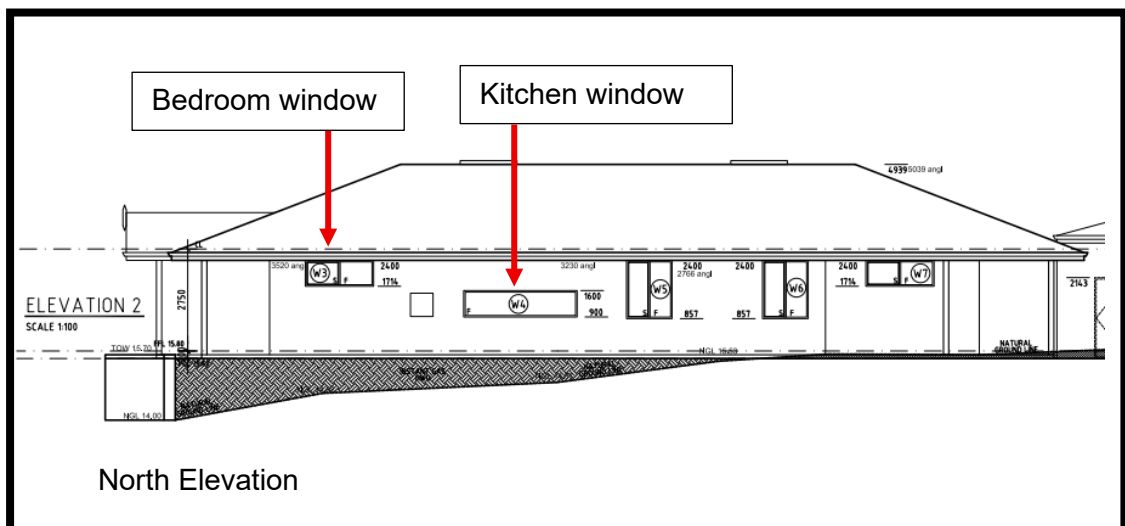
Additional privacy setbacks apply where the finished floor level (and associated windows) are more than 0.5 metres above Natural Ground Level.

The privacy setbacks do not apply to fixed windows that are obscured by at least 75% or fixed windows with a sill height above 1.6 metres.

There is one bedroom window facing the north boundary which will be setback 2.12 metres in lieu of 4.5 metres. There is also a kitchen window which will be setback 2.12 metres from the north boundary in lieu of 6 metres.

Town Planning Innovations supports the bedroom window as it has a sill height of more than 1.6 metres. Even though the window is not fixed it looks into the side of an outbuilding to the north and towards the street.

The kitchen window is fixed, is at waist height and also looks at the outbuilding / side house area on adjacent 29 Freycinet Drive.



Both windows are supported, and once a dividing fence is constructed, all views will be completely mitigated.

• **Residential Design Codes – Retaining Walls**

The applicant is seeking a variation to the R-Codes for:

- c) A portion of the retaining wall in front of the proposed dwelling;
- d) A retaining wall along the north lot boundary;
- e) Retaining to hold excavated areas to the rear of the lot.

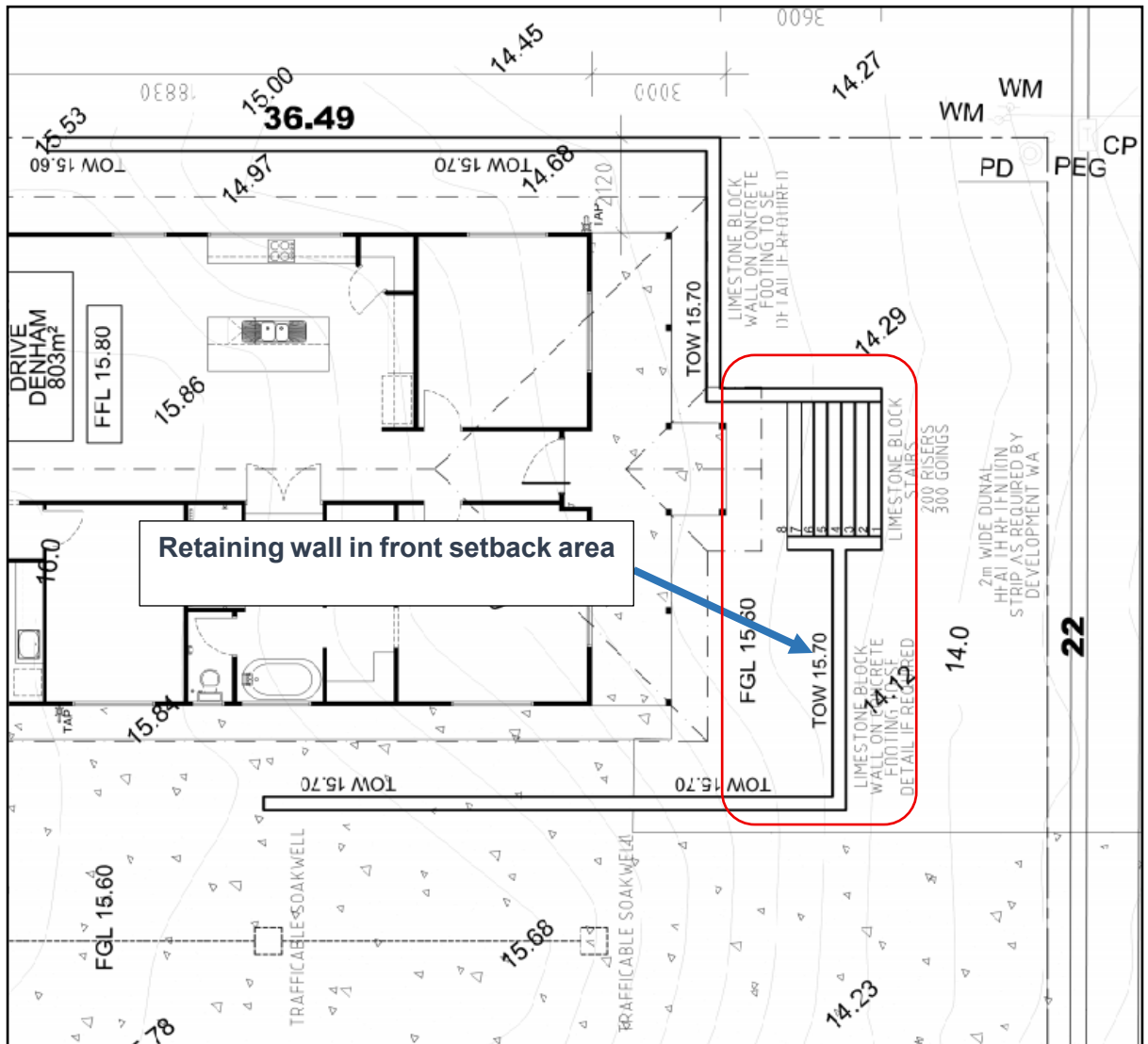
b) Front Retaining Wall

The front setback for buildings is 6 metres. Retaining walls in the front setback area that are higher than 0.5 metres require planning approval.

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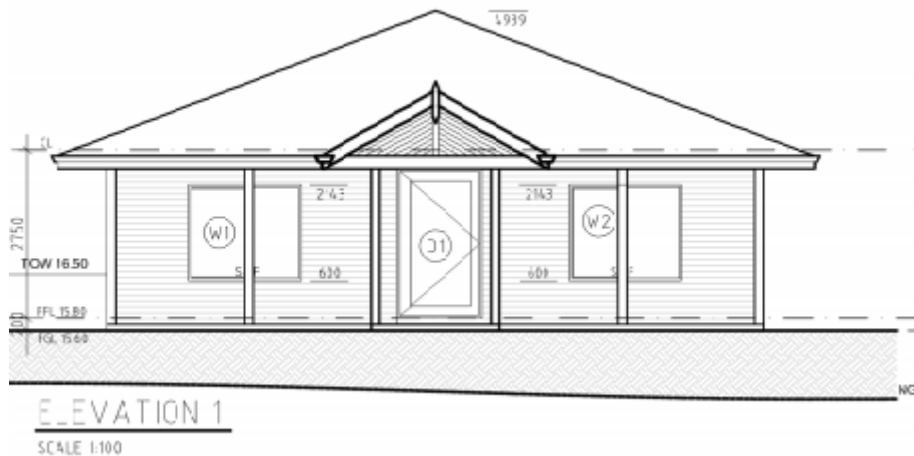
The owner proposes to excavate the rear portion of the lot and fill the front portion of the lot to create a flat building area. As a result, a retaining wall is proposed in front of the house, and a portion will be setback 3.7 metres from the front lot boundary.



Above: Retaining wall in setback area shown as a red line

The height of the retaining wall varies but based on the nearest ground level of 14.12 it has an approximate height of 1.58 metres. The highest point is at the north lot boundary where the maximum height is 1.7 metres, however that is behind the front setback area, as it 7.3 metres from the front lot boundary.

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The portion of the retaining wall in the front setback area has to be assessed in accordance with the Design Principles under the R Codes.

Design Principle from R Codes under which the front retaining wall has to be assessed	Officer Comment
<p>Development that considers and responds to the natural features of the site and requires minimal excavation/fill</p>	<p>The lot slopes upwards with level differences of up to 2.63 metres, and is undulating.</p> <p>The owner proposes to excavate the rear of the lot and fill the front of the lot to create a flat building area.</p> <p>Town Planning Innovations cannot conclusively advise that excavation and fill has been 'minimised' as the only way that can be achieved is through a pole house design. However, the proposed finished floor level of 15.8 is appropriate in context of the average site level.</p> <p>The finished floor level proposed for the dwelling on Lot 2 will be the same as the finished floor level of the house proposed on adjacent Lot 3 to the immediate south.</p> <p>Example photographs of other retaining walls in Denham Estate are included in the body of this report.</p>
<p>Where excavation/fill is necessary, all finished levels respecting the natural ground level at the lot boundary of the site and as viewed from the street.</p>	<p>The front retaining wall will be setback from the street lot boundary, and the developers architects require a 2 metre wide dunal strip at the front to be provided to comply with the Design Guidelines enforced by Development WA.</p>
<p>Retaining walls that result in land which can be effectively used for the</p>	<p>The front retaining wall will assist the owner to achieve a flat building area.</p>

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<p>benefit of residents and do not detrimentally affect adjoining properties and are designed, engineered and landscaped.</p>	<p>The Top of Wall height of 15.7 for the front retaining wall will match the proposed Top of Wall height of the front retaining wall proposed on adjacent Lot 3 to the south.</p> <p>This means the retaining wall heights for both proposed developments on Lot 3 and Lot 2 will be compatible.</p> <p>Engineering details for the wall are provided as part of the separate building permit stage.</p> <p>As explained above, the wall will be landscaped as the developers architects require a 2 metre wide dunal strip at the front to be provided to comply with the Design Guidelines enforced by development WA.</p>
---	---

Town Planning Innovations recommends support for the proposed front retaining wall.

Photographs of an example of existing retaining walls built at nearby Lot 1 (29) Freycinet Drive are included below. Lot 1 is on the corner of Freycinet Drive and Oxenham Chase.



Above: View from Oxenham Chase

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Above: View from Freycinet Drive

Below is another example of retaining in Denham Estate at 12 Terry Deschamps Way.



c) North Retaining Wall

The Residential Design Codes permit retaining walls on lot boundaries (behind the front setback) where they do not exceed 0.5m above or below Natural Ground Level.

The R-Codes have a table that outlines minimum setbacks for retaining walls based on the height as follows:

Table 4 Setback of site works and retaining walls

Height of site works and/or retaining walls	Required minimum setback
0.5m or less	0m
1m	1m
1.5m	1.5m
2m	2m
2.5m	2.5m
3m	3m

Above: R Code setback table

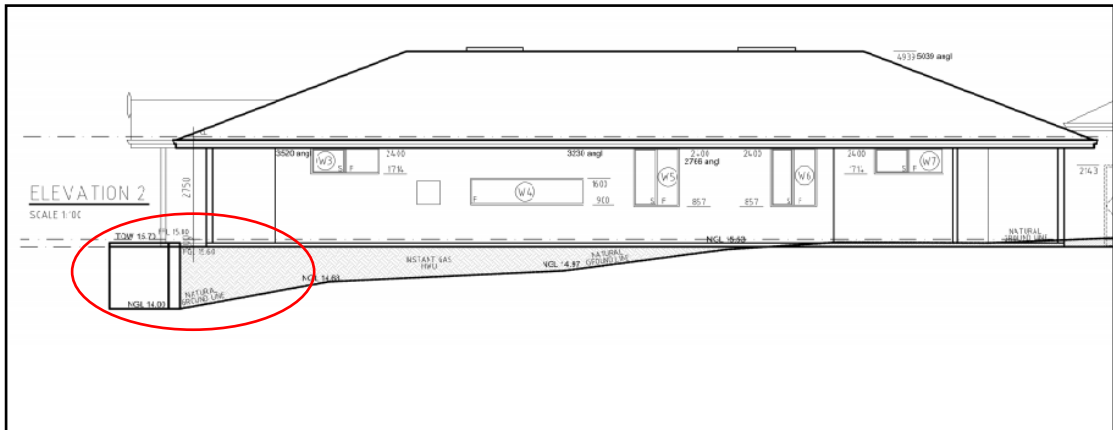
The R-Codes require the assessment to *'take the nearest higher value for all height and length calculations'*.

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A retaining wall is proposed along a portion of the north lot boundary. It will be 1.7 metres at the highest point, and then will be staggered until it meets the altered new ground level.

Although only part of the retaining wall is more than 0.5 metres high, it technically is required to be setback 2 metres under the R -Codes to be 'deemed to comply'.

The variation has to be considered against the 'Design Principles' of the R-Codes which are more subjective and performance based.

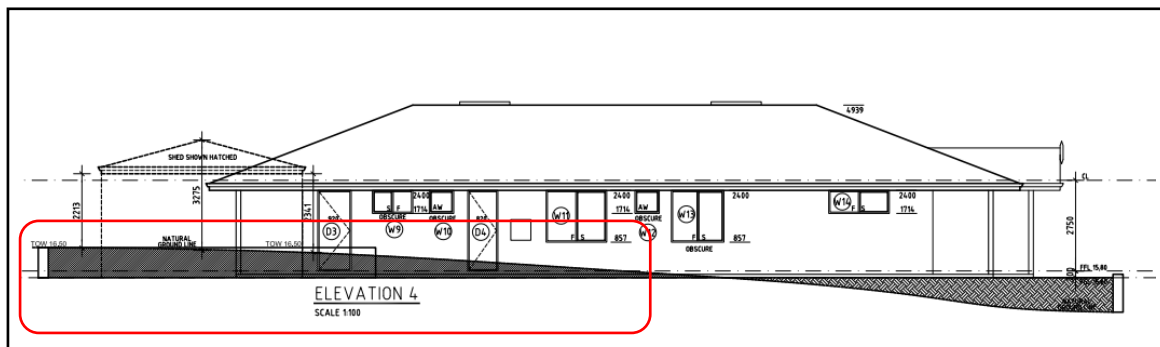


Town Planning Innovations is supportive of the north retaining wall as:

- d) It assists to deal with level differences on Lot 2;
- e) It is consistent with an alternative design principle under the R-Codes as it respects the natural ground level at the front lot boundary and as viewed from the street. Part of the retaining is setback past the front setback area and only a portion is within the front setback area.
- f) It results in land that can effectively be used for the benefit of residents and does not detrimentally affect adjoining properties.
- g) It is the same as the Top of Wall height for retaining proposed on adjacent Lot 3 to the South.

d) **South and Rear Retaining Wall**

The higher ground levels at the rear of the lot are proposed to be excavated so retaining walls are proposed below the Natural Ground Level.



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The ground level at its highest point is 16.5 and a new lower Altered Ground Level of 15.6 is proposed to the rear of the dwelling. The top of the retaining wall will be at the existing ground level (16.5) so will have a maximum height of 0.9 metres.

Excavation has a lesser visual and amenity impact and also results in lower finished floor levels for development. The Explanatory Guide that accompanies the Residential Design Codes states that '*development below natural ground level only rarely affects neighbouring sites*'.

Town Planning Innovations is supportive of the south and rear retaining walls for the excavated areas as:

- h) They assist to deal with level differences on Lot 2;
- i) They are consistent with an alternative design principle under the R-Codes as it will have no impact as viewed from the street.
- j) The walls will be below natural ground level so the excavation will have no visual impact.
- k) They result in land that can effectively be used for the benefit of residents and does not detrimentally affect adjoining properties.

- ***Residential Design Codes (Outbuilding)***

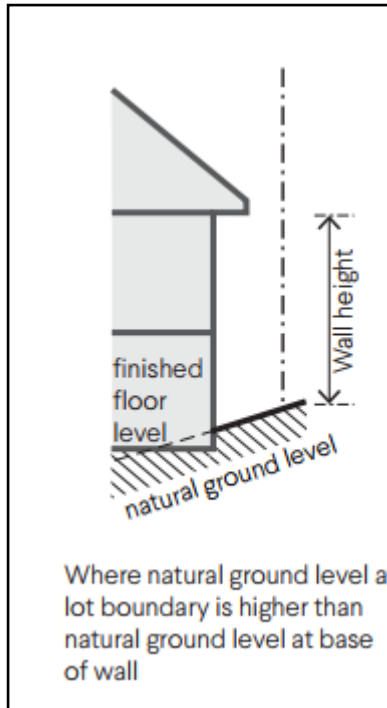
Under the Residential Design Codes there are specific 'Deemed to Comply' requirements for outbuildings.

An outbuilding is defined as '*an enclosed non-habitable structure that is detached from any dwelling and may include a detached garage.*'

At the Ordinary Meeting held in April 2024, Council expressed concern over the proposed ridge height of 4.26 metres for an outbuilding proposed for 143 Knight Terrace. There was some discussion over the impact of the height on amenity and neighbours.

The owner of Lot 2 initially proposed an outbuilding with a ridge height of 4.4 metres. Once the owner was made aware of Council's concerns over outbuilding heights, the owner lodged revised plans for an outbuilding with reduced heights.

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Outbuilding heights are measured from Natural Ground Level. This is because under the R-Codes wall height is defined as ‘the vertical distance between the point where the base of the wall meets the natural ground level at the boundary immediately adjacent to the wall and measured to the top of the wall or parapet.’

The Natural Ground Level of Lot 2 is being excavated so the Finished Floor Level of the outbuilding (and its visibility to neighbours) will be reduced.

The proposed outbuilding is proposed to be used as a garage for the parking of vehicles. A 6 metre by 6 metre floor area is proposed.

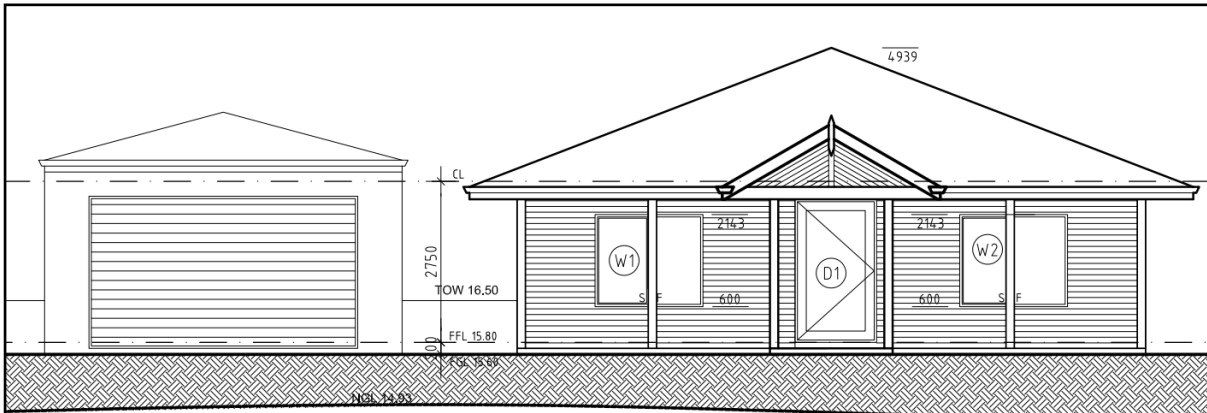
The proposed outbuilding seeks variations to the Residential Design Codes (the Codes) as detailed below:

Clause 5.4.3 C3 B ‘deemed to comply’ criteria / Outbuildings that:	Officer Comment - Town Planning Innovations
(i) individually or collectively does not exceed 60sqm in area or 10 percent in aggregate of the site area, whichever is the lesser	Complies A floor area of 36m ² is proposed.
(ii) setback in accordance with Table 2a.	Complies
(iii) does not exceed a wall height of 2.4 metres	Variation. The wall heights vary for each elevation and range from 2.16 metres at its lowest point (west elevation) and 2.72 metres at its highest point (north elevation). The elevations are included below for ease of reference. The wall height is 2.75 metres as viewed from the street (from the Altered Ground Level) and will have a lower ridge height than the house.
(iv) does not exceed a ridge height of 4.2 metres	Complies.
(vi) not located within the primary or secondary street setback area; and	Complies.

MINUTES OF THE ORDINARY COUNCIL MEETING

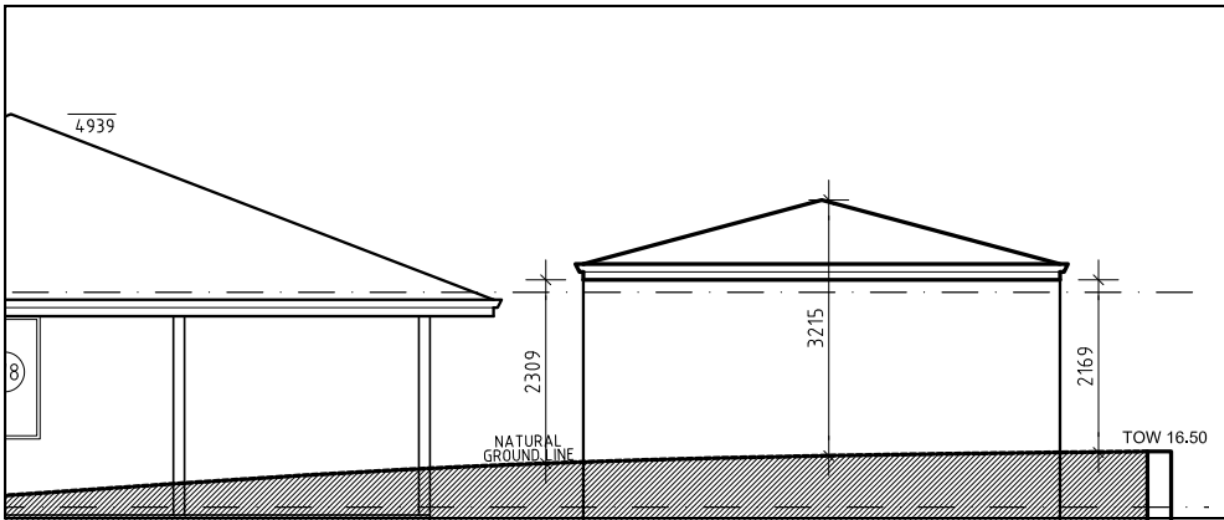
29 MAY 2024

vi) does not reduce the open space and outdoor living area requirements in Table B.	Complies.
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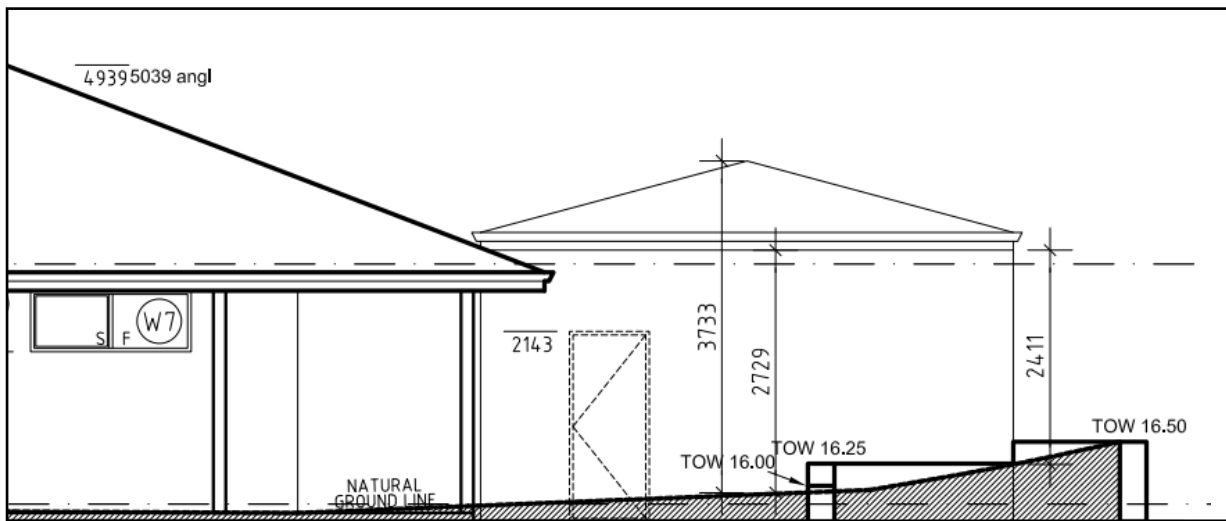
Above: Front Elevation showing 2.75 metre wall height from the Altered Ground Level and scale of outbuilding in context of the proposed dwelling. The ridge height is 3.925 metres.

Confirming with owner but is shown on the plan

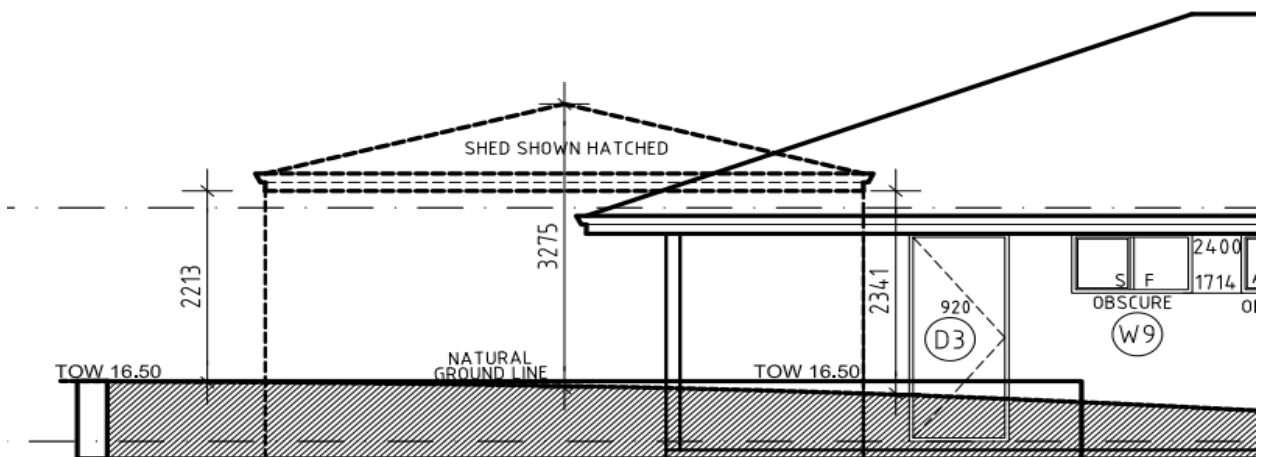


Above: West Elevation showing lowest wall height of 2.16 metres and roof height of 3.2 metres

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Above: North Elevation showing highest wall height of 2.72 metres and roof height of 3.7 metres



Above: South Elevation showing highest wall height of 2.21 metres and roof height of 3.27 metres

- **Outbuilding Assessment – Design Principle**

The application proposes variations to the ‘Deemed to Comply’ requirements therefore the Shire has to determine if the outbuilding complies with the alternative ‘Design Principle’ (5.4.3 P3) of the Codes which is:

“Outbuildings that do not detract from the streetscape or the visual amenity of residents of neighbouring properties”.

It is the applicants right to pursue an approval under the available alternative Design Principle of the Codes. It is a more subjective assessment.

The Design Principle pathway offers an alternative merit-based approach when one or more of the ‘deemed-to-comply’ provisions are not satisfied

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Town Planning Innovations is of the view that the wall height variation for the outbuilding complies with the alternative 'Design Principle' (5.4.3 P3) of the Codes for the following reasons:

4. The outbuilding walls are only 6 metres long.
5. The outbuilding is to the rear where the owner is lowering the natural ground level, which reduces the visibility of the walls from neighbouring lots.
6. The outbuilding is of an appropriate scale when compared to the dwelling proposed on the same lot.

• **Relevant Decisions on Outbuildings**

Each streetscape has different characteristics which need to be taken into account as part of specific assessments.

The table below outlines the sizes of approved outbuildings in Denham townsite. Some outbuildings approved with higher wall heights are highlighted in blue in the table for information.

Address	Wall Height	Ridge Height	Floor Area	Council meeting date
Lot 36 (5) Dirk Place Denham	4	4.6	54m ²	February 2017
Lot 182 (4) Fletcher Court, Denham	4.2	4.2	88m ²	Delegated authority after general report to Council in May 2015
Lot 83 (47) Hartog Crescent, Denham	4	4.611	94m ²	Delegated authority after general report to Council in March 2015
Lot 154 (7) Sunter Place Denham	3.7	4.2	88.07m ²	December 2015
Lot 249 (4) Talbot Street, Denham	3.425	4.232	78m ²	June 2015
Lot 210 (10) Edwards Street, Denham	3.5	4.088	36.3m ²	July 2014
Lot 294 (33) Hughes Street, Denham (abuts child care centre and church)	3.6	5	90m ²	September 2014
Lot 191 (Strata Lot 2 – 71A) Brockman Street, Denham	2.7	3.571	58.5m ²	August 2024
Lot 200 (39) Capewell Drive, Denham (alteration and extension of existing outbuilding)	2.7-2.9	3.504	54m ²	February 2024
Lot 264 (Unit 2) Mead Street, Denham	3	4.2	68m ²	August 2024
Lot 85 (43) Hartog Crescent, Denham	4.5	5.029	54m ²	April 2012
Lot 216 (5) Poland Road, Denham	4.1	4.95	80m ²	July 2012

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Lot 39 (4) Sellenger Heights, Denham	4.2	4.9	89.9m ²	Refused February 2018
Lot 39 (4) Sellenger Heights, Denham (Revised plans lodged after refusal issued in February 2018)	3.45 metres to 3.845 metres	3.845 metres	77m ²	February 2019
Lot 223 (10) Fry Court Denham	2.6 metres to 2.8 metres.	4.2	129m ²	Delegated authority after general report to Council in March 2019
Lot 4 (145) Knight Terrace, Denham	3 metres	4.7	73.73m ²	March 2020
Lot 159 (37) Durlacher Street, Denham	3.6 metres	4.31 metres	29.6m ² is proposed and the existing outbuilding is 44.4m ² .	August 2020
Lot 224 (9) Leeds Court, Denham	3.7 metres	4.16 metres	96m ² in addition to a 54m ² existing outbuilding.	September 2020
Lot 61 (8) Hartog Crescent, Denham	2.7 metres	4.065 metres	60m ²	December 2020
Lot 148 (71) Durlacher Street, Denham	2.7 metres	3.22 metres	60m ²	December 2020
Lot 105 (9) Oakley Ridge, Denham	3 metres	3.8 metres	72m ²	February 2021
Lot 160 (22) Capewell Drive, Denham	3.5 metres	4.11 metres	56m ²	March 2021
Lot 226 (24) Fry Court, Denham	3.981 to 4.41 metres	4.41 metres	84m ²	Refused May 2021
Lot 226 (24) Fry Court, Denham	4.086 to 4.319 metres	4.4 metres	75.6m ²	Refused July 2021
Lot 31 (13) Mitchell Rise, Denham	3.588 metres	4.2 metres	65m ²	Delegated authority after general report to Council in April 2021
Lot 17 (16) Terry Deschamps Way, Denham	3.6 to 3.9 metres	3.9 metres	57.84m ²	August 2021
Lot 226 (24) Fry Court, Denham	4.086m to 4.319 metres	4.4 metres	84m ²	October 2022
Lot 156 (1) Sunter Place, Denham	3.5	4.8	51.3m ²	Refused March 2022
Lot 209 (14) Edwards Street, Denham	2.59	2.59	14.7m ²	Approved August 2023
Lot 11 (4) Terry Deschamps Way, Denham	3.65 metres	4.15 metres	100m ²	August 2023 OCM/granted delegation to CEO

29 MAY 2024

Lot 203 (131) Knight Terrace, Denham	4.1 metres	4.4 metres	73.5m ² (31.5m ² portion is open sided)	Approved September 2023
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• **State Planning Policy 3.7 – Planning for Bushfire Protection**

Under the ‘deemed provisions’ of the *Planning and Development (Local Planning Schemes) Regulations 2015* Council is to have ‘due regard’ to any state planning policy. This essentially means Council has an obligation to give proper, genuine and realistic consideration to the requirements of ‘State Planning Policy 3.7: Planning in Bushfire Prone Areas’.

Mapping identifying Bushfire Prone Areas is available through the Department of Fire and Emergency Services website.

The subject lot is within the declared bushfire prone area. A Bushfire Attack Level assessment is not required as part of the planning process as the lot has an area less than 1100m².

A Bushfire Attack Level Assessment will be lodged as part of a separate building application.

• **Consultation**

The application has been advertised for public comment, and no submissions have been received.

Advertising closed on the 16 May 2024.

LEGAL IMPLICATIONS

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.

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

Clause 25 ‘R-Codes’ states as follows:

- (2) The R-Codes, modified as set out in clause 26, are to be read as part of this Scheme.
- (2) The local government —
 - (a) must make a copy of the R-Codes available for public inspection during business hours at the offices of the local government; and
 - (b) may publish a copy of the R-Codes on the website of the local government.

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- (3) The coding of land for the purposes of the R-Codes is shown by the coding number superimposed on a particular area contained within the boundaries of the area shown on the Scheme Map.
- (4) The R-Codes apply to an area if the area has a coding number superimposed on it in accordance with subclause (3).

Planning and Development Amendment Act 2023

Legislative changes for future applications for Single Houses and associated development such as Outbuildings, will become effective on the 1 July 2024.

From 1 July 2024, the determination of development applications for single houses or any development associated with a single house, excluding development of or associated with a heritage protected place, must be made by the Chief Executive Officer of the local government or employees authorised by the Chief Executive Officer. This applications will not be able to be determined by Council.

The changes are in line with the state government planning reforms to 'cut red tape'.

POLICY IMPLICATIONS

Although not a local planning policy, the Shires crossover policy requires a standard sealed or paved crossing comprising of either -

9. A 150 mm compacted and water bound road base driveway, sealed with two coat of bitumen and topped with an approved aggregate; or
10. A minimum of 100 mm reinforced concrete over a compacted sub-base; or
11. A minimum of 50 mm thick brick pavers; or
12. As approved by Council.

The Shires Crossover Policy requires a minimum width of 3 metres.

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for planning 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

D Chapman

Date of Report

18 May 2024

29 MAY 2024

ATTACHMENT # 1

Can I have a height in numbers please? Like for the house.

XXX number

Can I have this height please?

ELEVATION 1
SCALE 1/100

ELEVATION 2
SCALE 1/100

ELEVATION 3
SCALE 1/100

ELEVATION 4
SCALE 1/100

		PROJECT NO: 2024/00000000 PROJECT NAME: DURBAN CLIENT: DURBAN DATE: 2024
ARCHITECT: SHARON VAN GILLEN DURBAN	ENGINEER: DURBAN	DRAWN BY: DURBAN
CHECKED BY: DURBAN	DATE: 2024	SCALE: 1/100

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12.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

There were no motions of which previous notice haven been given to the May 2024 Ordinary Council meeting.

13.0 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

There were no questions by member of which due notice haven been given for the May 2024 Ordinary Council meeting.

14.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

There was no urgent business presented to the May 2024 Ordinary Council meeting.

15.0 MATTERS BEHIND CLOSED DOORS

There were no confidential items presented to the May 2024 Ordinary Council meeting.

16.0 DATE AND TIME OF NEXT MEETING

The next Ordinary meeting of the Shark Bay Shire Council will be held on the 26 June 2024, commencing at 1.00 pm.

17.0 CLOSURE OF MEETING

As there was no further business, the President closed the May 2024 Ordinary Council meeting at 2.09 pm.